

PLANNING COMMITTEE

Wednesday, 23 May 2018

5.30 pm

Committee Rooms 1-2, City Hall

Membership:	Councillors Jim Hanrahan (Chair), Naomi Tweddle (Vice-Chair), Biff Bean, Kathleen Brothwell, Bob Bushell, Gary Hewson, Ronald Hills, Edmund Strengiel, Bill Bilton, Alan Briggs and Chris Burke
Substitute members:	Councillors Jackie Kirk and Neil Murray
Officers attending:	Mick Albans, Emma Brownless, Simon Cousins, Kieron Manning, Paul Thompson and Democratic Services

The Planning Committee comprises democratically elected members who will be presented with a recommendation from the professional officers for each application on the agenda. After each application has been presented, those interested parties who have registered to speak will then be given 5 minutes to verbally present their views, and, following this, the committee will debate each proposal and make the decision, having considered all relevant information.

Clearly the process of making a decision will inevitably cause some people to feel aggrieved, but it is hoped that all interested parties will feel that their views have been considered as part of the process.

Please ensure that your mobile phones are switched off or set to silent throughout the meeting and please refrain from attempting to speak from the public gallery unless you have formally registered to speak on an application, in which case the Chair will call you to the table at the relevant time.

A G E N D A

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Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
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THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

LIST OF BACKGROUND PAPERS FOR PLANNING, LISTED BUILDING, CONSERVATION AREA AND ADVERTISEMENT APPLICATIONS ON THE AGENDA OF THE PLANNING COMMITTEE

The Background Papers for the Planning, Listed Building, Conservation Area and Advertisement Applications are:

1. The Planning Application File. This is a file with the same reference number as that shown on the Agenda for the Application. Information from the planning application file is available online at <https://development.lincoln.gov.uk/online-applications/>

The application files contain the following documents:

- a. the application forms;
 - b. plans of the proposed development;
 - c. site plans;
 - d. certificate relating to ownership of the site;
 - e. consultation letters and replies to and from statutory consultees and bodies;
 - f. letters and documents from interested parties;
 - g. memoranda of consultation and replies to and from Departments of the Council.
2. Any previous Planning Applications referred to in the Reports on the Agenda for the particular application or in the Planning Application specified above.
 3. Central Lincolnshire Local Plan – Adopted April 2017
 4. National Planning Policy Framework - March 2012
 5. Applications which have Background Papers additional to those specified in 1 to 5 above set out in the following table. These documents may be inspected at the Planning Reception, City Hall, Beaumont Fee, Lincoln.

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

CRITERIA FOR PLANNING COMMITTEE SITE VISITS (AGREED BY DC COMMITTEE ON 21 JUNE 2006 AND APPROVED BY FULL COUNCIL ON 15 AUGUST 2006)

Criteria:

- Applications which raise issues which are likely to require detailed first hand knowledge of the site and its surroundings to enable a well-informed decision to be taken **and** the presentational material at Committee would not provide the necessary detail or level of information.
- Major proposals which are contrary to Local Plan policies and proposals but which have significant potential benefit such as job creation or retention, environmental enhancement, removal of non-confirming uses, etc.
- Proposals which could significantly affect the city centre or a neighbourhood by reason of economic or environmental impact.
- Proposals which would significantly affect the volume or characteristics of road traffic in the area of a site.
- Significant proposals outside the urban area.
- Proposals which relate to new or novel forms of development.
- Developments which have been undertaken and which, if refused permission, would normally require enforcement action to remedy the breach of planning control.
- Development which could create significant hazards or pollution.

So that the targets for determining planning applications are not adversely affected by the carrying out of site visits by the Committee, the request for a site visit needs to be made as early as possible and site visits should be restricted to those matters where it appears essential.

A proforma is available for all Members. This will need to be completed to request a site visit and will require details of the application reference and the reason for the request for the site visit. It is intended that Members would use the proforma well in advance of the consideration of a planning application at Committee. It should also be used to request further or additional information to be presented to Committee to assist in considering the application.

Present: Councillor Jim Hanrahan (*in the Chair*),
Councillor Peter West, Councillor Biff Bean, Councillor
Kathleen Brothwell, Councillor Bob Bushell, Councillor
Paul Gowen, Councillor Gary Hewson, Councillor
Tony Speakman, Councillor Naomi Tweddle and
Councillor Keith Weaver

Apologies for Absence: Councillor Ronald Hills and Councillor Edmund Strengiel

81. Confirmation of Minutes - 31 January 2018

RESOLVED that the minutes of the meeting held on 31 January 2018 be confirmed.

82. Declarations of Interest

No declarations of interest were received.

83. Work to Trees in City Council Ownership

The Arboricultural Officer:

- a. advised Members of the reasons for proposed works to tree's in City Council ownership and sought consent to progress the works identified at Appendices A and B of his report
- b. explained that Ward Councillors had been notified of the proposed works
- c. stated that in some cases it was not possible to plant a tree in the exact location and in these cases a replacement would be replanted in the vicinity.

RESOLVED that the works set out in the schedule at Appendices A and B attached to the report be approved.

84. Application for Development: 235 Monks Road, Lincoln

The Principal Planning Officer:

- a. advised that planning permission was sought for change of use of part of the ground floor at 235 Monks Road, Lincoln to 1no. self-contained flat and relocation of a fence to provide an area of off-street parking
- b. described the application property, a two-storey mid-terrace house situated on the southern side of Monks Road, including an access to its rear yard from Coleby Street across the rear of the neighbouring property No.233 Monks Road
- c. advised that the application property was recently confirmed to be a House in Multiple Occupation (HMO) by virtue of a Certificate of Lawfulness, along with No 233 Monks Road and No 3 Coleby Street, however, not No1 Coleby Street

- d. confirmed that it was now intended that the ground floor of the rear projecting wing of the application property (including the lean-to at the very rear) would be separated internally from the remainder of the property and a self-contained flat formed
- e. provided details of the policies pertaining to the application as follows:-
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP3: Level and Distribution of Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP26: Design and Amenity
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings within Lincoln
 - National Planning Policy Framework
- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained a document provided by the design agent acting on behalf of the applicant, due to address members of Planning Committee at today's meeting
- h. highlighted the main issues relating to the proposals as follows:-
 - The Principle of the Development;
 - Effect upon the Amenities of the Wider Area; and
 - Other Matters.
- i. concluded that:
 - The proposals would have the potential to cause harm to the amenities of the occupants of the adjacent properties at Nos. 237 Monks Road and 1 Coleby Street; as well as upon the occupants of the existing HMOs, particularly as there would be a large number of independent adults in the HMOs and a separate household in the proposed accommodation.
 - Furthermore, the harm caused by alterations to create parking within the curtilage of the property would be harmful to the character of the area.
 - All these factors added weight to the conclusion that the proposals would not accord with the relevant planning policies.

Katie Daymen, representing the Applicant, addressed Planning Committee in support of the proposed development, covering the following main points:

- Steps could be taken to mitigate rear amenity issues as detailed below.
- A timber fence would create a single passageway as a private entrance to the self-contained flat.
- There would still be 26.9 square metres of rear amenity space for residents of the five-bed HMO.
- There would be no outdoor amenity space for the self-contained flat although private access to bin storage would be provided.

- The rear exit within No 233 Monks Road led to a paved courtyard with a high wall to the south of the door dividing the rear space and this courtyard. The residents of No 233 would still have full enjoyment of this private side amenity space.
- The applicant was happy to reallocate the proposed gravelled car parking space to another use such as bicycle storage to alleviate concerns regarding visual character.
- The proposal to separate the internal space of 235 Monks Road would reallocate the noise of six residents further back into the main house away from 1 Coleby Street, lessening the noise significantly with only one person residing at the back of the property.
- It was appreciated there would be noise impact on 237 Monks Road, however 235 Monks Road already had approved HMO usage for up to six people, the addition of the self-contained flat would reduce the number of people in the main body of the house.
- Reducing the rear amenity space would result in less external usage by residents decreasing noise nuisance.
- The proposed alterations were of high quality, being well insulated with carefully considered space and would uplift this area of Monks Road.
- The proposed alterations would attract a high calibre of resident.

Members discussed the content of the report in further detail, raising concerns in relation to:

- Existing policy which stated that HMO's should expect some form of amenity, some of which would be lost as a result of the proposed alterations by those already occupying the existing HMO
- Change in ownership of the property in the future may could cause problems in relation to the determination of access rights across the car parking area.

RESOLVED that planning permission be refused.

Reasons for refusal:

- The proposals, together with the existing HMO within the application building and at Nos. 233 and 239 Monks Road, would exacerbate the amenity concerns of noise and disturbance associated with those multiple occupancy properties which would have a detrimental effect on the living conditions of local residents, particularly the occupants of Nos. 237 Monks Road and 1 Coleby Street; as well as upon the occupants of the existing HMOs at Nos. 233 and 235 Monks Road.
- The resultant private amenity spaces available for the proposed property and the HMOs would also be of such a small scale that they would not offer any relief to these impacts.
- Moreover, the reduction in the amenity space of the properties and incorporation of further parking would be prominent when viewed from public areas and harmful to the character and appearance of the area.
- The proposals would therefore be in conflict with Policies LP26 and LP37 of the Central Lincolnshire Local Plan and the policy aims of the National Planning Policy Framework in respect of amenity and design.

85. Application for Development: The Lincolnshire Poacher, Bunkers Hill, Lincoln

The Principal Planning Officer:

- a. advised that planning permission (listed building consent) was sought for the refurbishment of the Lincolnshire Poacher, Bunkers Hill, Lincoln including internal redecoration of the pub, installation of a fixed seating booth, screen divider and a new pizza counter
- b. described the Lincolnshire Poacher, a grade II listed building, originally a farmhouse dating from the late 18th century, having been converted to a public house in 1994 and operating currently as such
- c. reported that planning permission for the erection of a lodge style hotel was refused in March 2017, overturned by the planning inspectorate with planning permission granted in December 2017, however, the proposed application related to works requiring listed building consent to the existing pub and was unrelated to the application for a hotel
- d. provided details of the policies pertaining to the application as follows:-
 - National Planning Policy Framework
 - Policy LP26: Central Lincolnshire Local Plan
- e. outlined the responses made to the consultation exercise
- f. referred to the update sheet which contained a further response received in relation to the planning application
- g. highlighted the main issues relating to the proposals as follows:-
 - Visual Amenity and the Effect on the Listed Building
 - Highways
 - Issues Raised by Neighbours
- h. concluded that:
 - The significance of this asset primarily derived from the external appearance of the original building, therefore the majority of the modest works included within this application did not have an impact on this significance.
 - The repair and maintenance of the fabric was welcomed in order to sustain this important building. Therefore it was considered that the proposal was in accordance with the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
 - It was also considered to be in accordance with the guidance contained within the NPPF paragraph 131 which required that Local Planning Authorities in determining applications should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them to viable uses consistent with their conservation, and paragraph 132 which required that when considering the impact of a proposed

development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Councillor Jackie Kirk, addressed Planning Committee as Ward Advocate on behalf of local residents in relation to the proposed development, covering the following main points:

- The planning history for the premises included an application for a hotel refused by Planning Committee, subsequently overturned and granted by the Planning Inspector.
- Planning permission granted for a hotel did have an effect on the activities within the public house.
- Problems with deliveries to pub causing issues of public safety.
- Increased seating would cause noise and light pollution.
- The public house had failed to engage with local residents in respect of either planning application.
- The proposed changes appeared minor, however impact on customers/traffic/accidents was significant.
- Internal changes would be detrimental to public amenity.
- The brewery was trying to increase capacity for trading benefits when the new travel lodge was built.
- Would facilities for take-away pizzas be available at the premises in the future?
- An extension of trading hours would be required should the public house decide to serve breakfast and increased licensing hours in the case of musical events.
- The public house would be more like Wetherspoon's - open all hours.
- Noise nuisance/Anti-Social Behaviour issues.
- This application proposed a small increase internally and minor improvements externally, however further plans were in the pipeline for the Lincolnshire Poacher.

Members discussed the content of the report making the following comments:

- The concerns raised by Councillor Kirk had already been dealt with under the previous application granted by the planning inspectorate and had no bearing on the decision to be made on this application.
- Any additional activities requested at a later date would be dealt with by the appropriate bodies at that time.
- The proposed inclusion of a foyer had been removed from the plans since the previous application for a hotel.
- Members must deal with the application before them and not supposition as to what may happen in the future.
- A new pizza oven was little different to the previous practice of serving carveries at the pub.

RESOLVED that planning permission be granted subject to the following conditions:

- Works to start within 3 years
- Works to be carried out in accordance with the plans
- Methodology and specification for the repairs to the floors

86. Application for Development: 1-4 Cornhill Pavement and 7-8 Sincil Street,

Lincoln

The Planning Manager:

- a. advised that planning permission was sought for demolition of 1-4 Cornhill Pavements and 7-8 Sincil Street to facilitate the erection of a new building to provide new Class A1 (retail), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments), Class D2 (leisure) uses; and other associated works
- b. described the location of the site within the Cathedral and City Centre Conservation Area No 1 and the 'Primary Shopping Area' as identified in the Central Lincolnshire Local Plan
- c. reported that the application had been subject to some pre application discussion with officers and Historic England, with revisions made to the scheme further to the receipt of the application
- d. highlighted that the scheme was the latest part of the wider redevelopment of 'The Cornhill Quarter' by the Co-op which stretched from the River Witham to the North, and Tentercroft Street to the South
- e. reported that the scheme to date involved the refurbishment of the grade II listed Corn Exchange, the on-going alteration and extension of no's 30-35 Sincil Street and in conjunction with the City Council, the recently completed new multi storey car park, transport interchange and Central Bus Station
- f. provided details of the policies pertaining to the application as follows:-
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP26: Design and Amenity
 - Policy LP31: Lincoln's Economy
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - Policy LP25: The Historic Environment
 - National Planning Policy Framework
- g. outlined the responses made to the consultation exercise
- h. referred to the update sheet which contained further responses received from Historic England and Lincoln Civic Trust in relation to the planning application
- i. highlighted the main issues relating to the proposals as follows:-
 - Local and National Planning Policy
 - Effect on Visual Amenity
 - Setting of Adjacent Listed Buildings
 - Character and Appearance of the Conservation Area
 - Highway Safety
 - Archaeology
 - Lighting
 - Fume Extraction

- Land Contamination

j. concluded that:

- This cinema development was another step towards the refurbishment of the wider Cornhill Quarter, following on from the recently completed Corn Exchange building and the redevelopment works currently taking place to properties at 30-35 Sincil Street.
- This development was crucial to the creation of a public square within the area and in improving visual links with the High Street.
- The development would also help to encourage activity both during the day and evening.
- The proposal had been revised in order to address initial concerns regarding scale and height of the building and the effect on particular views within the area.
- The revised proposal was considered to be a good modern design which respected the architectural character of the area and the setting of the adjacent listed buildings.
- The proposal would contribute to the character and appearance of the conservation area and was therefore in accordance with both local and national planning policy.

Ursula Lidbetter, Chief Executive, Lincolnshire Co-operative Society, addressed Planning Committee in support of the proposed development, covering the following main points:

- The planning application formed part of Lincolnshire Cooperative Society's major regeneration of the Cornhill Quarter.
- This was a phased development.
- A comprehensive re-imaging of the city area was taking place.
- At the northern end of the development Phase 1 of the Corn Exchange development was now complete.
- Phase 2 mid Sincil Street involved heritage façade's to be reinvigorated and improvements to Victorian shops.
- Phase 3 completed the development of Exchange Square.
- 1980'S buildings would be replaced with a quality piece of architecture set well back offering clear views of Sincil Street to the High Street.
- The revised design of the cinema building was considered acceptable in terms of reduced height.
- The proposals would not be of compromise to the quality of the development of the Cornhill quarter.
- Following completion of the new square redevelopment of St Mary's Street would follow.
- She hoped members shared her excitement of Lincolnshire Cooperative Society's vision for the city.
- The development would provide new services and jobs, maintaining independent retailers in addition to encouraging national retailers.
- The proposals would add to the vitality of our beautiful city.

Members discussed the content of the report expressing general support to the scheme as a quality piece of public realm.

The following comments were made:

- The refurbishment was appreciated, however, more brickwork had been expected.
- The reduced height of the cinema building was welcomed in terms of vision from the south side, although the same south side frontage created a bland appearance. The building suggested on St Mary's Street would improve this view.
- The roof of the proposed cinema development looked somewhat 'cubist'.

The Planning Manager offered the following points of clarification:

- A scheme made up of predominantly brick would compete with the newly refurbished Corn Exchange building. The quality of the materials to be used would look much better in the flesh.
- The height of the roof had been reduced as far as possible to improve visual amenity. The material to be used was standing zinc, in order to 'read' as roofing.

RESOLVED that planning permission be granted subject to the following conditions:

- 3 years
- Drawing numbers
- Lighting scheme
- Materials
- Archaeology
- Design of balustrade to prevent items falling onto highway below
- Land contamination
- Extraction equipment

87. Application for Development: Site Of Former Wildlife Public House, Birchwood Avenue, Lincoln

The Planning Manager:

- a. described the application site, situated on the west side of Birchwood Avenue, a route providing access into Lincoln from the west, and close to its road's junction with the B1241, Skellingthorpe Road
- b. highlighted that the surrounding area, some 4 kilometres from the city centre, predominantly comprised areas of late 20th century housing, although there was a small convenience store to the north-east of the site and a petrol filling station beyond that
- c. advised that planning permission was sought for the erection of 2no. three storey buildings to provide 30no. one bedroom apartments and 8no. two bedroom apartments; provision of new vehicle access and parking spaces; stopping up of current vehicular access; and, hard and soft landscaping works to include new boundary treatment and provision of shared outdoor amenity space
- d. described the planning history to the site, previously occupied by a public house, with permission to demolish given in 2012, as detailed in full within the officer's report

e. provided details of the policies pertaining to the application as follows:-

- Policy LP1: A Presumption in Favour of Sustainable Development
- Policy LP2: The Spatial Strategy and Settlement Hierarchy
- Policy LP3: Level and Distribution of Growth
- Policy LP9: Health and Wellbeing
- Policy LP11: Affordable Housing
- Policy LP12: Infrastructure to Support Growth
- Policy LP13: Accessibility and Transport
- Policy LP14: Managing Water Resources and Flood Risk
- Policy LP16: Development on Land affected by Contamination
- Policy LP21: Biodiversity and Geodiversity
- Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
- Policy LP25: The Historic Environment
- Policy LP26: Design and Amenity
- Policy LP29: Protecting Lincoln's Setting and Character
- Policy LP36: Access and Movement within the Lincoln Area
- National Planning Policy Framework

f. described the planning history to the site, previously occupied by a public house, given permission to be demolished in 2012, as detailed in full within the officer's report

g. outlined the responses made to the consultation exercise

h. referred to the update sheet which contained further responses received in relation to the planning application

i. highlighted the main issues relating to the proposals as follows:-

- The Principle of the Development;
- Provision of Affordable Housing and Contributions to Services;
- The Design of the Proposals and their Visual Impact;
- Implications of the Proposals upon Amenity;
- Sustainable Access, Highway Safety and Air Quality;
- Site Drainage; and
- Planning Balance.

j. concluded that:

- The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be any conflict of the three strands of sustainability that would apply to development as set out in the planning balance.
- There would not be harm caused by approving the development so it is considered that the application should benefit from planning permission for the reasons identified in the report but subject to the planning conditions outlined within the officers' report.

James Rigby, representing the agent for the proposed development, addressed Planning Committee in support of the planning application, covering the following main points:

- Lengthy discussions had been held with officers at pre application stage.
- The proposed scheme was now refined.
- Planning permission was sought for 38 apartments on a semi-derelict site.
- A local developer would buy the site if planning permission was secured.
- Thirty of the apartments were to be one-bedroomed classed as starter homes.
- A quarter of the units would be affordable homes.
- The development would offer a good level of amenity for new and existing residents.
- There would be no issues of overlook as the building stepped down to two-storey at the rear.
- Boundary treatment would be applied.
- The provision of 48 car parking spaces on-site within the scheme was considered to be adequate.
- The Highways Authority had raised no objection to the level of car parking provision on site.
- Frequent bus connections ran to the new Transport Hub.
- This development provided a welcome opportunity to tidy up this derelict site and provide starter homes for the local community.

Members expressed support for the scheme in the context of it being an improvement to what had been there before providing additional housing in the city.

Members also raised concerns in relation to:

- The height of the proposed development, although there was already another three storey development in the area.
- Traffic issues/cars backing up along Birchwood Avenue from the Skellingthorpe Road junction, making it difficult to exit Meadowlake Crescent.
- The need for landscaping to allow the neck of the junction exiting the development to be as visually open as possible.
- Potential issues of access into the development which was already serviced by a bus stop close to it.
- The need for extra consulting rooms at the local doctors' surgery.
- How the developer would provide investment back into the local community
- Potential overlook onto properties in Landmere Grove.
- Opportunities for the developer to finance a zebra crossing to ease traffic safety.

The Planning Manager offered the following points of clarification:

- The list of financial contributions to be provided by the developer included a contribution to existing off-site strategic playing fields, local green infrastructure, services for patients and relief of pressures on health services within the area.
- The Highways Authority as consultee was happy in terms of highway safety with no additional works recommended. The creation of a zebra crossing could only be authorised by the Highways Authority.

- In reality, all developments created additional traffic, it was considered that the scheme could be accommodated within the site in an acceptable manner not to cause harm due to car parking provision.
- The provision of car parking spaces at a ratio of more than 1 per household was considered to be a manageable level.
- In terms of potential overlook, the closest window to window relationship with adjacent buildings was 25/26 metres, being 4-5 metres in excess of the benchmark minimum limit. The property also stepped down at the rear to two-storey.

Local Ward Councillors highlighted that they would raise the potential for the addition of a pedestrian crossing separately with the Highways Authority.

RESOLVED that planning permission be granted subject to the following conditions:

- Timeframe of Permission (3 Years);
- Approved Plans;
- Schemes to provide Affordable Housing and deal with Impact upon NHS Services and Playing Fields/Play Space;
- Materials of Construction (including surfacing);
- Scheme of Landscaping and Boundary Treatments;
- Scheme of Foul Drainage;
- Contaminated Land Remediation;
- Controls over Scheme for Site Surface Water Drainage;
- Highway Access and Parking;
- Scheme of External Site Lighting;
- Scheme of Noise Mitigation;
- Scheme for Ecological Enhancement;
- Scheme for Electric Vehicle Recharging Points;
- Hours of Construction Working and Deliveries; and
- Construction Management Plan.

88. Application for Development: Grantham Street Car Park, Grantham Street, Lincoln

The Principal Planning Officer:

- a. advised that outline planning permission was sought for the erection of a building to include 2 levels of car parking and 4 storeys above to provide either residential units (use class C3); and/or student accommodation (use class C3); and/or office (use class B1); and/or Hotel (use class C1) (Outline) (REVISED PLANS)
- b. described the application site situated at the south-western corner of the junction of Grantham Street with Flaxengate, but also adjoining Swan Street to the west, in general terms, situated to the east of the High Street
- c. reported that in light of the nature of the application, access to detailed layout, scale, appearance and landscaping of the proposed development would be subject to a subsequent application for Reserved Matters, accordingly, for these matters, maximum scale parameters had been set for the proposed development within which the reserved matters would be brought forward

- d. highlighted that in terms of the indicative height of the building, it was important to note that this had been reduced as part of the application and the top floor had been set back
- e. provided details of the policies pertaining to the application as follows:-
- Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP3: Level and Distribution of Growth
 - Policy LP5: Delivering Prosperity and Jobs
 - Policy LP6: Retail and Town Centres in Central Lincolnshire
 - Policy LP7: A Sustainable Visitor Economy
 - Policy LP9: Health and Wellbeing
 - Policy LP11: Affordable Housing
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land Affected by Contamination
 - Policy LP17: Landscape, Townscape and Views
 - Policy LP21: Biodiversity and Geodiversity
 - Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP29: Protecting Lincoln's Setting and Character
 - Policy LP31: Lincoln's Economy
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP37: Sub-division and multi-occupation of dwellings within Lincoln
 - National Planning Policy Framework
- f. outlined the responses made to the consultation exercise
- g. highlighted the main issues relating to the proposals as follows:-
- The Principle of the Development
 - Affordable Housing and Contributions to Service Provision;
 - The Impact of the Design of the Proposals;
 - The Implications of the Proposals upon Amenity;
 - Other Matters; and
 - The Planning Balance.
- h. concluded that:
- The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with the three strands of sustainability that would apply to development as set out in the planning balance.

- Therefore, there would not be harm caused by approving the development. As such, it was considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions outlined within the officer's report.

Jeremy Wright, local resident addressed Planning Committee in opposition to the planning application, covering the following main points:

- He represented all the objectors to the planning application, including residents of Swan Street, Grantham Street and Lincoln Civic Trust.
- The proposed development would overpower the Swan Street apartment building.
- The relationship window to window with the building on Swan Street would be as close as 24 feet.
- There would be unacceptable loss of light/privacy.
- Student accommodation did not bode well next to private accommodation.
- Lincoln Civic Trust believed the site should be developed in a more sensitive manner.
- Issues of height/scale/massing.
- The development would not blend into the street scene.
- The proposal was inappropriate overdevelopment for this special area of the city within the cultural quarter.
- The Masterplan Vision for Grantham Street was not so dramatic.
- According to these proposals the Vision had no weight.
- The Vision within the Central Lincolnshire Local Plan highlighted the need for good design/amenity, protecting the townscape and historic areas.
- Two storeys of car parking would sterilise the street frontages.
- Too large/obtrusive.
- Future generations would question why this historic area had been spoilt.
- He urged Planning Committee to refuse planning permission in favour of a more sensitive development to complement the beauty of our City.

James Rigby addressed Planning Committee on behalf of the agent in support of the proposed development, covering the following main points:

- Outline planning permission was sought for a 5-6 storey building.
- All matters were reserved for approval in principle.
- The floors above the car park would be marketed as office space or potentially by a national hotel operator.
- Discussions had been held with officers at pre-application stage.
- Long views from further afield together with the townscape of the area had been respected.
- The proposals were not dominant within the existing cluster of buildings.
- Visuals provided were indicative; the design had been discussed with officers to enhance and complement the city.
- The build was similar to that of the Terrace/Danesgate House.
- Reserved matters would ensure that the amenity of occupants on Swan Street was not compromised.
- The upper storeys would be stepped back to relieve visual massing.
- A pay and display car park would be provided as part of the proposals.
- A coffee shop/restaurant would be welcomed for Grantham Street.
- This was a first step to enhance the vitality and viability of the city centre.

Members discussed the content of the report in further detail, raising concerns in relation to:

- Mr Wright's statement regarding window to window separations of 24 feet.
- The potential for a 24 foot blank wall overlooking Swan Street in the absence of windows.
- Design, mass and height being out of proportion/overdevelopment.
- Difficulty in making a decision on the merits of the development without knowing what its final use would be.
- The reference to trees being replaceable as they lived less years than the buildings replacing them.
- Potential departure from the Local Plan.

The Principal Planning Officer offered the following points of clarification:

- There would be a close relationship between the two buildings, however, the planning process was mindful of the relationship between neighbouring properties to ensure it was not oppressive.
- The relationship window to window would never be as close as 24 feet, certainly no worse than the current situation and it may well improve.
- In respect of reserved matters, there were tools at the planning authority's disposal through the design process to ensure neighbours amenity was not impaired.

The Planning Manager offered the following points of clarification:

- The relationship between buildings would be no different to that seen presently across to The Terrace at much closer distances.
- There would always be challenge to development in the city centre, and there must be an acceptance of the lower threshold.
- The proposed uses whether hotel/student or residential were all considered to be acceptable in planning terms.
- The remit of Planning Committee members at outline planning permission stage was to consider height/scale and mass of the proposed development.
- Matters of elevation/fenestration were the subject of final design, however, elements of internal development such as use of internal screening, obscure glazing, chamfering/angling to windows was available to protect neighbours amenity.
- The reserved matters application would be considered by Planning Committee within the parameters of outline planning permission if granted, alternatively the applicant could decide to submit a full planning application.
- The tree assessment had been made based on the health/longevity of the specimens concerned and whether they were coming to the end of their useful life. It was in no way intended to suggest that buildings were more important than trees.
- The maximum height of the building was the same height as the Terrace adjacent and somewhat lower than the building behind.
- The development was not contrary to any planning policy. The City Centre Masterplan was used as guidance tool, the proposals were in line with the Central Lincolnshire Local Plan.

RESOLVED that planning permission be approved, with authority delegated to the Planning Manager to formulate Planning Conditions covering the matters referred to below:-

- Timeframe of the application (for outline permission);
- Requirements of Reserved Matters;
- Archaeology;
- Schemes to deal with the mitigation of impact upon Education, Local Green Infrastructure / Strategic Playing Fields and Affordable Housing;
- Scheme for Future Management of the Building;
- Details of External Plant and Machinery (including Extraction);
- Refuse Collections and Deliveries (End Users);
- Construction Management Plan;
- Working and Delivery Hours for Construction;
- External Lighting;
- Contaminated Land;
- Electric Vehicle Recharging;
- Schemes to deal with foul and surface water;
- Scheme for Cycle Parking.

89. Application for Development: Land Adjacent To The Myle Cross Centre, Macaulay Drive, Lincoln

The Principal Planning Officer:

- a. described the application site located in St Giles, a predominantly residential area approximately two miles north east of the centre of Lincoln
- b. reported that the application proposed the erection of a new 'alternative provision' (AP) school with secured play areas, landscaping, car parking and associated engineering works, served via a new vehicular access off Macaulay Drive to accommodate up to sixty-three pupils aged from five to sixteen
- c. advised that the applicant, Wellspring Academy Trust, operated eleven existing AP schools in Yorkshire and Humberside with the aim to provide the best possible education to children who could not be in mainstream education
- d. provided details of the policies pertaining to the application as follows:-
 - National Planning Policy Framework
 - Central Lincolnshire Local Plan – Policy LP26 Design and Amenity Standards
- e. outlined the responses made to the consultation exercise
- f. referred to the update sheet which contained a further response from Lincoln Civic Trust raising no objection to the proposed development
- g. highlighted the main issues relating to the proposals as follows:-
 - Residential Amenity
 - Visual Amenity

- Highways
- Trees
- Ecology
- Drainage

h. concluded that:

- The application proposed the erection of a new 'alternative provision' school with secured play areas, landscaping, car parking and associated engineering works. The school would accommodate up to sixty-three pupils aged from five to sixteen.
- The application supported the aims set out in the NPPF to ensure that a sufficient choice of school places were available to meet the needs of existing and new communities.
- The design of the school was appropriate and related well to the site and surroundings, particularly in relation to siting, height and palette of materials in accordance with local plan policy LP26.
- Moreover the design of the development was appropriate given the end user to ensure that the design was both appropriate and safe and secure and would have no adverse impacts on residential amenity.

Members discussed the content of the report in further detail.

RESOLVED that planning permission be granted subject to the following conditions:

- Development to commence within 3 years
- Development to be carried out in accordance with the plans
- External plant or machinery
- Time restriction on use of MUGA
- Internal highway layout to be carried out in accordance with the plans
- External lighting assessment
- Submission of surface water management strategy
- Submission of foul water strategy
- Landscaping
- Unexpected contamination

SUBJECT:	WORK TO TREES IN CITY COUNCIL OWNERSHIP
DIRECTORATE	COMMUNITIES AND ENVIRONMENT
LEAD OFFICER	STEVE BIRD – ASSISTANT DIRECTOR (COMMUNITIES & STREET SCENE)

1. Purpose of Report

- 1.1 To advise Members of the reasons for proposed works to trees in City Council ownership, and to seek consent to progress the works identified.
- 1.2 This list does not represent all the work undertaken to Council trees. It is all the instances where a tree is either identified for removal, or where a tree enjoys some element of protection under planning legislation, and thus formal consent is required.

2. Background

- 2.1 In accordance with the accepted policy, Committee's views are sought in respect of proposed works to trees in City Council ownership, see Appendix A.
- 2.2 The responsibility for the management of any given tree is determined by the ownership responsibilities of the land on which it stands. Trees within this schedule are therefore on land owned by the Council, with management responsibilities distributed according to the purpose of the land.

3. Tree Assessment

- 3.1 All tree cases are brought to this committee only after careful consideration and assessment by the Council's Arboricultural Officer (together with independent advice where considered appropriate).
- 3.2 All relevant Ward Councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.3 Although the Council strives to replace any tree that has to be removed, in some instances it is not possible or desirable to replant a tree in either the exact location or of the same species. In these cases a replacement of an appropriate species is scheduled to be planted in an appropriate location within the vicinity. Tree planting is normally scheduled for the winter months following the removal.

4. Resource Implications

4.1 i) Finance

The costs of any tree works arising from this report will be borne by the existing budgets. There are no other financial implications, capital or revenue.

- 4.2 ii) Staffing N/A
- 4.3 iii) Property/Land/ Accommodation Implications N/A
- 4.4 iv) Procurement

All works arising from this report are undertaken by the Council's grounds maintenance contractor. The contractor was appointed after an extensive competitive tendering exercise, ensuring that staff are all suitably trained, qualified, and experienced. The contract for this work was let in April 2006.

5. Policy Implications

- 5.1 (i) Strategic Priority N/A
- 5.2 (ii) S.17 Crime and Disorder N/A
- 5.3 (iii) Equality and Diversity N/A
- 5.4 (iv) Environmental Sustainability

The Council acknowledges the importance of trees and tree planting to the environment and its biodiversity objectives. Replacement trees are routinely scheduled wherever a tree has to be removed, in-line with Council policy.

- 5.5 (v) Community Engagement/Communication N/A

6. Consultation and Communication

- 6.1 All ward Councillors are informed of proposed works on this schedule, which are within their respective ward boundaries.
- 6.2 The relevant portfolio holders are advised in advance in all instances where, in the judgement of officers, the matters arising within the report are likely to be sensitive or contentious.

7. Legal Implications

- 7.1 (i) Legal

The City Council has a legal obligation to ensure that trees in Council ownership are maintained in a safe condition. Trees may be protected by the law in certain instances. Situations where this applies are normally in relation to planning legislation covering Conservation Areas, and Tree Preservation Orders. Where there is legal protection for a tree or trees, this is identified clearly in the appendices.

- 7.2 (ii) Contractual

See 4.4 above.

8. Assessment of Options

8.1 (i) Key Issues

The work identified on the attached schedule represents the Arboricultural Officers advice to the Council relevant to the specific situation identified. This is a balance of assessment pertaining to the health of the tree, its environment, and any legal or health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications. These can be outlined by the Arboricultural Officer pertinent to any specific case.

8.2 (ii) Risk Assessment

Where appropriate, the recommended actions within the schedule have been subject to a formal risk assessment. Failure to act on the recommendations of the Arboricultural Officer could leave the Council open to allegations that it has not acted responsibly in the discharge of its legal responsibilities.

9. Recommendation

9.1 That the works set out in the attached schedules be approved.

Access to Information:

Does the report contain exempt information, which would prejudice the public interest requirement if it was publicised?

No

Key Decision

No

Key Decision Reference No.

N/A

Do the Exempt Information Categories Apply

No

Call In and Urgency: Is the decision one to which Rule 15 of the Scrutiny Procedure Rules apply?

No

List of Background Papers:

Section file

Te 623

Lead Officer:

Mr S. Bird,
Assistant Director (Communities & Street Scene)
Telephone 873421

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 4 / SCHEDULE DATE: 23/05/18**

<i>Item No</i>	<i>Status e.g. CAC</i>	<i>Specific Location</i>	<i>Tree Species and description / reasons for work / Ward.</i>	<i>Recommendation</i>
1	N/A	Doddington Road, tree belt to rear of Waltham Road.	<u>Birchwood Ward</u> 2 Maples and 1 Alder. Fell, to prevent damage to property.	Approve and replant with 2 Field Maples and an Alder.
2	N/A	Rear garden of 12 Halton Close	<u>Birchwood Ward</u> 1 Birch. Fell to prevent damage to property.	Approve and replant with a Birch in a suitable location.
3	N/A	Rear garden and area adjacent to garages at 16 Spirea Approach.	<u>Birchwood Ward</u> Fell multiple small self-set sycamores and cherries to enable garden improvements and structural repairs to property.	Approve and replant with 6 Cherry trees in a suitable location.
4	N/A	Rear garden of 77 Outer Circle Drive.	<u>Glebe Ward</u> 1 Sycamore. Fell to prevent damage to property.	Approve and replant with a Field Maple in a suitable location.
5	N/A	Rear of 38 Lamb Gardens.	<u>Glebe Ward</u> 2 Cypress. Fell to prevent damage to property.	Approve and replant with 2 Cherry trees in a suitable location.
6	N/A	Rear garden of 95 Outer Circle Drive	<u>Glebe Ward</u> 1 Sycamore. Fell to prevent damage to property.	Approve and replant with a Field Maple in a suitable location.
7	CAC	St Peter at Gowts churchyard	<u>Park Ward</u> Fell to self-set Cherry trees and prune back 1 Lime to prevent damage to property.	Approve and replant with 2 Cherry trees in a suitable location.

8	TPO	Link footpath adjacent to 13 Walbury Close	<u>Witham Ward</u> 1 Ash. To reduce crown by 10% and remove deadwood.	Approve.
9	N/A	Front garden of 97 Holly Street	<u>Witham Ward</u> 1 Monkey Puzzle tree. Fell as part of garden improvements.	Approve and replant with a Maple in a suitable location.

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SUBJECT: CONFIRMATION OF TREE PRESERVATION ORDER 156

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: KIERON MANNING, PLANNING MANAGER

1. Purpose of Report

- 1.1 To have confirmed one (temporary) Tree Preservation Order made by the Planning Manager under delegated powers. The Order currently provides 6 months of temporary protection for the trees, but is required to be confirmed by the Planning Committee to provide long term future protection.

2. Executive Summary

- 2.1 A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality.
- 2.2 The making of any Tree Preservation Order is likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees. This is, however, contained within existing staffing resources.
- 2.3 The making of Tree Preservation Order reduces the risk of losing important trees, groups of trees and woodlands. It further allows the Council to protect trees that contribute to local environment quality.
- 2.4 The process of applying for work to protected trees allows for elected members, and members of the public to have an opportunity to comment on work to protected trees.

3. Background

- 3.1 Tree Preservation Order 156 was made on 22 March 2018 protecting a group of 49 Mixed Species located adjacent to the Car Park at The Lincolnshire Poacher, Bunkers Hill Lincoln.
- 3.2 The trees are considered to contribute to the visual amenity of the area and the unauthorised removal of the trees would be considered to be detrimental to visual amenity.
- 3.3 The initial 6 months of protection would end for the Tree Preservation Order on 22 September 2018.

4. Consideration

4.1 Tree Preservation Order 156: Group of trees comprising 49 mixed species as shown on attached schedule.

The reason for making a Tree Preservation Order on this site is to protect an important group of trees that provide a visually pleasing screen between the residential area of Sympson Close and the commercial area presently occupied by the Lincolnshire Poacher Public House and which make a positive contribution to the appearance of the area.

The belt of trees is approximately 80 metres in length, extending from the northern corner of the central car park to the southern corner adjacent to the residential property of No. 20 Sympson Close.

The width of the tree belt varies from some 3 to 5 metres and consists of 49 early mature trees including Hornbeam, Field Maple, Ash and Whitebeam.

The trees appear to have been planted as part of a landscaping scheme dating back to when the site was commercially developed as a public house and are reasonably healthy, with a safe useful life expectancy range of between 20 to 40+ years. Their height ranges from approximately 5 metres to 12 metres, with mean stem diameters as measured at 1.5 metres above ground level of approximately 220mm.

Given that the trees are visible from the public highways of Sympson Close and, to some extent the A15 Bunkers Hill, as well as screening the commercial aspects of the pub, its car park and future commercial development from the residential area, this group of trees are considered to be of high amenity value.

Following the statutory 28 day consultation period a letter was received from No. 20 Sympson Close supporting the Tree Preservation Order but requesting some changes to the trees included in relation to his property. This was considered by the Arboriculturist who recommended that the plan be revised to incorporate some of the suggestions made in that letter amending the number of trees included from 49 to 47. The Tree Preservation Order plan has been updated accordingly and is attached to this report.

There were 3 additional letters of support from residents of Sympson Close, no objections were received.

Confirmation of the revised Tree Preservation Order here would ensure that the trees could not be removed or worked on without the express permission of the Council.

5. Organisational Impacts

5.1 Legal Implications – Anyone who wishes to carry out works to the trees will require consent from the City Council first.

6. Recommendation

- 6.1 It is recommended Members confirm the Tree Preservation Order with modifications as shown on the revised plan to include a Group of 47 mixed species trees, and that the Officer carries out the requisite procedures for confirmation.

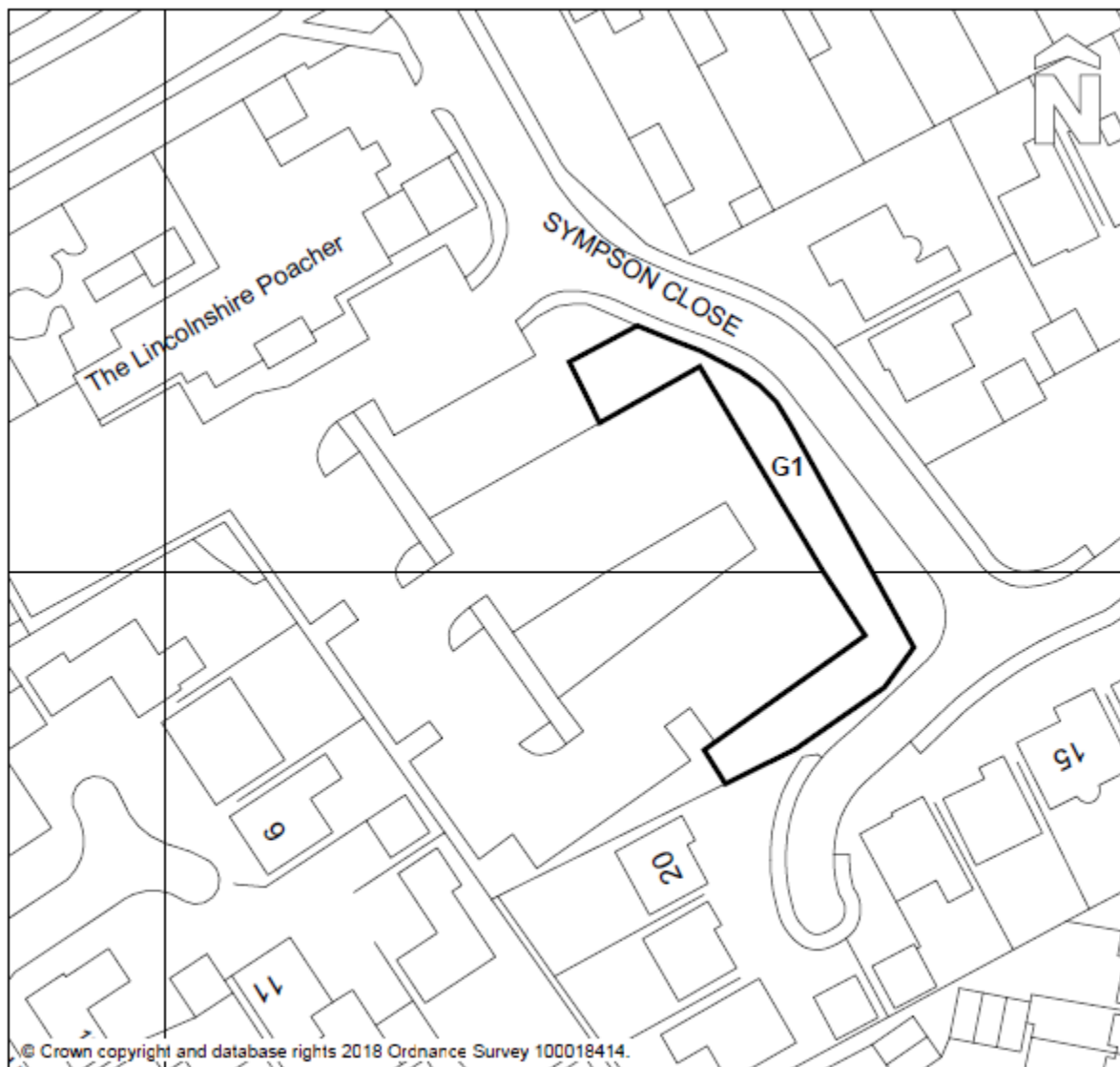
How many appendices does the report contain? None

List of Background Papers: None

Lead Officer: Kieron Manning, Planning Manager
Telephone (01522) 873551

Tree Preservation Order 156, a group comprising mixed species including Hornbeam, Field Maple, Ash and Whitebeam located adjacent to the car park, The Lincolnshire Poacher, Bunkers Hill, Lincoln.

Map showing location of trees



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Sympson Close No.1 Tree Preservation Order 2018

G1 – 47 Mixed species

 CITY OF Lincoln COUNCIL	
City Hall, Beaumont Fee, Lincoln, LN1 1DD	
Telephone: (01522) 881188	
Website: www.lincoln.gov.uk	
Scale:	1:750 at A4
Date:	23-Apr-2018

Representations received:

Helen Turney
Development Team Leader
Department of Communities and Environment
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln, LN1 1DD

BG Sutton
20 Sympson Close
Lincoln
LN2 4UY

03/04/2018

E-mail: [REDACTED]

Dear Sir

Sympson Close No. 1 TPO 2018

Thank you for your recent letter with regard the TPO on Sympson Close which will be of great benefit to the residents of the area.

I would however like you to amend the order with regard two of the trees that I have marked on the enclosed map due to the reasons given below.

Tree number 1 is just 2.6m away from the corner of my property and since I have moved in I have had to trim the branches away from my property virtually every year to prevent damage to the structure.

Tree number 2 is just 3.9m away from the corner of my property and of a lesser concern as number 1 as I have only had to trim the branches a few times since moving in. Though saying that if I had not attended to these branches as and when necessary they would now be a huge inconvenience after only a few years.

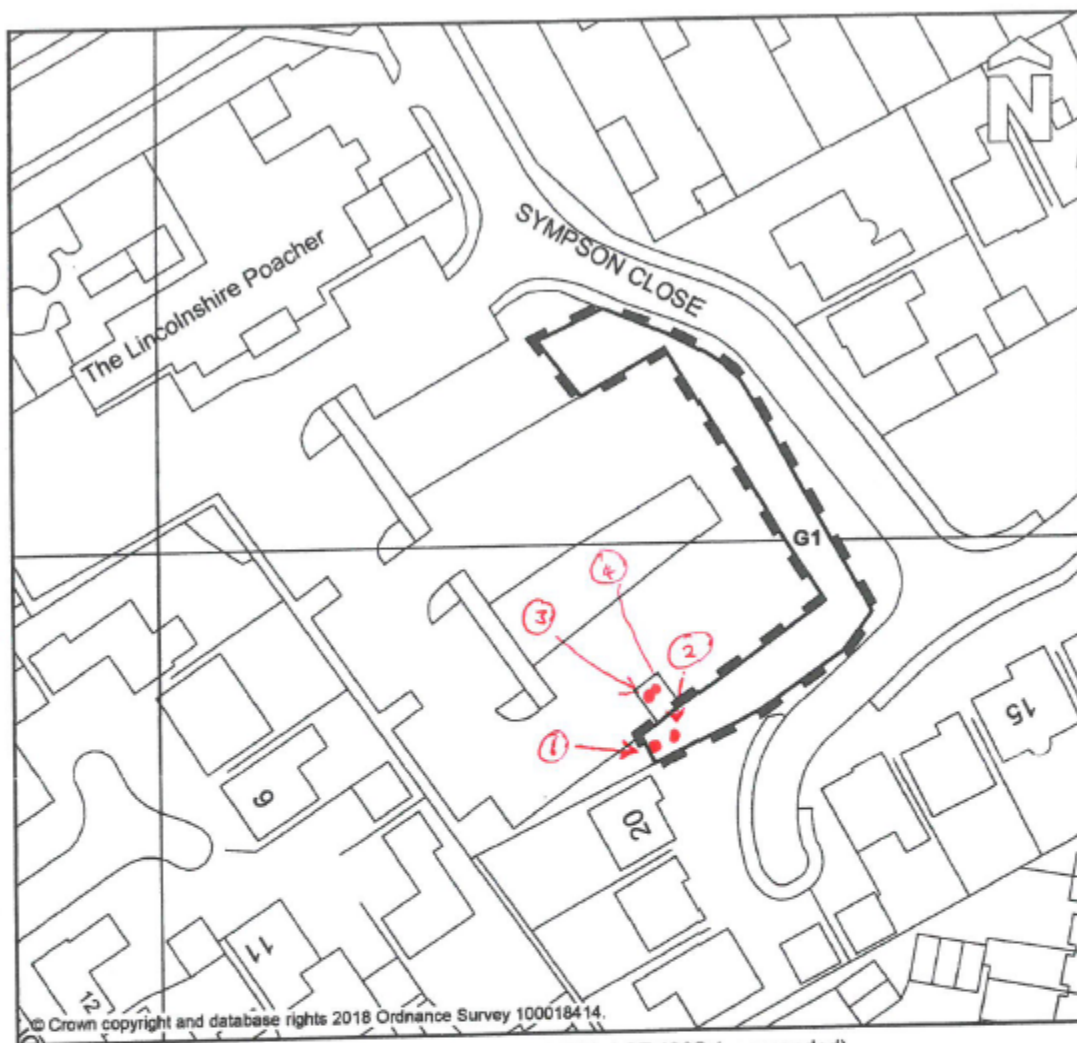
This particular tree being in the ground of land belonging to the Lincoln Poacher would still be protected without a TPO as there are two further trees (3 & 4) to the NW of this tree. So to me it would make more sense to include trees 3 & 4 into the TPO which are of the same size and age as all the others. Would it be possible to do this?

I enclose a copy of the plan showing the trees locations as discussed.

I am also happy to discuss the above by telephone or on site.

Yours sincerely

Brian Sutton
[REDACTED]



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Sympson Close No.1 Tree Preservation Order 2018

G1 - 49 Mixed Species

 CITY OF Lincoln COUNCIL	
City Hall, Beaumont Fee, Lincoln, LN1 1DD	
Telephone: (01522) 881188	
Website: www.lincoln.gov.uk	
Scale:	1:750 at A4
Date:	21-Mar-2018

Helen Turney
Development Team Leader
Department of Communities and Environment
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DD

A S Hayes
J A Philbin
2 Sympson Close
Lincoln
LN2 4UY

Date 02nd April 2018

Ref: The City of Lincoln Council Sympson Close No.1 TPO 2018

Dear Helen,

Please accept this letter in support of the order to protect the trees and woodland adjacent to our property in 2 Sympson Close.

The building of a 27 bedroom lodge will have a significant impact on our property and visual amenity.

This order will protect the existing boundary trees and the long term visual amenity of the properties in Sympson Close.

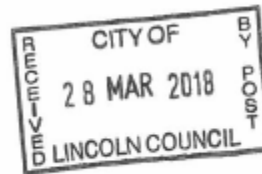
We therefore endorse the tree preservation order without reservation.

Regards

A S Hayes & J A Philbin

1 Sympson Close
Lincoln
LN24UY

Helen Turney
Development Team Leader
Department of Communities and Environment
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN11DD



26 March 2018

Dear Helen Turney'

Ref : Notice of Making a Tree Preservation Order on trees adjacent to the car park c the Lincolnshire Poacher, Buckers Hill, Lincoln, LN24QT.

I strongly endorse this order. Marstons Ales who own the site have shown no regard for the arboreal environment of the car park and previous to the latest felling of 28 mature trees they felled two substantial size trees, one of which had a preservation order, without consultation, I understand, of the appropriate authority.

The trees subject to this order contribute a visual amenity to the area and provide a barrier, and at least some visual protection, between the residential properties of the residents of Sympson Close and the substantial sized Travel Lodge that is to be built opposite to them on the Lincolnshire Poacher car park.

To this day, Marstons Ales have shown not the slightest interest in the concerns of their neighbours on Bunkers Hill and Sympson Close with regard to tree felling, siting of the proposed travel lodge, the environment, traffic or noise pollution. There has been no dialogue whatsoever and they seem to be a power unto themselves.

I hope and pray that the council convert the Provisional Tree Preservation Order into a Permanent One.

Yours truly,

A dark, rectangular area where a signature has been written. The signature is not legible due to the dark ink and the way the paper was scanned.

Edward Waddon

Paul Campbell-Morgan

16 Symson Close

Lincoln

LN2 4UY

Ref: The City of Lincoln Council Sympson Close No. 1 TPO 2018

13 April 2018

To Whom it may concern

I welcome the tree preservation order (TPO) adjacent to the Car park, The Lincolnshire Poacher, Bunkers Hill, Lincoln, Lincolnshire, LN2 4QT to be known as The City of Lincoln Council Sympson Close No. 1 TPO 2018 and outlined in the associated plan labelled G1. I strongly believe it should be made permanent.

The trees identified have long provided a clearly delineated visually pleasing boundary between the residential area that is Sympson Close and the commercial activities carried out on behalf of Marstons at The Lincolnshire Poacher site. The trees give some degree of privacy, when in leaf are visually striking and help to define the character of the residential neighbourhood. It is particularly important that these trees are preserved given that a new lodge site hotel is proposed to be developed on the site in close proximity to them. The trees serve an important amenity value and this is recognised in the recently given planning permission given for that development (Appeal Ref: APP/M2515/W/17/3181055, available under the planning portal of Lincoln City Council):

I saw that the trees with the greatest amenity value are those on the boundary of the site which add to the character of the streetscape and would also soften views of the proposed development. It is proposed to retain the trees on the boundary and this can be ensured with an appropriate condition. The trees that would be removed are within the body of the car park and, although they add to the overall tree canopy, I saw that they are not as prominent or of such high value to the appearance of the area as the trees on the site boundary. (Paragraph 22)

Indeed the importance of these trees and the boundary is emphasised in the planning permission, both in the reasoning given and in the conditions applied. In his report the planning inspector gives the reasons for the conditions he is imposing:

"In the interests of character and appearance, conditions are imposed requiring approval prior to the commencement of development of external materials and a landscaping scheme including protection of retained trees." (Paragraph 29).

This is then specified in condition 13:

"No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include

indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. No tree on the site shall be lopped, topped, felled or uprooted without the prior written consent of the local planning authority. "

I do not know of Marstons or their representatives objecting to this.

Work, subsequent to that planning permission being granted, has been carried out on the trees including pruning and being cut down.

Yours faithfully

Paul Campbell-Morgan





Application Number:	2018/0244/FUL
Site Address:	Land At Westbrooke Road, Lincoln
Target Date:	5th May 2018
Agent Name:	None
Applicant Name:	Mrs Rebecca Archer
Proposal:	Erection of 29 dwellings with vehicular access from Westbrooke Road.

Background - Site Location and Description

Application is for full planning permission for the erection of 29 dwellings for Phase 3 of the Westbrooke Road development known as 'LN6'.

Access to the site is taken through the existing access created for Phase 1 and 2 off the western end of Westbrooke Road.

The site lies at the rear of properties on St. Helen's Avenue, and between the former school site to the South and Phase 2 to the North which is presently under construction and nearing completion. The heavily trafficked Tritton Road is located directly beyond the western boundary.

- Phase 1 (2014/0510/F) approved December 2014 52 Dwellings.
- Phase 2 (2016/1105/FUL) approved January 2017 27 Dwellings
- Phase 3 (2018/0244/FUL) registered and under consideration. 29 dwellings proposed.
- Phase 4 (2018/0458/FUL) registered and under consideration. 23 dwellings proposed.

The site is currently owned by The City of Lincoln Council and certificate B has been served by the applicant.

Negotiations have been on-going throughout the course of the application and revisions submitted. A re-consultation of those neighbours immediately adjacent to layout revisions has been undertaken.

Site History

Reference:	Description	Status	Decision Date:
2016/1105/FUL	Erection of 27 dwellings with vehicular access from Westbrooke Road (Revised Description).	Granted Conditionally	23rd March 2017

Case Officer Site Visit

Undertaken on 17th April 2018.

Policies Referred to

- National Planning Policy Framework
- Policy LP1 A Presumption in Favour of Sustainable Development

- Policy LP9 Health and Wellbeing
- Policy LP11 Affordable Housing
- Policy LP12 Infrastructure to Support Growth
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP26 Design and Amenity

Issues

- Local and National Planning Policy
- Effect on visual amenity
- Effect on residential amenity
- Highway safety
- Ecology
- Land Levels
- Flood risk
- Land contamination
- Affordable Housing
- CIL and other contributions

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	No Response Received
Lincolnshire Police	Comments Received
Anglian Water	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Lincolnshire Wildlife Trust	No Response Received
The Bat Conservation Trust	No Response Received
Natural England	Comments Received

Lincoln Civic Trust	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Environment Agency	Comments Received
Vicky Allen	Comments Received
Environment Agency	Comments Received
Lincolnshire County Council	No Response Received

Public Consultation Responses

Name	Address
Miss Nicola Mather	19 Camwood Crescent Lincoln Lincolnshire LN6 0PH
Mrs V.E. Rose	41 Westbrooke Road Lincoln Lincolnshire LN6 7TB
Mr AD O'Leary MBE	79 Western Avenue Lincoln Lincolnshire LN6 7SZ
Mike Hilton	68 Western Crescent Lincoln Lincolnshire LN6 7TD
Mr David R Hipworth	1 Westbrooke Close Lincoln Lincolnshire LN6 7TL
Mr Rodney Mountcastle	6 Westbrooke Road Lincoln Lincolnshire LN6 7TB

Mr And Mrs Edwards	10 Westbrooke Road Lincoln Lincolnshire LN6 7TB
(Mr + Mrs) D B Marshall, B.Sc.	14 Westbrooke Road Lincoln Lincolnshire LN6 7TB
Mr Rhys Keighron	11 Egret Grove Lincoln Lincolnshire LN6 0JL
Mrs Maureen Bailey	12 Westbrooke Road Lincoln LN6 7TB
Miss Adalma Martin	88 Nightingale Crescent Lincoln Lincolnshire LN6 0JZ
Mr David Marshall	14 Westbrooke Road Lincoln Lincolnshire LN6 7TB
Mr And Mrs Mather	51 St Helens Avenue Lincoln Lincolnshire LN6 7RA
Mr + Mrs A Fraser	47 St Helens Avenue Lincoln Lincolnshire LN6 7RA

Consideration

The development proposal is a continuation of Phases 1 and 2, located adjacent to phase 2 and utilising the existing access road through the site. The layout and housing types proposed are similar to those previously approved.

Construction of Phase 2 is due for completion June 2018. Chestnut Homes has identified that the development of Phase 3 will enable them to retain existing staff further to the completion of Phase 2 later this year.

The site is currently unkempt grassland and trees and has in the past been used as gardens and tennis courts.

Policy

The site has a residential allocation in the CLLP under reference CL4652 and is identified in the Central Lincolnshire Five Year Land Supply Report. Policy LP1 of the CLLP and the NPPF are relevant and state a 'presumption in favour of sustainable development' through both plan making and decision taking. There was widespread consultation as part of the Local Plan preparation and notably Lincolnshire County Council raised no objections to the allocation in terms of highways.

In the submitted Design and Access Statement the applicant identifies that the site is in a sustainable location close to existing shops and services including schools and a doctor's surgery within walking distance and with good public transport connections. As with the 2 previous phases, the application proposes a footpath/ cycle link from the site direct onto Tritton Road to increase connectivity.

Effect on Residential Amenity

The effect on existing residential dwellings adjacent to the site should be assessed. Policy LP26: Design and Amenity of the CLLP is relevant.

The site layout has been revised during the course of the application in response to concerns raised.

The number of dwellings proposed along the Northern boundary of the site has increased from 4 units to 5. The dwellings proposed at plots 49-53 are 2 storey dwellings. The dwellings are angled away from the northern boundary and at the closest point are 24.5m from the dwelling at 120 Western Avenue and 5.7m from the boundary.

Due to the requirement for a gravity fed foul water system, land levels on the site are to be raised.

The ridge height of the proposed dwellings at these plots are therefore 2.2m higher than the ridge height of adjacent 120 Western Avenue. There is an existing large conifer hedge along the Northern boundary. The applicant has identified that the hedge is in the ownership of no 120 Western Avenue. The hedge will therefore be pruned by the applicants but will remain under the control of the neighbour with a new boundary fence erected on the south side of the coniferous boundary. Given that the hedge will remain, any concerns regarding overlooking from a slightly elevated position to the rear garden of the existing dwelling at 120 Western Avenue are resolved.

Plots 49-50 are also located to the west of the rear of 122 Western Avenue and angled away, therefore the outlook from the rear of this existing property will not be detrimentally affected to a point which is harmful.

Further to concerns being raised, negotiations have improved the relationship between the units proposed at plots 54, 55 and 56 and existing dwellings at 45, 47, 49 St. Helens Avenue.

Concerns were raised that the proposed dwellings were close to the rear boundaries of these existing properties on St. Helen's Avenue and that the development would appear overbearing and enclosing, particularly given the proposed raising of ground levels to the application site and the resulting height of the new dwellings.

The proposal has been revised to omit one dwelling from this location, changing from a terrace of 4 dwellings to the now proposed terrace of 3. The dwelling nearest the boundary with existing development is plot 54, which has been revised to be 6.4m from the boundary with no.47 St. Helen's Avenue. The revised position of this dwelling is now 24m at the nearest point to the rear of no. 49 St Helens Avenue and 22m to 47 St. Helen's Avenue.

An objection has been received from the occupiers of 47 St. Helen's Avenue, citing increase in traffic, loss of outlook and light due to the position and proximity of the new dwellings to their property as a concern, the proximity of the pumping station and the potential to generate noise and odour, effect of raised ground levels and flooding of surrounding areas and wildlife seen within the area.

Levels across the site are to be raised by varying amounts. At Plot 54 to the rear of 45- 49 St. Helen's Avenue, the ground immediately adjacent to the rear of the dwelling is to be raised by approx.1m. The overall ridge height of plot 54 will be approx. 2m higher than that of 47 St. Helen's Avenue.

In response to concerns regarding overlooking from the new dwellings and gardens due to the raised ground levels, the applicants have submitted revised boundary treatment. A new combined boundary treatment of fence, trellis and gravel boards to a total of 2.7m high is to be located to the Eastern side of the garden to plot 54. This substantial boundary treatment will be slightly set in from the existing boundary with 45 and 47 St. Helens Avenue.

Sections provided show that the rear garden to plot 54 will slope down away from the house towards the rear boundary.

A new 1.8m high fence will also be erected around the 4 no. parking spaces located between plot 54 and 49 St. Helen's Avenue, again to prevent overlooking from an elevated position.

Pumping Station

A foul water pumping station is required on the site. Foul drainage will be fed into the pumping station by gravity and then will be pumped via a rising main to the Anglian Water discharge point.

Only one pumping station is required to serve both sites. Two potential sites for the pumping station have however been identified, one for each Phase. The resulting location of the pumping station is dependent on whether both applications are approved. If both Phases 3 and 4 are approved, the pumping station will be located within Phase 4. The pumping station if located within phase 4 is positioned adjacent to the western boundary of the wider application site, which is central within the overall former school site and is therefore away from the eastern boundaries of existing residential properties at St Helens Avenue and Western Avenue.

The applicant states that the pumping station is constructed to a standard design set by Anglian Water with a view to the facility being adopted by AW. The compound will be surrounded by fencing and therefore the applicant states that the equipment will not be visible. Environmental Health has requested that a noise impact assessment is conditioned should permission be approved or if information is not submitted in the

meantime. The pumps and other equipment is all located underground and this is a common installation on many new residential developments. We do not expect noise or odours to be an issue but reassurance from the applicant on this matter is required.

The plans submitted for Phase 3 show that should phase 3 be granted in isolation without phase 4, then the pumping station would be located to the east of plots 54-56 and therefore well within the site away from existing development.

Highways and Drainage

As with the previous 2 Phases, a number of objections have been received regarding the impact the development will have on drainage and the existing road network, particularly as the access to both Phase 3 and 4 is via Western Crescent and Westbrooke Road.

Concerns raised include, the suitability of both Westbrooke Road and Western Crescent as access roads, increased noise and disturbance from increased traffic, narrow access roads already congested with parked cars, increased traffic and congestion at the junction with Boultham Park Road, wear and tear on the road surface at Westbrooke Road and disruption during construction periods.

The application has been assessed by the County Council as the Highway Authority and Lead Flood Authority. At the time of writing the final consultation response from the Highway Authority is awaited but previous responses from them indicate that they consider that there is the necessary capacity within the existing highway network to absorb the additional traffic generated by the application proposals.

Ecology

A Phase 2 Habitat Survey has been undertaken by Delta Simons and submitted as part of the application.

The Survey identifies the site as "being situated within an urban setting with predominately poor semi-improved grassland with tall ruderal and scrub also present. Scattered broadleaved trees occupy the central area of the site, whilst a block of broadleaved plantation woodland characterises the western extent of the site. "Species-poor hedgerows are present along the North and Eastern boundaries, whilst the site is generally flat".

As with the previous two phases of the 'LN6' development a woodland block to the western boundary is to be retained. The purpose of the retained woodland is twofold; to act as an established landscape buffer between the site and Tritton Road and to continue the 'green/wildlife corridor' along all 3 phases of the site up to the Catchwater Drain to the north of Phase 1.

Trees

The survey has identified a number of broad leaved trees within the centre of the Phase 3 site. A number of these trees are semi-mature Oaks. The proposed site layout plan identifies that 2 of the Oaks are to be retained as part of the landscaping to the proposed site layout adjacent to the swales for the new SUDs drainage system.

The City Council's Arboricultural Officer has also visited the site and considered the

proposal with regard to trees at the site. In particular the Arboriculturist has also surveyed the large Oak on the boundary between Phase 2 and 3 which is proposed for removal. The Oak is considered to have been in decline for some time with extensive dead wood and some potential root problems. The tree is not therefore considered suitable for a Tree Preservation Order.

Conditions for tree protection measures during construction for those trees to be retained should be included on any permission. A number of new trees will be planted at the site as part of the detailed landscaping condition.

Bats and Birds

The Phase 1 report states that majority of the trees at the site lack suitable roosting opportunities for Bats and having negligible BRP (Bat Roosting Potential). The site does provide suitable foraging and commuting habitats for bats and birds, particularly the woodland edge (to be retained to Tritton Road) providing connectivity to the wider landscape.

Two Oak trees on the Northern boundary were found to contain features suitable to support roosting bats. One tree was assessed as having a moderate BRP (Bat Roosting Potential) and the other a low BRP. The applicant has confirmed that these 2 trees are to be retained as part of the proposal.

Woodpigeon and blackbird were recorded on site during the phase 1 survey. One of the neighbours states that there is a pair of owls on the site. The Phase 1 Habitat Survey states that "No birds listed on Schedule 1 were recorded during the survey. The habitats occurring on site are not considered suitable to support the majority of them".

The Phase 1 report advises that clearance and management of the site will need to take account of nesting birds and appropriate mitigation undertaken during clearance. A condition should be included for works during nesting season between March and August.

Other Species

The report identifies there is no evidence to show that the site supports badgers or other protected species including the breeding of Great Crested Newts or reptiles at the site.

A number of consultations responses refer to a deer seen at the application site. The matter was raised with the applicants and a subsequent survey has been undertaken by Delta Simons who also produced the phase 1 habitat survey for the site. An additional statement dated 2nd May 2018 has been provided by Delta Simons.

The statement identifies that 'mammal tracks have been found in the area but there is no evidence such as droppings or foot prints to suggest that they have been created by deer. The report states that several of the mammal runs run from the small woodland area adjacent to Tritton Road. The report concludes that there is presently a gap in the fence which potentially enables access to animals and that if deer were present at the grassland, they can enter and leave of their own accord and are not trapped.

Natural England has been formally consulted as part of the application and a response of no comments has been received.

Flood Risk

The Environment Agency has no objections to the proposal, requesting that a condition is included to state that the development is carried out in accordance with the submitted Flood Risk Assessment and that the finished floor levels are no lower than 6.5AOD for 2 storey dwellings and 6.6AOD for single storey dwellings.

Contributions

CIL will be chargeable on this development. A levy of £42,133 has been identified for the development by both the applicant and the City Council. The requirement for CIL is set out in the adopted CLLP through policies PL9-LP15, with particular reference to LP12 which sets out the use of CIL to deliver the various infrastructure needs generated by a development.

As the land is currently owned by the City Council, a unilateral agreement is also required to cover a contribution towards Local Green Infrastructure (Playing Field, Play Space and Amenity Space). The applicant is requested to contribute a total sum of £36.440 for playing fields and children's play space.

Lincolnshire County Council as the Education Authority has formally responded and does not request a contribution towards primary school places.

NHS England has been consulted on the application and has concluded that no contributions are required.

Affordable Housing

Policy LP11: Affordable Housing of the CLLP states that affordable housing is required on site at the ratio of 25%. Chestnut Homes has met this requirement and identified 7 affordable units on the site (13 across the 2 phases). The same approach has been taken as with Phases 1 and 2 in that the affordable housing is indistinguishable from the market dwellings. The 7no. affordable units are 2 storey, 2 bed properties, integrated within the development.

The provision of the affordable housing will be secured through the unilateral agreement.

Archaeology

Discussions have been ongoing between the City Archaeologist and the applicants. The WSI submitted has been assessed and is considered to be a sufficiently detailed strategy to mitigate any harm that is likely to be caused by this development. Any permission should therefore be conditioned to proceed in accordance with the WSI and require the submission of a fieldwork report within 6 months of completion and archived with The Collection.

On-Going Management/ Maintenance

As with the two previous phases, the main road network and main foul and surface water pipes will be put forward for adoption.

A management company has already been set up for the LN6 development which is now

operational for phases 1 and 2. The management company oversees the on-going maintenance of the common areas including any open space, private parking courts etc. Each property is a shareholder in the company and a service charge is paid.

Electric Charging Points

Environmental Health has requested that electric car charging points are provided on site at units where appropriate i.e. private drives or garages as stated by para. 35 of the NPPF. Further to on-going negotiations the applicant has agreed to provide electric charging points to plots across the site where there is on -plot parking.

Sale of City Council Land

The site is currently owned by the City Council and is due to be sold to Chestnut Homes subject to planning permission. A number of the objections received has concerned the sale of the land. The matter of the sale of the land is not a material planning consideration and has been dealt with separately by the City Councils Property Services Department.

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

Yes.

Conclusion

The site has an allocation for housing in the CLLP and is located in a sustainable location close to existing services and amenities, with good transport links.

Negotiations have secured revisions to the proposals including the removal of the proposed footpath link to Skellingthorpe Road (phase 4) and revisions to the layout and position of proposed dwellings, in response to concerns regarding residential amenity and the occupiers of existing properties.

The development will contribute to the housing supply within the city and provide affordable housing in accordance with national and local planning policy.

Application Determined within Target Date

No.

Recommendation

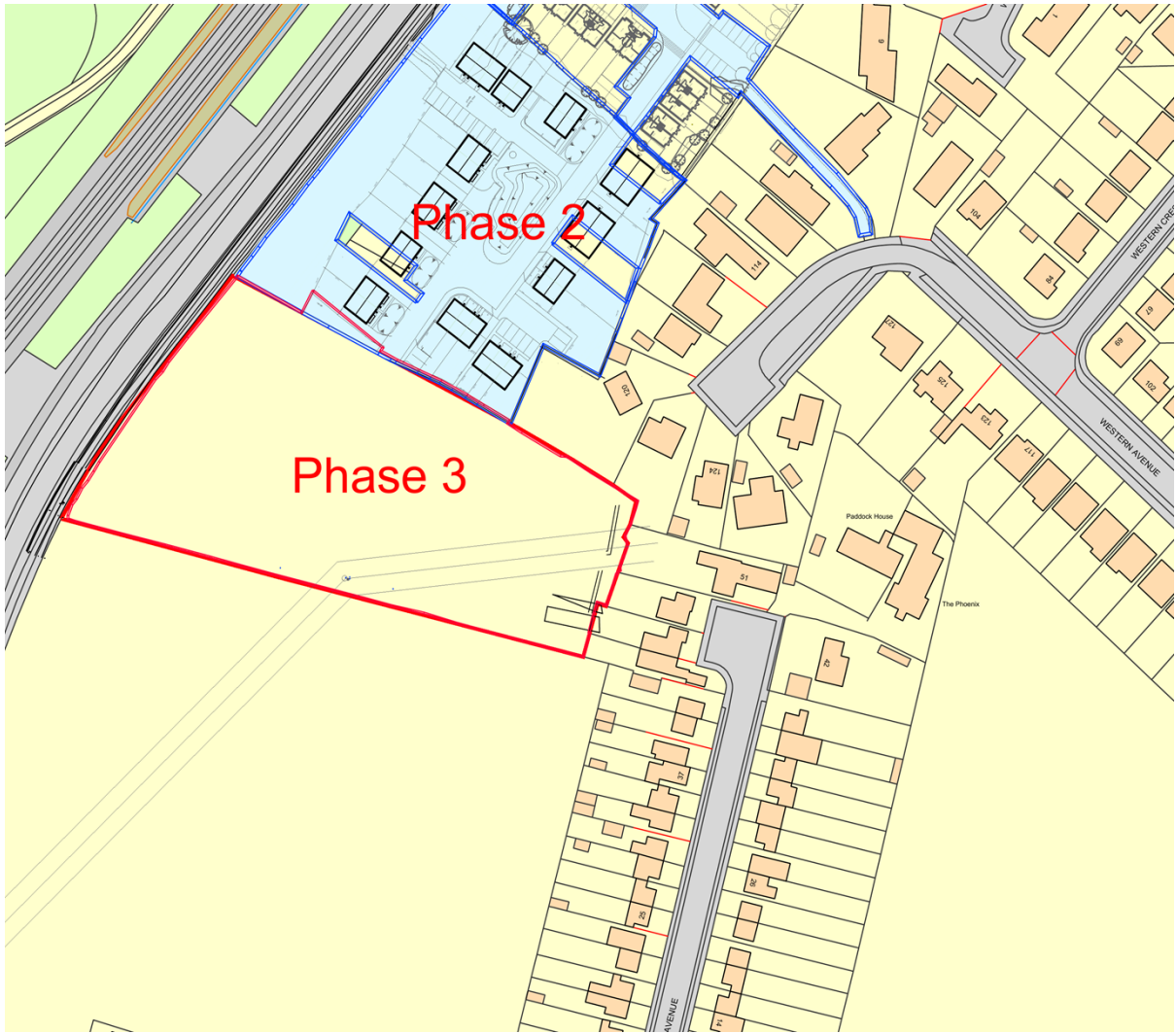
That the application is Grant Conditionally subject to the signing of the unilateral agreement.

Standard Conditions

1. 3 years
2. Drawing numbers
3. Materials
4. Landscaping scheme
5. In accordance with FRA and finished floor levels
6. Tree protection measures during construction.

7. Any removal of scrub, hedgerows or trees between March to late August to be supervised by an ecologist and mitigation measures applied if required.
8. Sensitive lighting plan.
9. Installation of bat boxes.
10. Noise impact assessment for the pumping station.
11. Archaeology- development to proceed in accordance with the submitted WSI.
Fieldwork report to be submitted within 6 months of completion
12. Electric charging points to be installed in accordance with drawing no WLR3 01 Rev E
13. Land contamination-1) Implementation of approved remediation scheme, 2)
Reporting of unexpected contamination
14. Removal of pd for plots adjacent to existing residential development
15. Fencing to plots 54,55,56 not to be altered without the prior consent of the Council

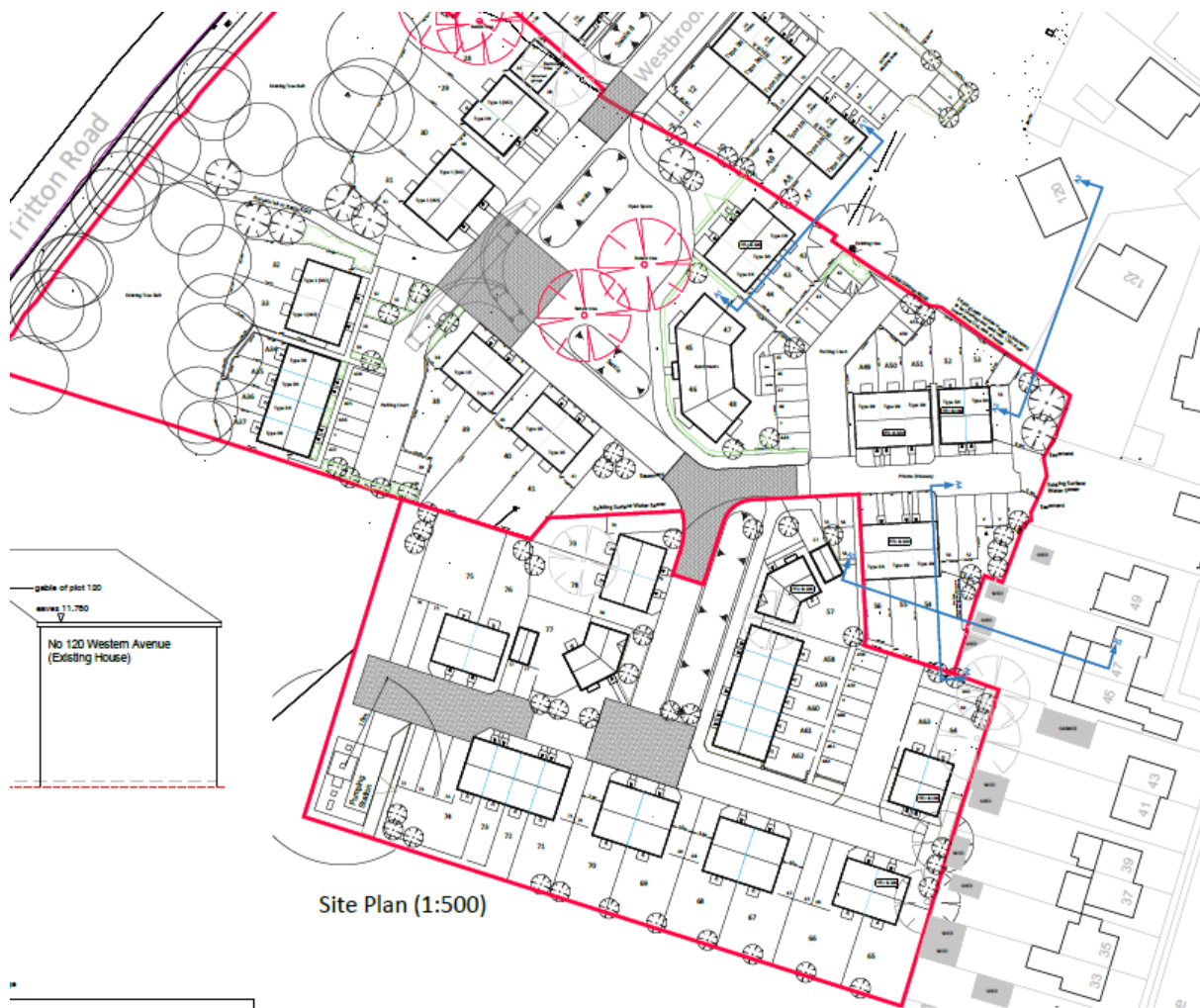
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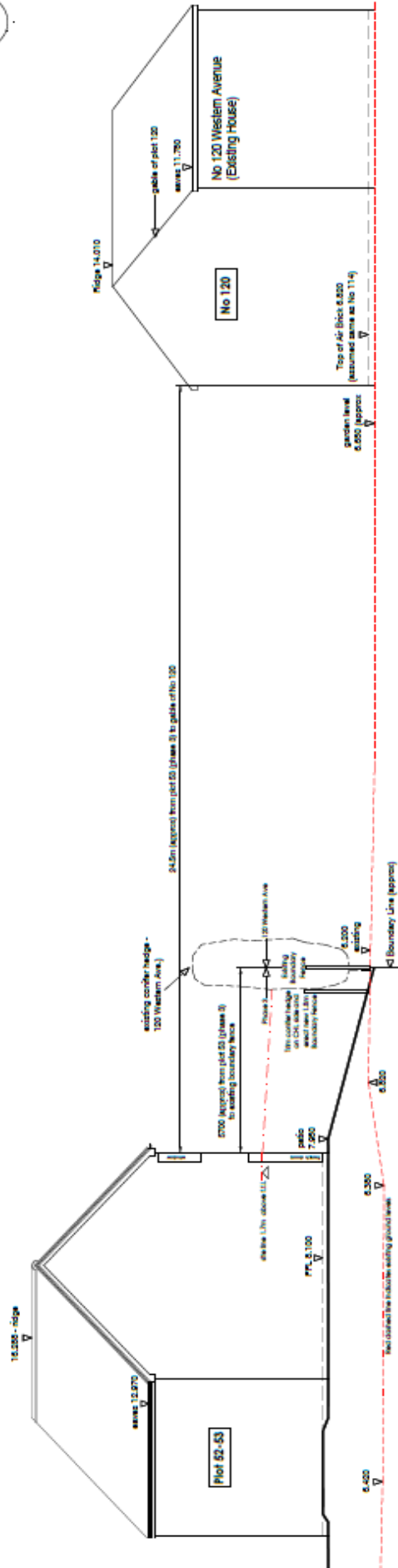
Site location plan



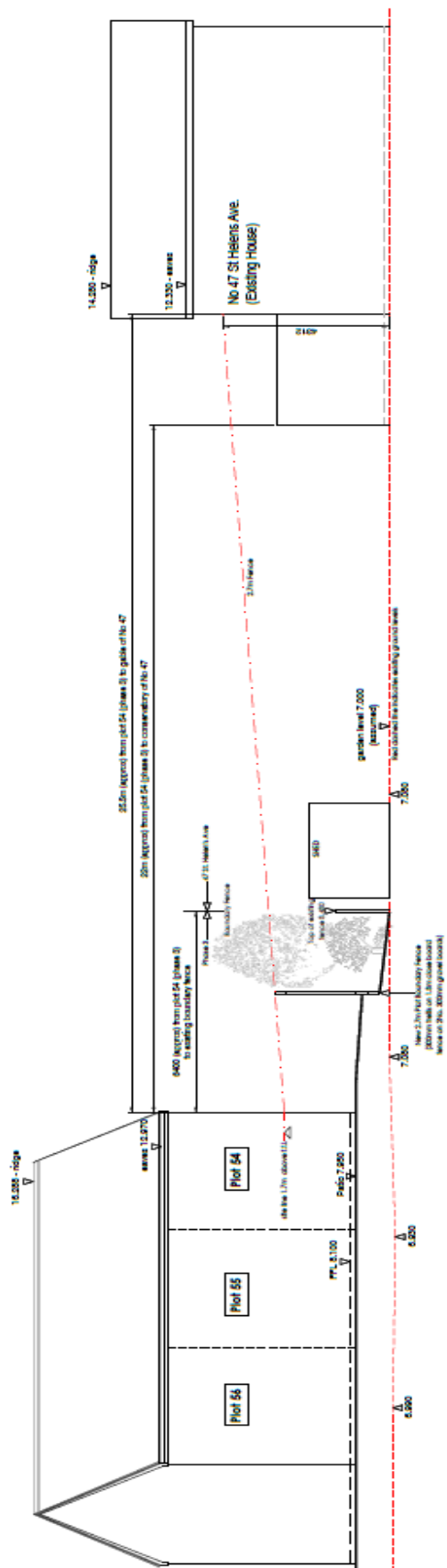
Phase 3 revised site layout plan

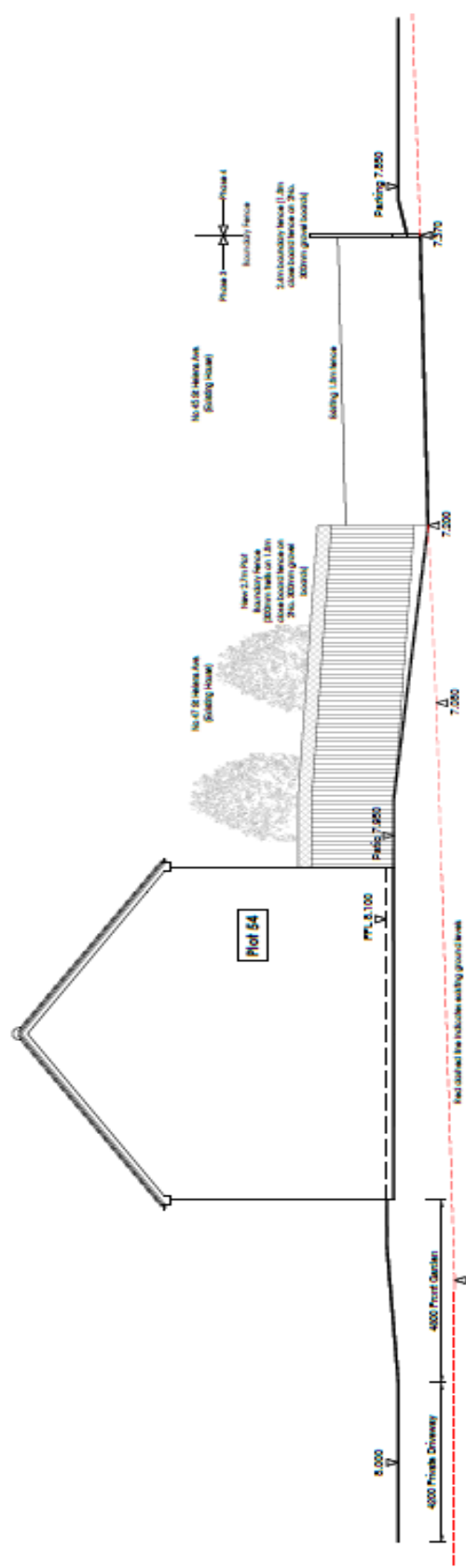


Combined site layout plan Phases 3 & 4 and sections.



Phase 3 - Section A2 (1:100)







Key:-

- █ Existing hedge to be retained
- █ New 1.8m Timber Close Board Fence
- █ New 1.8m Timber Close Board Fence & 250mm 300mm timber gravel boards (2.4m total height)
- █ New 1.8m Timber Close Board Fence & 250mm 300mm timber gravel boards, 300mm kerb on top (2.7m total height)
- █ Existing 1.8m fence to be retained
- █ Existing 1.4m fence to be retained
- █ Existing 900mm Wall to be retained

Note:- Any existing hedges that are overhanging the boundary need to be trimmed back BEFORE ANY COMMENCEMENT OF WORKING

Proposed boundary treatment phase 3

Proposed house types



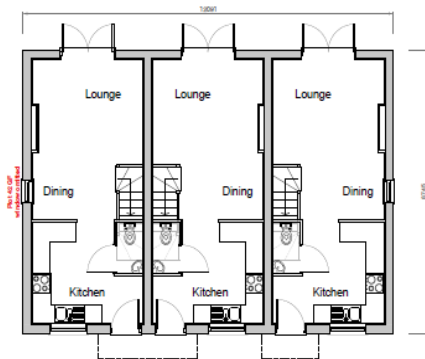
Front Elevation



Rear Elevation



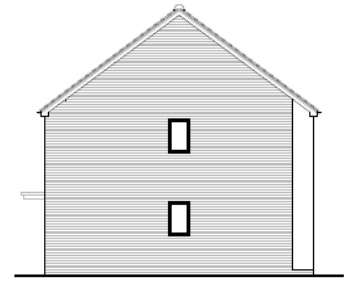
Left Side Elevation



Ground Floor Plan
Area to be finished or altered (shaded)



First Floor Plan



Right Side Elevation

Type 3N-3Block Floor Plans & Elevations Plots 42, 43, 44, 54, 55 & 56

Dwg. No. 3N-3Block-Planning Rev B Scale 1:100 @ A3 January 2018

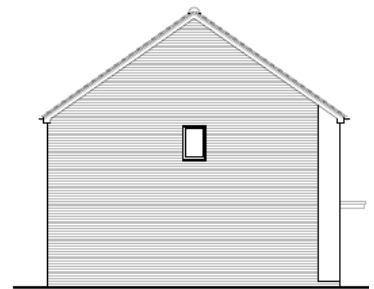




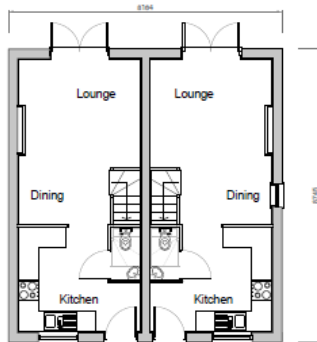
Front Elevation



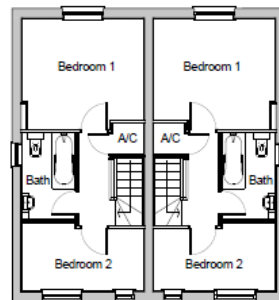
Rear Elevation



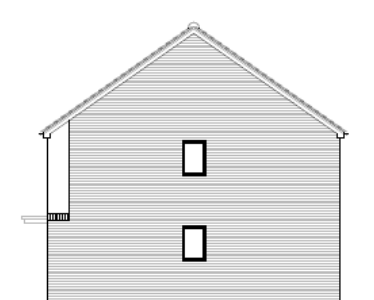
Left Side Elevation



Ground Floor Plan
Area to Plot Area (1) = 55.4m² (594sq ft)



First Floor Plan



Right Side Elevation

Type 3N Floor Plans & Elevations Plots 52 & 53

Dep. No. 3N-Planning-01 Rev A Scale 1:100 @ A3 January 2018
Rev A - Plot Numbers amended for new site layout. MH 23.03.18



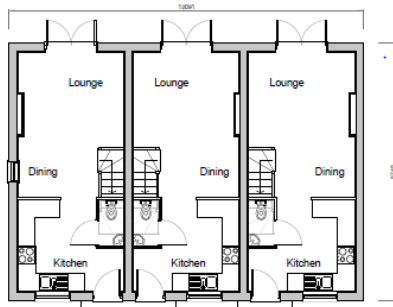
Front Elevation



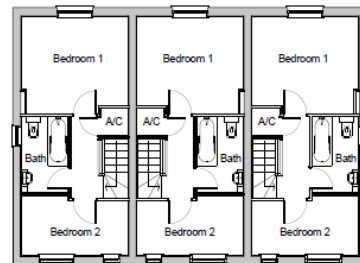
Rear Elevation



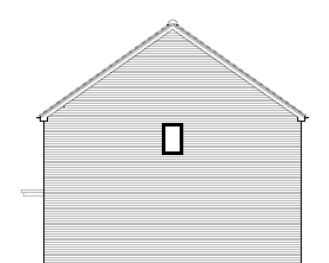
Left Side Elevation



Ground Floor Plan
Area to Plot Area (1) = 55.4m² (594sq ft)



First Floor Plan



Right Side Elevation

Type 3N-3Block Floor Plans & Elevations Plots 49, 50 & 51

Dep. No. 3N-3Block-Planning-02 Scale 1:100 @ A3 January 2018



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Phase 3 looking towards the rear of St. Helen's Avenue



View South towards proposed phase 4



View towards Northern boundary with 120 Western Avenue beyond



View towards existing conifer boundary to 120 Western Avenue



View beyond Northern boundary and 122 Western Avenue



View towards Eastern boundary and the rears of dwellings on St. Helen's Avenue



Landscape buffer to western boundary with Tritton Road to be retained



Two Oak trees to be retained as part of landscaping proposals

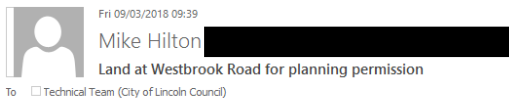


Rough grassland area to the South (phase 4)

2018/0244/FUL – Erection of 29 dwellings with vehicular access from Westbrooke Road - Land at Westbrooke Road

Neighbour Comments

Mike Hilton, 68 Western Crescent, Lincoln



Further to your letter dated 14th February 2018 I would like to raise the following objections as follows:

The existing number of houses are already causing problems with traffic on both Western Avenue and Crescent. This will be increased if more houses are built.

This is in particular consideration to the area around the school, where this problem is exacerbated at peak school times in the morning and afternoon.

It is obvious that this site will increase even more and I would suggest that now is the time to find an additional entrance and exit route for traffic at the least an exit road onto Tritton Road.

The continued growth of this site will severely damage the environment for existing residents, particularly on Western Crescent.

The other related point is that the constant HGV traffic is a current problem and will increase if this planning application is approved.

Yours sincerely.

Mike Hilton
68 Western Crescent

Sent from my iPad

Miss Adalma Martin, 88 Nightingale Crescent, Lincoln

Comments for Planning Application 2018/0244/FUL

Application Summary

Application Number: 2018/0244/FUL

Address: Land At Westbrooke Road Lincoln Lincolnshire LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

Case Officer: Alex Leatherland

Customer Details

Name: Miss Adalma Martin

Address: 88 Nightingale Crescent, Lincoln, Lincolnshire LN6 0JZ

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Always in need of more housing and their other two developments look lovely and I have heard good things about the quality of the build as well. Great idea

Miss Nicola Mather, 19 Camwood Crescent, Lincoln

Comments for Planning Application 2018/0244/FUL

Application Summary

Application Number: 2018/0244/FUL

Address: Land At Westbrooke Road Lincoln Lincolnshire LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

Case Officer: Alex Leatherland

Customer Details

Name: Miss Nicola Mather

Address: 19 camwood Crecscent Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Objection due to access and local wildlife deers etc often use the field to graze.

Mr and Mrs D B Marshall, 14 Westbrooke Road, Lincoln

Director of Communities & Environment
Simon Walters MBA, ACIS, MCMI
City Hall
Beaumont Fee
Lincoln
LN1 1DF

14 Westbrooke Road
Lincoln
LN6 7TB
27 February 2018

Your Ref: 2018/0244/FUL

cc: Planning Committee Chair & Vice Chair, Boutham Councillors, Cllr R Hills, all by email

Dear Sir

CONSULTATION ON APPLICATION FOR PLANNING PERMISSION

Location: Land at Westbrooke Road, Lincoln, LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

OBJECTION

Thank you for giving us the opportunity to comment on the proposed development to erect a further 29 dwellings at the end of Westbrooke Road on land that you own.

You will be aware that in 2014 Chestnut Homes originally proposed to build 60 dwellings but after concerns including the "number and location of parking places and other highway matters and residential amenity" you persuaded them to reduce the number to 52. Residents were still concerned that "the only access to the site is via Westbrooke Road, on a narrow blind bend and that the increased traffic flow will have a significant impact on safety, pollution and quality of life in the whole area for residents and schoolchildren." When you granted permission for 52 dwellings, in April 2015, you stated that "The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns."

The transformation of traffic flow in Westbrooke Road has already been dramatic. The road surface was never made to withstand the current volume and weight of traffic, it is already badly damaged and getting worse. My driveway is badly cracked and worsening, heavy lorries frequently rock our foundations. Who is going to compensate us for this damage, the Council or the developer? Speeding is now a regular occurrence whereas previously it never happened and accidents seem inevitable. It is interesting to note that the developers have laid a "surfacing material which aims to naturally restrict the speed of vehicles" at the entrance to the new development to prevent speeding once you are on it, but not before. Further afield the volume of traffic and consequent tailbacks have made access and egress at the junction of Boutham Park Road and Western Avenue very difficult and dangerous.

Now after Phase 2, and with this proposal, the number of dwellings has crept up to 109. If the developer's first application had been for 109 dwellings you would undoubtedly not have allowed it. Now, less than 3 years later, with no improved access to the site and concerns about traffic volumes confirmed, surely you cannot seriously consider granting this application. The developer states that "this development is of a relatively small scale" yet they are more than doubling the number in Phase 1. It was always clear to residents, and the applicant has now stated in the Access Statement, that their objective is to keep adding small scale developments until they reach Skellingthorpe Road and create a rat run for traffic. You must also have been aware of this and have so far allowed this piecemeal approach to achieve it. If you approve this application now you could be seen as colluding with the developer from the outset (particularly as the developer has already started building some 30

metres of roadway on Phase 3 land that you own! – see picture below taken from near Tritton Road, looking across Phase 3 land to the fenced boundary with Phase 2), making a mockery of local democracy, lacking honesty and transparency, and bringing the whole planning process into disrepute by just going through the motions to achieve your desired outcome whilst totally ignoring resident's views.



Nothing has improved to alleviate concerns since you originally refused 60 dwellings on this site, please do the right thing for local residents, and refuse this application to almost double that number.

Yours faithfully,



MR AD O'LEARY WBE
79 WESTER AVENUE
LINCOLN

LN6 7SZ.

24 FEBRUARY 2018.

YOUR REF: 2018/0244/FUL.

PROPOSED DEVELOPMENT: LAND AT WESTBROOKE ROAD,
LINCOLN, Lincs. LN6 7TB.

Dear Mr K Mawney, PLANNING MANAGER.

I am writing in connection with the
subject planning application. I wish to
express my concern regarding the aspect
of highway safety and congestion. The
volume of vehicle traffic on our Avenue
has increased considerable since the
development has commenced, with the
inherent problems this creates. This problem
is obviously going to increase as a
consequence of this additional phase.
I note on page eleven of the Chestnut
Homes Publication, that there is likely
to be a further phase, with the provision
to extend the road and therefore move
the development towards Skellingthorpe

road, if so - will it include vehicle access to it, in order to reduce the volume of traffic on our part of the estate

A further concern, is with respect to the marked deteriorating condition of our road surface, for instance - a large and dangerous pot hole has appeared on Western Avenue recently. I suspect that this development will be highly likely to be approved, if so, will the Council authorise the resurfacing of all roads on the estate leading to the site of the development, seeking Chestnut homes to make a financial contribution towards the cost.

An additional consequence of the high traffic volume, is a noticeable increase lately in car speed, particularly down Western Avenue, some seem to use it as a mini speed track, despite the 20 mph speed limit sign on a lamp post outside our house. The exit from St Peter's and St Paul's is also on this road. I feel it is only a

matter of time before we have a serious accident on this road, unless some form of speed control system is put in place.

To conclude, I consider that we were lead to believe that only 66 dwellings were being built on the original application, with no mention made of the likely extent of this development, not happy with regard to this lack of openness, it seems obvious to me that there are further phases to come.

Yours Sincerely,



Mr and Mrs D B Marshall, 14 Westbrooke Road, Lincoln

Director of Communities & Environment
Simon Walters MBA, ACIS, MCMI
City Hall
Beaumont Fee
Lincoln
LN1 1DF

14 Westbrooke Road
Lincoln
LN6 7TB
22 April 2018

Your Ref: 2018/0244/FUL and 2018/0458/FUL

cc: Planning Committee Chair & Vice Chair, Boultham Councillors, Cllr R Hills, all by email

Dear Sir

CONSULTATION ON APPLICATION FOR PLANNING PERMISSION

Location: Land at Westbrooke Road, Lincoln, LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

AND

Location: Land at Westbrooke Road, Lincoln

Proposal: Erection of 23 dwellings with vehicular access from Westbrooke Place.

OBJECTION

Residents are sick of this. What is the point of objecting? You are bending over backwards dancing to Chestnut Homes' tune. You have done everything in your power to help their piecemeal approach achieve their objective of 131 dwellings with the only vehicular access to them through Westbrooke Road. You have also allowed them to purchase public land, twice, without giving anyone else the opportunity to pay more for it. Land they are already using before officially getting planning permission!

Deals have been done behind closed doors, neither you, nor the County Council, will tell us what they paid for the land yet.

So much for local democracy and openness.

Yours disgustedly,

(Mr & Mrs) D B Marshall, B.Sc.

Mr and Mrs Edwards, 10 Westbrooke Road, Lincoln

Director of Communities and Environment
Simon Walters MBA ACIS MCMI
City Hall, Beaumont Fee
Lincoln LN1 1DF

Mr J M & Mrs B Edwards
10 Westbrooke Road
Lincoln
LN6 7TB
1st March 2018

Ref 2018/0244/FUL

Dear Sir

Objection to planning application 2018/0244/FUL
Land at Westbrooke Road, Lincoln.
Erection of 29 dwellings with vehicular access from Westbrooke Road

Dear Sir

We object to the Application on the following grounds.

Planning Process

In 2014 an initial proposal to build 60 dwellings on this development site was reduced to 52, a significant reduction clearly based on the concerns of the Planning Department. Surprisingly approval was given for Phase 2, increasing the number of properties significantly, despite the concerns of the residents. It is now proposed to more than DOUBLE the number of dwellings in Phase 1.
This method of gaining planning approval does not appear to be 'fit for purpose'.

Access

The only access to the site is via Westbrooke Road. The entrance to the road is a narrow sharp blind bend which is unsuitable for the speed and frequency of current traffic, any increase in the volume of traffic would make it more dangerous, and further affect the Quality of life of the residents.
Objections made to Phase1 and Phase2 Applications predicted serious deterioration of the road surface and stated that the road was not designed for the traffic that would use the road. These predictions have proved to be true, the road is in a deplorable state, any increase in traffic will make this worse.

Design

The application lays great emphasis on environmental considerations.
'The layout of buildings and spaces takes priority over the car. Shared surface routes through the site give equal priority to pedestrians and cyclists, and will ensure cars travel slowly without the need for traffic calming measures'.
This aim will only succeed if the number of vehicles is limited to current level.

Possible Future Development

The Application makes reference to 'Possible future link to the site to the south west'
The link shown gives access to a very large development site.

The Planning Committee should insist that the layout of the site should **PRECLUDE ANY FURTHER VEHICLE ACCESS FROM ANY POSSIBLE FUTURE DEVELOPMENT.**

Mr J M Edwards

Mrs B Edwards

Mr and Mrs A Fraser, 47 St Helens Avenue, Lincoln

Director of Communities & Environment

Simon Walters MBA, ACIS, MCMI
City Hall, Beaumont Fee
Lincoln
LN1 1DF

Mr & Mrs A Fraser
47 St Helens Avenue
Lincoln
LN6 7RA

21 March 2018

RE: PLANNING APPLICATION 2018/0244/FUL

Dear Sir,

Thank you giving us the opportunity to review and comment on the planning application to erect 29 additional houses on the land at the end of Westbrook Road, and rear of St Helens Avenue, by Chestnut Homes.

Based on the application and documents associated with it, we hereby wish to **OBJECT** to its approval based on the following concerns.

1. **Highway safety & congestion** – The residents of Westbrook Road and Western Avenue have raised several concerns regarding the traffic flow and poor quality/deterioration of the road surface of, what is for now, the only access to this particular site. We note that the plans include the provision for extension into the old Usher Junior School and envisage that access would be made to Skellingthorpe Road. As residents of St Helens Avenue, we are already severely affected with traffic from the junction of Skellingthorpe Road and Tritton Road and the railway crossing. Any further junctions/access into a sizable development would undoubtedly bring even more congestion to this area, and would be unacceptable.
2. **Scale & Height, Overlooking & Layout** – Under the current layout plan, a block of two storey, two bedroom houses will be erected at an angle to our rear boundary, and at a distance of approx 8ft away. This is unacceptable, as it puts the proposed building at only 35-40ft from the rear of our house, not the extent of our boundary. The plans show that the gable end of the proposed properties have both an upstairs and downstairs window. These will be looking directly into our garden and also the accommodation at the rear of our property and that of our neighbours. As the proposal is to build these at an angle, it also means that we will be looking along the rear aspect of all four houses, taking away light and making us feel like we are living against a brick prison.
3. **Noise & Disturbance** – We have grave concerns regarding the erection and location of the proposed water pumping station. This facility appears to be only approx 20-25m from our boundary. Currently there is no detail on this facility, but it appears to have an 'exclusion zone' around it which would suggest that it will generate a degree of noise and, as it is a waste station, quite probably an element of odour. Without further detail of the proposed facility, including noise levels and operating conditions, this is unacceptable. It will also be in direct line of sight to the rear of our property.

4. **Design** – Supporting documents and reports from specialist agencies that are attached to the application, stipulate that the ground level must be raised. Documents also suggest that this raising of the ground level may cause drainage and flooding issues to surrounding properties. The area is consistently boggy and we are fearful that any works/building will have a detrimental effect on the our properties, and increase the likelihood of drainage/flooding issues.
5. **Effects on trees/wildlife** – At the edge of the proposed development and just to the rear of our boundary, there is a large conifer tree which appears to not be on the plan. This tree is the home to a variety of birds, amongst which are a pair of Tawny Owls. The land as it is, is also home to a large variety of other wildlife, including deer, foxes, frogs and newts. Consideration must be given to these poor creatures.

We would also like recorded that although this planning application has only been submitted, significant ground works are already underway. A section of roadway has been laid and several large plant vehicles have moved large amounts of materials throughout the proposed development, up to and including against our rear boundary and neighbouring properties. Having these vehicles at our rear boundary without any form of screening or fencing means that we have workmen looking straight into our houses, which is a gross invasion of privacy. We have also noticed that a section of the metal fence to the old Usher Junior School has been removed, suggesting that this development is extending already.

To the untrained eye, it would appear that this planning application is merely a formality and that the decision to proceed, has already been decided. This is, in our opinion, a serious breach of democracy and of following process.

This application cannot be approved, and I implore the planning department to uphold the concerns of all parties that have voiced their opinions to prevent this from happening.

Yours faithfully

Mr & Mrs A Fraser

Mr D Hipworth, 1 Westbrooke Close, Lincoln

1 Westbrooke Close
Lincoln
LN6 7TL

3 March 2018

Director of Communities & Environment
Simon Walters MBA, ACIS, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF



Your Ref: 2018/0244/FUL

Dear Sir

CONSULTATION ON APPLICATION FOR PLANNING PERMISSION

**Proposed Development: Land at Westbrooke Road, Lincoln, Lincolnshire, LN6 7TB –
Erection of 28 dwellings with vehicular access from Westbrooke Road**

Firstly I would like to thank your Planning Assistant, Milly, for sending me details of the Phase 3 proposed development application on land adjacent to Westbrooke Road.

Reasons for Objection to proposed further development by Chestnut Homes

Many local residents have been here since Westbrooke Road, was developed to service a total of 20 bungalows. Since then, the Council have repeatedly ignored the views of local residents and given Chestnut Homes planning permission to build an additional 80 dwellings (52 dwellings in Phase 1 and 28 dwellings in Phase 2).

The road surface at Westbrooke Road and it's junction with Western Crescent is already breaking up due to the significant volume of traffic. The speed of some of the vehicles going from and to the new development onto the existing highway is excessive and an accident is waiting, particularly at the narrow blind bend from Westbrooke Road onto Western Crescent.

The Phase 3 application, for an additional 29 dwellings will only exacerbate the existing situation and surely a total of 109 dwellings cannot be acceptable when the first application for 60 dwellings was felt inappropriate by the Council and reduced to 52.

The existing properties in Western Avenue, Western Crescent, Westbrooke Road and Westbrooke Close have historically experienced hold ups when getting out of Western Avenue into Boultham Park Road and vice versa. This is caused by a combination of additional traffic from St Peter and St Paul school, including parents / carers dropping off and picking up children; driving schools where there is often 3 vehicles at a time practising various manoeuvres and additional non-residential parking at the top of Western Avenue. The additional 29 dwellings will make the situation even more intolerable than it already is.

Yours faithfully



Residents may think they can influence housing developments in their vicinity, but do they really have a voice? Not in my experience.

In 2014 Chestnut Homes originally proposed to build 60 dwellings on land bordering Tritton Road, with access via Westbrooke Road in Lincoln. In 2015, despite objections, the Council approved the development, but reduced the number of dwellings to 52 after identifying matters of concern including increased traffic flow and congestion in the area, and that the only vehicular access to the site was via Westbrooke Road. In 2017 plans for a further 27 dwellings were approved and added in Phase 2.

Chestnut Homes have now submitted plans for a further 29 dwellings in Phase 3 to take the total to 108. If the developer's first application had been for 108 dwellings it would undoubtedly have been refused. How can 108 now be acceptable when less than 3 years ago 60 was too many? Nothing has changed. Access to the site has not been improved and concerns about traffic volumes adding to congestion in the area have been confirmed. Only the developer's tactics to achieve their aim by submitting multiple smaller applications is different.

The Council however seem set not only to approve Phase 3, indeed they have so far facilitated it, they also seem to be placing the developer in an advantageous position for future phases.

The application states that the latest phase is "on land owned by the City of Lincoln Council", although it now seems the Council has sold the land to Chestnut Homes, subject to them obtaining planning permission. It was sold by private treaty for an undisclosed price that "is commercially sensitive at this stage". Chestnut Homes however seem confident of getting permission as they are already using the land and have started to build some 30 metres of roadway across it. Why was the land not sold by public auction to ensure best value was obtained? Apparently "because Chestnut Homes are a special purchaser due to ownership of the access point to the Council's land". And who allowed them ownership of this access point - the Council when they approved earlier phases without any restrictions.

It was always clear to residents that Chestnut Homes' objective is to keep adding small scale developments until they reach Skellingthorpe Road and create a rat run for traffic from Skellingthorpe Road to Boultham Park Road. The Council were aware of this and have so far allowed this piecemeal approach to achieve it. If the Council now grants permission for Phase 3, not only are they confirming their acceptance of this creeping development, they are also placing Chestnut Homes in the favourable position of owning the land, and consequently the access point, to further adjacent public land again. This land was previously the Usher school grounds and is currently owned by the County Council. Chestnut Homes could then become a "special purchaser" for the next phase. Wouldn't it have been better to preserve ownership of the Phase 3 land, at least for now, to ensure the school ground could be sold by public auction and ensure best value for the benefit of citizens? Some deals seem to have been made behind closed doors, at least for now, but it seems it's all part of the grand plan and there seems no way of stopping it.

It makes a mockery of local democracy, it lacks transparency and brings the whole planning process into disrepute. They are just going through the motions to achieve their desired outcome and totally ignoring resident's views.

Dave Marshall



From near Tritton Road, looking across Phase 3 land to the fenced boundary with Phase 2

Mr Rhys Keighron, 11 Egret Grove, Lincoln

Comments for Planning Application 2018/0244/FUL

Application Summary

Application Number: 2018/0244/FUL

Address: Land At Westbrooke Road Lincoln Lincolnshire LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

Case Officer: Alex Leatherland

Customer Details

Name: Mr Rhys Keighron

Address: 11 egret grove Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This would be a good addition to Lincoln more quality housing that people can afford is what young people need to get on the ladder

Comments for Planning Application 2018/0244/FUL

Application Summary

Application Number: 2018/0244/FUL

Address: Land At Westbrooke Road Lincoln Lincolnshire LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

Case Officer: Alex Leatherland

Customer Details

Name: Mr Rodney Mountcastle

Address: 6 Westbrooke Road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Along with most residents of Westbrooke Road we were led to believe that Phase 2 of Chestnut Homes development using Westbrooke Road as the only access point would be the final phase of development. Most of the residents were also sceptical that Chestnut Homes would find ways to expand the development further by submitting plans for small developments at a time and as this application has proven that point. The initial application was amended as it was thought that Westbrooke Road was not suitable for a higher volume of traffic that would be generated from the development. We are now expected to see nearly a 100% in volume of traffic with Phase 2 nearly completed and the proposed Phase 3.

Interestingly when Westbrooke Road was initially extended in the late 1970's from No 8 to No 20 and the construction of Westbrooke Close the developer at the time was told that was the limit of the development as the road and the design of entrance off Western Crescent was not deemed suitable or safe for a larger development. Back then most properties only had one vehicle whereas today most have two vehicles, so we are now expecting the same road which hasn't been altered since it was constructed to potentially handle up to 1000% more traffic than it was built for.

The general condition of the road surfaces along Western Avenue, Western Crescent and Westbrooke Road is deteriorating I believe due to the high volume of Heavy Goods Vehicles using this route for access to the site. On numerous occasions HGV's carrying heavy plant have reversed the full length of Westbrooke Road sometimes using the footpath and when questioned one of the drivers said he had to do it due to the fact there was no provision for him to turn round on the site.

Since the initial development started we have suffered drainage problems with the sewers and have called Anglian Water out several times. As the sewers from No's 2,4,6,8 and 10 Westbrooke Road go under the concrete section of the road and are shallow drains one can only assume this is a result of the volume of HGV's. In the 17yrs we have lived here prior to this development I cannot recall having similar problems with the sewers.

On numerous occasions we have gestured to construction traffic to slow down and have been met with verbal abuse. This has been reported to the Site Forman and to be fair he said he would talk to offending drivers but his hands were tied as to what they did off site. This problem has been mentioned numerous occasions at local Police Neighbourhood Watch meetings and a similar response was given. Certain residents of the new builds also seem it fitting to use Westbrooke Road, Western Crescent and Avenue as a race track and has been mentioned before it is only a matter of time before a serious accident happens. Within the last week another vehicle was involved in a collision with my stationary vehicle and speed was a factor as the other vehicle entered Westbrooke Road on the wrong side of the road and couldn't avoid colliding with my car. I would suggest that before permission is granted an alternative access is sought for the construction traffic, namely the former school site on Skellingthorpe Road that I understand is earmarked for development or at the very least traffic calming measures installed.

I have recently witnessed some form of construction work being carrying out on land that is designated Phase 3. I'm led to believe looking through the Planning application and constraints that no work can be started until permission is granted, if that is the case then there is clearly a breach of application.

I do hope the planning committee will carefully consider the concerns raised by local residents whom have tollerated this work for nearly 3yrs now and make the right decision and refuse this application.

Yours faithfully

Mr R G Mountcastle
Mr G W Mountcastle

Mrs Maureen Bailey, 12 Westbrooke Road, Lincoln

Comments for Planning Application 2018/0244/FUL

Application Summary

Application Number: 2018/0244/FUL

Address: Land At Westbrooke Road Lincoln Lincolnshire LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

Case Officer: Alex Leatherland

Customer Details

Name: Mrs Maureen Bailey

Address: 12 Westbrooke Road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Objection

I wish to object to phase 3 of the development LN6 7TB by Chestnut Homes

Reasons:

My reasons are unchanged from my previous objections to Phase 1 and Phase 2

1. Flooding ... The development is in an area prone to flooding
2. There are several serious traffic concerns....Westbrooke Road is neither suitable, structurally or from a safety aspect. The junction with Western crescent is on a blind, narrow bend and the surface of the road, at this corner, is breaking up and cracking around the manhole covers. the surface of Westbrooke road and also the pavements are showing damage from the heavy traffic accessing the current development site.
3. The junction at Western Avenue and Boultham Park Road is already seriously congested, particularly at school times, resulting in serious pedestrian safety concerns.

Of particular, general concern is the way in which the development has been passed through the planning committee on a piecemeal basis. This has made it difficult for residents to reasonably object to what now amounts to a very large development, which will, according to the plans, extend into the Usher School Site on Skellingthorpe Road, thereby creating a future rat-run for traffic from Skellingthorpe Road to Boultham Park Road.

If Phase 3 is allowed, then it is important that no access for traffic should be allowed from any future development via the demolished Usher School site

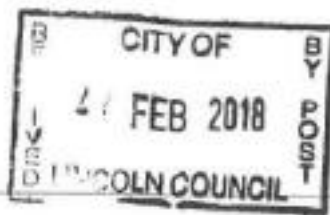
I would also like an answer to the following concern:-

Has the land being used for phase 3 been advertised on the open market? I understood that part of this belongs/belonged to Lincoln City Council (ie residents of Lincoln). If so, did the city give other developers the opportunity to bid fairly and obtain the best possible price for the city? This also applies to the Usher school site should this be opened to future development.

I look forward to receiving a reply to my concerns

Mrs Maureen Bailey
12 Westbrooke Road
Lincoln.
LN67TB

2018/0244/FUL.



V. E. ROSE

41 WESTBROOKE RD

TO THE DEVELOPMENT, LINCOLN, LN6 7TB

TEAM. 26-2-2018.

Dear Sir or Madam.

Regarding the proposed development of 29 Houses with access of Westbrooke Rd, 1st. There is a school at the top of western ave which means lots of children and cars. There is also a very large path side at the top of Western ave.

2) The access of Western cres. is very narrow and already breaking up due to all the heavy traffic which is almost continuous Mon to Fri.

3r. The Road 3 and foot path are uneven and unfinished on Westbrooke Rd and cars

and Hans of the Workmen park
along the foot path in front of
my home.

Chestnut Homes are very
fine houses but another access
is needed.

yours Sincerely

A solid black rectangular box used to redact the signature of the sender.

P. S. sorry about the note paper.

Mr and Mrs A Fraser, 47 St Helens Avenue, Lincoln

Director of Communities & Environment
Simon Walters MBA, ACIS, MCM
City Hall, Beaumont Fee
Lincoln
LN1 1DF

Mr & Mrs A Fraser
47 St Helens Avenue
Lincoln
LN6 7RA

13 May 2018

RE: PLANNING APPLICATION 2018/0244/FUL

Dear Sir,

Thank you giving us the opportunity to review and comment on the revised planning application to erect 29 additional houses on the land at the end of Westbrook Road, and rear of St Helens Avenue, by Chestnut Homes.

Based on the revised application and documents associated with it, we hereby wish to **OBJECT** to its approval based on the following concerns.

1. **Scale & Height** – Under the revised plans a 2.7m fence will be constructed at an angle at the rear of our property. This in its self isn't an issue, as it will go some way to obscuring the properties built behind it however; we have some grave concerns regarding the elevation drawings that have now been supplied. With the proposed increase in ground level on the site, it is beyond doubt that our garden will feel the effects of flooding. As it is, the ground to the rear of our property remains constantly damp, so any increase in level will only exacerbate this problem and will undoubtedly mean that our garden will act as a soak away for the development, particularly as the ground slopes towards our property. This is unacceptable. As I understand, the proposed increase in ground level on the development site could constitute a **legal nuisance**. Further detail of expected height differences, along with proposed mitigating solutions, must be provided before any decisions can be made and definitely before any work is started.
2. **Scale & Height** – Reviewing the section plans, it is noticeable that with the increased ground level, that the ridge height between our property and the proposed development's ridge height is approx 2m. Even with the increased distance from our boundary to the first property, this does not mitigate sufficiently the difference in ridge level. This height will be overbearing on our property and is unacceptable.]

Yours faithfully

Mr & Mrs A Fraser

Mr and Mrs A Mather, 51 St Helens Avenue, Lincoln

Director of Communities & Environment
Simon Walters MBA, ACIS, MCMI
City Hall, Beaumont Fee
Lincoln
LN1 1DF

Mr & Mrs A Mather
51 St Helens Avenue
Lincoln
LN6 7RA

23 March 2018

RE: PLANNING APPLICATION 2018/0244/FUL

Dear Sir,

We would like to object to the planning application to erect 29 additional houses on the land at the end of Westbrook Road, and rear of St Helens Avenue, by Chestnut Homes.

My first objection concerns the positioning of the dwellings that are proposed to be erected. The dwellings to the East corner of the development are in such a position that it will block the view/Sunlight from our garden and will also allow the residents of these dwellings direct vision into our and our neighbours gardens which I consider to be an invasion of our privacy.

We also have concerns regarding the erection and location of the proposed water pumping station. This facility appears to be only approx. 35m from our boundary. There seems to be little or no information about its function or its impact on the immediate environment with regards to noise or any other disturbance.

I have attached a photo taken by my neighbour that shows that the company has already started ground works close the boundary of our property (does this mean that a planning request is just a formality). This boundary is in the form of a hedge that I keep trimmed. Firstly with the dumping of this waste material so close I am no longer in a position to cut the hedge on the outward side. The plans show a fence approx. 1.8m in height close to the hedge. I feel that this will impinge on the hedge forcing it to grow at an angle back into my property and thus damaging my hedge and the fence.

The access to the site will be via Westbrook Road and Western Avenue and we are aware that the residents in this area have raised several concerns regarding the traffic flow and poor quality/deterioration of the road surface of, what is for now, the only access to this particular site. In the bigger picture, the area surrounding the development i.e Skellingthorpe road and Boultham park road which is already severely congested, especially at peak times, will be even more effected with the increased volume of traffic.

If, as the plans suggest that the ground level on the development be raised we are also concerned about the potential flooding to our properties on St Helens Ave due to the boggy nature of the area on which they plan to build.

Thank You in advance for your consideration of our objection to this development and we would like to strongly suggest that this permission not be granted.

Kind Regards

Mr & Mrs A Mather

Taylor, Louise (City of Lincoln Council)

From: Taylor, Louise (City of Lincoln Council)
Sent: 14 May 2018 11:43
To: Taylor, Louise (City of Lincoln Council)
Subject: FW: Objection to Planning application 2018/0244/FUL

From: Tony Mather [REDACTED]
Sent: 22 March 2018 22:42
To: Leatherland, Alex (City of Lincoln Council)
Subject: Objection to Planning application 2018/0244/FUL

Dear Sir/Madam,

Please find attached our letter of objection to the above planned development and attached photo's as evidence.

Regards

Tony Mather







**Planning Applications – Suggested Informative
Statements and Conditions Report**

AW Reference:	00026534
Local Planning Authority:	Lincoln City Council
Site:	Skellingthorpe Road, LINCOLN - Boultham
Proposal:	Erection of 29 dwellings with vehicular access from Westbrooke Road.
Planning Application:	2018/0244/FUL

Prepared by: Pre-Development Team

Date: 08 March 2018

If you would like to discuss any of the points in this document please
contact me on 0345 606 6087 or email
planningliaison@anglianwater.co.uk

ASSETS

Section 1 – Assets Affected

- 1.1 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

"Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence."

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

- 2.1 The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 – Foul Sewerage Network

- 3.1 Development will lead to an unacceptable risk of flooding downstream. We have previously advised the developer of a connection point south to avoid the capacity issues north. We would wish to see the applicant confirm connection to this point. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We will request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Section 4 – Surface Water Disposal

- 4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

- 4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be
-

unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We request that the agreed strategy is reflected in the planning approval

Section 5 – Trade Effluent

5.1 Not applicable

Section 6 – Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Foul Sewerage Network (Section 3)

CONDITION

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Surface Water Disposal (Section 4)

CONDITION

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

FOR THE ATTENTION OF THE APPLICANT:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - Development size
 - Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
 - Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (If required)

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 5l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation>. For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)



Planning Applications – Suggested Informative Statements and Conditions Report

AW Reference:	00027683
Local Planning Authority:	Lincoln City Council
Site:	Skellingthorpe Road, LINCOLN - Boultham
Proposal:	Erection of 29 dwellings with vehicular access from Westbrooke Road.
Planning Application:	2018/0244/FUL

Prepared by: Pre-Development Team

Date: 01 May 2018

If you would like to discuss any of the points in this document please
contact me on 0345 606 6087 or email
planningliaison@anglianwater.co.uk

ASSETS

Section 1 – Assets Affected

- 1.1 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

"Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence."

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

- 2.1 The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 – Foul Sewerage Network

- 3.1 Development will lead to an unacceptable risk of flooding downstream. We have previously advised the developer of the required pumping discharge rate that will avoid localised flooding issues. We would wish to see confirmation of the intended pumped discharge rate. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We will request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Section 4 – Surface Water Disposal

- 4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

- 4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).

We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Section 5 – Trade Effluent

- 5.1 Not applicable

Section 6 – Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Foul Sewerage Network (Section 3)

CONDITION

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Surface Water Disposal (Section 4)

CONDITION

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

FOR THE ATTENTION OF THE APPLICANT:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - Development size
 - Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
 - Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 5l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation>. For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - Connecting manhole discharge location
 - Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)
-

Dear Sir/Madam

REFERENCE: 2018/0244/FUL

DEVELOPMENT: ERECTION OF 29 DWELLINGS WITH VEHICULAR ACCESS FROM WESTBROOKE ROAD

LOCATION: LAND AT WESTBROOKE ROAD, LINCOLN, LINCOLNSHIRE, LN6 7TB

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district.

This is the third phase for this site which has been built sequentially, good practice would be to design the surface water drainage system for the whole of the development area in order to provide a comprehensive and efficient SuDS scheme.

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps), the site is also in an area at risk from beach of the Environment Agency main river system and also potentially at risk from surface water flooding (Environment Agency Surface water flood maps). However it is up to City of Lincoln Council as the planning Authority grant planning permission.

Comment and information to Lincolnshire CC Highway SUDs Support

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. A Flood Risk Assessment and Drainage Strategy are included in the submission however

- there are no details of the proposed drainage system, including attenuation
- further ground investigations are required
- any discharge should be limited to the greenfield rate, the proposed discharge to the Anglian Water surface water sewer (13.33l/s) is above this rate.
- the submission is for 29 dwellings and the Anglian Water information refers to 132 dwellings, is the 13.33l/s discharge only for this phase?
- discharge into the Anglian Water may be restricted when there are high water levels in the Boultham Catchwater.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as “ridge and furrow” and “overland flows”. The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Any ground raising would affect the area to the south of the site.

Regards

Guy Hird

Engineering Services Officer

Hi

The County Council has no comments to make in relation to education on this application as there is sufficient primary capacity within the locality. Had CIL not been implemented, a request for £33,982 towards secondary education would have been made.

Kind regards

Simon

Simon Challis
Strategic Development Officer
Corporate Property

FAO: Alex Leatherland
City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Our ref: AN/2018/127075/01-L01
Your ref: 2018/0244/FUL
Date: 05 March 2018

Dear Alex

**Erection of 29 dwellings with vehicular access from Westbrooke Road.
Land at Westbrooke Road Lincoln Lincolnshire LN6 7TB**

Thank you for referring the above application, which was received on 15 February 2018.

We have **no objection** to the application submitted, subject to the inclusion of the following condition on any subsequent planning permission that may be granted.

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref: RLC/0121/FRA01) dated February 2018 and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 6.5m above Ordnance Datum (AOD) for two storey dwellings.
2. Finished floor levels are set no lower than 6.6m above Ordnance Datum (AOD) for single storey dwellings.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

As you are aware the discharge and enforcement of planning conditions rests with your Authority. It is, therefore, essential that you are satisfied that the proposed draft condition meets the requirements of paragraph 4 of the National Planning Practice

Environment Agency
Nine House (Pythley Lodge Industrial Estate),
Pythley Lodge Road, Kettering, Northants, NN15 6JQ
Email: Lnplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

Customer services line: 03706 506 506
Calls to 03 numbers cost the same as calls to standard
geographic numbers (i.e. numbers beginning with 01 or 02).

Cont/d..

Guidance (NPPG) (Use of Planning Conditions, section 2). Please notify us immediately if you are unable to apply our suggested condition, as we may need to tailor our advice accordingly.

In accordance with the NPPG (Determining a planning application, paragraph 019), please notify us by email within 2 weeks of a decision being made or an application being withdrawn. Please provide us with either a link to, or, a copy of the decision notice.

Information for applicant

Flood resilience and resistance techniques

Please refer to the following document for information on flood resilience and resistance techniques that could be included to provide additional protection: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007)

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

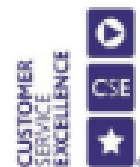
Yours sincerely

Keri Monger
Sustainable Places - Planning Adviser

Direct dial 020 847 48545

Direct e-mail keri.monger@environment-agency.gov.uk

Awarded to Lincolnshire & Northamptonshire Area



Consultee Comments for Planning Application 2018/0244/FUL

Application Summary

Application Number: 2018/0244/FUL

Address: Land At Westbrooke Road Lincoln Lincolnshire LN6 7TB

Proposal: Erection of 29 dwellings with vehicular access from Westbrooke Road.

Case Officer: Alex Leatherland

Consultee Details

Name: Ms Catherine Waby

Address: St Mary's Guildhall, 385 High Street, Lincoln LN5 7SF

Email: lincolncivictrust@btconnect.com

On Behalf Of: Lincoln Civic Trust

Comments

OBJECTION:

We had previously looked at Phases 1 and 2 and made appropriate comments to those applications. We find that our comments to particularly Phase 2 are still valid and our objection is based on the following:

1. The access road to the site is totally inappropriate and that a further access on to Skellingthorpe Road should be created BEFORE any further applications are considered and this should even be in place now in order to remove the construction traffic from what is a minor interior estate road.
2. The parking spaces allocated for all two-bedroom houses should be at least two. We are surprised by the lack of any meaningful comments from the Highways department but notice on another estate application (Queen Elizabeth Road) they have specified that they would expect a 2 for 2 and below and 3 for 3 and above. This we felt was eminently sensible suggestion that should be adopted in all applications for residential development.
3. We are concerned about the shared use of the internal roads and feel that there should be either provision for paths adjacent to the road or a substantial increase in the width of the roadway or a totally separate pedestrian walkway scheme.
4. The risk of flooding does to the existing areas does not seem to have been satisfactorily addressed and have concerns that we are building up problems for the future.

As a further comment, we are very concerned that the method of application for the total site being done in Phases, seems to circumvent some of the planning requirements with regard to access,

fails to address the final effect on the existing residential properties, fails to address the overall impact that the total development will have on the environment and does not highlight the increase in services (education, medical etc) that may be required by the finished development.



LINCOLNSHIRE POLICE

POLICE HEADQUARTERS
PO Box 999
LINCOLN LN5 7PH
Fax: (01522) 558128
DDI: (01522) 558292
email
john.manuel@lincs.pnn.police.uk

Your Ref: App. 2018/0244/FUL

20th February 2018

Our Ref: PG//

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Re: Westbrooke Road, Lincoln, Lincolnshire, LN6 7TB

Thank you for your correspondence and opportunity to comment on the proposed development.

Lincolnshire Police has no formal objections to the planning application in principle but would recommend that the attached recommendations are implemented.

External Doors and Windows

Building Regulations (October 1st 2015) provides that for the first time all new homes will be included within Approved Document Q: Security – Dwellings (ADQ).

Approved document Q applies to all new dwellings including those resulting from change of use, such as commercial premises, warehouse and barns undergoing conversions into dwellings. It also applies within Conservation Areas.

This will include doors at the entrance to dwellings, including all doors to flats or apartments, communal doors to multi-occupancy developments and garage doors where there is a direct access to the premises. **Where bespoke timber doors are proposed, there is a technical specification in Appendix B of the document that must be met.**

Windows: in respect of ground floor, basement and other easily accessible locations.

The secured by design requirement for all dwelling external doors is PAS 24:2016 (doors of an enhanced Security) or WCL 1 (WCL 1 is the reference number for PAS 23/24 and is published by Warrington Certification Laboratories).

All ground floor windows and doors and those that are easily accessible from the ground must conform to improved security standard PAS24:2016. **Window retainers should be provided on all windows that are accessible.**

Individual Flat or Unit Doors.

Flat entrance door-sets should meet the same physical requirements as the 'main front door' i.e. PAS24:2016. The locking hardware should be operable from both sides of an unlocked door without the use of the key (utilising a roller latch or latch operable from both sides of the

door-set by a handle). If the door-set is certified to either PAS24:2016 or STS 201 Issue 4:2012 then it must be classified as DKT.

Door Chains and viewers

A door chain must be installed on the door set that the occupier would expect to be the main entry (front) door. A door viewer must also be fitted between 1200 mm and 1500 mm from the bottom of the door (not required if the door set is installed with clear glazing or adjacent windows provide a clear view of the front door entrance).

Lighting

Lighting should be designed to cover the external doors and be controlled by *photoelectric cell* (dusk to dawn) with a manual override. The use of low consumption lamps with an efficacy of greater than 40 lumens per circuit watt is required; it is recommended that they be positioned to prevent possible attack.

Utilities

In order to reduce the opportunities for theft by 'bogus officials' the utility meters should, where possible, be located to the outside of the dwelling at a point where they can be overlooked. This will negate the need for an official to enter the building in order to read a meter, which will in turn reduce the opportunity for distraction burglary. Where possible utility meters in multi occupancy developments should be located on the ground floor between access controlled doors (air lock system) so that access can be restricted to the meters

Note 33.1: Where a utility provider refuses to provide external meters, and there is an obvious (historic) risk of distraction burglary within the location, the developer should consider an alternative supplier.

Intruder Alarm

Where an intruder alarm is installed it should be compliant and meet the standards of BSEN 50131. It is recommended that any alarms system is provided and installed by a police approved company registered with the National Security Inspectorate (NSI) or the Security Systems & Alarms Inspection Board (SSAIB). It is also important that residents are clearly instructed in its use.

Landscaping

Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any trees should be pruned up to a minimum height of 2 metres, thereby maintaining a clear field of vision around the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Inclusive to the application should be strict management conditions that ensure the maintenance of and general good management of the estate additional to established security of the properties.

Boundaries between public and what is private space should be clearly defined and open accessible spaces should not allow for any unintended purpose which may cause any form of anti-social behaviour or nuisance. I would recommend that these spaces are defined clearly by low level (carefully considered) planting of limited growth height and maintenance shrubbery (maximum growth height of 1m).

Pedestrian Access Route / Footpath

This design has made good and effective use of a cul-de-sac (single point of entry) design which has been proven to help reduce crime and disorder and anti-social behaviour and additionally enhance community cohesion within the development.

It is preferable that footpaths are not placed to the rear of properties or provide such access, if deemed essential they should be securely gated. The gates should be placed to the front of the building line and suitable illuminated with a key operated lock from both sides of the gate. Effort should be made to ensure that the opportunity for concealed and easy access to individual premises is avoided; this is particularly relevant to ground floor windows.

It is strongly advised that if there are any rear access (service) alleyways incorporated, they must be gated at their entrances. The gates must not be easy to climb over or easily removed from their hinges and they must have a key operated lock. By Design – Better Places to Live (Companion Guide to Planning Policy Statement 3) page 46 states:

“Rear servicing can undermine the security of dwellings by allowing strangers access to the rear of dwellings.”

Please do not hesitate to contact me should you need further information or clarification.

Please refer to *New Homes 2016* which can be located on www.securedbydesign.com

Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE Dip Bus.
Force Crime Prevention Design Advisor

Dear Sir or Madam,

Thank you for your consultation.

Application ref: 2018/0244/FUL

Our ref: 239290

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Clare Foster

Natural England

Good afternoon,

On this occasion NHS England will not be putting in a section 106 tender for the development of 29 dwellings in Lincoln.

Kind regards,

NHS England

NHS England – Midlands and East (Central Midlands)

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Application Number:	2018/0531/FUL
Site Address:	Land Including 98 Newland (Viking House) And 100, 102 and 104 Newland, Lincoln, ,
Target Date:	20th June 2018
Agent Name:	Globe Consultants Ltd
Applicant Name:	
Proposal:	Change of Use of Viking House to student accommodation (Sui Generis) alongside external alterations; Erection of partial subterranean building to provide four storeys of student accommodation (Sui Generis) between No. 96 and No. 100 Newland including glazed link to No. 100 Newland; Change of Use of No. 100, 102 and 104 Newland to student accommodation (Sui Generis); and associated hard and soft landscaping works including creation of internal courtyard.

Background - Site Location and Description

Site Location

The application site is occupied by two buildings, No. 98 Newland (Viking House) and the terrace at Nos. 100-104 Newland (even only). The former was previously occupied for office use by the Department for Work and Pensions and is situated to the north of and adjoins One The Brayford (formerly Mill House), which has been extended to provide a mixture of commercial, office and residential uses. The latter was also most recently in office use by CAD Associates. To the south and west is the Horse and Groom Public House and to the east is the Taste of Marrakesh restaurant (with accommodation above) and the Doubletree by Hilton hotel, which has also recently been extended toward Newland.

The access to the buildings is currently a mixture of pedestrian access from Newland and vehicular access is from Carholme Road and the traffic lit junction at the foot of the Brayford Way flyover where it meets Carholme Road. Moreover, the ground floor of Viking House currently serves as a car park, and is accessed through the OTB car park. Meanwhile, the rear courtyard of 100-104 is also car parking.

The proposals affect all floors of the buildings and include extensions to Newland (north of Viking House) and for a further extension between this and Nos. 100-104 Newland to incorporate student accommodation on a sui generis basis. A total of 173 bedrooms would be created.

Description of Development

The building most recently occupied by CAD Associates (Nos. 100-104 Newland, even only) was arranged with a mix of reception, conferencing and office uses over three floors. It is proposed to provide management spaces incorporating a reception to serve both buildings at ground floor, along with laundry accessed from the rear; and the remaining footprint at ground floor would incorporate living spaces including separate living, TV and Kitchen/Dining rooms. Meanwhile, the first and second floor would incorporate a total of 13 bedrooms.

In terms of Viking House (No. 98 Newland), due to the site levels, the existing ground floor is below Newland and currently incorporates parking. This was proposed to serve the conversion of the remainder of the building from office to residential.

The proposal incorporates a red brick and slate roof extension to the north towards Newland which would be partially subterranean as the ground floor from Viking House would continue towards the street. Moreover, the ground floor would be lower than the street and face a void created next to the footpath. Therefore, only three floors would be visible from the street. The top floor would be partially accommodated in the roof space of the building, which would be steeply pitched facing Newland with windows half below and half above the eaves level.

The north-western corner of the existing building would incorporate a brick wrap-around from the north to the west elevation, the remainder of Viking House would be reclad with through coloured render.

Ground floor would incorporate two clusters of accommodation, the frontage to Newland would house a 9-bed cluster with shared living spaces facing into a void adjacent to the footpath. This would be in a similar form to that which serves the listed terraced building to the east. The remainder of the ground floor would be occupied by a cluster of 18 bedrooms, two of which would be suitable for disabled occupants; and a shared living space.

The first, second and third floors would incorporate two separate clusters of accommodation, one being smaller (8 bedrooms and a living space) facing Newland and a second larger cluster (21 bedrooms and a larger living space) in the remainder of the original Viking House. Meanwhile, the fourth and fifth floors utilise the main footprint of Viking House, so do not include any footprint adjacent to Newland. In light of this, each floor incorporates one large cluster of 23 bedrooms.

A further extension would be positioned between both buildings to provide a covered entrance to the reception in 102-104 Newland, as well as a secure access to the courtyard to the rear.

Site History

As detailed below, the conversion of Viking House to residential use was approved under reference: 2016/1222/PAC utilising the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015. Moreover, the Order enabled the applicant to apply for permission to use the accommodation for residential purposes, subject to the consideration of transport and highways impacts of the development; and contamination and flooding risks on the site. There were not found to be any such issues so consent was subsequently granted on 27 January 2017.

More recently, following the grant of the above consent, the applicant sought permission for external alterations to the building including re-cladding and the provision of balconies to the north elevation (reference: 2018/0221/FUL), this was granted permission under delegated powers on 01 May 2018.

Site History

Reference:	Description	Status	Decision Date:
2016/1222/PAC	Determination as to whether prior approval is required for the change of use from existing office (Use Class B1(a)) to 40no. apartments (Use Class C3)	Prior Approval Required and Approved With Conditions	27th January 2017
2018/0221/FUL	External alterations to existing building to include re-cladding and the provision of balconies to north elevation.	Granted Conditionally	1st May 2018

Case Officer Site Visit

Undertaken on 24th April 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP3 Level and Distribution of Growth
- Policy LP5 Delivering Prosperity and Jobs
- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land affected by Contamination
- Policy LP17 Landscape, Townscape and Views
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP31 Lincoln's Economy
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- Policy LP36 Access and Movement within the Lincoln Area
- Policy LP37 Sub-division and multi-occupation of dwellings within Lincoln
- National Planning Policy Framework

Issues

In this instance the main issues relevant to the consideration of the application are as follows:

1. The Principle of the Development;
2. The Impact of the Design of the Proposals;
3. The Implications of the Proposals upon Amenity;
4. Sustainable Access, Highway Safety and Air Quality

5. Other Matters; and
6. The Planning Balance.

Consultations

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

The overall public consultation period for the application does not expire until 24 May 2018 due to the press and site notices published, this is the day following the Planning Committee Meeting. Direct consultations undertaken with neighbours and consultees expire on 17 and 15 May 2018 respectively, which are following the closing of the agenda for the Committee but in advance of the update sheet being prepared.

Any responses received as part of the consultation process prior to the closing of the agenda are copied in full as part of the agenda. All subsequent correspondence received as part of the consultation will be added to the update sheet or reported directly at the planning committee if appropriate.

Statutory Consultation Responses

Consultee	Comment
Upper Witham, Witham First District & Witham Third District	Comments Received
Highways & Planning	No Response Received
Environmental Health	Comments Received

Public Consultation Responses

Name	Address
Miss Zoe Burns	16 Alness Close Lincoln Lincolnshire LN6 0YX
Mr Ian Ulyatt	Apartment 210 One The Brayford 20 Brayford Wharf North Lincoln Lincolnshire LN1 1BN

Consideration

1) The Principle of the Development

a) *Relevant Planning Policies*

i) *Sustainable Development and the Proposed Uses*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is a material consideration in determining planning applications. Framework paragraph 215 indicates that due weight should be given to relevant policies in the development plan according to their consistency with the Framework i.e. the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

The development plan comprises the adopted Central Lincolnshire Local Plan (the Plan). During its examination the policies therein were tested for their compliance with the Framework and ensures that there is a very clear picture of the options for growth in Central Lincolnshire.

Paragraph 14 of the National Planning Policy Framework (the Framework) outlines the following in relation to the principle of development:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

For decision taking this means (unless material considerations indicate otherwise):

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

In terms of sustainable development, Paragraph 7 of the Framework suggests that there are three dimensions: economic, social and environmental. "These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

Meanwhile, at the heart of the Core Planning Principles within the Framework (Paragraph 17) is the expectation that planning should:-

“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth”

Turning to Local Plan Policy, Policy LP1 of the Plan supports this approach and advocates that proposals that accord with the Plan should be approved, unless material considerations indicate otherwise.

In terms of the spatial dimension of sustainability, proposals need to demonstrate that they contribute to the creation of a strong, cohesive and inclusive community, making use of previously developed land and enable larger numbers of people to access jobs, services and facilities locally, whilst not affecting the delivery of allocated sites and strengthening the role of Lincoln (Policy LP2). Meanwhile, Policy LP3 sets out how growth would be prioritised and Lincoln is the main focus for urban regeneration; and Policy LP5 supports the growth of job creating development which also supports economic prosperity but only where proposals have considered suitable allocated sites or buildings or within the built up area of the settlement; and the scale of what is proposed is commensurate with its location.

In more broader spatial terms, Policy LP33 sets out the general mix of uses that would be supported within the Central Mixed Use Area, including shops (A1); offices used by the public (A2); Food and Drink Outlets (A3, A4 and A5); houses and flats (C3); hotels (C1); student halls of residence and theatres.

b) Assessment of the Principle of the Proposed Use

The proposals are for student accommodation within existing and proposed buildings and Members will note elsewhere from this report that there is consent for Viking House to be used for residential purposes.

It is noted that both persons commenting on the application have referred to the fact that they consider that the proposals for student accommodation would have a negative impact upon the locality. However, as alluded to in the relevant policies above, the incorporation of student housing within the redevelopment of the site is an appropriate use, as the site is located within the Central Mixed Use Area where such uses are acceptable. Furthermore, there is now no requirement for developers to evidence a need for student accommodation linked to the demand for students but it is still necessary to consider the implications of that use, which will be dealt with elsewhere in this report.

Meanwhile, in terms of the city-wide impact of student accommodation, it is a valid argument that the provision of managed purpose-built student accommodation could have a positive impact upon the social imbalance within nearby residential areas, i.e. the proposals could make a positive impact upon the demand for student housing in those areas. Moreover, the

demand for houses in multiple occupation could reduce thereby facilitating a return of dwellings to family occupation. Notwithstanding this, it is clear that the site is sustainably located in the heart of the city, close to the facilities and services that would support this use and the Universities in the city are accessible by cycle and walking routes. This ensures that this form of residential accommodation would be appropriate in this location.

In terms of the sustainability dimensions of the development, officers recognise that the development would deliver economic and social sustainability directly through the construction of the development. There would also be indirect benefits through the occupation of the student accommodation and the potential spend of occupiers in the City, as well as the retention/creation of other jobs due to the location of the development within the City.

Overall, the erection of development in this location would not in itself undermine sustainable principles of development subject to other matters referred to in the relevant policies, so it is important to consider the wider sustainability of the development.

2) The Impact of the Design of the Proposals

a) *Relevant Planning Policy*

So far as this issue is concerned, as alluded to above, the proposals must achieve sustainable development and it is the social dimension of sustainability that relates to design. Moreover, Paragraph 7 of the Framework requires the creation of high quality built environment. In addition, the policy principles outlined in Paragraphs 17, 58, 60, 61 and 64 of the Framework also apply. Moreover, the Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

At the local level, the Council, in partnership with English Heritage, have undertaken the Lincoln Townscape Appraisal (the LTA), which has resulted in the systematic identification of 105 separate “character areas” within the City. The application site lies within the ‘*Newland*’ and ‘*Brayford*’ Character Areas. Policy LP29 refers to the LTA and requires that developments should “protect the dominance and approach views of Lincoln Cathedral, Lincoln Castle and uphill Lincoln on the skyline”. This policy is supported by Policy LP17, which is relevant to the protection of views and suggests that:-

“All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible. Particular consideration should be given to views of significant buildings and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive intervisibility from various viewpoints.”

Policy LP26 refers to design in wider terms and requires that “all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.” The policy includes 12 detailed and diverse principles

which should be assessed. This policy is supported by Policy LP31, which refers to the protection and enhancement of the character of the city.

In terms of the wider impacts upon built heritage, Policy LP29 also requires that “proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context”; and “protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their settings and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements”.

Meanwhile, conservation is enshrined in the Core Planning Principles of the Framework (Paragraph 17) as planning is expected to “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”. In addition, Section 12 of the Framework also refers to the impacts of development upon designated heritage assets and is supported by Policy LP25 also applies as it specifically refers to the impacts of developments upon these assets. In terms of conservation areas, the policy requires that development should either enhance or reinforce features that contribute positively to the area’s character, appearance and setting. Meanwhile, proposals also need to have regard to the setting of other designated assets, including listed buildings.

b) Assessment of the Implications of the Proposals

i) The Site Context and Submission

The application site is contained within the West Parade and Brayford Conservation Area and is considered to have the potential to affect views into and within the Area. As such, the visual implications of the proposals for the site are key to the assimilation of development into its context and the creation of high quality built environment. As part of the pre-application process, officers have worked with the applicant in order to ensure that the visual appearance of the development would not have a detrimental impact upon townscape.

Whilst not referred to in the relevant site history, this application is one of two applications for two independent phases of development for the land occupied by Viking House and Nos. 100-104 Newland. Moreover, a second application has been prepared to deal with a further building to the rear of Nos. 100-104 in its car park, which would wrap around the edge of the site boundary to the car park to the Horse and Groom public house toward One The Brayford. This would provide an expanded courtyard (larger than that which is shown in the current application) and encompass refuse storage.

Both phases of the development are shown in the images on the following page.



The application buildings included in this phase of development are in the centre of the picture. However, the picture also includes a second phase of buildings. Moreover, between the proposed extension to Viking House and the extension of the Doubletree by Hilton hotel, is a white building proposed to replace the Taste of Marrakesh restaurant. Meanwhile, to the right at the rear of 100-104 Newland is a further building proposed in that second phase of development.



View northwest across Carholme Road towards the rear of 100-104 Newland and the building proposed in Phase 2 of the development of the site. Viking House is visible above the building.

ii) The Impact of the Development in its Context

The existing Viking House building does not make a positive contribution to the character and appearance of the Conservation Area and has a tired appearance. The architecture of the building also draws attention to this due to the number of windows and the colour scheme of the materials. Similarly, the building is positioned back from the footpath edge so there is leakage in the building line.

Members will note that there have already been proposals approved to clad Viking House but the current proposals involve a slightly different approach to remove the rendered panels and replace this with an applied render of the black/charcoal cladding. This would help to tie the building back into the architecture of the One The Brayford development, with which it was originally associated. Furthermore, when viewed from the west, either end of the building would be 'bookended' with a more solid element through the incorporation of brick cladding. This will help to frame the building, the horizontality of which currently terminates abruptly at either end.

The brick bookend to the northern end of the building will wrap around to Newland and join the new extension which would infill the frontage of the site. This would be four storeys tall, with the lower floor accommodated below street level as it would link to the ground floor of Viking House, which is lower than Newland. This is not an alien approach to the accommodation of buildings in the locality as the listed terrace to the east incorporates a similar feature.

The architecture of the extension is simple in its composition but maintains the rhythm and balance of windows and brickwork found elsewhere along Newland. The architectural solution is also sufficiently different from others in the street to maintain the individuality of buildings that inform the street scene. The scale of the building will also sit comfortably alongside that of Nos. 100-104 Newland and the other existing buildings to the southern side of the street. Similarly, it will also provide an appropriate transition up to the much taller Viking House building, in a similar way to the recently erected extension to the Doubletree hotel.

The final element of the proposals is a single storey link between the buildings to provide access into Nos. 100-104 Newland, which would be glazed and incorporate a simple overhang to the street frontage.

c) Summary in Relation to this Issue

It is accepted that the Viking House building would undoubtedly have a greater presence as a result of the alteration of its external appearance. However, like the cladding of One The Brayford, the materiality of the scheme of cladding for Viking House remains recessive due to the darker palette so it would not be overly prominent. Furthermore, the architecture of the extensions to Newland would also be complimentary to the existing form and scale of buildings in the street.

Consequently, it is considered that the development would enhance the character and appearance of the Conservation Area, as the proposals would regenerate the Viking House building and its wider environs with a high quality development that would integrate with the surrounding townscape that contributes to the valued character and appearance of the conservation area. Therefore, it is considered that the proposal satisfies the duty contained within section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990

'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'. Furthermore, the proposal is in accordance with the guidance contained within paragraph 137 of the NPPF which advises that Local Planning Authorities should look for new development within a Conservation Area and within the setting of heritage assets to reveal or better enhance significance.

3) Implications of the Proposals upon Amenity

a) *Relevant Planning Policy*

In terms of national policy, the NPPF suggests that development that results in poor design and/or impacts upon the quality of peoples' lives would not amount to sustainable development. Consequently, the implications of both are key to the consideration of the acceptability of the principle of development within a given site. Moreover, the Framework (Paragraph 9) sees "seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life" as being important to the delivery of sustainable development, through "replacing poor design with better design" and "improving the conditions in which people live" amongst others. Furthermore, the core principles of the Framework (Paragraph 17) indicate that "planning should...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

Policy LP26 of the Plan deals with design and amenity. The latter refers to the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy and suggests that these must not be unduly harmed by, or as a result of, the development. There are nine specific criteria which must be considered. The policy is in line with the policy principles outlined in Paragraphs 17, 59 and 123 of the NPPF. Indeed, Paragraph 123 of the Framework suggests that "decisions should aim to...avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development".

b) *Concerns of Residents and Occupants of Buildings*

Concerns have been expressed by an occupant of the residential apartments adjacent in relation to the student occupation of the building and the relationship with the apartments. Moreover, it is suggested that there would be access to One The Brayford from Viking House. However, it is understood that the link to the building would actually be for fire escape purposes from the residential apartments.

In terms of other matters, it is suggested that student occupation would lead to increased noise, litter and other waste. The response to these matters will be set out below.

c) *Assessment of the Implications of the Proposals*

As there are existing buildings within the site and extensions to these to provide additional accommodation, it is important to establish whether there would be any harmful impacts associated with the proposals in connection with these from either perspective.

i) Impacts of Overlooking / Loss of Privacy

In terms of the original Viking House building, it is the impacts of overlooking / loss of privacy that are perhaps the main area of consideration as the alterations to the fabric of the building would not result in any other implications upon amenity. However, due to the change in the internal layout from office to residential use, there would be a reduction in the number of windows in the façades of the building facing the hotel and existing apartments. In light of this, there would be fewer opportunities for overlooking or loss of privacy to neighbouring properties and vice versa. Similarly, given the separation distance from Nos. 100-104 Newland to neighbouring buildings, there would also not be direct implications upon neighbouring uses in terms of overlooking or loss of privacy.

Meanwhile, in terms of the new windows proposed in the eastern elevation of the extension toward Newland, these would primarily face toward the side elevation of the Taste of Marrakesh restaurant but some would permit views towards the rear of the building. However, it is important to consider that the building is proposed to be demolished, as part of the second application submitted by the applicant (Note: the applicant has also served notice on the owner of the property as part of that application and has been in discussions to acquire that building to realise those proposals). With this in mind and the strong possibility of an alternative building and occupancy within that site, it is considered that the impacts upon privacy would not be sufficiently harmful to warrant delaying the proposals for this adjoining development.

ii) Impacts of the Scale of the Building

The dense urban context within which the area is situated would mean that one would not necessarily expect the same degree of protection of amenity in this context as in a suburban context. However, it is clear that there would be a considerable change in circumstances, including overshadowing and loss of light and outlook resulting from the development upon the existing Taste of Marrakesh restaurant and residential occupancy above. Notwithstanding this, as alluded to above, the second phase of development of the environs of Nos. 98-104 Newland is to erect a new building within the site of the Taste of Marrakesh. In light of this, it is considered that the impacts of the scale of the building would not be sufficiently harmful to warrant delaying the proposals for this site.

iii) Noise from the Proposed Use

Due to the large number of occupants that the proposed development could house, there is potential for comings and goings associated with student accommodation to impact upon the residents of the adjacent apartments, particularly at unsociable hours. However, as with other similar developments, this potential issue could be mitigated by implementing an appropriate building-wide management plan, such as a 24 hour concierge serving the main entrance/reception. This could be controlled by a suitable condition requiring that details of a management plan be submitted prior to occupation.

At this time, it is not possible to be sure what plant and machinery may be required for the proposed use, particularly in the context of the mitigation of noise and/or air pollution from nearby roads. However, these matters can be controlled through the use of planning conditions, alongside controls over the collection hours for refuse and the construction working hours for the development.

iv) External Lighting

As the site is close to residential properties, any lighting used to illuminate the building or its entrances may have an impact upon those residents. It is therefore important that this is appropriately designed not to have a detrimental impact upon neighbouring properties. It is therefore recommended that an appropriate scheme of lighting is controlled by planning condition.

d) The Planning Balance

Taking all the above in to account, it is considered that the proposed development of the site could be accommodated in a manner that would not cause unacceptable harm in respect of the protection of amenity. Moreover, with satisfactory controls over the mitigation employed in relation to noise, servicing / working and external lighting, the proposals would be socially and environmentally sustainable in the context of the Framework and would accord with the policies in the Local Plan.

4) Sustainable Access, Highway Safety and Air Quality

a) Relevant Planning Policies

i) Sustainable Access and Highway Safety

The impacts of growth are enshrined in the Core Planning Principles of the Framework (Paragraph 17), which expects planning to actively manage this growth “to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”. As such, Paragraph 35 requires that: “developments should be located and designed where practical to [amongst other things] give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones”.

A number of Local Plan Policies are relevant to the access, parking and highway design of proposals. In particular, the key points of Policy LP13 are that “all developments should demonstrate, where appropriate, that they have had regard to the following criteria:

- a) Located where travel can be minimised and the use of sustainable transport modes maximised;
- b) Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;
- c) Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing routes where opportunities exist, that give easy access and permeability to adjacent areas”

There are also transport measures referred to in Policy LP36, which more specifically refers to development in the ‘Lincoln Area’, the key measures add to and reinforce the criteria within Policies LP5 and LP13. As such, they are intended to reduce the impact upon the local highway network and improve opportunities for modal shift away from the private car.

In particular, development should support the East West Link in order to reduce congestion, improve air quality and encourage regeneration; and improve connectivity by means of transport other than the car. Similarly, Policy LP33 also requires that developments do not result in “levels of traffic or on-street parking which would cause either road safety or amenity problems.” Moreover, the policy also highlights the importance of providing appropriate parking for vehicles and cycles for all users within developments; and that walking and cycling links are maintained and promoted.

Paragraph 32 of the Framework suggests that the residual cumulative impacts of the development would need to be severe for proposals to warrant refusal. This is reinforced by Policy LP13 of the Local Plan which suggests that only proposals that would have “severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.”

ii) Air Quality

Paragraph 109 of the NPPF introduces the section in relation to the conservation and enhancement of the natural environment. Given that the site is located adjacent within the Air Quality Management Areas (declared by the Council due to the likely exceedance of the national air quality objectives for nitrogen dioxide and particulate matter), this section of the NPPF should be given great weight. It states that “the planning system should contribute to and enhance the natural and local environment by...preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability”.

Paragraph 120 sets the scene and refers to development being “appropriate for its location”. It goes on to say that “the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.” Paragraph 124 refers in more detail to the implications of the location of development within an Air Quality Management Area and requires that “planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan”.

Meanwhile, Local Plan Policy LP13 also refers to air quality and requires that “all developments should demonstrate, where appropriate, that they...ensure allowance is made for low and ultra-low emission vehicle refuelling infrastructure.”

b) Sustainable Access and Highway Safety

It is important to consider the implications of the proposals upon the highway network from the perspective of access, safety and traffic capacity. In this instance, the proposals have been discussed with the Highway Authority prior to the submission of the application. Whilst the application would result in the removal of parking spaces currently provided within the Viking House building, the Highway Authority has historically not requested parking needs to be provided as part of student residential schemes. In this instance, given the proximity of the development to the University of Lincoln and the city centre, it is ideally located adjacent to Newland to be accessible on foot and by bicycle. Meanwhile, in terms of student arrivals, the building can also be reached conveniently by public transport as it is not far from the bus and railway stations and there are public car parks nearby.

In terms of the immediate impacts of the proposals upon the highway, officers are satisfied that it would be possible to provide access for refuse collections in a safe and convenient manner and this matter could be addressed by planning conditions. In addition, it is also important to note that the proposals would result in a positive impact upon highway safety as the vehicular access/egress to the Newland frontage would be closed off as part of the proposals as it would be blocked by the new entrance building.

At the time of writing this report, although the Highway Authority has not provided their formal response to the application, their initial response is primarily in relation to drainage so they have not raised any concerns regarding the implications upon traffic capacity, parking or highway safety. In light of this, officers consider that it would be difficult to raise concerns regarding the development, as it would not be in conflict with Paragraph 32 of the Framework. What is more, with clarification in relation to the location of waste storage and access for servicing there would be limited conflict with vehicular or pedestrian flows in the locality of the site.

c) *Air Quality*

Whilst there has been no specific supplementary planning guidance produced in relation to air quality, the quality of air throughout the city has been monitored, and the clear goal of the City's action plan is to improve air quality.

The site was used relatively recently for office purposes in connection with the undercroft parking; the proposals, meanwhile, would result in a car-free scheme and thereby the removal of directly linked daily trips. As such, the redevelopment would lead to a direct reduction in the impact upon the city's air quality. However, the occupants of the development could still be effected by the air quality in the vicinity of the site and the applicant is aware that it may be necessary to provide mitigation of the rooms with a close relationship with the roads adjacent to the site. The applicant is currently undertaking their own air quality analysis in order to establish what mitigation, if any, would be required. This would need to be designed in accordance with any scheme to address the implications of noise from the highway.

Consequently, this matter would not, in itself, result in insurmountable issues that would warrant the refusal of the application.

5) Other Matters

a) *Archaeological Implications of the Development of the Site*

i) *Relevant Planning Policies*

The Framework and Planning Practice Guide as well as good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment* and *The Setting of Heritage Assets* are relevant to the consideration of Planning Applications.

Indeed, heritage is referred to within the core principles of the Framework (Paragraph 17) and Paragraph 128 of the Framework states that "in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the

potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

Paragraph 141 of the Framework states that LPAs should ‘require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.’

Policy LP25 in the Central Lincolnshire Local Plan requires that development does not lead to significant detrimental impacts on heritage assets. This issue is directed in relation to archaeology that could be non-designated heritage assets.

ii) Assessment of the Implications of the Proposals

The proposals have been the subject of pre-application and in-application discussion regarding the archaeological implications of the proposals to develop the site frontage with Newland. The evaluation already undertaken, which was attended by the City Archaeologist, has indicated that there was an absence of human remains in the evaluation undertaken.

In light of this, the advice of the City Archaeologist is that there would be no reason to rule out piling as a foundation design. However, with the proposed depth of other groundworks, there is a distinct possibility that human remains could be present below the evaluation undertaken. As such, the applicant would need to ensure that appropriate contingencies are in place to record them if they are encountered. This is likely to take the form of the following:-

1. Monitoring and recording of the initial site strip to 600mm below ground level to install the piling mat;
2. Monitoring of the piling as it is drilled in order to identify any human remains; and
3. A Scheme of Works to cover all further groundworks to deliver ground beams, pile caps, and any other intrusive excavation that goes below the piling mat.

iii) Summary

On the basis of the above, officers are satisfied that the application fulfils the requirements of both National and Local planning policy, and is sufficient to establish the significance of archaeological remains, the broad impacts that will result from the development as proposed, and the approach to how this could be mitigated.

b) Land Contamination

i) Relevant Planning Policy

As with air quality, Paragraph 109 of the Framework also refers to contamination. Paragraph 120 expands upon this and suggests that “to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”

In addition Paragraph 121 states that planning decisions “should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.”

In terms of Local Plan policies, given the location of the site, Policy LP16 directly refers to the requirements of development in relation to contaminated land.

ii) Assessment of the Implications of the Proposals

The application is not supported by a report into contamination but the applicant has been in dialogue with the Council’s Scientific Officer and is hoping to reduce the need for the pre-commencement planning conditions requested. If it is ultimately not possible to address this matter prior to the Planning Committee, officers will clarify at the meeting whether planning conditions would need to be imposed.

c) Site Drainage

Policy LP14 of the Local Plan deals with foul and surface water disposal. This links closely to the Framework, which deals with flooding at Paragraph 103.

The initial response from Lincolnshire County Council (as Lead Local Flood Authority) has confirmed that their records suggest that the site is at risk of surface water flooding, particularly having regard to the subterranean proposals. Furthermore, Anglian Water has suggested that it would be necessary to provide further details to satisfy them regarding the surface water drainage scheme for the development. Meanwhile, in terms of foul drainage they are content that there is capacity within the current system to accept the flows from the development.

As with the recent development of One The Brayford, in theory it should be possible to accommodate direct mitigation within the site to address the potential implications from surface water flooding upon the use of the buildings. However, at the time of writing this report, the applicant was finalising their response to these matters. If it is ultimately not possible to address this matter prior to the Planning Committee, officers will clarify at the meeting whether this matter could be controlled by planning condition or if information would be required through the application process.

6) Planning Balance

Paragraph 14 of the Framework sets out a presumption in favour of sustainable development which for decision taking means that where relevant policies of the development plan are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,

when assessed against policies in the Framework, taken as a whole; or specific Framework policies indicate development should be restricted. There are no restrictive policies that would lead to the proposals not being sustainable. However, a conclusion whether a development is sustainable is a decision that has to be taken in the round having regard to all of the dimensions that go to constitute sustainable development.

In this case, officers consider that the principle of the development of the use proposed within the existing and proposed building within the site would be acceptable and the development would deliver economic and social sustainability directly through the construction of the development and the uses proposed therein; and indirectly through the occupation of the building. Moreover, the provision of additional purpose-built student bed spaces available in a location relatively close to both universities in the city should hopefully reduce the dependency further upon houses in multiple occupation, which would in turn also improve environmental sustainability.

It is clear from the main body of the report that the proposed building would have some impacts upon amenities of the occupants of the Taste of Marrakesh, however, there are proposals to demolish that building and erect a further new purpose-built student accommodation building on the site. As such, it would not be reasonable to preserve the site in aspic or unnecessarily restrict development, as both matters are important in the context of the social or environmental sustainability of the development. As such, with suitable schemes to deal with drainage, archaeology, contamination, noise, air quality and site lighting, the development would be environmentally sustainable.

In this instance, in light of all of the above, officers would advise Members that the planning balance should fall firmly in favour of the proposals as long term enhancement would be brought to the conservation area, as well as potential stimulus to the wider enhancement of historic townscape. This is particularly important given that Newland is a key entry point into the heart of the city.

Thus, assessing the development as a whole in relation to its economic, social and environmental dimensions and benefits, officers are satisfied that the benefits of developing this site would, in the long-term, be more important than the potential impacts of not doing so. As such, it is considered that the proposal could be sustainable development and would accord with the Local Plan and Framework, sufficient for the recommendation of officers to be that planning permission should be granted subject to planning conditions.

Application negotiated either at pre-application or during process of application

Yes, in respect of numerous matters as referred to in the application.

Financial Implications

The proposals would offer benefits to economic and social sustainability through spend by new and existing students, jobs created/sustained through construction and the operation of the development respectively.

Legal Implications

None.

Equality Implications

None.

Conclusion

The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with the Framework in respect of sustainability that would apply to development as set out in the planning balance. It is the conclusion of officers and therefore the recommendation to Members that there would not be harm caused by approving the development so the application should benefit from planning permission for the reasons identified in the report and be subject to the conditions outlined below.

However, if any new material planning considerations have been raised within correspondence received following the writing of this report which would lead to a different conclusion being reached or which would require further consideration and/or planning conditions, officers will provide members with a detailed response on the Update Sheet. This will have regard to any further consultation responses received in the timeframe from the agenda being published and the date of the planning committee, or these will be reported directly at the planning committee if appropriate.

Application Determined within Target Date

Yes.

Recommendation

As the overall public consultation period for the application does not expire until 24 May 2018 (as a result of the press and site notices published), it is the recommendation of officers that authority is delegated to the Planning Manager to issue planning permission subject to the planning conditions listed below. However, should there be any further material planning considerations raised (within correspondence received following the Planning Committee agenda being published) that have not already been considered in this report or that could not be addressed by existing or additional planning conditions, the application will be referred back to the next available Planning Committee for the consideration of Members.

Standard Conditions

Timeframe of the planning permission
Approved Plans

Conditions to be discharged before commencement of works

Materials Schedule and Detailed Plans (Windows etc.)
Contaminated Land Remediation
Archaeology
Site Drainage
Air Quality and Noise Mitigation

Conditions to be discharged before use is implemented

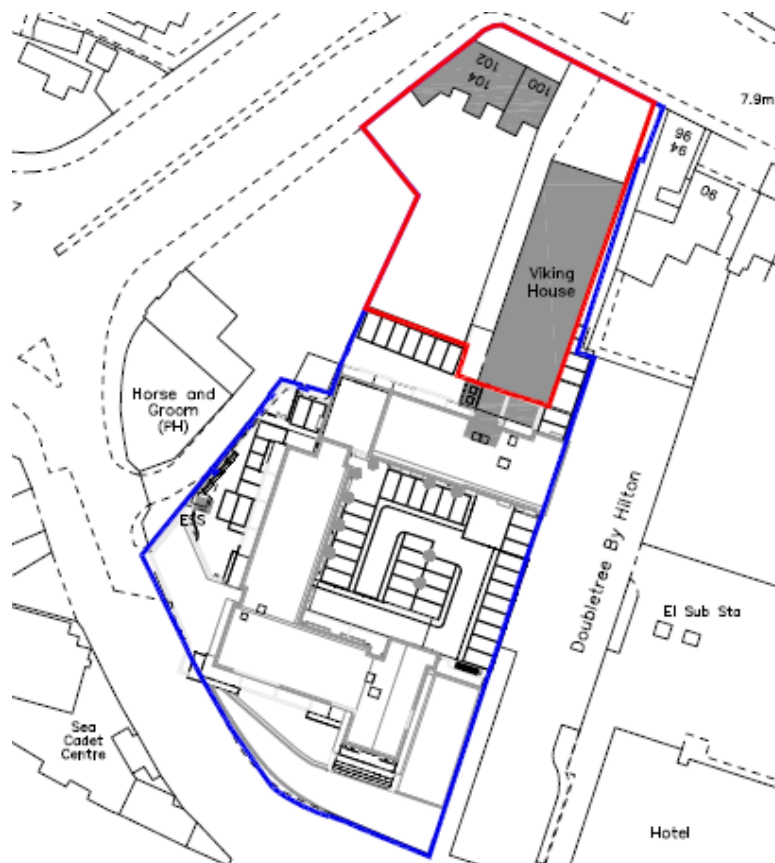
Building-wide Management Plan
Scheme of Landscaping
Refuse Storage

Conditions to be adhered to at all times

Construction Working Hours and Deliveries
Scheme of External Site Lighting

Report by Planning Manager

Site Plans

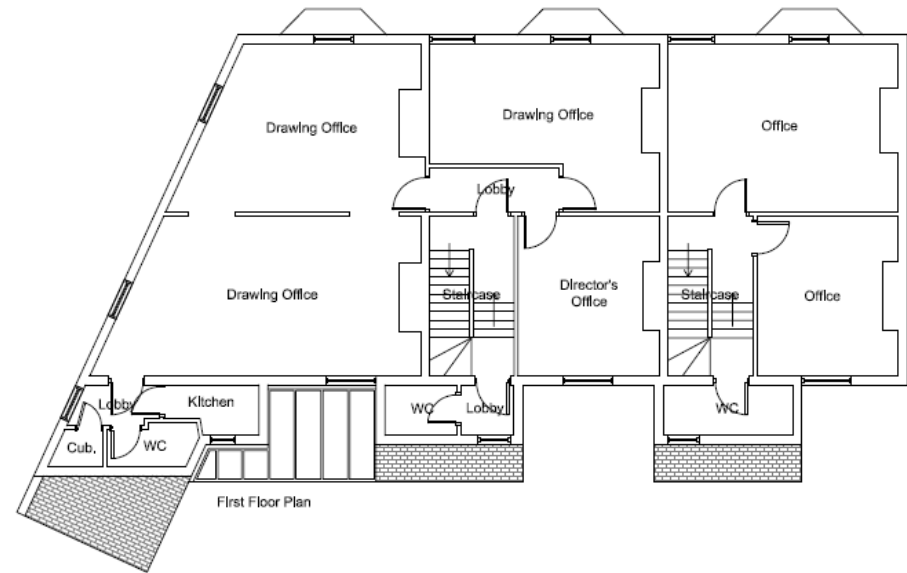
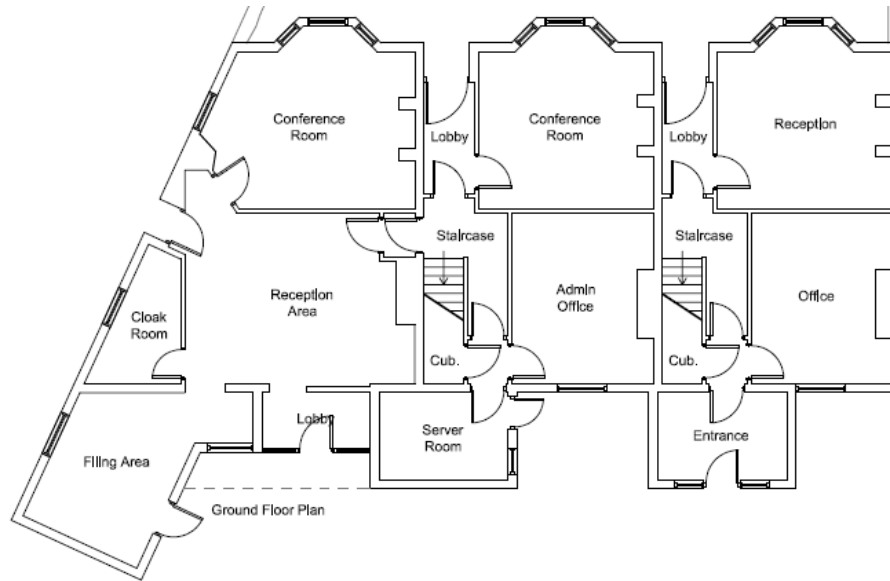


Site Location Plan

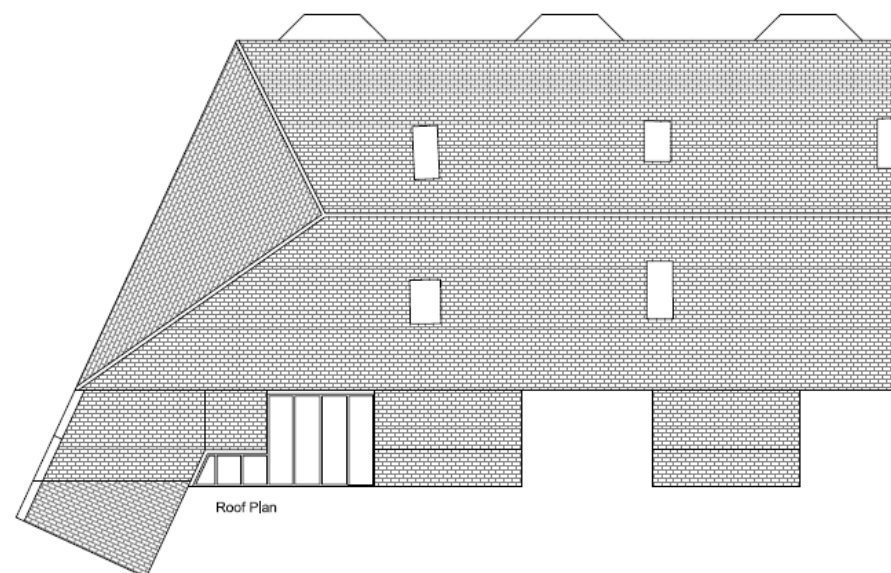
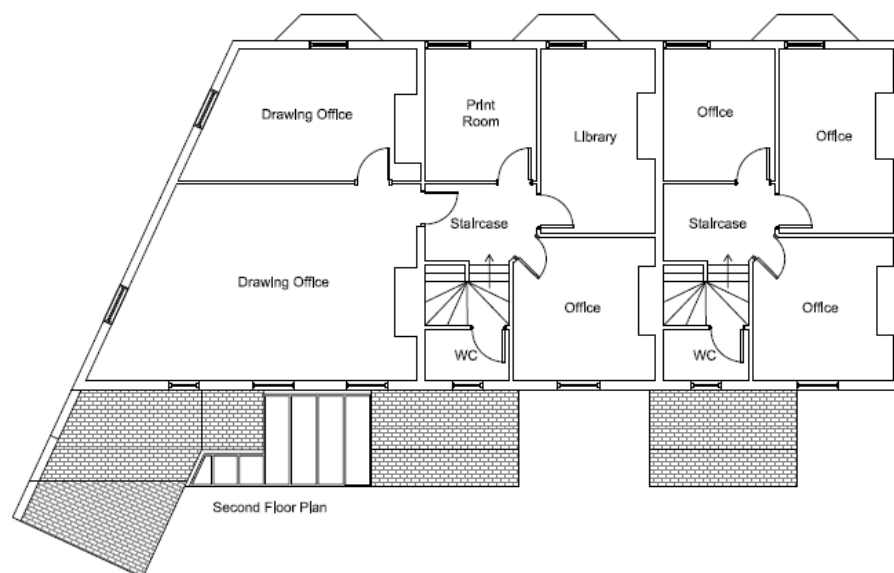


Proposed Block Plan

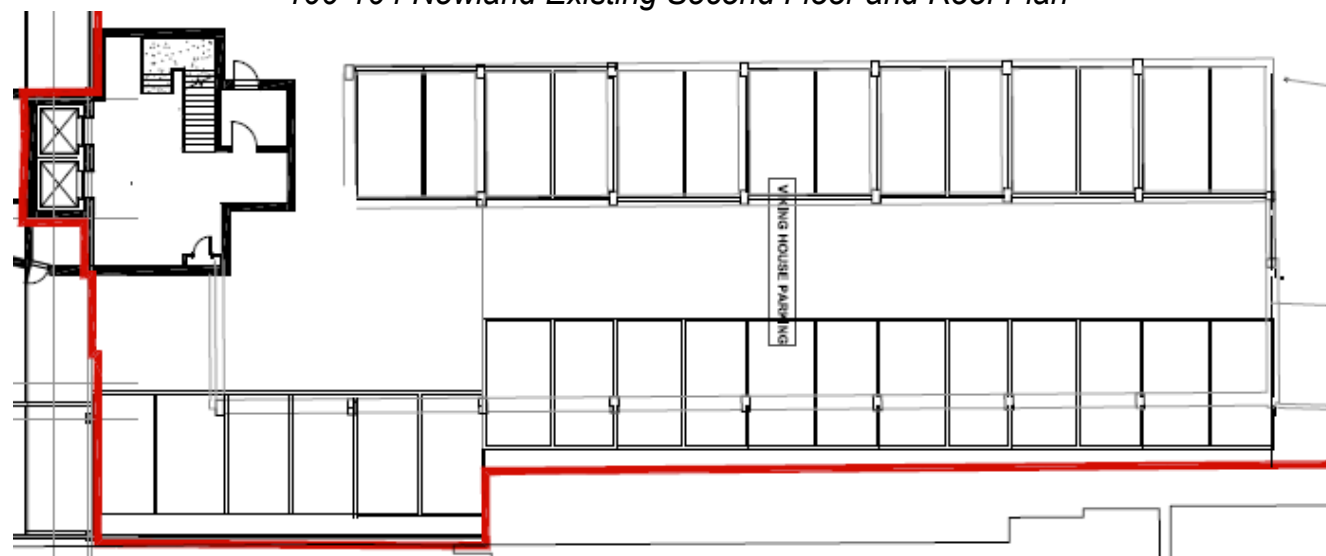
Floor Plans



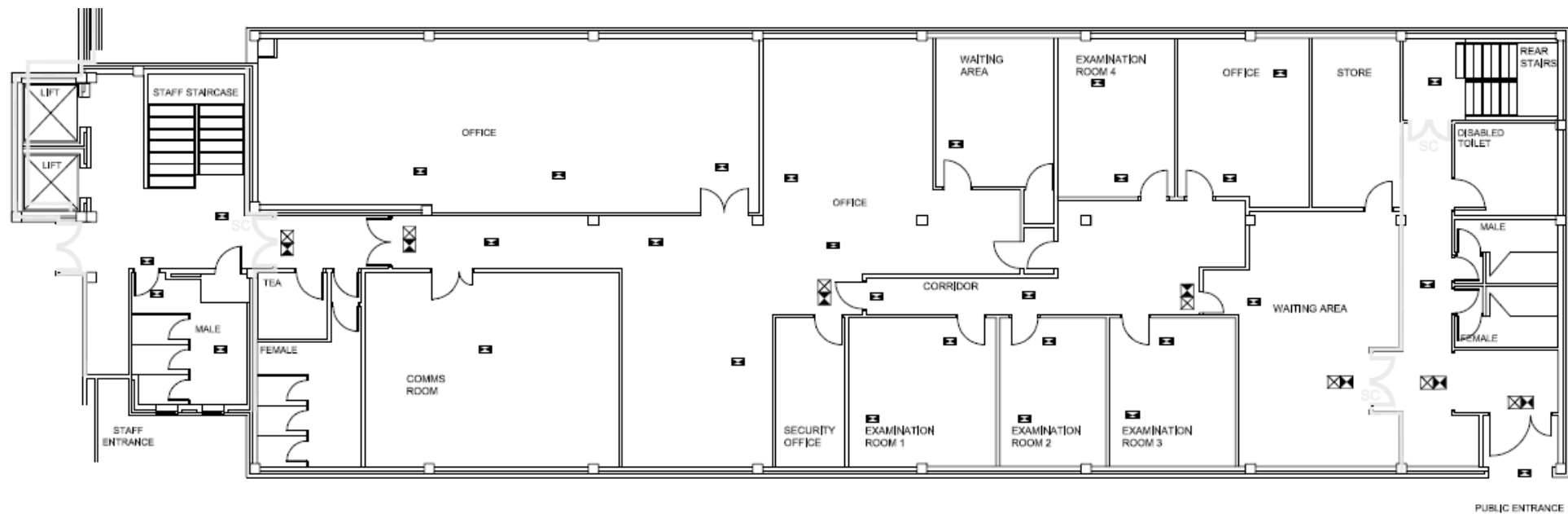
100-104 Newland Existing Ground and First Floor Plans



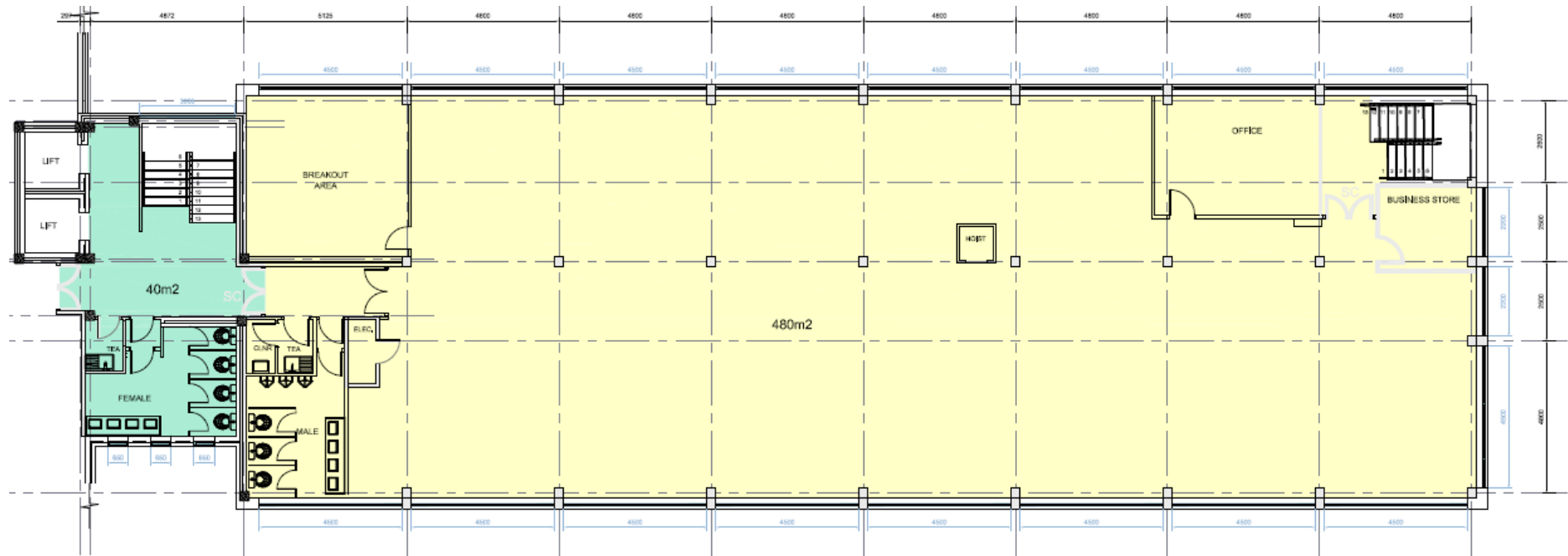
100-104 Newland Existing Second Floor and Roof Plan



Viking House Existing Ground Floor (Car Park)

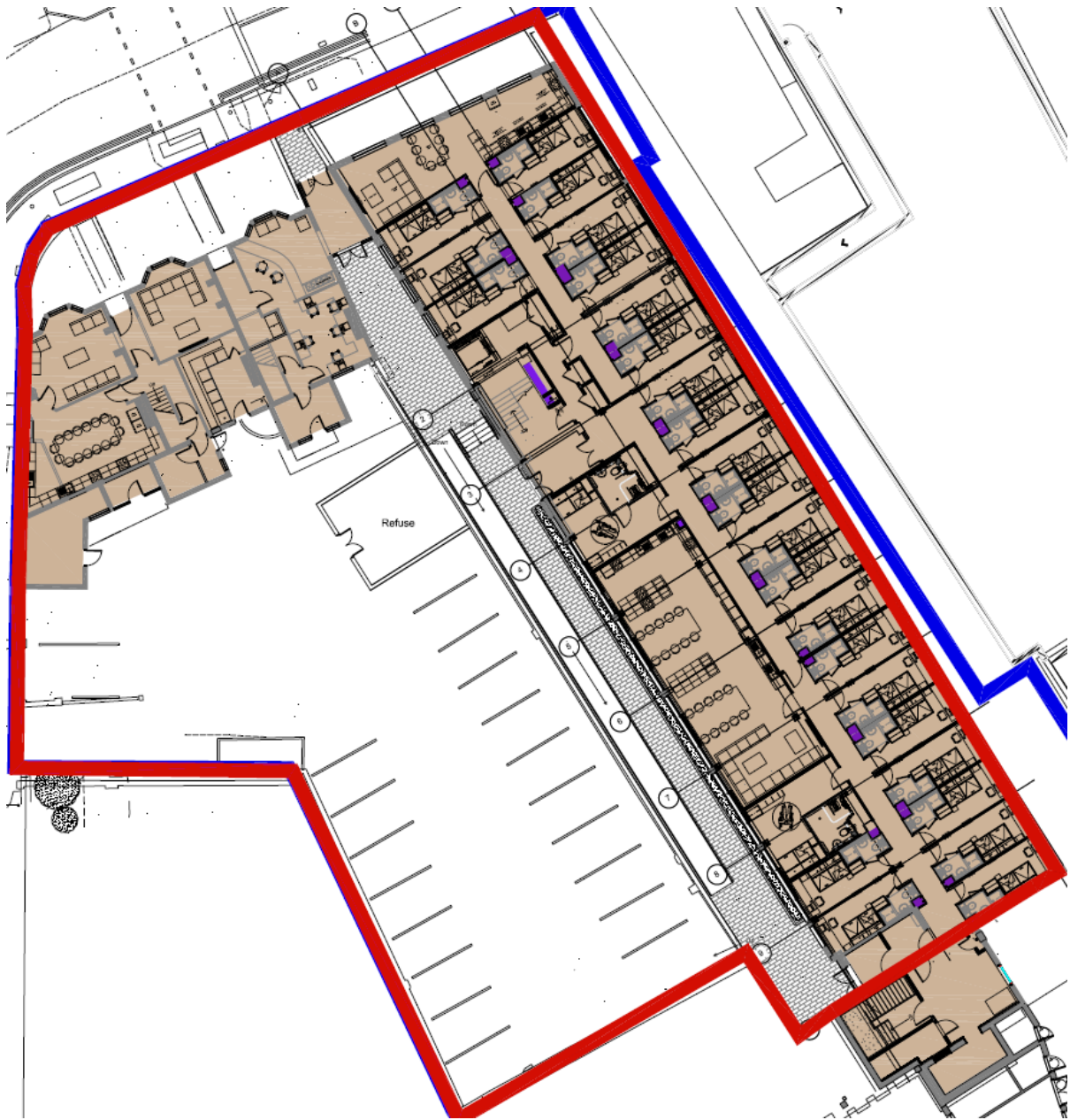


Viking House First Floor

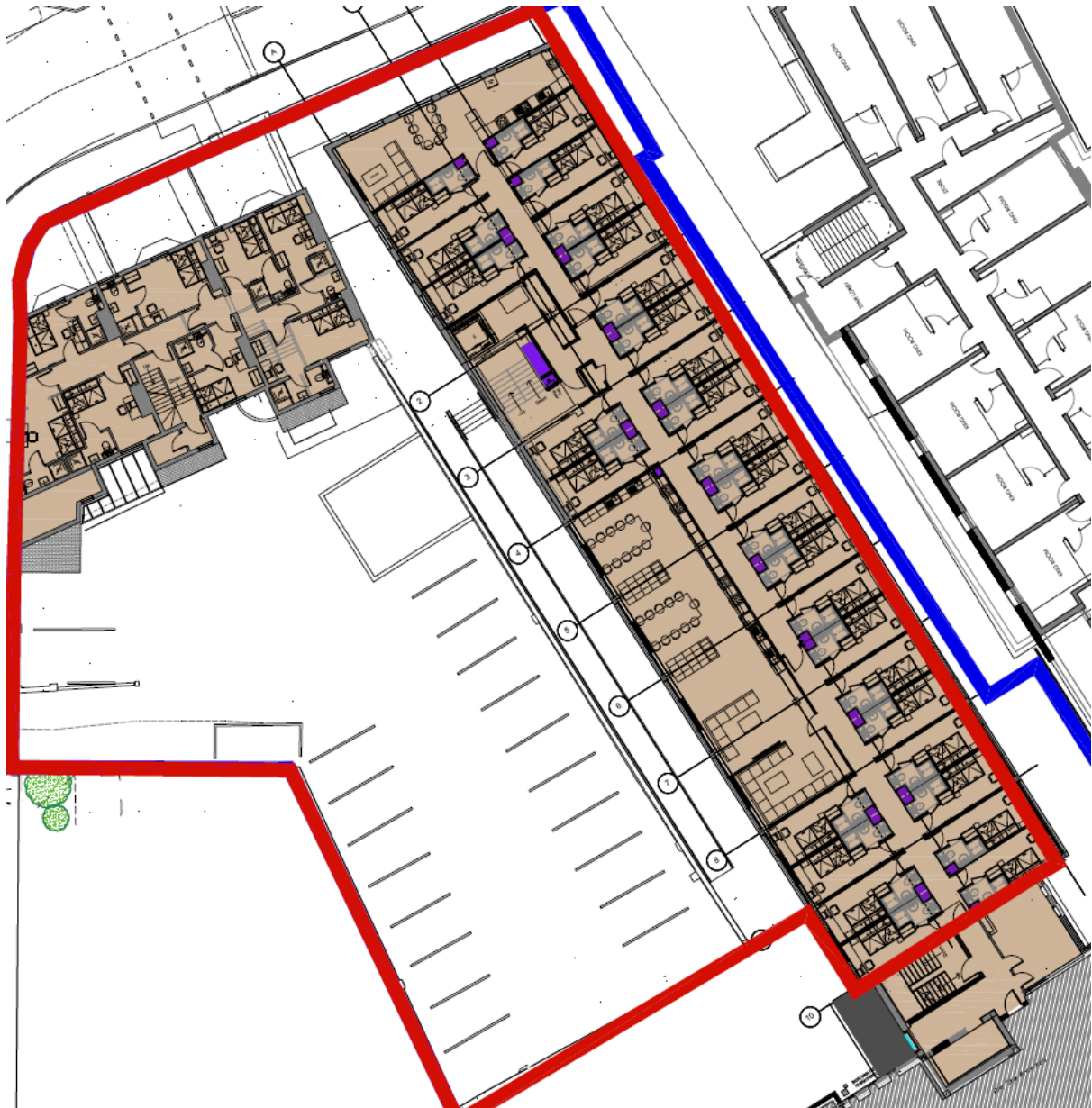


The floors above first floor (Second to Fifth) are virtually identical in their layout so the Second Floor is shown above.

Proposed Floor Plans



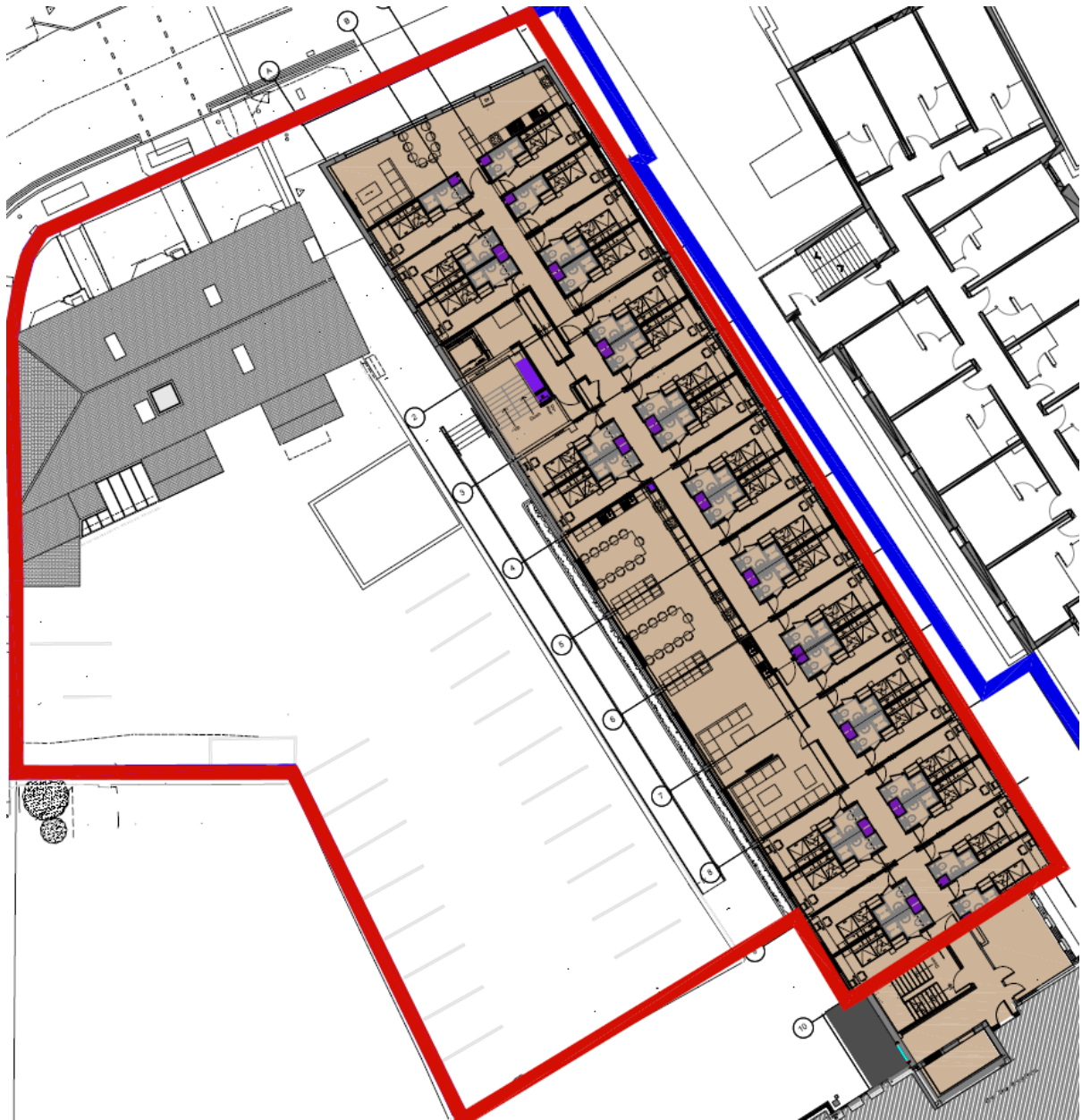
Ground Floor Plan in Context



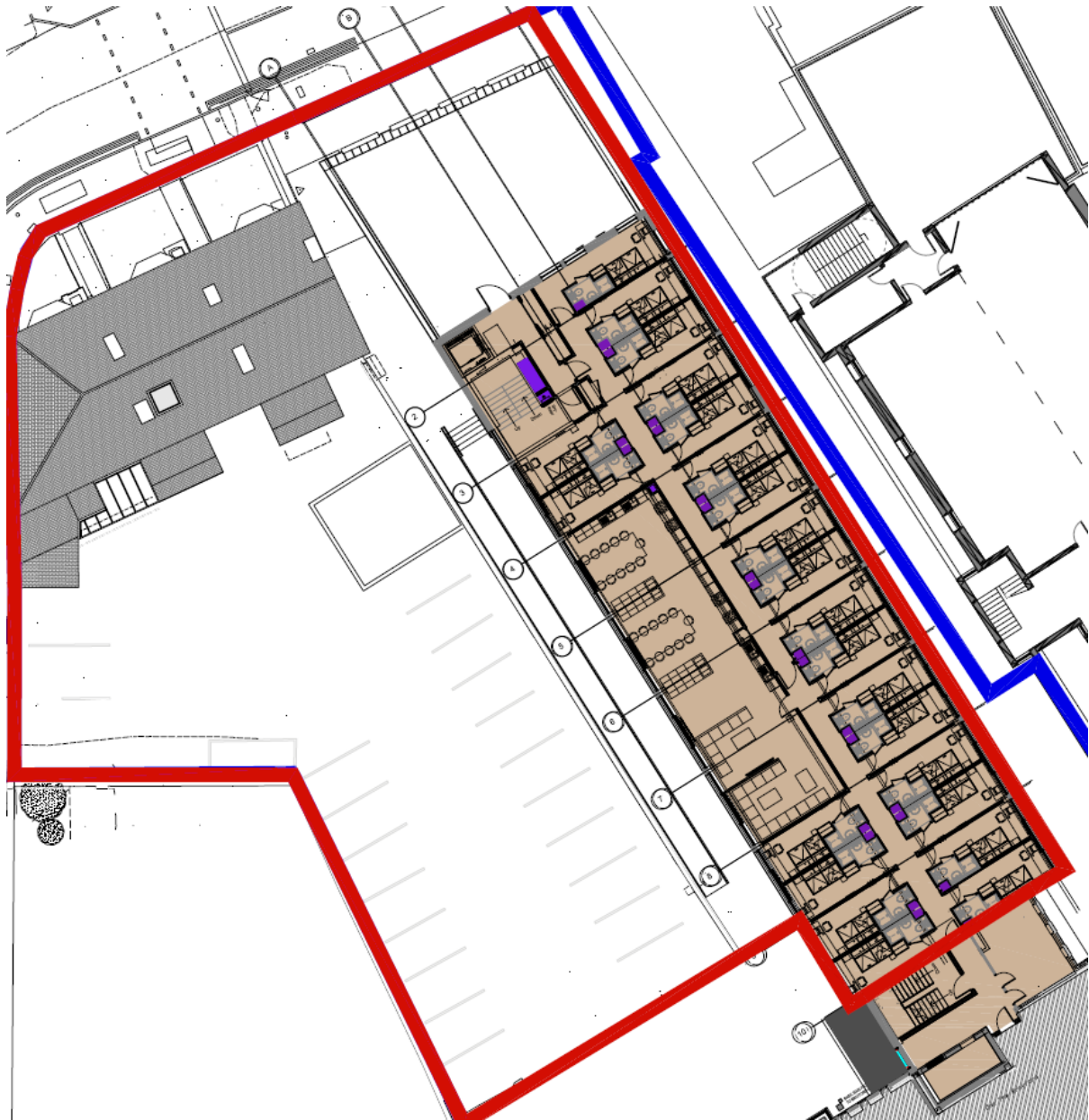
First Floor Plan in Context



Second Floor Plan in Context



Third Floor Plan in Context



Fourth Floor Plan in Context



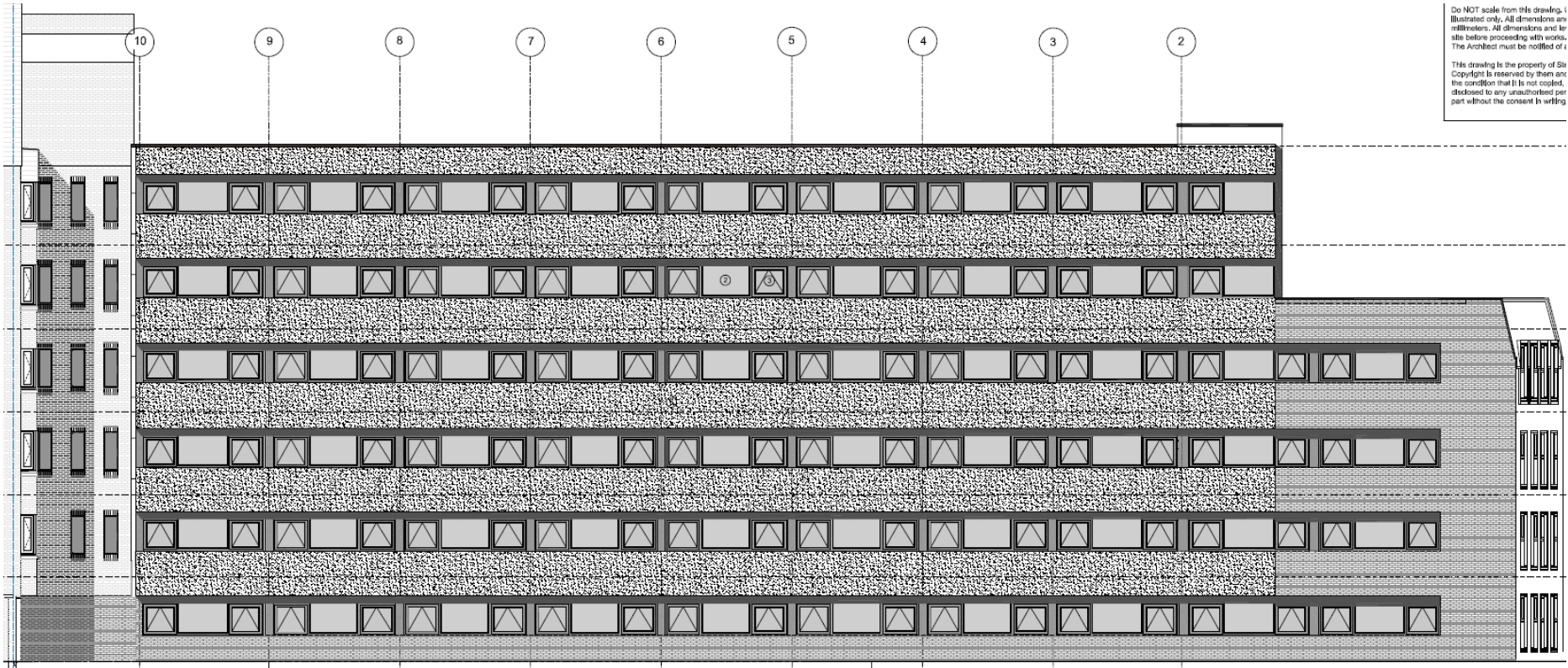
Fifth Floor in Context

Proposed Elevations: Viking House

144



Existing East Elevation



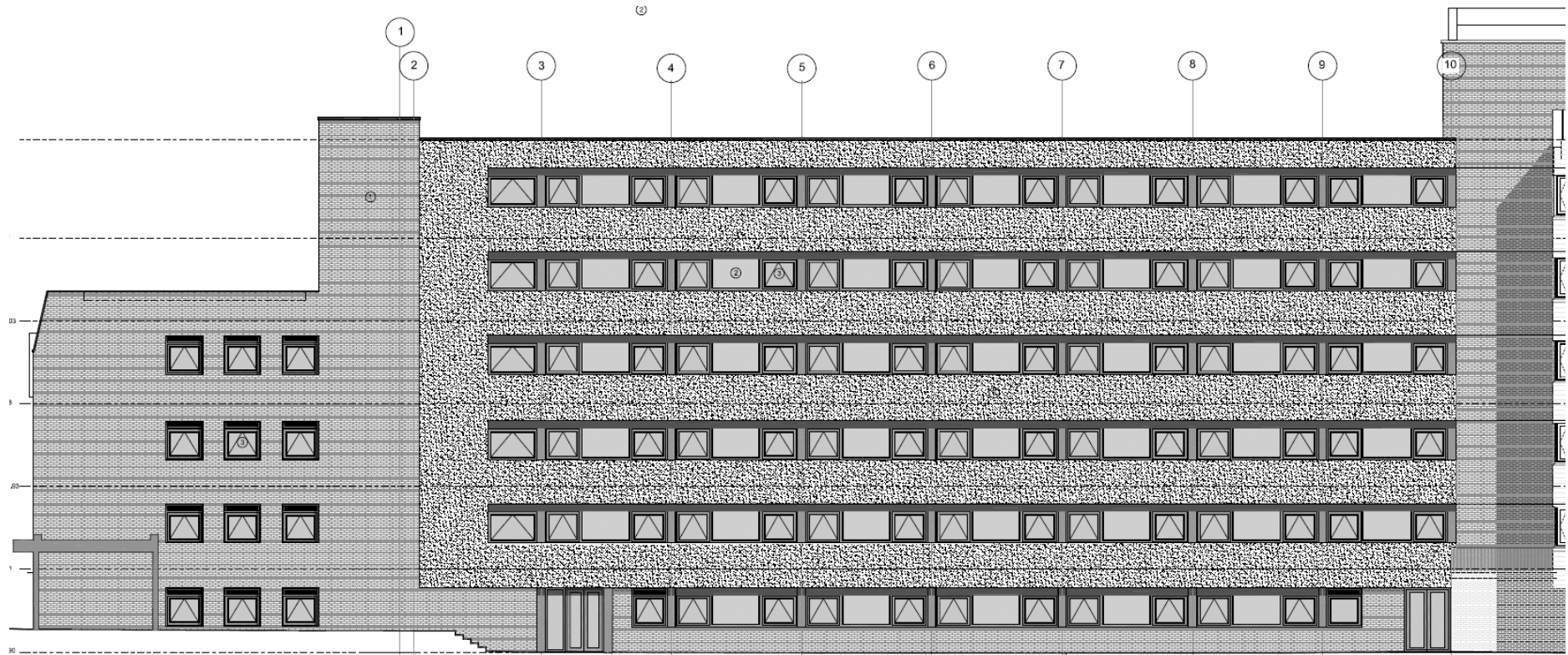
Do NOT scale from this drawing. It is illustrated only. All dimensions are millimeters. All dimensions and to site before proceeding with work. The Architect must be notified of any changes.

This drawing is the property of the City of San Francisco. Copyright is reserved by them and the condition that it is not copied, disclosed to any unauthorized person without the consent in writing.

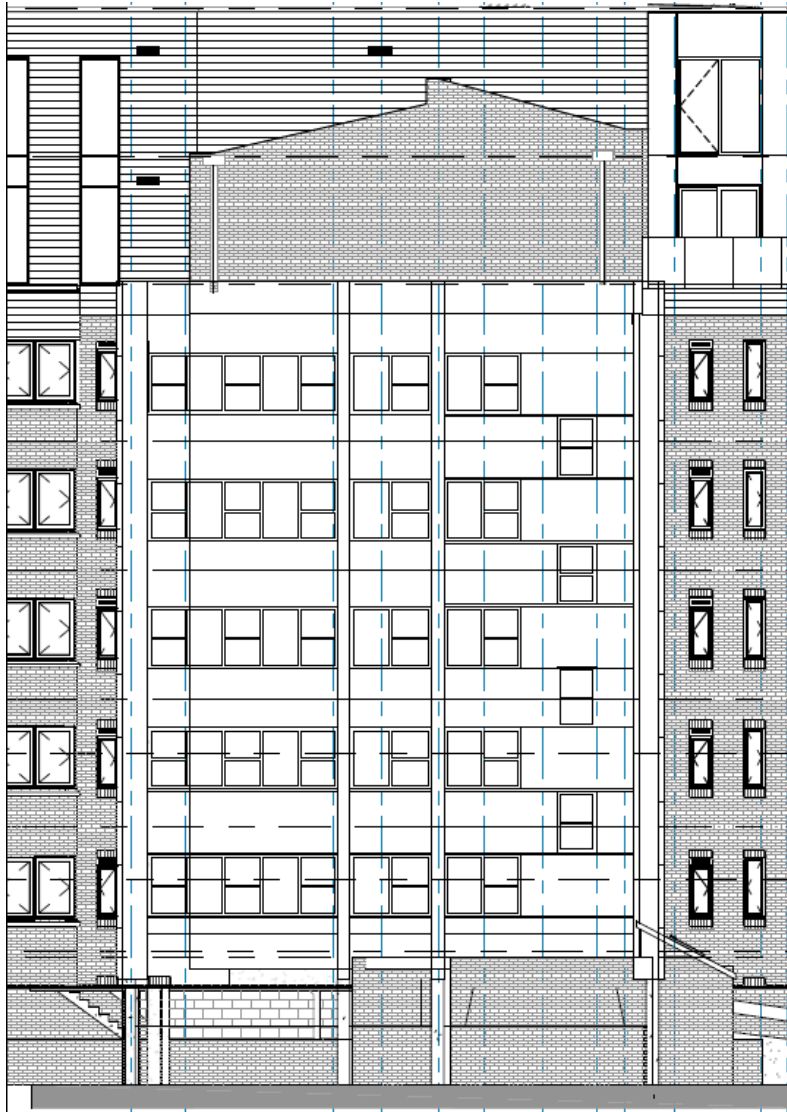
Proposed East Elevation



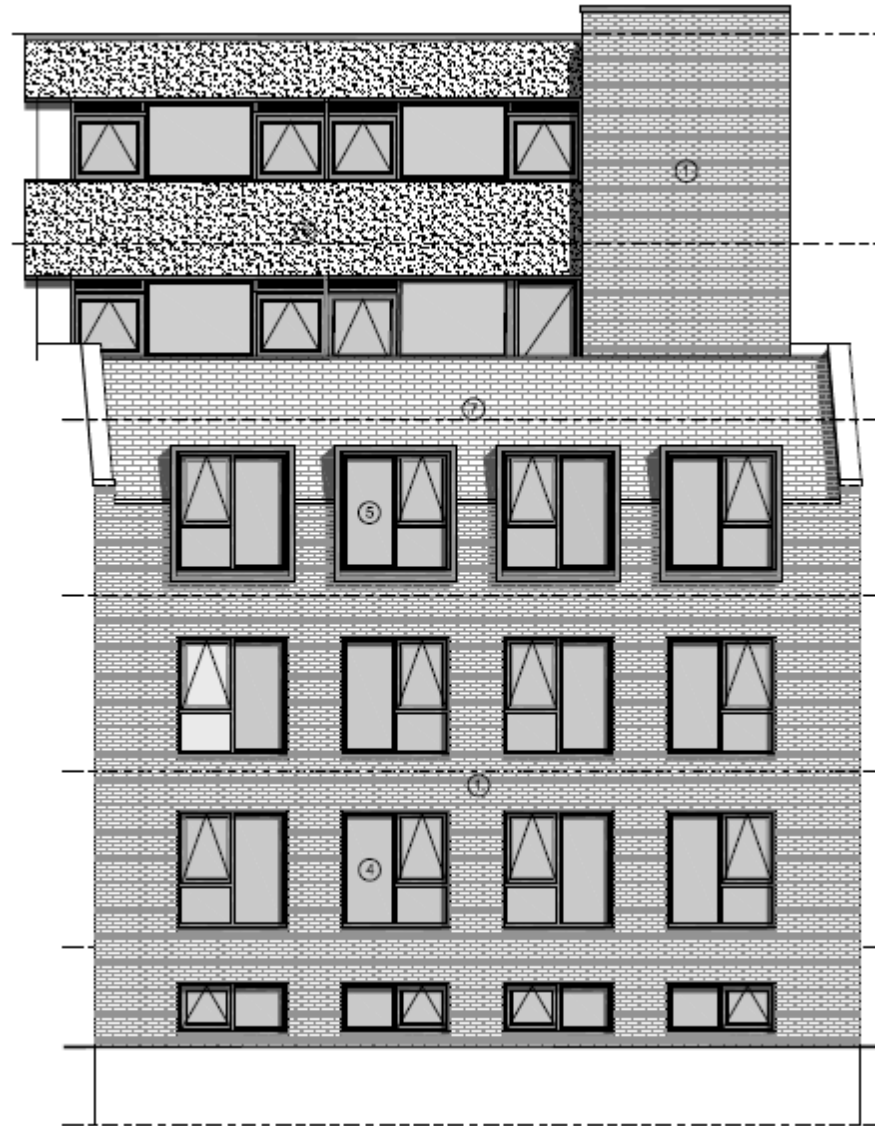
Existing West Elevation



Proposed West Elevation



Existing Newland Elevation in Context



Proposed Newland (North) Elevation

Existing Elevations: 100-104 Newland



150



Rear Elevation



Carholme Road (West) and East Elevations

Proposed Elevation: 100-104 Newland



This is the only elevation of the existing building that is altered (roof window added)

Proposals in Context



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Site Photographs







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Neighbour Comments

Miss Z. Burns (16 Alness Close, Lincoln)

No more students please...we need something for the people of Lincoln.

Mr I. Ulyatt (Apartment 210, One the Brayford, Brayford Wharf North)

There is a greater need for professional residency within Lincoln centre and with the enlargement of the university, especially with the fourth coming Medical School and the expected growth of the related industries, which it will bring. There will be a greater need for professional residency type of accommodation, as proposed with the initial planning application.

If you want Lincoln to be seen as a vibrant, up and coming city, the last thing you need is another block of student accommodation. The introduction and impact of One the Brayford and its high quality accommodation in the Brayford area has been extremely positive. This uplifting effect will be lost if Viking House is allowed to become student accommodation.

There is excess amount of student accommodation within this part of Lincoln. The residents of One the Brayford bought their apartments believing that Viking House would converted to residential and not student accommodation. Our apartment is adjacent to Viking House and from the plans it looks like the students would enjoy access to our building. This would completely change our enjoyment of our home and the increased noise level would be very unwelcome. As would an increase in litter and other waste.

An additional point: can you say where the notice of change in the planning permission has been displayed and how residents of One the Brayford, the adjoining building, have been involved or informed.

Consultee Comments

Anglian Water

ASSETS

Section 1 – Assets Affected

- 1.1 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act

1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

- 2.1 The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 – Foul Sewerage Network

- 3.1 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Section 4 – Surface Water Disposal

- 4.1 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We request that the agreed strategy is reflected in the planning approval

Section 5 – Trade Effluent

- 5.1 The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that the following text be included within your Notice should permission be granted.

“An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.”

Section 6 – Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

CONDITION

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

FOR THE ATTENTION OF THE APPLICANT:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - Development size

- Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
- Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

Surface water:

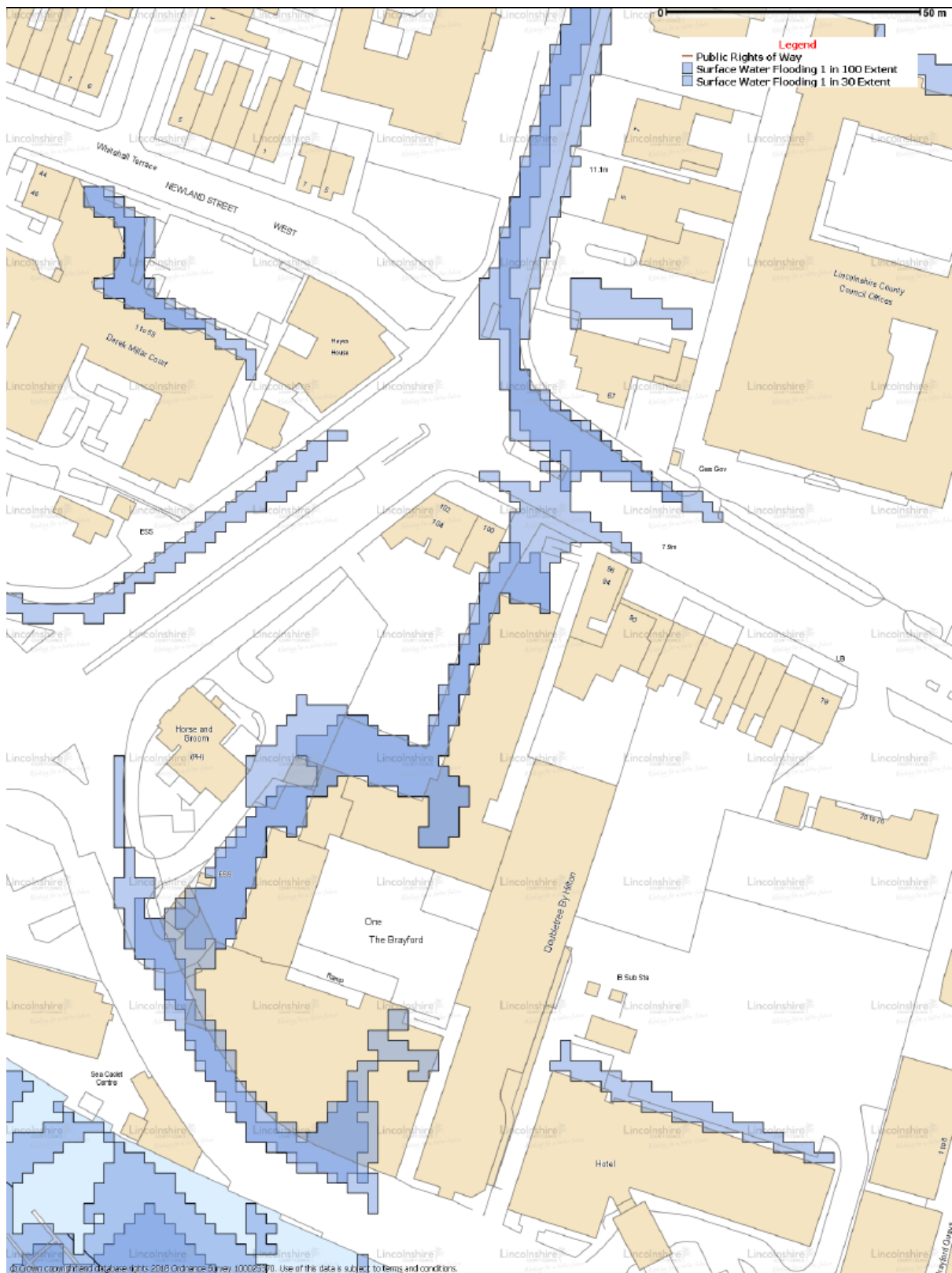
- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 5l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation>. For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Lincolnshire County Council (as Lead Local Flood Authority and Highway Authority) - Interim Response

Could I please request the following information to enable LCC to assess this application as HA and LLFA;

- Flood Risk Assessment
- Drainage Statement
- Detailed flood and drainage design drawings, alongside ground calculations and geotechnical factual and interpretive reports
- Discharge agreements, both temporary and permanent
- Detailed landscaping details

The site is at risk of surface water flooding, as shown in the attached plan, so we need to satisfy our concerns, particularly with regard to the subterranean proposals.



Could you please also request that they detail the refuse collection proposals as we discussed, including where the waste will be stored prior to collection.

Kind regards

Becky Melhuish
Senior Development Management Officer
Lincolnshire County Council

Internal Drainage Board

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district.

In the absence of a Flood Risk Assessment (FRA) and Drainage Strategy the Board **Objects** to the application. Any Flood Risk Assessment should address the following.

The new build section is shown to be potentially at risk from surface water flooding on the Environment Agency Surface Water Flood Maps, with water flowing down the hill and over the road into the site. This is doubly an issue because the proposals show this as 'partial subterranean' with sleeping accommodation. The FFL of 5.9 is also very close to the design flood level on the nearby Brayford Pool.

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. Where Surface Water is to be directed into a Mains Sewer System, as indicated on the application form, the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water. If the discharge is to an existing discharge as a brown field site any proposed discharge would be expected to be at a reduced rate.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Regards

Guy Hird
Engineering Services Officer

Application Number:	2018/0266/FUL
Site Address:	Garage, Rosebery Avenue, Lincoln
Target Date:	6th April 2018
Agent Name:	None
Applicant Name:	Miss Elly Krisson
Proposal:	Conversion of existing single storey garage to 3 bed dwelling (Use Class C3). (Revised Drawing)

Background - Site Location and Description

The application property is a garage building located to the west side of Rosebery Avenue.

The application proposes the conversion of the existing building to form a three bedroom residential dwelling within Use Class C3.

Although there is no known date of the construction of the garage, it has been established that a building was originally constructed between 1880 and 1900 with a later addition between approximately 1930 and 1960 to form the outline that remains to the present date. The structure as currently stands has been present in its form or similar for in a significant period and as such is lawful. The application is therefore to consider the use of the established building as a residential dwelling.

The property is located within the West Parade and Brayford No. 6 Conservation Area

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 13th March 2018.

Policies Referred to

- National Planning Policy Framework
- Central Lincolnshire Local Plan, adopted April 2017
- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP21 Biodiversity and Geodiversity
- Policy LP26 Design and Amenity

Issues

To assess the proposal with regard to:

- 1) Accordance with national and local planning policy
- 2) Impact on residential amenity
- 3) Impact on visual amenity
- 4) Highway safety, access and parking
- 5) Communal Space, Bin storage and other factors
- 6) Ecology and the protection of habitats and species
- 7) Other matters

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Lincolnshire Bat Trust	Comments Received
West End Residents Association	No Response Received
Lincoln Civic Trust	Comments Received
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mrs Jane Smith	284 West Parade Lincoln Lincolnshire LN1 1NB
John And Sandy Ritter	4 Rosebery Avenue Lincoln Lincolnshire LN1 1ND
Mr And Mrs Bentley	6 Rosebery Avenue Lincoln Lincolnshire LN1 1ND
Mrs Rani (Bhavindrajeet) Grantham	60 Richmond Road Lincoln Lincolnshire LN1 1LH
Mrs Katherine Littlecott	3 Rosebery Avenue Lincoln Lincolnshire LN1 1ND

Mrs Sue Tilford	92 Astwick Road Lincoln Lincolnshire LN6 7LL
William White	286 West Parade Lincoln Lincolnshire LN1 1NB
David And Kathryn O'Donnell	288 West Parade Lincoln Lincolnshire LN1 1NB
Richard + Helena Mair	290 West Parade Lincoln Lincolnshire LN1 1NB
Emma Krasinska	294 West Parade Lincoln Lincolnshire LN1 1NB
Barbara Comber	292 West Parade Lincoln Lincolnshire LN1 1NB
Mr & Mrs Bond	1 Rosebery Avenue Lincoln Lincolnshire LN1 1ND
Heather Umpleby And Holly Dingwall	1A Rosebery Avenue Lincoln Lincolnshire LN1 1ND
Mr Robin Lewis	22 York Avenue Lincoln Lincolnshire LN1 1LL
Mr Kevin Richardson	25 North Pizarade Lincoln Lincolnshire LN1 1LB

Mr Luke Pennington	41 St Faiths Street Lincoln Lincolnshire LN1 1QJ
Mr Kevin Smith	9 Rosebery Avenue Lincoln Lincolnshire LN1 1ND
Mr Joel Warburton	81 West Parade Lincoln Lincolnshire LN1 1QW
Mrs Claudia Zigante	5 Cambridge Avenue Lincoln Lincolnshire LN1 1LS
Miss Amanda Ryans	4 York Avenue Lincoln Lincolnshire LN1 1LL
Mr Jason Clark	189 West Parade Lincoln LN1 1QT

Consideration

Paragraph 14 of the NPPF outlines that "at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Paragraph 50 of the National Planning Policy seeks to "deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable inclusive and mixed communities."

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 58 seeks to ensure that developments "will function well and add to the overall quality of the area....respond to local character and history and reflect the identity of the

local surroundings and materials."

Paragraphs 63 and 64 state that applicants should take the opportunities available for improving the character and quality of an area and the way it functions. Buildings and extensions should promote high levels of sustainability through good design and weight will be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

The application is for the conversion of an existing garage building to a residential 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 pertinent with 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;
- 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;

Principle of the Development

The application submitted is for the conversion of the existing garage into a residential property (Use Class C3) and would be conditioned as such to ensure that it would remain within that use class. Moreover, it has been confirmed by the applicant that they would be willing to sign a section 106 agreement to ensure that no students would occupy the property.

National Planning Policy and the Central Lincolnshire Plan state that the development should deliver a wide range of homes, making efficient use of land and therefore the Council consider that the conversion to a residential property would create a sustainable and most suitable use within an existing residential area.

The application has had a number of written representations objecting the proposal. The officer's report will endeavour to cover all material planning considerations raised throughout the application process.

The issues considered pertinent to this application are discussed below:

Impact on Residential Amenity

The conversion of the existing building would have minimal changes to the existing proportions, making use of the existing brick skin, including a reroof, whilst retaining the existing height and pitch of the roof. The total length of the existing building would be reduced to the rear to provide a small outdoor area, retaining the outer walls to create a new boundary wall at a height of 2m.

The replacement roof would include the installation of four roof windows to the south and two to the north, placed to minimise the impact on the neighbouring properties, whilst allowing for natural light into the proposed property. The addition of an approximately 660mm overhang of the roof would add a canopy to the front elevation. The front elevation would contain a large amount of glazing to maximise light into the property and to take advantage of the views onto the Common. The rear elevation would contain two sets of doors from the rear bedrooms with additional glazing above. There are no windows to be installed within the side elevations.

The proposal would have minimal alterations to the existing structure and the placement of windows would minimise the potential for any overlooking from the three storey properties on West Parade. It is not therefore considered that there would be any harmful relations created through placement of new windows. As the existing structure and size would be largely maintained, it would also not be considered to have an unduly harmful impact on the residential amenity of neighbouring properties. The use of the property as a residential dwelling would be appropriate within the residential area and the impact from the additional occupation of the new dwelling would not create an additional harmful relationship beyond that experienced between the existing neighbouring properties.

It is not therefore considered that the proposal would have an unduly harmful impact on the residential amenity of the neighbouring properties or wider area.

To further protect the amenity of the neighbouring properties it would be reasonable to condition the removal of permitted development from the proposed dwelling to ensure that any potential for future development is considered by the local authority through the submission of a further application.

Impact on Visual Amenity

The conversion of the property would bring a vacant building back into a beneficial use, whilst retaining the structure and making use of a more traditional pallet of materials. The conversion adds some elements of an innovative design, mixing modern glazing sections that sympathetically complement the more traditional existing brickwork and roof tile, improving the overall character and quality of the area.

The property would not be considered to look out of place alongside the neighbouring dwellings and would ultimately enhance the character and appearance of the conservation

area with the associated works to the front of the property to improve the overall street scene.

It is recommended that a condition should be applied to ensure that samples of materials are submitted to the local planning authority prior to the commencement of the development.

Highway Safety, Access and Parking

Objections to the application cite a number of highway matters with regard to lack of parking and the exacerbation of existing issues of parking within the vicinity.

Following consultation with the County Council as Highway Authority no objection has been made in respect of the issues of parking, capacity or safety in the wider area. As the property is within proximity to the city centre and has access to local transport routes it is considered that parking would not necessarily be required for the property. However, the submitted plans identify the potential for up to three car parking spaces located off the highway, the likes of which is considered wholly acceptable by the Highways Authority and would ensure the current parking issues locally are not exacerbated.

In addition, there is an area between the applicant's front hardstanding and verge that is within the ownership of the Highways Authority and they have subsequently responded with the following:

"Please be advised that Lincolnshire County Council, as Highway Authority, have no objection to this application. The proposal will not obstruct the natural line of pedestrian movement along the footway of Rosebery Avenue, and has the potential to alleviate the on-street parking in the area".

It is not therefore considered that the proposal would have any undue harmful impact on highway safety, access or parking.

Communal Space, Bin Storage and other Factors

A number of representations have cited the potential for noise, disturbance and smells associated with the occupation of the property, use of the proposed rear yard and storage of bins.

The dwelling has use of a small rear garden/yard and such a use is not considered to be unlike the existing adjoining gardens that are currently used by the neighbouring properties. Furthermore, Environmental Health have confirmed that they have no concerns with regard to the potential for noise or disturbance, smell or odour as a result of the use of the property or the use or location of the bin storage. Moreover, whilst the bins are proposed to be stored to the front of the property, there have been no objections from the councils refuse team.

A condition in respect of working hours would adhere to strict guidelines to ensure that there is no unreasonable disturbance to the neighbouring properties during construction. The hours recommended would be 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time, except in relation to internal plastering, decorating, floor covering, fitting of plumbing and electrics and the installation of kitchens and bathrooms; and

Any deliveries associated with the construction of the development hereby permitted shall only be received or despatched at the site between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other

time.

Contamination

Environmental Health have confirmed that discussions have not resulted in the requirement for any remediation but that due to past use of the site it may be that contamination could be found during the redevelopment of the site as is the case with any brownfield development and as such a condition would therefore be required to deal with that eventuality..

Ecology and the Protection of Habitats and Species

Policy LP 21 requires that any development that could have an adverse effect on sites with designated features and / or protected species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance.

Following consultation with the local bat protection group and neighbouring properties, it has been identified that there have been sightings of bats within the immediate area and potentially in close proximity to the garage. Given the legal requirements under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended) bats are a protected species and it is a criminal offence to kill, injure, capture or disturb a bat and to damage, destroy or obstruct access to a bat roost. It has been requested that the appropriate report be prepared and submitted to the local authority to determine the requirement of any mitigation methods, to be conditioned prior to the grant of planning permission.

A response from a representative of the Lincolnshire Bat Group reiterates this requirement and the report is currently being sought from the applicants. The Committee will be updated if the report is received prior to the date of the meeting. It is not expected that this survey will present the development taking place, but it may recommend some mitigation measures which could be conditioned.

Other Matters

Residents have raised objections to the applicants' proposals to access the passageway that runs to the rear of their houses and alongside the application site. The applicant, in response has sought legal advice and is satisfied that they do have a right to use the passageway, nonetheless, this is a dispute that is not material to the planning process and does not prevent the determination of the application.

Conclusion

The proposed conversion to a residential dwelling would not have a harmful impact on the amenities of neighbouring properties and would enhance the character and appearance of the conservation area. The application facilitates the conversion of a an existing building into a more sustainable use through the addition of a new dwelling, in accordance with policies LP1 A, LP21 & LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Recommendation

That the authority to grant permission is delegated to the Planning Manager subject to:

- The receipt of a bat survey and the introduction of any necessary mitigation measures
- The signing of a section 106 agreement to ensure no student occupation of the property
- The conditions listed below.

Standard Conditions

- 01) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.
The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

Conditions to be Discharged before Commencement of Works

- 03) Samples of all external materials to be used in the development shall be submitted to and approved by the Local Planning Authority before the development commences. The approved materials shall not be substituted without the written consent of the City Council as Local Planning Authority.

Reason: In the interests of visual amenity.

Conditions to be Discharged before use is Implemented

None.

Conditions to be Adhered to at all Times

- 04) The construction of the development hereby permitted shall only be undertaken between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time, except in relation to internal plastering, decorating, floor covering, fitting of plumbing and electrics and the installation of kitchens and bathrooms; and

Any deliveries associated with the construction of the development hereby permitted shall only be received or despatched at the site between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time.

Reason. In the interests of the amenity of neighbouring properties.

- 05) In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning

Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval, in writing, of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 06) The dwelling hereby granted shall be used as a residential dwelling (Use Class C3) and for no other purpose within the Schedule of the Town and Country Planning (Use Classes) Order 2015 or any subsequent amendment or re-enactment thereof).

Reason: In order to protect amenity.

- 07) Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enactment or revocation thereof) the dwelling hereby approved shall not be enlarged, improved or otherwise altered without the prior consent of the City Council as Local Planning Authority.

Reason: In the interests of the privacy and amenity of neighbouring residents.

Table A

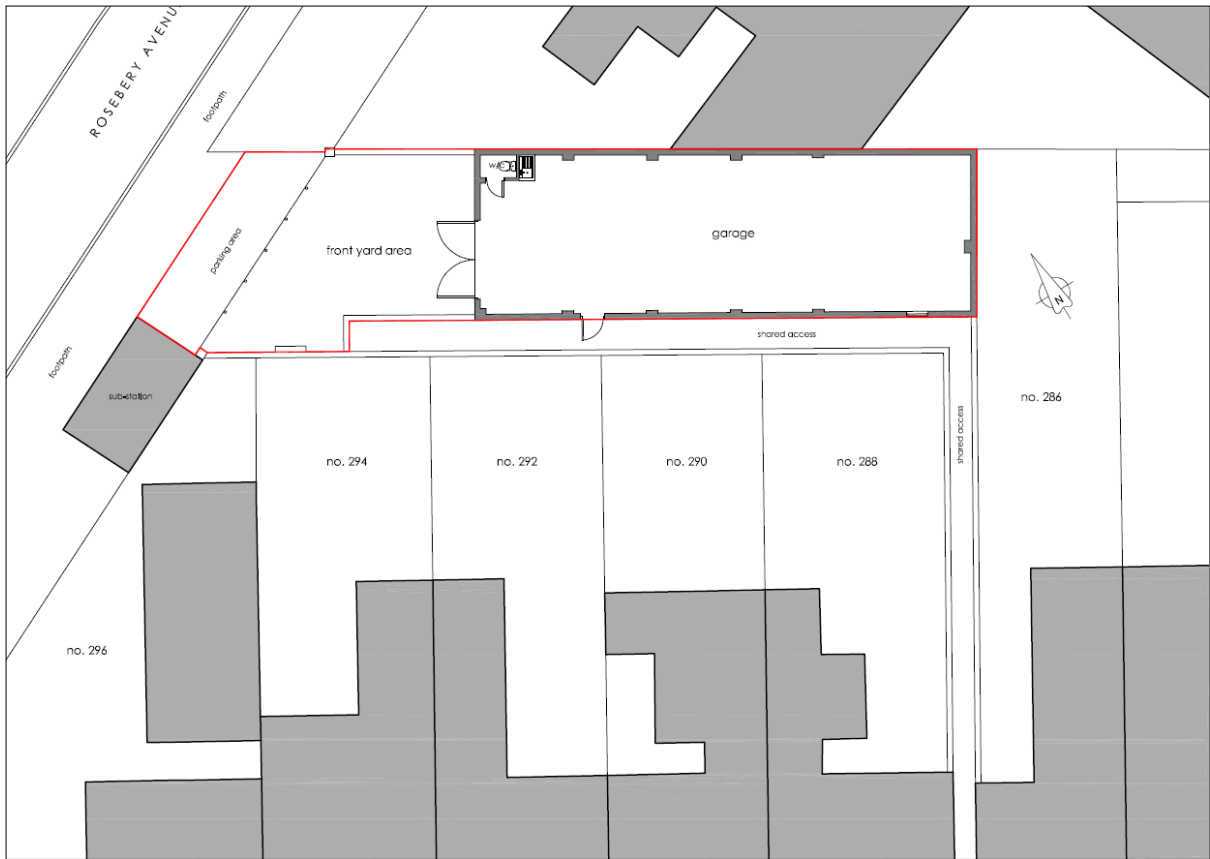
The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
ST-267/03	B	Floor plans	15th April 2018
ST-267/04	B	Elevations - Proposed	15th April 2018

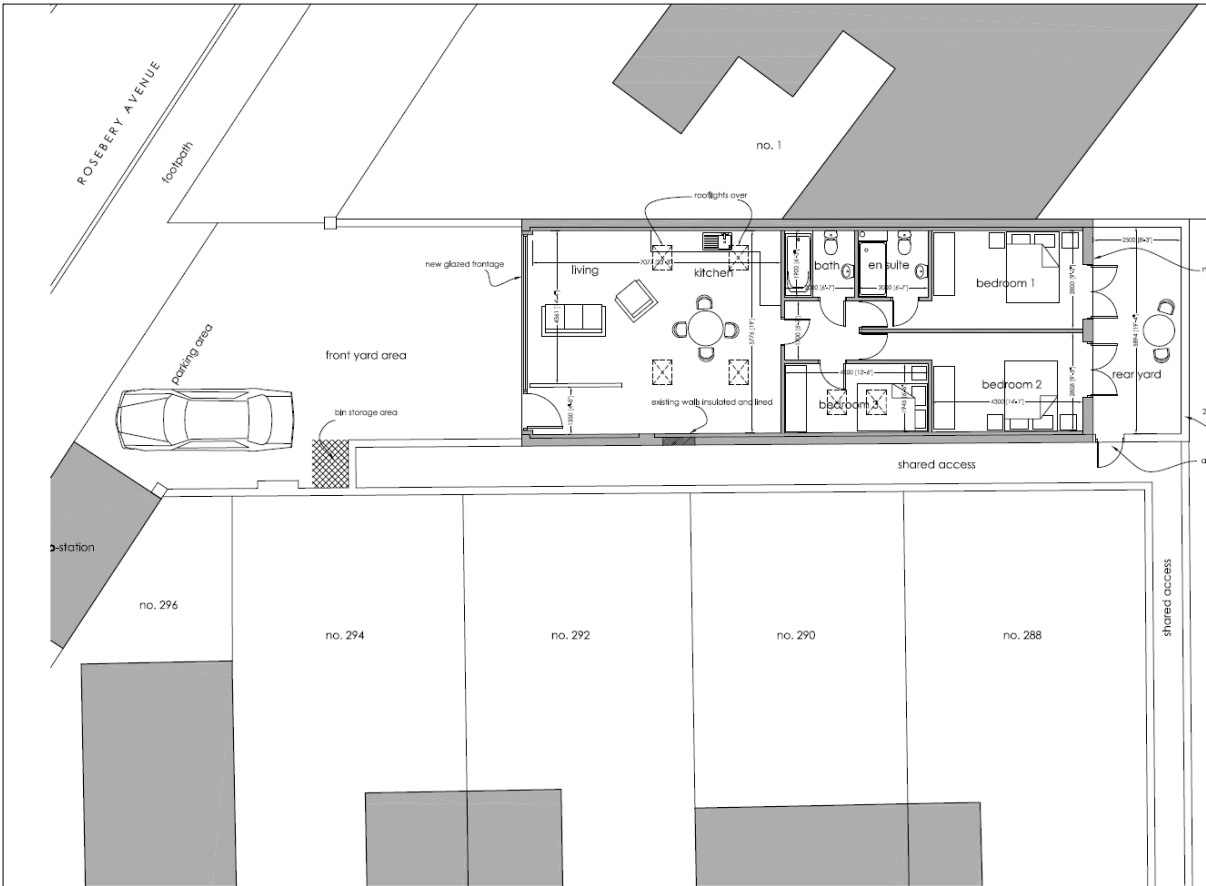
2018/0266/FUL – Garage – Rosebery Avenue

Drawings and Photographs

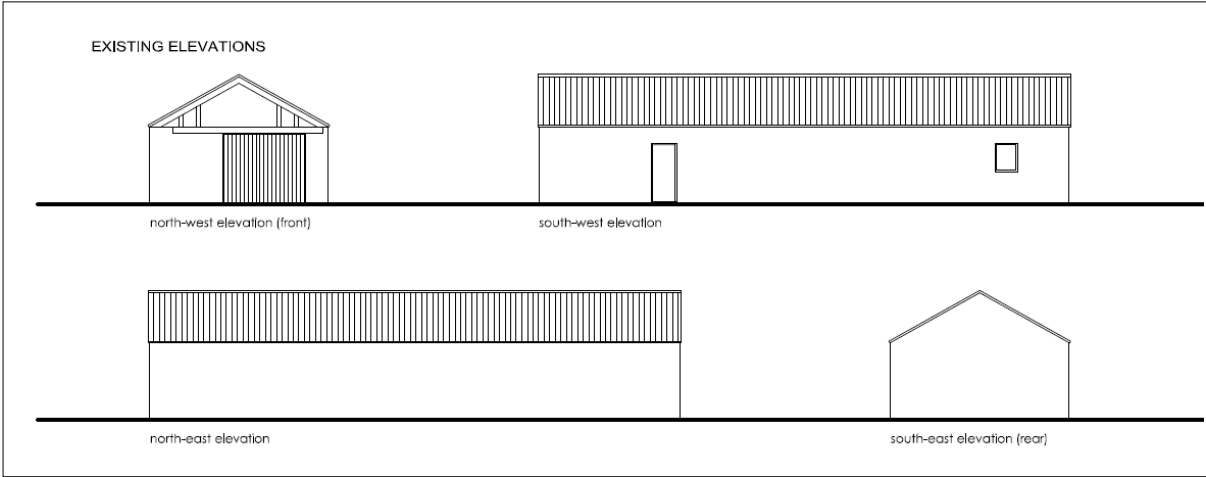




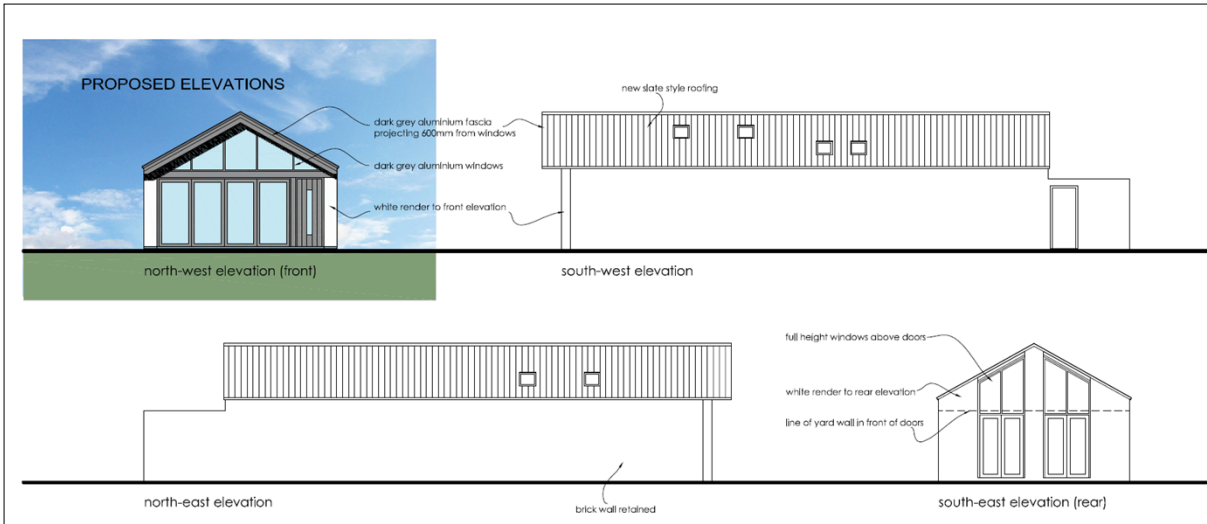
Existing Site



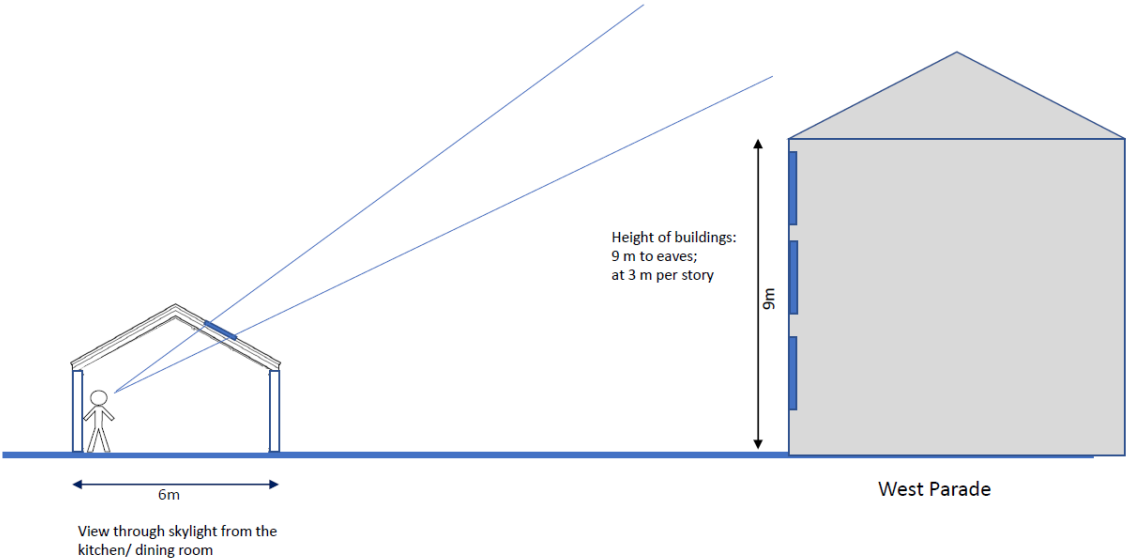
Proposed Floor Plan

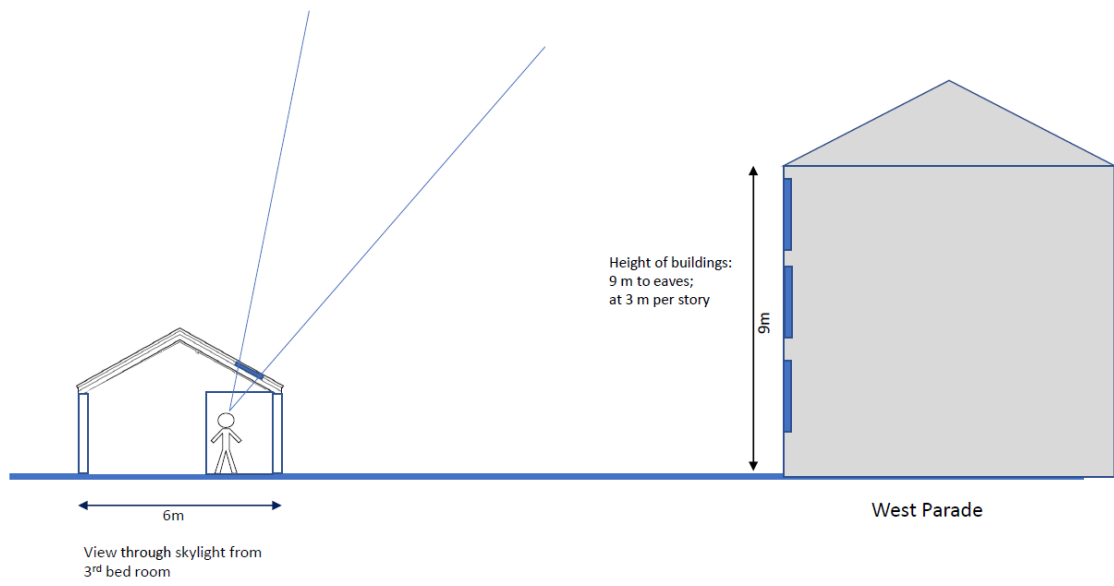


Existing Elevations



Proposed Elevations





Estimated Visual Splays





























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Neighbour Comments

**Emma Krasinska 294 West Parade Lincoln Lincolnshire LN1 1NB
(Objects)**

Comment submitted date: Fri 04 May 2018

Dear Tom

I have probably missed all opportunity for comment to be included on the garage planning development.

I have made all my main points in my first letter, which I would want to still be taken into consideration.

Going forwards, I would simply reiterate the objection about her access to the rear passage way - she has no right of access, and the drawings are wrong. If she is allowed to have access, I would want to be also allowed access from the passage way to Rosebery Avenue. I hope a bat survey will be done, and that the evidence provided has been sufficient to do this. I do think it is an inappropriate development -it makes the housing in the area over dense, and certainly will contribute to the parking problems in the area. I'm not happy about the potential light & noise and smell pollution from the close proximity & all the skylights, compounded by the impact of poor earlier planning decisions to allow a bungalow to be built alongside my garden at 296 West Parade (noise pollution from radio in the courtyard and smell pollution from smoking and spliff spoil my quiet enjoyment of my own garden).

Thank you again for your time the other week, it was very helpful and much appreciated.

294 West Parade
Lincoln LN1 1NB
12 March 2018

Dear Sir/ Madam

Application No 2018/0266/FUL Garage at Rosebery Avenue

I wish to express my concerns about the application submitted to convert the single storey garage at Rosebery Avenue into a three bedroom dwelling. The garage backs onto my small back garden, separated only by a narrow rear passage. The proposal, as it stands, will have an adverse and negative impact on myself, my neighbours, the environment and our local neighbourhood community.

I would like to object to the proposal on several grounds of legality, process & concept:

1. Taken as a whole, I am surprised that consideration is being given to building a house at all in this space. I understand that **the garage was built without planning permission in the first place. There is no evidence for the current building on the deeds.** I would like evidence that the current edifice has the appropriate permission to exist in the first place. I would also like assurance that the correct processes for planning permission are therefore being followed for a brand new building, and advice as to how the process varies when the original building never had planning permission in the first place.
2. It seems to me to be far **more environmentally appropriate to restore this land to its original purpose.** It would add far more to the West End if this could be restored to garden, with accommodation for bats (see point 9), and that can serve as a **soakaway.** The immediate general area is over-paved, and rain water is not able to soak away effectively. This has already caused severe problems of flooding in the local area, with devastating consequences (we had to move out of our house for 18 months in 2007 due to flood damage). The drain at the foot of Rosebery Avenue regularly floods. The land could be a local community garden area - for example, a much needed local play area, or sold to neighbouring houses which have tiny gardens.
3. It is disappointing that the Council has again done the **minimum in terms of a public, democratic process** to inform the local community that this proposal is going ahead. I note that there is still **no public notice, which would enable other residents & key users of the common, such as the horse owners,** who access the Common on a daily basis directly opposite this property, and who ought to be considered as a stakeholder in this process. How can other neighbours who also share concerns about parking convey a view? We regularly have to park on Rosebery Avenue due to

a lack of parking space nearer to our house. I would like assurance that the Council is doing the legal minimum, but would prefer assurance that the Council actually works to a standard of best practice in terms of ensuring that affected local communities have a say in developments. This is a point that I wish our local Councillors to take up.

4. If a new build is inevitable, I wish to be assured that **Conservation Area standards & conditions are strictly applied, monitored and enforced**. Unfortunately, recent experience means that I lack confidence in the monitoring and enforcement of planning conditions. Despite this being a Conservation Area, it appears that builders and property developers are able to ignore conditions imposed. For example, the bungalow built to replace garages on the land of 296 West Parade was allowed to be built with engineering brick and concrete tiles, despite real slate and original materials being explicitly specified as conditions to the planning permission. I have been shocked to discover how toothless the conditions of planning permission are in reality. We look out onto this unattractive garage. I note that the planning proposal specifies 'slate like'. I object to the use of fake materials in our Conservation Area. The original roofing material on houses in the area is slate. Real slate should therefore be used (it can be recycled) and is not an unreasonable requirement. I do not want to have to look out at yet more inappropriate concrete or plastic, or other synthetic material in our beautiful Victorian neighbourhood. I also consider it inappropriate for this building to rely on a precedent set by the recent new builds, which have ignored their own planning conditions. Two wrongs do not make a right. I would like the Council to set and enforce a proper benchmark of appropriate and authentic materials that respect and enhance a Conservation Area, and not allow standards to be diluted by poor previous practice. I would like to know how you will do this. Again, I would like local Councillors to take up this point.
5. The planning documents detail a proposed new access gate onto our rear passage way, marked 'for emergency access only'. However, the **garage has no right of access onto, or across the passage**, which is shared by the houses of 288-294 West Parade. Only the owners of these properties have the legal right to use the passage, as set out in our deeds of property. The garage owners do not. This gate and route should therefore not be built. The passage is gated, and locked - and would not be useable as a fire escape. Without the gate the rear bedroom will have no fire escape, so the existing proposal would not be buildable. Any use of the passage would be intrusive and harmful to the privacy and amenity of our neighbours and ourselves.

I was intrigued by the irony of the garage owners claiming such an access, given they have been adamant about refusing access to myself to Rosebery Avenue from the left hand side of the passageway, as the original deeds suggest, and as was in place previously prior to my purchase of the property.

6. I am concerned about the **proposed height** of the property. I note that no measurements or dimensions were set out in the planning drawings, either of the height of the current garage, or the height of the proposed new house. Again, unfortunately, I am informed by my recent experience of the building of the bungalow on 296 West Parade. Here, a flat roofed single storey garage was allowed to be replaced by single storey dwelling with a steep pitched roof. The effect of the new raised height of the steep pitched roof is to double the height of the previous edifice - and has been allowed to completely block out my western, evening light in the garden. My garden is now much in shade for most of the year. I am concerned that you will allow something similar to happen again. I would like secure reassurance about how you will not permit the height of any new building to exceed the current height of the garage.
7. The concept of installing a **three bedroom dwelling into such a small plot is inappropriate and I believe an overdevelopment of the area**. The design is cramped, and will lead to overcrowding. The small third bedroom is completely filled with a double bed, and is not viable without a side window through a party wall, spoiling my neighbour's privacy. I would like **assurance that this will not be an HMO, or let as a shared property**. Any new property should be let to a family or single household only, minimising noise and disturbance as the plot is in extremely close proximity to its neighbours. I note that the design is not aimed at key workers who particularly need housing.
8. **Parking** in the West End is very difficult, and I don't think that any proposal which adds to the problem is helpful. A three bedroom dwelling, let to, for example, three couples, could result in the pressure of 6 extra cars. I don't think the planning drawings are accurate, and show claim to highways land which is not owned. I note that the proposal drawings show one car parked straddling the plot and the highways footway. I object to the high volume occupation of the proposal on the basis of already **congested parking**.
9. There are currently **bats** roosting in the existing garage building – they have been seen coming in and out of the gable ventilation holes facing Rosebery Avenue. Before any approval is issued please include the appropriate measures to carry out a Bat Survey and that the protected species are considered in any future development. I am concerned that the current owners may have already carried out building works to the garage without taking an appropriate duty of care towards the bats (i.e. at the least, carrying out a bat survey). I would like to be **assured that all appropriate environmentally protective measures are taken, and have been taken in the past**.
10. The proposal shows rubbish bins being placed at the end of my garden, directly on the other side of my garden wall. Due to the incredibly close proximity of the properties, I wish to object to the **placement of rubbish here, and the emanation of**

foul smells, particularly in the summer, spoiling the pleasure of our quiet enjoyment of our back garden. As you know, rubbish is only collected fortnightly, giving plenty of time for smells to build up in warm weather. We often sit outside. The privacy and amenity of my garden has already been spoilt by your planning decisions, resulting in noise & smell (radio in a small courtyard, the noise bounces off the walls; cigarette smoke wafts over) and restricted by the lack of light caused by the high pitched roof of the new bungalow at 296 West Parade. Please do not make our quality of life, as a resident, in my own home & garden any worse, for the financial profit of non-resident others.

11. The proposal also shows proposed car parking behind my garden wall. I am not happy about my garden being **polluted with petrol fumes** from parking cars, or cars with motors ticking over. I bought my property deliberately close to the Common to enjoy the peace and clean air that it offers. Parking right behind me will spoil my privacy and amenity.
12. I am concerned about the **disturbance to privacy and amenity caused by the small, walled patio garden** proposed. As I point out in point 10 above, sounds & cigarette smells carry easily: a small radio, even inside a house with open French windows, bounces off courtyard walls and disturbs others. It spoils the privacy and amenity of my neighbours and myself.
13. I also note a proposed **600mm overhang** on the new building at the front. I don't think that any increase in dimension should be allowed to the current edifice, causing further loss of light and view.
14. The proposal includes **three roof lights** in the south side of the roof at an angle to my house. I agree that these **damage the privacy and amenity** of ourselves and our neighbours. The height of my house means that I look down on the garage roof - we would be able to see in through the roof lights – and they would be able to see into our bedrooms & bathrooms. The roof lights would be openable so any noise from inside the house would escape into what is a very small enclosed space. There are also roof lights shown on the north side of the roof – the neighbouring house there (1 Rosebery Avenue) is even closer and would be affected even more.

For the above reasons, I urge you to look much more closely at this application, and take into account these concerns in your deliberation. I would ask you to reject the planning application as it stands, as unbuildable.

I would also urge you to take into account the best interests of the West End, and the people who live and work here. Please respect the Conservation Area. Please do not put the interests of non residents and financial profit first. Please take into account the positive principles of adding to the quality of life of residents and the environment - and not make it worse - as you make your decisions.

Yours sincerely,

Emma Krasinska

c.c Councillor Neil Murray

Richard & Helena Mair
290 West Parade
Lincoln LN1 1NB

Dear Sirs

Application No 2018/0266/FUL Garage at Rosebery Avenue

I am writing to express my concerns about the application submitted to convert the single storey garage at Rosebery Avenue into a three-bedroom dwelling. The garage is our immediate neighbour at the end of my small back garden, separated only by a narrow rear passage. We would like to object to the proposal on the following grounds:

1. The application includes a new window from Bedroom 3 into the passage directly opposite our house & garden at 290 West Parade. The existing elevations submitted suggest there is an existing window further along the wall, but this was bricked up long ago so there is nothing existing. The proposed window is marked as 'non-opening high-level', but the effect of making it high-level is that it would sit above our garden wall. Our garden is only 9.2m (30ft) long. The window would only be 1.2m (4ft) from our garden and 10.4m (34ft) from our kitchen/dining room windows. Also, the window would only be 17.5m (57ft) from our first and second storey bedroom & bathroom windows. We look down on the garage so even though the window would be 'high level' we would be able to see into the bedroom – and they would be able to see into our bedrooms & bathrooms. This window would be very intrusive and harmful to our privacy and amenity – see how it would close it would be on the attached photos. Even if the window used opaque glass the light at night, movement and noise would affect our privacy.
2. The proposal includes three rooflights in the south side of the roof facing our house. Again, we feel these damage the privacy and amenity of ourselves and our neighbours. The height of our houses mean that we look down on the garage roof - we would be able to see in through the rooflights – and they would be able to see into our bedrooms & bathrooms. The rooflights would be openable so any noise from inside the house would escape into what is a very small enclosed space. There are also rooflights shown on the north side of the roof – the neighbouring house there (1 Rosebery Avenue) is even closer and would be affected even more.
3. The application includes a new gate onto the passage marked 'access for emergency use only'. The garage owners have no right of access onto or across the passage, which is shared between the houses at 288-294 West Parade only. We have the legal right to use the passage, but the garage owners do not, so this gate and route should not be built. In addition the passage is gated and locked so would not be useable as a fire escape, and any use of the passage would be intrusive and harmful to the privacy and amenity of our neighbours and ourselves
4. The proposal also includes creating a new 'Rear Yard' by removing the East end of the existing building. This will be directly adjoining the gardens of our neighbours. Patio doors are shown opening into this yard so any noise from inside the house would escape into the small enclosed space where small gardens are packed together between tall houses and this would intrude on the privacy of all the family houses around.

5. On-street parking in this area is very difficult and we do not think any proposal which adds to it should be allowed. Although the plot includes an existing 'front drive' to Roseberry Avenue which would allow the parking of two cars, the proposal drawings show one car parked straddling the plot and the highways footway. If any approval were to be issued, please can a condition be included that spaces for at least two cars should be provided within the site.
6. The existing building is so close to our house and garden that any increase in height, or pitch of the roof would have a detrimental effect on us. The application shows the existing walls retained and roof re-covered but not raised. However, we are concerned that the reality of carrying out the work would require the walls and roof to be dismantled and rebuilt. We would therefore ask that if any approval were to be issued a condition is included that roof heights must be maintained no higher than the existing heights of 2.8m to the eaves and 4.8m to the ridge.
7. There are currently bats roosting in the existing garage building – they have been seen coming in and out of the gable ventilation holes facing Rosebery Avenue. Before any approval is issued please include the appropriate measures to carry out a Bat Survey and that the protected species are considered in any future development.
8. This area of the city suffers from the over-provision of shared houses – Houses in Multiple Occupation. The application is for a three-bedroom dwelling but this could easily be let to 3-6 unrelated people. If any approval is issued it should make clear that it is for a C3 family dwelling and not a C4 House in Multiple Occupation.
9. We believe that the proposal for three bedrooms would be an overdevelopment of the plot, given the lack of external space and how close all the existing houses around are. This has led to the inclusion of the new gate onto the passage and the side window opposite our garden. Without the side window Bedroom 3 would have no window and without the gate the rear bedroom will have no fire escape, so the existing proposal would not be buildable. We would therefore ask you to refuse the application

Yours

Richard & Helena Mair

Richard & Helena Mair
290 West Parade
Lincoln LN1 1NB

Dear Sirs

Application No 2018/0266/FUL Garage at Rosebery Avenue

I am writing again to express my concerns about the application submitted to convert the single storey garage at Rosebery Avenue into a three-bedroom dwelling. The garage is our immediate neighbour at the end of my small back garden, separated only by a narrow rear passage.

We have received clarification that the application is for a C3 family dwelling and not a C4 House in Multiple Occupation and our comments are made on that basis.

We understand that the proposals have been amended since we first wrote on 12 March 2013. The proposed window into Bedroom 3 which would have been directly opposite our garden has been omitted. We are relieved to see this change but still have strong objections to the proposals which have not been addressed and we would like to repeat for clarity:

We would like to object to the proposal on the following grounds:

1. The application includes a new gate onto the passage marked 'access for emergency use only' which is still shown on the revised drawings. The garage owners have no right of access onto or across the passage, which is shared between the houses at 288-294 West Parade only. We have the legal right to use the passage, but the garage owners do not, so this gate and route should not be built. In addition, the passage is gated and locked so would not be useable as a fire escape, and any use of the passage would be intrusive and harmful to the privacy and amenity of our neighbours and ourselves.

The proposed plans depend on this non-existent escape route to provide a safe route out. Any approval of these proposals as they stand would give the applicant the impression that they had approval to use the passage when they do not. It would also give the impression that they had approval to build a three-bedroom layout which depends on that escape route – when that plan would be dangerous because the occupants could be trapped at the back of the house in event of a fire. We feel that this means the proposals are overdevelopment of the garage plot.

2. The proposal includes four rooflights in the south side of the roof facing our house. We feel these would be very intrusive and harmful to the privacy and amenity of ourselves and our neighbours. The height of our houses mean that we look down on the garage roof - we would be able to see in through the rooflights – and they would be able to see into our bedrooms & bathrooms. The rooflights would be openable so any noise from inside the house would escape into what is a very small enclosed space. There are also rooflights shown on the north side of the roof – the neighbouring house there (1 Rosebery Avenue) is even closer and would be affected even more. Although the revised drawings show the Living Room rooflights moved higher up the roof, the two directly opposite our house & garden have not been moved.

3. The proposal also includes creating a new 'Rear Yard' by removing the East end of the existing building. This will be directly adjoining the gardens of our neighbours. Patio doors are shown opening into this yard so any noise from inside the house would escape into the small enclosed space where small gardens are packed together between tall houses and this would intrude on the privacy of all the family houses around.
4. On-street parking in this area is very difficult and we do not think any proposal which adds to it should be allowed. Although the plot includes an existing 'front drive' to Roseberry Avenue which would allow the parking of two cars, the proposal drawings show one car parked straddling the plot and the highways footway. If any approval were to be issued, please can a condition be included that spaces for at least two cars should be provided within the site.
5. The existing building is so close to our house and garden that any increase in height, or pitch of the roof would have a detrimental effect on us. The application shows the existing walls retained and roof re-covered but not raised. However, we are concerned that the reality of carrying out the work would require the walls and roof to be dismantled and rebuilt. We would therefore ask that if any approval were to be issued a condition is included that roof heights must be maintained no higher than the existing heights of 2.7m to the eaves and 4.5m to the ridge.
6. There are currently bats roosting in the existing garage building – they have been seen coming in and out of the gable ventilation holes facing Roseberry Avenue. Before any approval is issued please include the appropriate measures to carry out a Bat Survey and that the protected species are considered in any future development.
7. We believe that the proposal for three bedrooms would be an overdevelopment of the plot, given the lack of external space and how close all the existing houses around are. This overdevelopment has led to the inclusion of the new gate onto the passage. Without the gate the rear bedrooms will have no fire escape, so the proposal would not be buildable. For this reason and the others set out above we would ask you to refuse the application

Yours

Richard & Helena Mair



WILLIAM WHITE
286 WEST PARADE
LINCOLN
LN1 1NB

7th MARCH 2018

YOUR REF:2018/0266/FUL

Address of the proposed development garage Rosebery Avenue Lincoln

Description of the proposed development:

Conversion of existing single storey garage to 3 bed dwelling

Dear Mr K Manning,

I object to this application for the following reasons. When I purchased 286 West Parade Lincoln LN1 1NB with my wife Shu Zhen White on the 10th April 2006, I found a garage had been built above the height of our wall overlooking our property. We also found out the garage had been built without planning permission using the back of our wall as support to complete. Needless to say this garage built above the height of our wall overlooking our property and using the back of our wall for support on the left hand side of our garden would never pass a planning application. Now I find out the owners want to convert the garage which is above single storey height overlooking our property and using our garden wall as support to build a single storey 3 bed dwelling. The 3 bed dwelling would require at least one clear glass window overlooking our property.

Planning records in 2004 will show George living at 183 Carholme Road Lincoln LN1 1 RU would not allow me to fit a clear glass window to 185 Carholme Road which opened up to the brick wall side of 183 yet the planning department in their wisdom agreed with George and I had to take the clear glass out of the window. In other words you cannot have one rule for George and another for the owners of this application. On top of all this I note the owners also want to use the passageway between 286 and 288 West Parade Lincoln LN1 1NB that leads onto West Parade. This is a private passageway for the owners of West Parade only and it has been this way since the properties were built 100 years ago. If the owners of the proposed development were ever allowed to use this passageway onto West Parade any complete stranger could just jump over our wall and also walk straight into the rear garden of 288 when the owners were out.

Can the planning department please confirm at this stage of the planning application that an order will be made to the owners to take down the rear of the garage so our wall is not supporting it. In this order can you please confirm to me that the owners will also make good our wall to the same height and thickness as the rear of our wall that was not used to support the rear of the garage.

Yours sincerely

William White

**William White 286 West Parade Lincoln Lincolnshire LN1 1NB
(Objects)**

Comment submitted date: Mon 30 Apr 2018

Please refer to my objections dated 7th March 2018. The owners have taken no notice of my objections showing they cannot use my wall to support this application

4, Rosebery Avenue, Lincoln LN1 1ND

14 March 2018

Dear Development Team

Comment on proposal for conversion of garage to a 3-bed dwelling at

Garage, Rosebery Avenue, Lincoln

Your ref 2018/0266/FUL

We have seen the documents for this application. We have no objections to the external appearance of the proposed building, but have the following comments.

(1). Any appreciable increase of the number of residents' cars in this area will worsen the existing overcrowding of traffic in the Rosebery Avenue/ West Parade/ Hewson Road area, where parking is very limited and road widths are restricted for all vehicles. A limit on allocated parking to 2 spaces for this proposal, off-road, would seem appropriate; as would limitation of the permission to C3 use as a single-family dwelling.

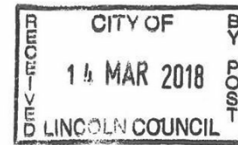
(2). We think that 3 double bedrooms within the existing building shell are tight; and that temperatures in the two larger ones might be a problem to control in summer and winter due to the high ceilings up to the roof apex, and the fully glazed wall facing South East. This might be improved by combining them as a single larger bedroom, and/or by the design of the end wall, for example with some external shading.

Our personal view is that this might make the proposal more attractive and allow a wider range of uses within the home.

Yours faithfully,

John and Sandy Ritter

pl 2



To Mr K Manning
Planning Manager, development team,
Lincoln City Council

7/3/2018.

Your ref 2018/0266/FUL

Conversion of existing single storey garage to 3bed dwelling
(hard copy of email message sent 7/3/2018.)

Dear Mr Manning,

I am writing to express my objections to some of the details in the building plans for a new house to be built on the Garage, Rosebery Avenue, Lincoln, submitted for by Mrs Ellie Krissson to your department, and I propose some amendments;

1. The plot is too small for occupants of a three a 3 - bedroomed house. One result of this potential number of inhabitants would be inevitable congestion of cars, in 2 streets which are already appallingly overcrowded and without adequate residential car parking, in Rosebery Ave and on adjoining West Parade.

I suggest an amendment to the plans to a 2 - bedroomed house.

2. Access. The access to the back passage is for the residents of 4 houses in West parade, only....that is no 's. 288, 290, 292, 294. I live at 292 and have done

so for 30 years. I notice that the passage on the plans is marked "shared access" ,and a door from the garage is planned to open onto our passage. Shared access has never been the case and I object to any suggestion for any access to this passage other than that which is allowed in the deeds of the 4 properties listed above..

3 . I am greatly concerned that your department will in fact guarantee and ensure adherence to the plans when and if building commences, particularly in relation to the height of the walls and of the roof. My experience during the recent building of the "stables" adjacent to 296 West Parade, was that the agreed height of the roof was flouted in the construction of the building, resulting in light being cut off from my property and that of 294, as the new roof was built higher than it should have been.

4 The proposed new overhang of the roof at the front, of 600mm, would affect my light adversely.

I look forward to hearing from you, and to seeing your departments' notices put up in the street as soon as possible, announcing the intentions to convert the garage, as other Common users will be affected.

yours faithfully,

Barbara Comber

[REDACTED]

292, West Parade Lincoln. LN1 1NB, 6 March 2018

Sent-from my iPad ,,

[REDACTED]

1A Rosebery Avenue

Lincoln

LN1 1ND

Ref: 2018/0266/FUL | Conversion of existing single storey garage to 3 bed dwelling (Use Class C3)

As the occupants of the flat located on the South elevation of 1 Rosebery Avenue, we would like to raise the following objections.

Loss of privacy

The building is located on the border of our small courtyard garden, photo attached shows the proximity of houses and the building in relation to our garden. Roof windows on the north side open on to that space, this would result in noise traveling into our enclosed courtyard losing privacy in our garden and exchanging it for additional noise.

Parking

Parking is an issue on the street and the development would further exasperate this by removing the parking currently used by horse owners use daily.

Bats

In the active season we regularly see bats flying around the building indicating its use as a roost, this need to be properly surveyed.

Bedrooms

The number of bedroom for this proposal seem excessive given the lack of external space, parking issues in the area, lack of garden and the close proximity of the houses around it all of which have small gardens and therefore would be heavily affected by the activity a 3 bedroom house has the potential for.



H. Umpleby and H Dingwall

From: Charlotte Bentley [REDACTED]
Sent: 12 March 2018 19:15
To: Technical Team (City of Lincoln Council)
Subject: Planning reference 2018/0266/FUL

Dear Sir,

Re: Planning application 2018/0266/FUL – Garage on Rosebery Avenue, Lincoln

We have no objection to the redevelopment of the site of the garage in Rosebery Avenue, Lincoln, as long as the building is intended to be a private home rather than the HMO which the current plans showing three double bedrooms would suggest is the intended use. Parking in the area is a significant issue so the number of adults likely to be living in the accommodation needs to be taken into consideration.

Yours faithfully,

John and Charlotte Bentley
6 Rosebery Avenue,
Lincoln,
LN1 1ND

[REDACTED]

Mr and Mrs Bond
1 Rosebery Avenue, Lincoln, LN1 1ND

Ref: 2018/0266/FUL | Conversion of existing single storey garage to 3 bed dwelling (Use Class C3)

We object to the proposal on the following basis:

Conservation of existing historical boundary wall. Inaccuracy of the plan

The current garage has been built upon a boundary wall of over 100 years old, the gutters overhang into our land. The building of the garage on top of the boundary wall has caused significant strain to the front of the wall causing cracking and deterioration of a historic wall (see photos). Any design should ensure that gutters are not overhanging the boundary and that the property and its fixtures are within its own boundary.

The plan showing the existing layout is not accurate. It appears to show that the area in red is owned by The Garage which is not the case. The boundary of the Garage is where the current bollards are and does not include the public footpath as shown in the plan (see photo). It indicates that designated parking for the garage will be in an area to the front of the property astride the boundary and onto public highway/footpath.

This area of public highway/footpath has been used for over 10 years for people attending to the horses to park their vehicles. This development will remove that area of shared parking. As a result horse owners vehicles will be pushed onto West Parade and Hewson Road which already lack parking. Consideration must be made to the exact location of where the vehicles from this property park and what will be done to counter the loss of spaces to the front of the property currently used by horse owners every day.

Bats using the building for a roost.

We suspect that the building has bats roosting in it. Video footage taken in September 2017 (included) documents bats flying closely to both the front and rear of the garage during their active season. The building has access holes into it at each gable end and rarely being used, it provides a perfect habitat for bats to roost. West Common is directly opposite the garage and there are records of large number of bats in this area.

Prior to considering any further application Lincolnshire Bat Group have advised that a bat survey must be carried out by a professional ecologist when the bats come out of hibernation. Please ensure that this is carried out to identify if they are roosting in the building. It was noted that building work had already occurred to the roof of the property recently and it is hoped that this did not affect any bat roosts that may have been present.

Privacy/Noise Disturbance

The proposal includes roof lights on the north elevation which we would look directly into from our first floor window and consequently the garage would have the same line of vision to us. Due to the nature of the plot and the proximity of houses in this area, a development of this scale would have a considerable affect on noise levels, windows opening on this side would be onto a small walled courtyard area causing a significant impact.

Number of bedrooms/overdevelopment of the site.

Whilst the development has been specified as C3 use, with no garden and only a small patio area this is unlikely to attract a family to live in it now or in the future. The design showing 3 bedrooms could have the same effect as being an HMO without falling foul of the current rules. For example 3 adult sisters with their husbands therefore 6 related people, could choose to rent the property, this would result in 6 adults and any cars they may have in accommodation with very little external space. The building would be more suitable for 1 or 2 bedrooms, allowing more garden space and removing the need for a bedroom window to overlook neighbouring properties.

The current plan would have no fire escape access to the rear as it has no right of passage, it has potential to accommodate 6 related adults, it lacks garden and appropriate parking and its over development is unsympathetic to its location where houses are in very close proximity.

Mr and Mrs Bond





Mrs Claudia Zigante 5 Cambridge Avenue Lincoln Lincolnshire LN1 1LS (Objects)

Comment submitted date: Sun 18 Mar 2018

Please no more multiple occupancy houses or flats in the West End! We can't take the extra cars!

Mrs Katherine Littlecott 3 Rosebery Avenue Lincoln Lincolnshire LN1 1ND (Objects)

Comment submitted date: Wed 14 Mar 2018

Objection submitted on behalf of David & Katherine Littlecott - 3 Rosebery Avenue, Lincoln LN1 1ND. __Strongly object to the proposed development. __a) Proposed design materials totally at odds with the surrounding properties in Conservation Area 6. __ b) Design has too many bedrooms for the size of the plot/property. Overcrowding is not something one would expect a council anywhere to be encouraging. __c) Design seems to have no viable second exit so presenting a major risk to the occupants in the event of a fire arising in the kitchen. __d) Design is clearly not a family home and plans have been put forward by a London based developer/letting company. The property will almost certainly be let on a maximised rent basis i.e. let as individual rooms with shared facilities meaning at least 3 separate individual occupants (potentially 6 occupants if the individuals let their partners move in/stay over regularly). This may not be a HMO on paper but has the potential to end up as such. This means any number of additional vehicles competing for parking spaces in the already overcrowded West

Parade/Rosebery Avenue residents parking area. __e) Designs seem to include an area at the front which does not actually belong to the property being included as off road parking. One would assume that this is not legal, although sadly the situation which was allowed to arise with the outbuilding developed some years ago at 296 West Parade indicates that avaricious developers seem to have no fear of Lincoln City Council's planning department. Several very scarce parking places were lost/given away as a result of that development.__f) This type of property design looks most likely to appeal to the local student population. It would therefore be unlikely that there would be any council tax revenue to be raised from the occupants yet they will require refuse collection/other council funded amenities and given the current financial situation of Lincoln City Council, the building of a home more likely to generate council tax revenue would seem more appropriate.

**Mr Jason Clark 189 West Parade Lincoln Lincolnshire LN1 1QT
(Objects)**

Comment submitted date: Mon 12 Mar 2018

There are many reasons to object to this ill conceived application but I'll leave most of them to the immediate neighbours of 286-294 West Parade. The issue that will effect all of the immediate area of West Parade and Roseberry Avenue is parking. A three bedroom property has the potential to add at least two cars to an already congested area. Also the proposed plans are highly dubious as they appear to claim an area of land for parking that is part of the public highway.

**Mr Luke Pennington 41 St Faiths Street Lincoln Lincolnshire LN1 1QJ
(Supports)**

Comment submitted date: Mon 12 Mar 2018

I would strongly support this development of an otherwise unused garage into housing for this area. I would foresee this development increasing diversity whilst removing an eyesore. I do not see this development significantly increasing works traffic in the area. Nor do I believe this development would be a significant strain on parking.

**Mrs Rani(Bhavindrajeet) Grantham 60 Richmond Road Lincoln
Lincolnshire LN1 1LH (Objects)**

Comment submitted date: Mon 12 Mar 2018

There is a BIG problem with parking and this will not help

**Mr Kevin Richardson 25 North Parade Lincoln Lincolnshire LN1 1LB
(Objects)**

Comment submitted date: Sun 11 Mar 2018

More development will put more of a strain on the already oversold parking restraints as well as bringing yet more noise pollution into the area.

**Mr Joel Warburton 81 West Parade Lincoln Lincolnshire LN1 1QW
(Objects)**

Comment submitted date: Sun 11 Mar 2018

I am a resident of the West End and wish to highlight the potential increase in pressure this planning might add to the already dangerous parking situation in the West End. Dangerous, because many residents are forced to abandon their vehicles on double yellow lines close to junctions because the spaces are just not available. I urge the planning department to consider mandatory parking to be incorporated into the design of this development and to make it clear that no residents parking permits will be granted for this address.

**Mrs Jane Smith 284 West Parade Lincoln Lincolnshire LN1 1NB
(Objects)**

Comment submitted date: Sun 11 Mar 2018

We cannot get parked of an evening already and this is going to make matters worse. The property would restrict natural light at the back of our house. I am also concerned about privacy as I am certain it will look directly into our living areas. I make this conclusion because the house next door to the garages redeveloped their loft space, and now we can see them clearly, as they can see us. It will further devalue the price our home because of it. The houses here are Victorian and a new build will look completely out of place.

**Mr Kevin Smith 9 Rosebery Avenue Lincoln Lincolnshire LN1 1ND
(Objects)**

Comment submitted date: Sat 10 Mar 2018

I strongly object to the conversion plans of the garage on Rosebery Avenue into a 3 bedroom dwelling for a number of reasons.
Firstly there is very little parking space for residents in this narrow cul-de-sac as it is, and this would only add to the problem already existing.
Secondly, I have discovered that the planning application is being sought by a property development company in London, i.e. "23 E Commonside East Management Company Ltd", one of the managers being Ms. Elly Krisson who has put forward this application. It would be interesting to know if she is going to use it for her own private dwelling or if she intends to rent the property to others (possibly three persons, as the planning application is for three bedrooms). If it is being planned for her own private dwelling I have no objection but my doubts are contrary to this belief.

Thirdly, if the building work is given the go ahead there will undoubtedly be considerably works traffic and machinery, etc. blocking access by residents to this already quite inaccessible avenue. Directly opposite the site is the West Common gate which is constantly in use by walkers and horse owners, and I foresee many more problems relating to access to the common gate, especially as it is in frequent use by the local riding stables. It is possible that horses, pedestrians and children may be injured if the horses are frightened by heavy works machinery.

David & Kathryn O'Donnell
288 West Parade
Lincoln
LN1 1NB

FAO Planning Manager
Lincoln City Council
6th March 2018

Planning Application ref 2018/0266/FUL
Conversion of existing single storey garage into a 3 bed dwelling.

Dear Mr Manning

We have had sight of the plans for this development and would like to object on the following grounds:

1/ A rear side door on the south side of the proposed building, is drawn on the plans. This would give access to the passageway to the north and east of our properties.

On the plans this passageway is describes as 'shared access'. It is not a shared access. This passageway is solely for the use of our house and the other properties which the passageway borders, namely 288, 290, 292, & 294. The passageway is not for the use of the garage nor the land on which it stands, but only for the the above four properties. This is identified in the deeds, dated 1899 and reiterated in more recent copies held in the land registry, i.e. 1923, 1975, 1992, and confirmed again in 1997 when we purchased our property. The owners of the above four properties are responsible for upkeep of the passageway.

The passageway is, and has been gated at the front, south entrance, and has an additional locked door midway along the length of our property, since we moved in over 20 years ago and before that for at least the previous 10 years. Only the owners of Nos. 288, 290, 292 and 294, have keys to these gates.

The proposal identifies the proposed door as 'for emergency use only'. That this rear entrance would be only used for that purpose by the owners and those to whom they lease the dwelling is highly unlikely. The passageway secures our properties from access to potential burglars. Anecdotally, the only time we have been burgled was when the door was inadvertently left open and thieves entered into the rear of our dwelling.

2/ The plans are too ambitious in that there is no right of access for a rear entrance/fire exit. The fact the the fire hazard of the kitchen is at the front of the building, and the bedrooms are at the back, with no fire exit, is a cause for concern. I reiterate the proposed property does not have right of access to the passageway.

3/ The proposed rear yard would cause extra noise and disturbance to the rear of our property, where there is already a significant number of close dwellings bordering our garden.

4/ There are three bedroom in the proposed plans, which would mean that potentially 6 people might live there, whether through renting or by airbnb. Not only would this mean overcrowding but the lack of parking on the property would cause too much pressure on an already dire car parking situation in the west end This is particularly so at this end where people park to visit the West Common, tend their horses and teams play football.



5/ There is no parking space on the proposed property. On the plans the proposer has included public land, i.e. the public footpath to the front of the property, as personal parking space. This land does not belong to the property.

We also object if the following if the following criteria specified below are not observed.

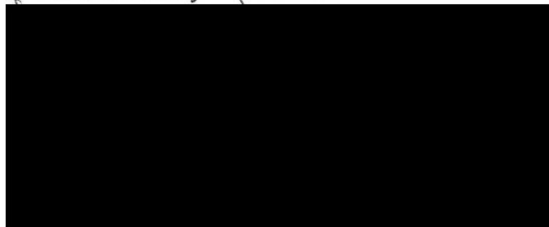
In any proposed plan it needs to be ensured that the height of the apex of the roof does not exceed the current 4.57 metres, nor the wall exceed the current height of 2.6 metres.

It needs to be ensured that the building conforms to conservation quality in its materials, this being a conservation area.

NB Both the dimensions and quality of materials as identified in the plans for a previous planning application, namely the alteration of the garage at number 296 were NOT adhered to, and not followed up by the planning authorities, This must not happen again to the detriment of the environment. Conservation and planning criteria must be actively enforced.

Yours faithfully

David & Kathryn Q'Donnell



**Miss Amanda Ryans 4 York Avenue Lincoln Lincolnshire LN1 1LL
(Neutral)**

Comment submitted date: Wed 21 Feb 2018

I disagree with more development to an HMO within the west end. It will further affect the dynamic and balance of the area and drain already limited parking facilities. Article 4 was implemented to manage these conversions in an area already overwhelmed

**Mr Robin Lewis 22 York Avenue Lincoln Lincolnshire LN1 1LL
(Neutral)**

Comment submitted date: Tue 20 Feb 2018

I have no problem with this development as long as it is classed as C3 family dwelling and not C4 HMO. Should have Section 106 applied to preclude any use as student accommodation

**Mrs Sue Tilford 92 Astwick Road Lincoln Lincolnshire LN6 7LL
(Neutral)**

Comment submitted date: Tue 20 Feb 2018

The West End is overwhelmed with housing aimed at students which I , perhaps wrongly, assume this will be

Consultee Comments

Lincoln Civic Trust

Comment Date: Mon 19 Mar 2018

OBJECTION:

This is an overdevelopment of a site. We felt that to convert the garage into a single bed accommodation would have been acceptable, but into a three bed is overdevelopment. The design does not provide for enough windows for a three bed extension and is in an inappropriate location for such an extension

Highways and Planning – No objections

Further Response

RE: Rosebery Avenue, Lincoln

Following our conversation yesterday, please be advised that Lincolnshire County Council, as Highway Authority, have no objection to this application. The proposal will not obstruct the natural line of pedestrian movement along the footway of Rosebery Avenue, and has the potential to alleviate the on-street parking in the area.

Kind regards

Becky Melhuish

Senior Development Management Officer

Lincolnshire County Council

Lancaster House

36 Orchard Street

Lincoln

LN1 1XX

(01522 782070

Extn 54629

✉ DevelopmentManagement@lincolnshire.gov.uk

Lincs Bat Trust –

From: Annette

Sent: 04 May 2018 13:36

To: Hobson, Tom (City of Lincoln Council)

Subject: RE: Planning advice - Bats

Dear Tom,

Thanks for your enquiry. I have had a look at the relevant documents, and recall the Bat Group having been contacted about this application (I deal with all the enquiries) some time ago, though I can find neither notes nor email, but as county recorder and a licensed volunteer bat roost visitor for Natural England I should have enough information to help you out on this.

The fact that bats have been seen around the building is of little consequence in itself - we have a lot of sighting records for this area and the bats could be roosting absolutely anywhere, mainly in domestic dwellings, rather than in a garage per se. However, what interests me is the claim that they have been seen going 'in and out' of the NW gable. I would have preferred 'out', as in emerging at dusk, but this immediately triggers the need for a commercial bat survey to be carried out by a fully licensed bat ecologist. As this is a full planning application you should be in a position to require that the developer commissions a bat survey before the p/a can go any further. If bats are found to be present then provision will have to be made for them as part of the development, either by a 'method statement' if limited evidence is found, or by a European Protected Species licence (EPS) if a main roost is found to be present. This has to be part of the consultation, as if needed the EPS has to be conditioned on the basis of the results of the survey. All this is a legal requirement.

I haven't received the official consultation yet, but it's worth remembering that bats are very small animals and are largely crevice dwellers – a pipistrelle, the smallest of our bats and the most likely candidate here, weighs no more than a 50p piece and can easily squeeze through a gap of ½" – so are not likely to be seen within a building without a search, and even then frequently not – what we are always looking for is evidence, mainly droppings. And the ecologist will also do a dusk survey to record them as they emerge – if they do.

I hope this helps. Do please get back to me if you need further info – or I've misunderstood where this is at – or you can phone me on

Kind regards,

Annette Faulkner

p/p Lincs Bat Group

Application Number:	2017/1181/FUL
Site Address:	27-29 Clasketgate, Lincoln
Target Date:	10th February 2018
Agent Name:	LK2 Architects Ltd
Applicant Name:	Mr M Hayes-Cowley
Proposal:	Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) following demolition of existing building (Revised Description)

Background - Site Location and Description

The application site is situated on the north west corner of the Clasketgate/Flaxengate junction, and currently comprises a three storey white rendered building, formerly the office of Pygott and Crone estate agency, and associated car parking to the rear. It measures approximately 498.5 sqm and is located within Conservation Area No. 1 'Cathedral and City Centre'

The site slopes upwards heading north along Flaxengate with a level difference of approximately 1.64m. The northern site boundary is defined by a low level retaining wall and line of trees, which are rooted within the adjoining Grantham Street NCP car park. The western site boundary is defined by the commercial building known as Akrill House and associated car parking to the rear. The south east corner is defined by a red brick boundary wall and railings, while the eastern site boundary includes a red brick boundary wall which steps upwards with the site, and barrier controlled vehicle access to the rear parking area.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 20th November 2017.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP7 A Sustainable Visitor Economy
- Policy LP12 Infrastructure to Support Growth
- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land affected by Contamination
- Policy LP18 Climate Change and Low Carbon Living
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP31 Lincoln's Economy
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- National Planning Policy Framework

Issues

- National and local planning policy
- Impact on designated and non-designated heritage assets
- Impact on visual amenity
- Impact on residential amenity
- Highway safety, access and parking
- Foul and surface water drainage
- Potential land contamination and other environmental impacts

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Historic England	Comments Received

Public Consultation Responses

Name	Address
Moka And Shack Night Club	11 Silver Street Lincoln Lincolnshire LN2 1DY
Mr Jeremy Wright	73 Nettleham Road Lincoln LN2 1RT
Miss Rachel Meager	12 Swan Street Lincoln LN2 1LF

Consideration

The application proposes the erection of a six storey building comprising a Hotel (Use Class C1) with accommodation to the first, second, third and fourth floors and a ground

floor lobby area with access from Clasketgate; and a Restaurant (Use Class A3) to the fifth floor, with ground floor access from Flaxengate incorporating a small bar. The proposed top floor restaurant and Flaxengate bar/access would be operated under a separate domain to the proposed hotel.

National and Local Planning Policy

The application site is not allocated for development within the Central Lincolnshire Local Plan (2017), but is considered an appropriate location for visitor accommodation within the Lincoln urban area, in accordance with the terms of Policy LP2 'The Spatial Strategy and Settlement Hierarchy'. Furthermore, the proposed development would contribute positively towards the sustainable growth of Lincoln's visitor economy, and support and enhance the City's role as a key destination for tourism and leisure; in accordance with Policy LP7 'A Sustainable Visitor Economy' and Policy LP31 'Lincoln's Economy'.

Notwithstanding the above, development proposals in Lincoln are required to contribute to the realisation of key principles outlined in Policy LP29 'Protecting Lincoln's Setting and Character', including;

- a. Protect the dominance and approach views of Lincoln Cathedral, Lincoln Castle and uphill Lincoln on the skyline;
- c. Proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context;
- d. Protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their setting and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements;
- f. Support the development of art, cultural and leisure assets and facilities, such as the Collection, Usher Gallery, the Theatre Royal, Lincoln Drill Hall, the Engine Shed, Arboretum and Whisby Nature Park, and improvement of access to such assets and facilities.

The majority of these matters are considered in subsequent sections of this report, however, it is noted that the application site is located approximately 50m east of the main entrance to the Theatre Royal and within 100m of the main entrance to the Drill Hall. In addition, the supporting Design and Access Statement highlights an opportunity for existing and future operators to collaborate and offer theatre and hospitality packages.

Other relevant local planning policies, contained within the Central Lincolnshire Local Plan (2017), are referred to in subsequent sections of this report.

Impact on Designated and Non-Designated Heritage Assets

Policy LP25 'The Historic Environment' requires development proposals to protect, conserve and seek opportunities to enhance the historic environment. In instances where a proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made by its setting, the applicant is required to undertake the following, in a manner proportionate to the asset's significance;

- a. describe and assess the significance of the asset, including its setting, to determine its architectural, historical or archaeological interest; and

- b. identify the impact of the proposed works on the significance and special character of the asset; and
- c. provide clear justification for the works, especially if these would harm the significance of the asset or its setting, so that the harm can be weighed against public benefits.

Unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposal(s) does not harm the significance of the asset and/or its setting.

Designated Heritage Assets

The application site falls within the boundary of Conservation Area No. 1 'Cathedral and City Centre' and is close to several designated heritage assets, including the Theatre Royal- a Grade II Listed Building and Lincoln Roman Colonia- a Scheduled Monument. It is also within the setting of the wider historic hillside which includes high status designated assets including Lincoln Cathedral and Bishops Palace- both Grade I Listed and Lincoln Castle- Grade I Listed and a Scheduled Monument. The Revised Heritage Statement submitted with the application describes the significance of these heritage assets, including any contribution made by their setting, and provides an assessment of the potential impacts of the proposed development, in accordance with relevant local and national planning policies.

The two main aspects of the proposed development that require consideration in relation to designated heritage assets are the proposed demolition of the existing building, and the impact of the proposed new development on the character and appearance of the Conservation Area.

Loss of Existing Building

The existing building is described within Lincoln's Historic Environment Record as "*a rendered brick building with slate roof with rear wing with pantiled roof. This early 18th century building was adjacent to (to the west of) the former Marquis of Gransby PH (MON2207) (if not part of it). The ground floor area of the eastern half, now part of the shop, was the carriageway arch to the rear. Second storey added in 1895, architect W Mortimer, for E F Arnold. Alterations in 1902. It later became (with major alterations) a shop and offices. The carriageway arch was infilled before 1985. It currently (2000) displays UPVC windows throughout, but pre c.1990 it had vertical sash timber windows*".

The application proposes the complete demolition of the existing building to facilitate the proposed hotel and restaurant development. Demolition of a building within a Conservation Area requires planning permission. Historic England considers the proposed demolition of the existing building would be harmful to the character and appearance of the Conservation Area, however, it is for the Local Planning Authority to determine whether the loss of the existing building would be acceptable when considered in the wider context of the proposed development.

The City Council's Principal Conservation Officer has considered the application and observed that whilst the building is unlisted it "*has some heritage values in terms of form and scale reflecting its period of construction, however, architectural interest has been seriously compromised by insensitive application of render and loss of traditional windows*".

and detailing. The quality of the contribution of this building to the character and appearance of the conservation area is low and therefore [the loss] is not considered to be a reason to refuse the application. It is, therefore, considered that the loss of the building would be acceptable and any impact on the character and appearance of the Conservation Area that may result would not outweigh the wider benefits of the proposed development as described in other sections of this report.

Notwithstanding this, it is considered appropriate to impose a planning condition on an approved application requiring an internal assessment of the building to take place prior to its demolition, to assist in fully understanding its age, phasing and significance. Furthermore, as the loss of the building is necessitated by the proposed development, it is considered appropriate to also impose a planning condition that would prevent its demolition until there is reasonable certainty that the proposed development will follow. Paragraph 136 of the NPPF (2012) states '*Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.*' A suitably worded planning condition would, therefore, prevent the prospect of there being a long gap between works of demolition and redevelopment, or potentially, the site being cleared and no further development taking place, as well as the creation of an unsightly gap within the Conservation Area.

Proposed Hotel and Restaurant Development

The application site sits within the High Street Character Area as defined by the Lincoln Townscape Assessment (LTA). Much of the character of the area is diverse and varied reflecting its plot-by-plot development and redevelopment of buildings and spaces along its length. Modern buildings within the area are often larger in scale and occupy the full extent of their plots. Consequently, the area has one of the highest building densities in the city. The principle of a large scale development at this location is, therefore, considered appropriate.

There are a number of art deco influenced buildings within this part of the High Street Character Area and Cathedral and City Centre Conservation Area which are considered to make a positive and distinctive contribution to its sense of place. Consequently, the art deco influences in the design of the proposed hotel and restaurant building, including the curved corner feature and horizontal banding, are welcomed as they would preserve and enhance this established character and appearance. The strong geometry and movement across the plane of the building also provides visual interest. The proposed palette of buff bricks is sensitive to the immediate built context and contrasts well with the proposed dark zinc cladding. In terms of height, the building would relate well to much of its context and employ a stepped approach to visually mitigate its overall impact and would be successfully assimilated in views from the historic hillside. The established views towards the historic hillside would not be affected, as such, it is considered that the proposed development would not cause undue harm to the setting of the listed buildings on the hillside. The City Council's Principal Conservation Officer has also observed that the proposed development would not have an impact on the established setting of the Theatre Royal nor on the heritage values of the Theatre Royal building itself.

Consequently, it is considered the proposed development is in accordance with the duty contained within Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be,

the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and Section 72 (1) of The Act 'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'. It is also considered to comply with the guidance set out in paragraph 131 of the NPPF which requires that Local Planning Authorities in determining applications should take account of the desirability of sustaining and enhancing the significance of heritage assets.

Non- Designated Heritage Assets

Prior to an application for planning permission being submitted for the proposed development, very little was known about the archaeological potential of the site. During pre-application discussions, officers highlighted the potential for significant archaeological remains to be found, based on previous site investigations to the north of the application site. Consequently, the applicant was advised to undertake site specific investigations, to satisfy relevant local and national planning policy requirements. Despite this initial advice, an application was submitted without any supporting information regarding the archaeological potential of the site, and further discussions had to take place during the application process, before any site investigations were undertaken.

During the process of application, officers negotiated the undertaking of a ground penetrating radar survey and subsequent archaeological evaluation comprising of a programme of trial trenching; to inform officer's understanding of the archaeological potential of the site, and enable an informed assessment to be made of the impact upon, and mitigation options for, buried archaeological remains. Several reports and an updated Archaeological Desk Based Assessment (DBA) have been submitted detailing the works undertaken and the applicant's interpretation of the results.

In summary, the evaluation excavations have demonstrated the presence of medieval remains including deep garden soils, the remains of stone buildings, and cut features such as ditches and pits. At present, there is little to no evidence that indicates the character or significance of Roman archaeology, although it seems clear from the evaluation that Roman material is likely to survive across the site at around 14.05m AOD.

The City Council's Archaeologist has considered the application and supporting material and observed that *"While it is unfortunate that more of these remains could not be exposed, it is considered that the applicant has undertaken as much evaluation as it is reasonable to ask at this stage. Elsewhere in the City, including on the adjacent Grantham Street site, medieval buried soils have proved to overlie Roman material. There is no indication of widespread truncation of medieval/earlier archaeology, therefore, every reason to suspect that Roman remains survive in good condition on this site.*

The evaluation has confirmed the presence of archaeological remains within the stated depth of impact of the construction processes of the proposed development. In particular, it is clear from the information submitted in the Revised Archaeological Desk-Based Assessment that a site-wide strip to facilitate the installation of a piling mat would extend into medieval horizons across the entire site. Deeper foundation excavations for lift pits, ground beams and pile caps would locally intrude into Roman deposits. The installation of piles would go through all archaeological remains within their footprint through the entire depth of the sequence".

Crucially, the aforementioned evaluation excavations were intended to address the following elements of national planning policy;

- 1) Potential indirect impacts of the development on the setting and context of the nearby Scheduled Monument, and what level of harm may result (paragraphs 132-134 of the NPPF); and
- 2) Whether the Roman remains thought to be present on the site are demonstrably of equivalent significance to the nearby Scheduled remains, and therefore themselves subject to the relevant NPPF policies protecting designated heritage assets in accordance with NPPF paragraph 139.

The City Council's Archaeologist has observed that *"Notwithstanding the findings of the Revised Archaeological Desk-Based Assessment, it is considered that, with respect to the first point, there is still insufficient information from the evaluation excavation to enable an assessment to be made. The sum total of Roman archaeology identified in the evaluation was an area approximately 1m by 0.5m at the very base of one of the evaluation trenches. The other two trenches did not penetrate sufficiently deeply to encounter Roman remains, although the presence of well-preserved medieval deposits suggests very strongly that Roman deposits will be preserved at lower levels.*

This is not a sufficient sample to draw any conclusions about the contribution of the Roman archaeology present on the site beyond the mere fact of its likely existence. Without further information it is not possible to understand how it relates to and impacts upon the designated Scheduled Remains. While it is accepted that further work to illuminate this matter cannot be undertaken at this point, the question remains and must be answered if the development is to be delivered in accordance with the requirements of paragraphs 132-134 of the NPPF.

With respect to the second point, and notwithstanding the assertion in the revised DBA that "no nationally important archaeology" has been identified within the evaluation trenching, there is also insufficient information to make an informed assessment at this time.

The top of Roman archaeology was encountered at 14.05m AOD, which was also the deepest level of excavation. This material was not examined and there is no evidence available to say how thick the Roman deposits are, and therefore what their nature and character might be. As already observed, the Roman material was only encountered in a very limited area of the site, and it is therefore entirely possible that nationally important remains may be present either at greater depths or in areas of the site that have not yet been thoroughly evaluated.

To address the assertion in the DBA that it is "possible to surmise that should substantial Roman walls exist on the site, they would have been identified during the GPR (Ground Penetrating Radar) survey and/or trial trenching", I do not agree that this is the case. The effective depth of the GPR survey was to 3m, a mere 10cm deeper than the evaluation excavation reached, and masonry remains of Roman date may well be present at greater depths.

As a result it is still not possible to address the two key issues with the information at hand. However, it is considered that these matters can be addressed by conditions to govern;

1. *The provision of a detailed WSI for mitigation of the impacts of shallow foundations through excavation as appropriate*
2. *Once the site has been reduced to formation level, further intrusive evaluation to establish the nature and significance of Roman remains*
3. *The provision of a final mitigation strategy that is appropriate to the impacts of the piled foundations upon Roman remains, through preservation in situ, excavation, or a mix of the two.*
4. *The provision of an appropriate site report to the LPA and the deposition of the site archive with an appropriate museum.*

This would enable a staged approach to delivering the development, which would allow for either appropriate excavation to be undertaken in response to specific construction impacts, or for foundation plans to be redesigned when more information about the significance of the archaeology is available.

It is, therefore, considered that the proposed development could be made acceptable provided the conditions described above are imposed on an approved application.

Impact on Visual Amenity

Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan (2017) is permissive of new buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. Officers are satisfied that the proposed development relates well to the site and surroundings, and duly reflects the art deco influences that are present within the existing townscape of the local area, as outlined in previous sections of this report.

Impact on Residential Amenity

Hotel (Use Class C1) and Restaurant (Use Class A3) uses are supported in principle within Lincoln's Central Mixed Use Area, subject to the development not harming the local environment nor the amenities which occupiers of nearby properties may reasonably expect to enjoy, such as causing unacceptable levels of disturbance, noise, smell, fumes, dust, grit or other pollution, or reducing daylight, outlook or privacy to an unacceptable degree (Policy LP33 'Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area').

The nearest residential properties are located on the eastern side of Flaxengate at Clasket House (private accommodation to upper floors) and Danesgate House (student accommodation); and on Swan Street (private apartments) circa. 25m from the rear elevation of the proposed building. A resident of Swan Street has objected to the proposed development, citing concerns about parking and noise, although their comments largely relate to existing late night noise emanating from and associated with the nearby 'Moka and Shack' night club on Silver Street. Comments have also been received from the owners and operators of 'Moka and Shack', who have expressed concerns about late night noise from their premises and general activity from their customers resulting in complaints from guests of the proposed hotel, leading to restrictions being imposed on their premises licence. A review of city council records indicates there is no history of complaints from existing residents relating to the 'Moka and Shack' night club. The applicant has confirmed

that the windows to the hotel rooms would not need to open as each room would be mechanically heated and cooled. Notwithstanding this, and further to discussions with the city council's Pollution Control Officer, it is considered appropriate to impose planning conditions on an approved application requiring details of the window specification and measures to reduce the passage of sound into the hotel rooms to be submitted to the Local Planning Authority for approval prior to their installation within an approved scheme.

Highway Safety, Access and Parking

The application site is sustainably located within Lincoln's Central Mixed Use Area, which is well served by public transport, and includes several surface and multi-storey car parks. Lincoln's Transport Hub offers several transport options, and future guests could benefit from concessionary parking at the multi-storey car park, subject to an agreement with the Local Authority.

The proposed development initially included 5no. car parking spaces within the undercroft area that would be accessible from Flaxengate. However, highways and planning officers advised the applicant that on-site parking was not necessary given the sustainable location of the site; and the space would be better used as a service/delivery area. The undercroft area was subsequently redesigned to include a turning head for small delivery vehicles; to allow them to enter and exit the area in a forward gear; and dedicated areas for cycle and bin storage. In addition, the undercroft area would house an above ground rainwater attenuation and harvesting tank (see 'Foul and surface water drainage' for further details). Lincolnshire County Council (as Highway Authority) has requested further details of delivery vehicles and the times they would be expected on site, however, this is dependent on the operators of the hotel and restaurant and their respective delivery companies being known, which they are not at present. Consequently, it is considered appropriate to impose planning conditions on an approved application requiring details of delivery vehicles and times to be submitted to the Local Planning Authority for approval, prior to the completion of an approved scheme.

Although the proposed development would result in the loss of approximately 15no. car parking spaces, these are only used by employees of Pygott and Crone estate agency (the current owners of the site), and are not available to the wider public. The loss of these private car parking spaces is not considered detrimental, given the provision of alternative parking and public transport within the Central Mixed Use Area.

Finally, Lincolnshire County Council (as Highway Authority) initially expressed concerns that the proposed angled canopies could present a hazard and obstruction for highway users, particularly those with visual impairments. However, following receipt of Drawing No. 08 020 A00 (dated April 2018), it is clear that any encroachment would be above head height (2.5m) and the proposed canopies would be viable for an oversailing licence.

Foul and Surface Water Drainage

Foul Drainage

The high-level Drainage Strategy submitted with the application states there are existing Anglian Water foul water sewers within proximity of the site with sufficient depth to allow a connection of the proposed development foul drainage via a gravity connection.

Surface Water Drainage

Anglian Water records show the nearest available public surface water sewer is located approximately 50m north-east of the application site. The levels of this surface water sewer would not permit a gravity connection from the proposed development and would therefore require pumping. The application initially proposed a below ground attenuation tank but has since proposed an alternative above ground solution (shown on an annotated copy of Drawing No. 08 009 Rev A01). This is considered acceptable in principle, although the permitted discharge rate would be subject to approval from Anglian Water and therefore the required storage may be subject to change as the design progresses. To ensure the proposed method of surface water disposal is acceptable, it is considered appropriate to impose a planning condition on an approved application requiring the applicant to prepare and submit a detailed surface water management strategy prior to development.

Potential Land Contamination and other Environmental Impacts

A Phase I Desk Study has identified the potential for several key contaminants to be present on site, which would require further assessment as part of a suitable Phase II investigation, subject to revisions following the completion of appropriate intrusive site investigation works. It is, therefore, considered appropriate to impose standard contaminated land planning conditions on an approved application, which would require the applicant to characterise the site; submit a remediation scheme; implement the approved remediation scheme; and report unexpected contamination.

Commercial kitchen extract systems can cause significant disturbance when located close to other sensitive development due to both emissions of odour and noise. It is, therefore, considered appropriate to impose a planning condition on an approved application requiring a scheme for the extraction, filtration and abatement of cooking odours to be submitted for approval, prior to the use commencing. Similarly, it is considered appropriate to impose a planning condition on an approved application requiring a noise impact assessment report to be submitted for approval, prior to the installation of any stationary external plant or machinery.

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

Yes, at pre-application and during process of application, details in report.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The application site is sustainably located within Lincoln's Central Mixed Use Area, where Hotel (C1) and Restaurant (A3) uses are supported in principle, and is considered an appropriate location for visitor accommodation; in accordance with Policy LP2 'The Spatial Strategy and Settlement Hierarchy' and LP33 'Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area' of the Central Lincolnshire Local Plan (2017).

The proposed development would contribute positively towards the sustainable growth of Lincoln's visitor economy, and support and enhance the City's role as a key destination for tourism and leisure; in accordance with Policy LP7 'A Sustainable Visitor Economy' and Policy LP31 'Lincoln's Economy' of the Central Lincolnshire Local Plan (2017). It would deliver an attractive building that would reinforce local distinctiveness and make a positive contribution to the character and appearance of Conservation Area No. 1 'Cathedral and City Centre' and not cause undue harm to the setting of identified listed buildings; in accordance with the duties contained with Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Notwithstanding the above, further work is needed to address the following elements of national planning policy;

- 1) Potential indirect impacts of the development on the setting and context of the nearby Scheduled Monument, and what level of harm may result (paragraphs 132-134 of the NPPF); and
- 2) Whether the Roman remains thought to be present on the site are demonstrably of equivalent significance to the nearby Scheduled remains, and therefore themselves subject to the relevant NPPF policies protecting designated heritage assets in accordance with NPPF paragraph 139.

However, it is considered these requirements can be adequately addressed through the application of appropriately worded conditions that would enable a staged approach to delivering the proposed development.

Application Determined within Target Date

Yes, several extensions of time agreed during the process of application.

Recommendation

That the application is granted conditionally.

Conditions

- 1) 3 year time limit
- 2) In accordance with approved plans and documents
- 3) No demolition of existing building until redevelopment contract in place
- 4) Internal assessment of existing building prior to demolition
- 5) Detailed Written Scheme of Investigation for mitigation of impacts of shallow foundations
- 6) Further intrusive evaluation to establish nature and significance of Roman remains
- 7) Final Mitigation Strategy to address the impacts of piled foundations upon Roman remains

- 8) Final Site Report and deposition of site archive
- 9) Samples of materials
- 10) Window specification and measures to reduce the passage of sound into hotel rooms
- 11) Details of delivery vehicles and times
- 12) Surface water management strategy
- 13) Standard contaminated land conditions
- 14) Scheme for the extraction, filtration and abatement of cooking odours
- 15) Noise impact assessment prior to the installation of any stationary external plant or machinery



Application site from Clasketgate



View North towards historic hillside





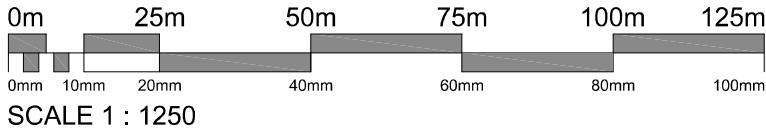


View West on Clasketgate



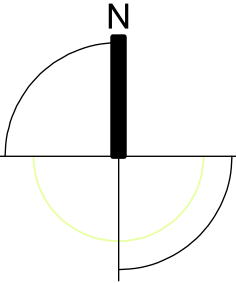
View East on Clasketgate

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NOTES

1. No dimensions are to be scaled from this drawing.
2. All dimensions are to be checked on site prior to construction



Planning Application Boundary = 552.2 sqm

Revision	Date Issued	Details
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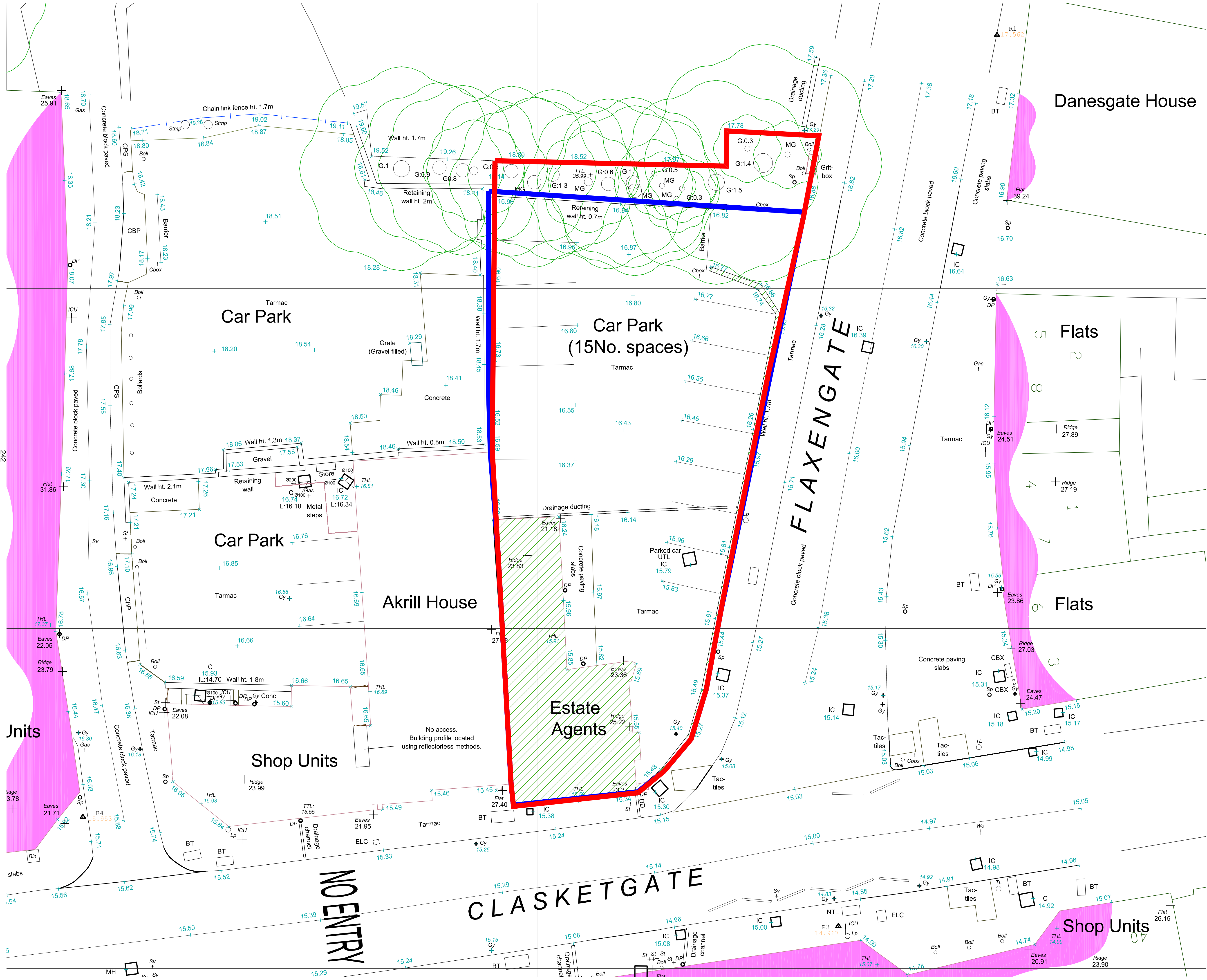
Project

Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title

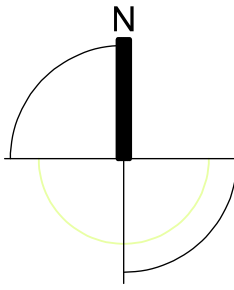
Site Location Plan

Scale	Date	Drawn by	Checked by
1:1250 at A3	October 2017	AJS	AMK
Project No.	Drawing No.	Revision	
940	(08) 001	A00	



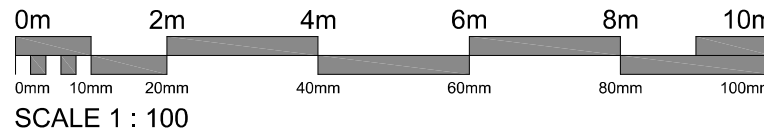
NOTES

1. No dimensions are to be scaled from this drawing.
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Key

- Planning Application Boundary = 552.5 sqm
- Site Boundary = 499 sqm
- Existing building and boundary wall to be removed
- Existing trees



DD.MM.YY	-----
Revision	Date Issued Details

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Project
Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title
Existing Site Layout Plan

Scale 1:100 at A1	Date October 2017	Drawn by AJS	Checked by AMK
Project No. 940	Drawing No. (08) 002	Revision A00	



Proposed Ground Floor Plan



Proposed First Floor Plan

NOTES

1. No dimensions are to be scaled from this drawing.

2. All dimensions are to be checked on site prior to construction

N

0m2m4m6m8m10m

0mm10mm20mm40mm60mm80mm100mm

SCALE 1 : 100

A0326.02.2018Canopies

A0217.01.2018Undercroft layout

A0124.11.17Above Ground Attenuation Tank Indicated

Revision

Date Issued

Details

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Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title

Proposed Ground and First Floor Plans

Scale
1:100 at A1

Date
October 2017

Drawn by
AJS

Checked by
AMK

Project No.
940

Drawing No.
(08) 009

Revision
A03



Proposed Second Floor Plan



Proposed Third Floor Plan

NOTES

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2. All dimensions are to be checked on site prior to construction

N

0m2m4m6m8m10m

0mm10mm20mm40mm60mm80mm100mm

SCALE 1 : 100

A0126.02.2018Canopies

RevisionDate IssuedDetails

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Project

Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title

Proposed Second and Third Floor Plans

Scale

1:100 at A1

Date

October 2017

Drawn by

AJS

Checked by

AMK

Project No.

940

Drawing No.

(08) 010

Revision

A01



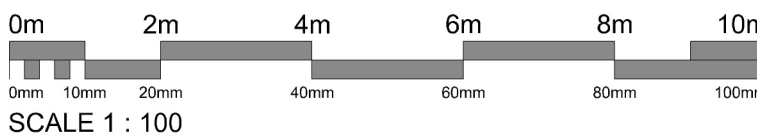
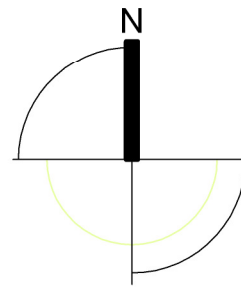
Proposed Fourth Floor Plan



Proposed Fifth Floor Plan

NOTES

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A01	26.02.2018	Canopies
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APS Properties

Project
Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title
Proposed Fourth and Fifth Floor Plans

Scale 1:100 at A1	Date October 2017	Drawn by AUS	Checked by AMK
Project No. 940	Drawing No. (08) 011	Revision A01	



Proposed East Elevation



Proposed South Elevation

NOTES

1. No dimensions are to be scaled from this drawing.

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Material Notes:

01

Tata Steel - Colourcoat Urban standing seam steel roof and wall cladding - light grey

02

Frameless curtain wall glazing fixed to internal steel frames

03

Sliding glazed doors

04

Standing Seam Zinc Cladding - Dark Grey

05

Corium Brick Cladding or similar - Light Brown

06

Soldier course - Corium Brick Cladding or similar - Light Brown

07

Angled window reveals in Corium Brick Cladding or similar - Light Buff

08

PPC aluminium windows and doors - dark grey to match zinc cladding

09

PPC aluminium windows and doors - dark grey with vertical yellow feature panel.

10

PPC aluminium cills, railings and edge trims - dark grey to match windows

11

Balconies - standing seam zinc cladding to fascias and soffits.

12

Balconies - balustrades formed with PPC aluminium posts and rails with glazed outer face.

13

Signage

14

Angled canopies/brise soleil in PPC aluminum - dark grey with yellow feature panel inside reveal

15

Silicone coloured render - dark grey

0m

2m

4m

6m

8m

10m

0mm

10mm

20mm

40mm

60mm

80mm

100mm

SCALE 1 : 100

A01

26.02.2018

Window Frames, brick colour, canopies, zinc colour.

Revision

Date Issued

Details

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Client Logo

Client

APS Properties

Project

Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title

Proposed East and South Elevations

Scale

1:100 at A1

Date

October 2017

Drawn by

AJS

Checked by

AMK

Project No.

940

Drawing No.

(08) 012

Revision

A01



- NOTES
1. No dimensions are to be scaled from this drawing.

2. All dimensions are to be checked on site prior to construction
- Material Notes:
- 01

Tata Steel - Colourcoat Urban standing seam steel roof and wall cladding - light grey
- 02

Frameless curtain wall glazing fixed to internal steel frames
- 03

Sliding glazed doors
- 04

Standing Seam Zinc Cladding - Dark Grey
- 05

Corium Brick Cladding or similar - Light Brown
- 06

Soldier course - Corium Brick Cladding or similar - Light Brown
- 07

Angled window reveals in Corium Brick Cladding or similar - Light Buff
- 08

PPC aluminium windows and doors - dark grey to match zinc cladding
- 09

PPC aluminium windows and doors - dark grey with vertical yellow feature panel.
- 10

PPC aluminium cills, railings and edge trims - dark grey to match windows
- 11

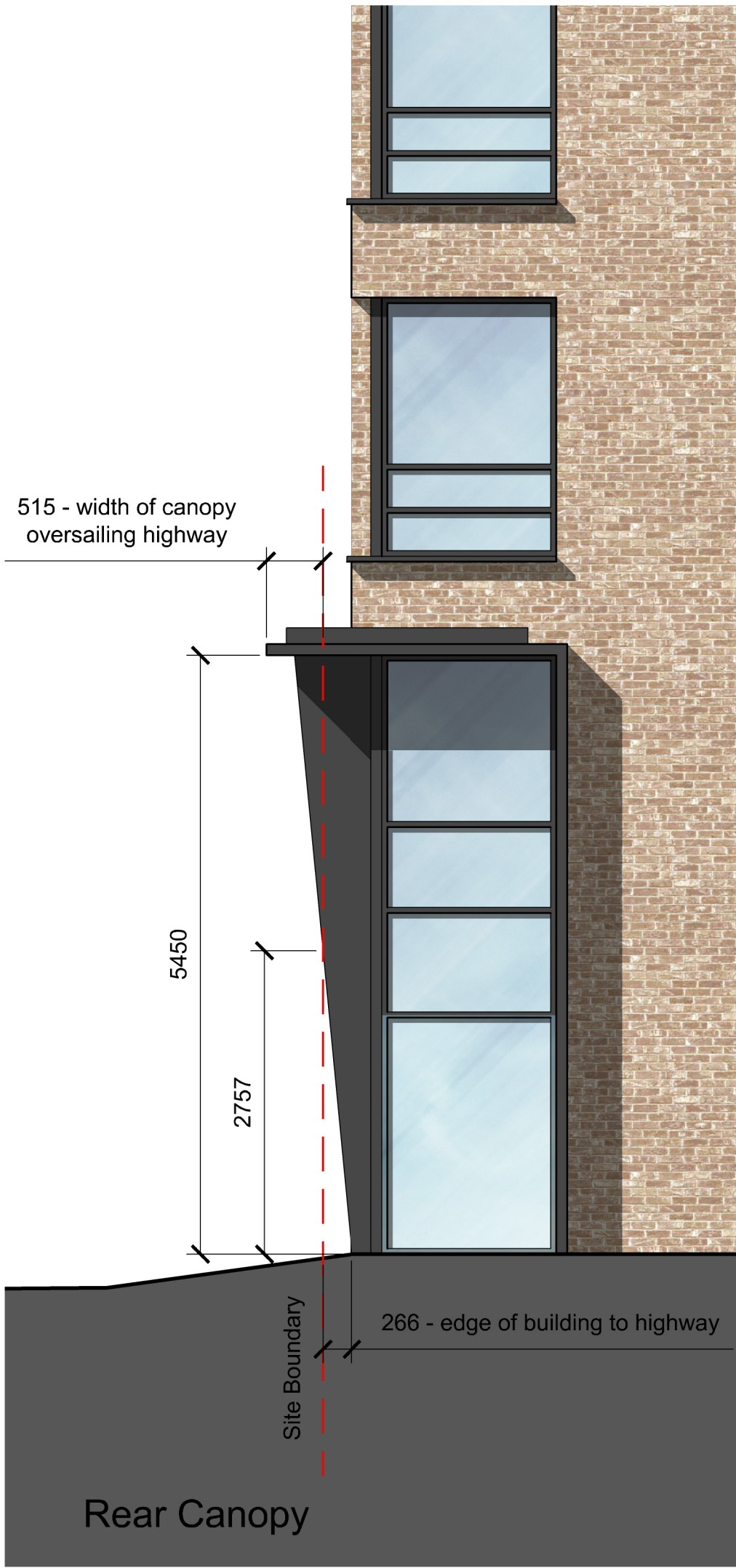
Balconies - standing seam zinc cladding to fascias and soffits.
- 12

Balconies - balustrades formed with PPC aluminium posts and rails with glazed outer face.
- 13

Signage
- 14

Angled canopies/brise soleil in PPC aluminum - dark grey with yellow feature panel inside reveal
- 15

Silicone coloured render - dark grey



0m		2m	4m	6m	8m	10m
0mm	10mm	20mm	40mm	60mm	80mm	100mm
SCALE 1 : 100						

A01	26.02.2018	Window Frames, brick colour, canopies, zinc colour. Oversailing detail
Revision	Date Issued	Details

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Client Logo	

Client	
APS Properties	

Project	
Proposed Hotel and Restaurant Clasketgate Lincoln	

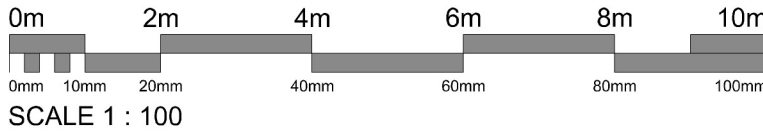
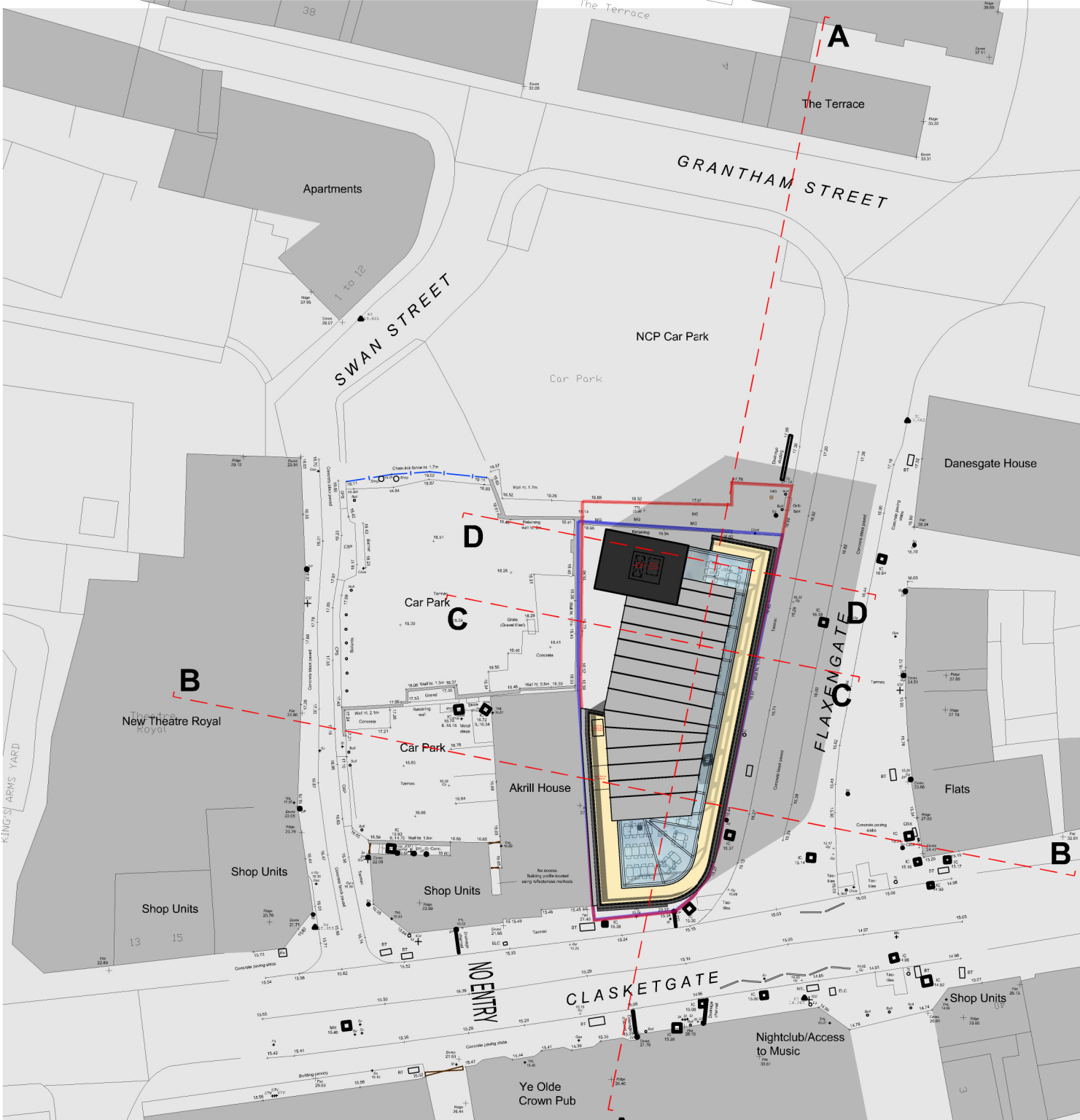
Drawing Title	
Proposed West and North Elevations	

Scale	Date	Drawn by	Checked by
1:100 at A1	October 2017	AJS	AMK

Project No.	Drawing No.	Revision
940	(08) 013	A01

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Client
APS Properties

Project
Proposed Hotel and Restaurant
Clasketgate
Lincoln

Drawing Title
Proposed Long Sections AA and BB

Scale 1:100 at A1	Date October 2017	Drawn by AJS	Checked by AMK
Project No. 940	Drawing No. (08) 015	Revision A00	







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Historic England

EAST MIDLANDS OFFICE

Ms Amy Davies
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Direct Dial: 01604 735460

Our ref: P00710370

1 December 2017

Dear Ms Davies

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**27-29 CLASKERGATE, LINCOLN
Application No. 2017/1181/FUL**

Thank you for your letter of 13 November 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

The planning application is for the proposed demolition of 27-29 Clasketgate and the erection of a six storey 63 bedroom hotel and restaurant. The development site also lies within Cathedral and City Centre conservation area and within the setting of highly designated heritage assets including Lincoln Roman Colonia.

Our advice is given in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (NPPF), the Planning Practice Guide and the Historic Environment Good Practice in Planning Notes 2 and 3.

We believe that insufficient information has been provided to fully assess the potential impact of the proposal on the significance of heritage assets, including potential archaeological remains of national importance (paragraph 128 NPPF).

Notwithstanding the sufficiency of information submitted in relation to the significance of 27-29 Clasketgate at this stage, in our view the building contributes positively to the character and appearance and overall significance of the Cathedral and City Centre conservation area. We advise that the total loss of this building would result in harm to this significance. It is also our view that the proposed new development would neither preserve nor enhance the character and appearance of the conservation area, nor would it make a 'positive contribution to local character or distinctiveness' (Paragraph 131 NPPF).



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EAST MIDLANDS OFFICE

In line with the NPPF, in determining this planning application it will be for your authority to weigh the degree of harm caused to the heritage assets affected against any public benefits deriving from the proposed scheme, and to consider whether clear and convincing justification has been provided.

Historic England has concerns regarding the application on heritage grounds as outlined above. If you propose to determine the application in its current form, please treat this as a letter of objection.

Historic England Advice

Significance

The Cathedral and City Centre Conservation Area was designated in 1968, and 27- 29 Clasketgate lies on a corner plot bounded by Clasketgate and Flaxengate within this designated area. The building which is thought to date from the early C18 (HER entry) is a non-designated asset which, in our view, makes a positive contribution to the character and appearance of the conservation area as an early C18 building of townscape merit. The rear range in particular has a steeply pitched roof which indicates an early form.

There is no Conservation Area Appraisal for the City and Cathedral Conservation Area, but a character statement has been produced by the local planning authority which covers the High Street Character Area. This statement notes that *buildings in this character area are almost entirely 2-3 storeys in height, with a handful of exceptions. Small stepped changes in height emphasise the individual buildings within strong building lines, adding to the varied townscape.* The townscape on Clasketgate itself is varied, buildings are largely commercial with shop fronts at ground floor level being recurring features. Buildings are typically 2-3 storeys in height, with two buildings on the south side of 4 storeys. We acknowledge that Danesgate House is 6 storey, however, we consider that this is an anomaly in relation to the surrounding townscape and clearly doesn't reflect the character and appearance of the conservation area.

Impact of the proposed scheme

There are three aspects of the proposal to consider - the impact of the proposed demolition of 27-29 Clasketgate, and the impact of the proposed new development on the character and appearance of the conservation area and archaeological remains.

Proposed demolition

The accompanying Heritage Statement identifies 27-29 Clasketgate as dating to the early C18, however, in our view it does not provide a robust analysis of the significance of the building, for example the phasing of the building (the rear range looks to be potentially older than the front range). An internal assessment of the building would assist in fully understanding the building's age, phasing and significance. In our view, the Heritage Statement does not provide sufficient



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information to fully understand and assess the impact of the proposal upon the heritage assets affected, including any contribution made by their setting, in line with paragraph 128 of the NPPF. We therefore recommend the applicant submits further information to address this important issue.

The report acknowledges the proposal would cause substantial harm to the locally significant 27-29 Clasketgate. It concludes that this will be offset by a built heritage survey and programme of recording. We strongly disagree with this statement. Paragraph 141 of the NPPF states that the ability to record evidence of our past should not be a factor in deciding whether loss should be permitted.

Notwithstanding the sufficiency of information provided at this stage, in our view, the proposed demolition of 27-29 Clasketgate would be harmful to the character and appearance of the Cathedral and City Centre Conservation Area through the total loss of this non-designated heritage asset.

New Development

The proposed new building is 6 storeys in height, in a mixed palette of materials which includes a buff brick cladding, standing seam roof, and glazed clerestory. Overall the proposed building does not reflect the prevailing character and appearance of the conservation area, particularly in terms of its scale/storey height and form. This is particularly the case along Clasketgate, the higher status street, with the majority of buildings being smaller scale, predominately 2-3 storey in height, with some buildings rising to four storeys.

We consider that the scale of the proposed building would have a negative impact upon the character and appearance of the conservation area. In particular, when viewed from Clasketgate, the proposed building would appear overbearing in relation to nearby buildings and surrounding townscape which reflect the character of the conservation area, by virtue of its scale and massing. The proposed roof profile, including the large area of glazing with a standing seam element to the rear, would in our view, not sit harmoniously within this context. Another 6 storey building seen in close conjunction with Danesgate House would significantly amplify the harm caused by anomalous tall structures in this area when seen in views from within the conservation area including from uphill Lincoln.

If your authority was to consider that archaeological impacts could be avoided and the loss of the existing building was acceptable, based on sufficient further information and further advice, then we consider that the harm caused by the proposed new building could be avoided by reducing its height by 2 storeys to better reflect the scale of the surrounding townscape and amending the design and form of the roof structure.

Archaeological assessment

Contrary to the assertion in the report submitted in support of the application, the site



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has evident high potential for remains of national importance as demonstrated by the survival of such remains relating to the Roman and later lower city found both in the nearby areas designated as a Scheduled Monument and elsewhere; including on land directly adjacent to the proposed development area. The application is not supported by sufficient information to allow your authority to adequately assess the impact upon, and mitigation options for, the historic environment in respect of buried archaeological remains (NPPF paragraphs 128 and 129). There is not sufficient information to understand the corresponding archaeological setting impacts of the proposed development upon the significance of the Scheduled Monument comprising the designated parts of the remains of the Roman city (Li115) (NPPF paragraphs 132 and 134). Furthermore given the likelihood that the development area may contain remains of demonstrably equivalent importance to those designated as a Scheduled Monument it is not possible on the basis of the submitted material for your authority to effectively apply paragraph 139 of the NPPF (and hence, if demonstrated, paragraphs 132, 133 and 134) in respect of such remains as are likely to survive in the proposed development area.

The development as set out in the submitted materials including the landscaping and drainage arrangements clearly demonstrates a scale and depth of intrusion which, on the basis of the results of past excavation on adjacent ground, would lead (if permitted) to the loss of similar remains in the development area. There is nothing in the material presented regarding previous structures and intrusions within the development site which would lead us to believe that the potential for survival of remains up-to and including remains of national importance is compromised. Archaeological remains should in line with paragraphs 135, 139 and 141 be treated proportionately to their importance, something your authority would be unable to do at present as the submitted investigations are insufficient in terms of paragraphs 128 and 129 of the NPPF.

Legislation, policy and guidance

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The courts have held that considerable importance and weight must be given to this consideration.

Your authority should aim to achieve the objective of sustainable development which means development that achieves social, economic and environmental gains. Conservation of the historic environment is recognised as one of the 12 core principles of sustainable development in the NPPF.



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The importance attached to significance with respect to heritage assets is also recognised by the Government's National Planning Policy Framework and in guidance, including the Planning Practice Guidance. The NPPF defines significance as 'The value of a heritage asset to this and future generations because of its heritage interest'. That interest may be archaeological, architectural, artistic or historic.

Significance can be harmed or lost through development and any harm or loss to significance 'should require clear and convincing justification' (paragraph 132, NPPF).

Paragraph 131 of the NPPF, reminds us that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness

We also refer to paragraphs 137 and 138 specifically with regard to conservation areas. In accordance with paragraphs 132 and 134 of the NPPF it will be for your authority to consider the justification put forward for this scheme, and to balance all planning matters, including any public benefit that may accrue from the proposal, and attaching appropriate weight to heritage matters as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 Act and the NPPF.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We strongly recommend that further information is sought on the significance of the heritage assets affected, including archaeological remains of potentially national importance, and that the impact of the proposal on the significance of heritage assets affected is fully assessed. Notwithstanding the lack of information provided at this stage we believe that the total loss of 27-28 Clasketgate would be harmful to the character and appearance of the Cathedral and City Centre Conservation Area. It is also our view that the proposed new development would neither preserve nor enhance the character and appearance of the conservation area, nor would it make a 'positive contribution to local character or distinctiveness'. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 128,131,132,134,135,137,139 and 141 of the NPPF.

Your authority should take these representations into account and seek amendments,



2nd Floor, WINDSOR HOUSE, CLIFTONVILLE, NORTHAMPTON, NN1 5BE

Telephone 01604 735460
HistoricEngland.org.uk





Historic England

EAST MIDLANDS OFFICE

safeguards or further information as set out in our advice. Please consult us when further information is submitted as outlined above.

If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Yours sincerely



Rose Thompson

Assistant Inspector of Historic Buildings and Areas

E-mail: rosemary.thompson@HistoricEngland.org.uk

cc: Sarah Harrison, City of Lincoln Council
Alastair MacIntosh, City of Lincoln Council



2nd Floor, WINDSOR HOUSE, CLIFTONVILLE, NORTHAMPTON, NN1 5BE

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Historic England is subject to the Freedom of Information Act. 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

Consultee Comments for Planning Application 2017/1181/FUL

Application Summary

Application Number: 2017/1181/FUL

Address: 27-29 Clasketgate Lincoln Lincolnshire LN2 1JJ

Proposal: Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces.

Case Officer: Amy Davies

Consultee Details

Name: Ms Catherine Waby

Address: St Mary's Guildhall, 385 High Street, Lincoln LN5 7SF

Email: lincolncivictrust@btconnect.com

On Behalf Of: Lincoln Civic Trust

Comments

OBJECTION

The Committee felt that the site was prime for redevelopment but that the application was too large and dominated the street scene. Rather than producing a bridge between uphill and downhill as quoted in the 'Design & Access Statement', we felt it created a barrier between the two parts of the city.

Our objections are:

1. The overall mass of the structure is too large
2. The design is one storey too high
3. It has the appearance is of a nondescript office block and the design could have been more distinctive. (to refer to it as having Contemporary Art Deco features is pushing the boundaries)
4. No parking provision with the nearest car park being Broadgate
5. No drop-off arrangement for cars or coaches

With regard to the Car Parking, we do not understand the comment in the statement regarding transport which read as the city is well served by public transport, it is not anticipated that a large number of parking spaces will be necessary. A Hotel means visitors coming to the city. MOST visitors planning to stay overnight in Lincoln will arrive by private transport and it would appear that this has obviously not been understood and has not been considered in creating the proposal.

On the positive side we applaud the re-development of the site and the addition of a roof-top restaurant.

Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2017/1181/FUL

With reference to this application dated 11 November 2017, relating to the following proposed development:

Address or location

27-29 Clasketgate, Lincoln, Lincolnshire, LN2 1JJ

Date application referred by the LPA
13 November 2017

Type of application: Outline/Full/RM/:
Full Planning Application

Description of development

Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

- ☐ Does not wish to restrict the grant of permission.
- ☐ Requests that any permission given by the Local Planning Authority shall include the conditions below.
- ☐ Requests that the Local Planning Authority refuses the application for the reasons set out below.
- ☒ Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL/ADDITIONAL INFORMATION REQUIRED

H100 - In respect of the proposed site details as shown on the submitted plans, elevations and 3D images, albeit indicative, it is evident that some of the design features on the buildings front facades encroach on to the adoptable highway, where pedestrians will be in conflict with these obstacles.

Therefore, it would be reasonable to request the applicant to provide revised design details at this stage to resolve the concerns this Authority has on providing a safe passage for all users.

Additionally, Clasketgate and Flaxengate have restricted parking zones on them and we would ask the applicant to provide details on what arrangements are to be provided to service the hotel, specifically outlining the hours of deliveries, expected types and numbers of vehicles generated during a typical working week, to enable the Highway Authority to fully consider and assess the potential cumulative impact of this proposal upon the highway.

We are aware that only a limited amount of parking provision has been provided for this development, as sufficient parking is available within close proximity of the site to the City Centre of Lincoln, including adequate public transport. However please would you ask the applicant to advise on who will require these 5 spaces under the hotel.

Case Officer: Dean Whitehead

Date: 04th December 2017

for Warren Peppard
County Manager for Development

Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk

To: Lincolnshire County Council

Application Ref: 2017/1181/FUL

With reference to this application dated 11 November 2017 relating to the following proposed development:

Address or location

27-29, Clasketgate, Lincoln, Lincolnshire, LN2 1J

Date application referred by the LPA
13 November 2017

Type of application: Outline/Full/RM/:
FUL

Description of development

Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Requests that any permission given by the Local Planning Authority shall include the conditions below.

CONDITIONS (INCLUDING REASONS)

HI08

Please contact Lincolnshire County Council Streetworks & Permitting team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.

HP19A

The arrangements shown on the approved plan Proposed Ground and First Floor Plans dated October 2017 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Clasketgate and Flaxengate and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

HI00

Please contact Lincolnshire County Council Highways Network Team on 01522 782070 to obtain an oversailing license for the signs and canopies over the footway, under Section 177 of the Highways Act 1980.

Note to Officer

Please condition that the information regarding types of delivery vehicle and delivery times must be submitted prior to the restaurant and hotel opening, when the operators are known. All deliveries and refuse collection are to be on Flaxengate and may be subject to restricted delivery times to minimise disruption to highway users.

Case Officer:

Date: 19 April 2018

Becky Melhuish

for Warren Peppard

Flood Risk & Development Manager



LINCOLNSHIRE POLICE

POLICE HEADQUARTERS
PO Box 999
LINCOLN LN5 7PH
Fax: (01522) 558128
DDI: (01522) 558292
email
john.manuel@lincs.pnn.police.uk

Your Ref: App. 2017/1181/FUL

17th November 2017

Our Ref: PG//

Planning Department
City Hall, Beaumont Fee
Lincoln LN1 1DF

Re: 27-29 Claskergate, Lincoln, Lincolnshire, LN2 1JJ

Thank you for your correspondence dated 13th November 2017 and the opportunity to comment on the proposed development. I have studied the online plans and would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the development on this site.

Lincolnshire Police has no formal objections to the planning application.

Reception / Entrances

This area should be well illuminated and welcoming with the reception staff able to with a clear view of the approaches to the entrance.

I would recommend that the entrance to the reception is an 'air lock' system whereby two sets of doors are used; the first opening will allow a visitor through into a secure vestibule operated by way of controlled form of access with the capacity for entrance to be gained once the first door is secured. Such a considered system will reduce the opportunity for any 'follow through' access by any unwanted access and would provide safety, security and reassurance to staff and guests. The reception should provide suitable staffing or alternative measures or operating systems to allow for 24/7 supervision of security and access to the hotel.

Signage.

Effective use of directional and informative signage can do much to reduce the opportunity for any persons accessing the site and not knowing where they should be. Site maps and clear directions to the reception or security office will reduce any opportunity for unwarranted trespass on the site.



Vehicle parking.

Vehicle parking should ideally conform to the standards set out by the police service's 'Park-mark' criteria for safer parking, whilst not a requirement for Secure by Design status it is a good standard to achieve.

It is not clear whether access to the under-croft parking area has any form of secure and monitored access control which would be recommended.

Lighting

Lighting should be co-ordinated with an effective CCTV system and any light fittings protected against vandalism. The overall lighting scheme should be well considered and evenly distribute light avoiding dark shadows, provide good colour rendition, and not cause glare or light pollution and effectively support formal and informal surveillance within the hotel.

A good lighting system can be cost effective and ensure that there will be a witness to any intrusion. It should allow staff and guests to feel secure and safe. Importantly it should make intruders feel vulnerable and that there is an increased likelihood of being challenged.

Internal Lighting

It is advised the majority of internal lighting is linked to detection devices that turns lighting on and off as required based on movement activity. This type of system reduces energy consumption and will identify the presence and progress of intruders in the building when closed.

Lighting should be designed to cover all external doors

Landscaping

Boundaries between public and what is private space should be clearly defined and open accessible spaces should not allow for any unintended purpose which may cause any form of anti-social behaviour or nuisance. I would recommend that these spaces are defined clearly by low level (carefully considered) planting of limited growth height and maintenance shrubbery (maximum growth height of 1m).

External Doors & Windows

The Secured by Design requirement for all external door sets is PAS 24:2016 (doors of an enhanced security).

All windows must conform to improved security standard BS 7950:1997 All ground floor windows should be laminated safety glazing (BS EN 356 2000 rating P2A) (6.4mm minimum) in windows below 800mm (from floor level) or 1500mm if within 300mm of a doorframe.

All windows should include easily lockable hardware unless a designated fire egress route.

Windows should have secure restraining devices (this is particularly to be recommended on the ground and first floor accommodation to deter and prevent unwanted access.

Consideration to top down or bottom up hinges (subject to fire regulations).

CCTV System

A comprehensive monitored CCTV should be included throughout the site with appropriate signage.

Should it be considered appropriate a police response monitored system to with installation to EN 50131-1, (PD6662 Scheme for the implementation of European Standards), or BS 8418 for a detector activated CCTV system.

Please do not hesitate to contact me should you need further information or clarification.

Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel
Force Crime Prevention Design Advisor

Our ref:jw961

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]

73 Nettleham Road
Lincoln
LN2 1RT

9 December 2017

Attn: Mr Kieron Manning, Planning Manager
City of Lincoln Council
City Hall, Beaumont Fee
Lincoln
LN1 1DF

Dear Mr Manning

OBJECTION to Planning Application 2017/1181/FUL: Hotel on Clasketgate, Lincoln.

I am an adjoining owner to this proposed development. However, I would still have submitted this objection even if I did not have a direct interest in this site.

I own a small private car park abutting it immediately on the west, which has been in my family's possession since the 1930's. The whole of the east boundary of my land shares a boundary with this proposed development, which has a ground floor approx. one storey lower than my land. There is thus a retaining wall up from the Applicants site to the level of my site.

My comments are delayed because I regret I was not informed of this planning application, despite being an adjoining owner.

Planning Background

In 1998, the City of Lincoln adopted an admirable **Lincoln Local Plan** that included Policy 19A that dealt with sites at Flaxengate. This encouraged small scale uses on the **ground floor** of new developments, including small shops, restaurants, cafes, pubs, business etc. A pedestrian dominated environment was to be encouraged.

The Lincoln Townscape Assessment was produced in 2012. All current development proposals should take this assessment and any subsequent guidance into account.

The **Lincoln Local Plan** has been superseded, but **The Lincoln City Centre Master Plan** was produced about 5 years ago. Although it does not have statutory status, it should be regarded as relevant guidance. The Council's excellent vision for the area remains much the same as in the 1998 plan, included developing the area as part of the city's cultural quarter, promoting creative industries/incubator business, capacity for home working, and promoting active street frontages through mixed use development and servicing to the rear

The Council's Design Brief on the Applicant's site envisaged along the west side of Flaxengate, a number of 8m wide 3-4 storeys mixed use buildings, to reflect the typical street scene in this area. Specifically along Flaxengate it suggested some sort of cultural activity with flats above.

Although the relevant statutory plan is now **The Central Lincolnshire Local Plan, April 2007**, which is less prescriptive and has more generic policies, one would have expected that this development would have made some attempt to reflect the City Council's vision for this area. **Regrettably, this detailed application bears no relation at all to the Council's vision, and is a gross overdevelopment of the site, with complete disregard for previous policies for the historic environment and street scene, and for the amenity of and effect on adjoining owners and residents.**

I therefore object for the following detailed reasons:-

City of Lincoln Conservation Area No.1 - Cathedral & City Centre

This application is sited within this area of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance. Conservation area protection extends beyond buildings, to include streets, trees, paths and views.

This development should therefore reflect the intention of the conservation area, be sensitive in design, and make a positive contribution to the area. Regrettably it does none of this. I agree with Historic England that *'this proposal would neither preserve nor enhance the character and appearance of the conservation area, nor would it make a positive contribution to local character and distinctiveness'*.

In summary it is a **massive overdevelopment of the site, occupying the whole area right up to the pavement and adjoining boundaries. The scale and mass of the building is far too large, it is much too high, and the design is uninspiring. The design and the intended use does nothing to contribute to the special character of the area**, which is in the Cultural Quarter of the City, and which Lincoln City promotes for its emphasis on theatre, museums, art, music, small shops, cuisine, bars and cafes.

Impact on Adjoining Owner

My land is accessed from Swan Street, which is a narrow and inclined cobbled street that still retains some of the original character. I have recently been considering whether to apply for a development with small ground floor units such as artists and craft workshops and shops, and with a limited residential development above, broadly in line with the Lincoln Centre Master Plan. However, this application is sited virtually on my boundary, and has windows effectively up to 5 floors in height above and overlooking my site. This will harm my development rights, and effectively damage and reduce the use of my land for residential purposes.

This development needs to be set back much further from my boundary, there should be no windows facing and overlooking my site, and the height should be much reduced

Loss of the Existing Building on the Site

The existing building at No 27 to 29 Clasketgate on the development site is 2 storeys. It fits the street scene, and has significant historical value. Its destruction would be a major and important loss of architectural heritage to the area, as well explained by Historic England.

Effect of Excessive Height on the Street Scene

The Applicants Design and Access Statement correctly states that *the site is located on a prominent junction, the site is clearly visible when travelling west along Clasketgate towards the centre of Lincoln*. This statement then attempts to justify the 6 storey height of the hotel by stating that *the small scale of the existing buildings on site appears out of place in comparison with the Danesgate student accommodation and other buildings lining Clasketgate*.

This statement is not correct. As Historic England points out, the townscape on Clasketgate is varied, and buildings are typically 2 to 3 storeys in height, with only two buildings of 4 storeys on the south side, and typically with shop fronts on the ground floor. I regard the 6 storey Danesgate House as an unfortunate anomaly, as does Historic England.

Immediately opposite this proposal on the south side is the listed Ye Olde Crown Pub, with 2 storeys that are half-timbered with brick in-fill, and dormer windows in the roof. The Akrill office block that abuts on the west is 3 storey, with 2 storey shops beyond, and these continue as 2 storeys all the way to the Theatre Royal. Immediately across Flaxengate on the east is a brick 3 storey pitched roof traditional apartment block.

It would therefore be much more correct to state that **the large scale of this proposed development and of Danesgate student accommodation appears out of place in comparison with other buildings lining Clasketgate**.

The proposed hotel will be highly visible when travelling east or west along Clasketgate and will significantly overtop the surrounding buildings. The marginal 'softened' roof line will do nothing to lessen this appearance when viewed from a distance. The claimed advantage of the roof top restaurant with wide views across Lincoln is only obtained by significantly overtopping adjoining buildings, to their disadvantage and to that of the entire street scene

This proposal should therefore be reduced in height by at least 2 storeys

Effect of Excessive Bulk and Design

This proposal is too large and will dominate the street scene. The Design and Access Statement attempts to mitigate this by stating that it will produce '*...a bridge between uphill and downhill...*'. No evidence is produced to substantiate this extraordinary statement. In contrast, it seems to create a barrier between uphill and downhill

Comments on the appearance of the elevations of the proposal are obviously personal. I find that the attempted 'Art Deco' façade is crude and brash. It does not reflect the character of Lincoln at all, except that found in some suburban developments. It has no relation to the vernacular of the current adjacent street scene, and will produce a jarring intrusion completely out of sympathy with its surroundings.

Use of the building

The Lincoln Local Plan excellently envisaged small scale uses on the **ground floor** of new developments, including small shops, restaurants, cafes, pubs, business etc., along the local streets. This proposal effectively sequesters a long local frontage from these types of public uses that would enhance and liven the area. It effectively reserves and sterilises this frontage only for its hotel guests, and a few cars.

Loss of Car Parking

It is surprising that the promoters of this development are only providing 5 car parking spaces for a 63 bedroom hotel, as most visitors to Lincoln who stay overnight will arrive by car. The current NCP public car park in Grantham Street has 30 parking spaces, and is well used, but may be built over if a current development proposal is approved. The next nearest car park is a small one next to the Collection but this is usually full all day. The large Broadgate car park is the next most obvious car park, but it is difficult to cross Broadgate, and visitors to the hotel will find it very inconvenient.

Additionally, many evening diners will prefer to bring their own cars, and may be deterred if there is nowhere to park.

Other Design Details

- a) **Drop off areas:** A hotel of this size will need a dedicated drop-off and collection area for cars, coaches and taxis. Taxis in particular will need areas where they wait to collect customers. There is no provision for this, and hence Flaxengate and surrounded streets will accumulate waiting vehicles
- b) **Goods delivery and collections:** A hotel of this size needs constant servicing with deliveries and collections. It is surprising that there is no on-site area for this, and that all service vehicles will have to park on the road in Flaxengate.
- c) **Waste Storage:** there will need to be substantial areas for the collection and storage of waste. The indicated area at the back of the hotel appears to be inadequate
- d) **Plant Noise and Odours:** There are residential properties close to this proposed development. Noise from air extraction, kitchen ventilators etc may therefore be a problem.

Relevant Policies in the Central Lincolnshire Local Plan

This application conflicts with many policies in this statutory Local Plan, particularly as highlighted:-

Policy LP25: The Historic Environment, Conservation Areas

Development within, affecting the setting of, or affecting views into or out of, a Conservation Area should **preserve (and enhance or reinforce it, as appropriate) features that contribute positively** to the area's character, appearance and setting. Proposals should:-

- m). **Retain and reinforce local distinctiveness** with reference to height, massing, scale, form, materials and lot widths of the existing built environment;
- n). **Assess, and mitigate against, any negative impact** the proposal might have on the townscape, roofscape, skyline and landscape;

Policy LP26 Design and Amenity

Design Principles

All development proposals **must take into consideration the character and local distinctiveness** of the area (and enhance or reinforce it, as appropriate) and create a sense of place.

- 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;
- 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**;

Amenity Considerations

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.

- m). **Compatibility with neighbouring land uses**;
- n). **Overlooking**;
- o). **Overshadowing**;
- p). **Loss of light**;

Policy LP29: Protecting Lincoln's Setting and Character

Proposals for development should **seek to make a positive contribution to the built and natural environment and quality of life** in the Lincoln area. All development proposals should contribute to the realisation of the following key principles, taking into account the Lincoln Townscape Assessment (2012), and any subsequent guidance:

- c). Proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, **should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context**;

Conclusion

This outline application is a gross and inappropriate overdevelopment of the site. It does nothing to respect or contribute to the vision of the Council or to this area of special character or. It is in conflict with many policies in the Central Lincolnshire Local Plan

It would continue the trend where developers seize every possibility, and if the City then grants approval, then this would harden and reinforce the massive large scale overdevelopment of the area. It would lead to a street scene that would be an ad-hoc collection of unrelated and discordant buildings that are too large and obtrusive. It would inhibit future small scale improvements that would be more in harmony with the area.

Although I applaud attempts to revitalise the area, and to support the New Theatre Royal, this application appears to be a too ambitious development that has been inadequately considered, and has not the requirements for a commercial success, or for a building that enhances the area.

If the Planning Committee approves this development, even with conditions, it will lose the opportunity to improve the area, and future generations will wonder why this important location has been allowed to be misused.

For all the above reasons, I urge the Planning Committee to refuse to grant planning permission

Yours faithfully

Jeremy Wright

B Sc, MICE, Chartered Engineer.

Coucom, Milly (City of Lincoln Council)

From: Rachel Meager [REDACTED]
Sent: 05 December 2017 19:38
To: Coucom, Milly (City of Lincoln Council)
Subject: Re: Clasketgate developments

Hi,

Please can I log the following objections to the plans:

*Parking- as a resident in a block of flats at the back of the building, we are currently not offered residents parking due to the lack of it within the vicinity. Therefore, we use the bays and pay and display- as there are only 5 spaces we will suffer from this as well all of the residents of the city and particularly disabled parking as this is ideal for the city centre

* I think a restaurant in the location is a great idea, maybe even a small boutique hotel with a few rooms however the extent of the plans do not fit in with the area.

* Noise- the noise from the nightclub opposite the site and the overspill of nights out to the taxi ranks and takeaways is already unbearable during the week and weekends- this building would only add to this

If you wish to contact me further, please feel free to do so

Many Thanks

Rachel

Swan Street
Lincoln

On Fri, Nov 17, 2017 at 3:54 PM, Coucom, Milly (City of Lincoln Council)
<milly.coucom@lincoln.gov.uk> wrote:

Good afternoon,

Thank you for your email, and thank you for raising the issues with the website – I have logged this for you.

You are more than welcome to send any comments / objections via email to us. We can log them against the application for you.

Kind regards,

Milly Coucom
Assistant Planning Officer

Comments for Planning Application 2017/1181/FUL

Application Summary

Application Number: 2017/1181/FUL

Address: 27-29 Clasketgate Lincoln Lincolnshire LN2 1JJ

Proposal: Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces.

Case Officer: Amy Davies

Customer Details

Name: Miss Rachel Meager

Address: 12 Swan Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: A restaurant I agree with as the area needs improving or a small boutique hotel however a 63 bedroom hotel is too much. As parking is not going to be catered for with only 5 spaces available, this is going to put more pressure on the already limited space in the city centre. Our flats do not have parking due to the lack of amenities around here for this so we have to use pay and display car parks so we will now be losing out on our spaces for hotel guests. The noise from the nightclub opposite is already ridiculous until the early hours of the morning anyway due to the smoking area being outside and noise travelling within this area as well as the people who use this area for waiting for taxis.

Your ref:
Our ref:
DD:
E:
Date: 14/12/2017

Planning
Directorate of Development and Environmental Services
City of Lincoln Council
Beaumont Fee
Lincoln
LN1 1DF

Dear Sir/Madam

PLANNING APPLICATION 2017/1181/FUL – 27-29 CLASKETGATE, LINCOLN, LN2 1JJ

We write on behalf of our client, Deltic Group, owners and operators of Moka and Shack, a night club at 11 Silver Street, Lincoln, directly opposite the site of the above planning application.

Deltic Group are the latest company to run and operate a night club from these premises. For the past 30 years plus it has been home to a variety of such clubs and currently Moka and Shack is open from 21.30 to 0400, seven days a week and is one of the most popular in Lincoln, hosting every Friday night "Superbull" student nights, celebrating end of their study week with DJ's and state of the art sound systems.

Our client's principal concern over the proposed erection of a six storey 63 bedroom hotel and restaurant opposite its night club is the possible impact a long established existing late night business like Moka and Shack, and others in the surrounding town centre would have on hotel guests staying in bedrooms facing onto Clasketgate and Flaxengate, by virtue of late night noise from its club and general activity from its customers and those from other established late night city centre establishments when leaving the various premises.

Any complaints about noise and general on-street activity alleged to be caused by our client's night club and/or its customers and those of other late night businesses in the surrounding city centre, could lead to possible constraints on our client's existing authorised late night use and opening hours through restrictions imposed on its Premises Licence. This in turn would reduce the profitability and viability of its business at a time when there are other late night businesses in the surrounding area all operating in a very competitive market and struggling to maintain an economic and viable business in central Lincoln, whilst contributing to the City's night time economy.

Paragraph 6 of the Planning Practice Guidance on Noise highlights that proposals for conflicting uses which need to exist cheek by jowl on the same street will require appropriate consideration:

"The potential effect of a new residential development being located close to an existing business that gives rise to noise should be carefully considered. This is because existing noise levels from the business, even if intermittent (for example, a live music venue), may be regarded as unacceptable by the new residents and subject to enforcement action. To help avoid such

instances, appropriate mitigation should be considered including optimising the sound insulation provided by the new development's building envelope."

Paragraph 7 continues on the same theme, recognising that noise may already exist in the area and therefore that this noise will contribute to the established character of the locality:

"When assessing whether a statutory nuisance exists, local authorities will consider a number of relevant factors, including the noise level, its duration, how often it occurs, the time of day or night that it occurs and the 'character of the locality'. The factors influencing the 'character of the locality' may include long-established sources of noise in the vicinity – for example, church bells, industrial premises, music venues or public houses."

The Agency of Change Principle whereby developers are responsible for ensuring new developments do not threaten the future of existing late night businesses is now an accepted planning consideration, as evidenced by an assessment of the impact of noise from a commercial premises on the intended occupiers of residential development under Class O of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

Whilst this Agency of Change principle applies specifically to dwelling houses it is argued that it equally applies to people resident overnight in hotels.

It is accepted that existing national and local development plan policies support mixed developments in central locations, but due consideration has to be given to existing uses and businesses on adjacent sites. Indeed, the National Planning Policy Framework (NPPF) requires that plans and decisions need to take local circumstances into account. Paragraph 123 of the NPPF requires planning decisions to recognise that existing businesses should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

No noise assessment accompanies the application. It is considered that one would be essential to survey and establish back ground noise levels in the surrounding area, particularly levels at night time and through into the small hours of the morning when our client's club is open, as well as the half hour after it closes and customers leave it and walk past the application site.

Such a survey and resultant noise assessment would identify the degree of double/triple glazing needed to the hotel's bedroom and whether their windows should be sealed shut to prevent overnight residents opening and leaving them open in warmer weather, with a resultant ingress of street noise and that from our client's night club, its customers and those attending other late night businesses in the surrounding area.

In the absence of any information on ambient noise levels and if planning permission were to be granted for the proposed development it is considered it should be conditioned that all bedroom windows be triple glazed and permanently sealed shut and air conditioning provided to each bedroom.

Planning Officers will be aware of the recent High Court decision on 8th September 2015 relating to proposed residential development adjoining the Koko night club, a live music venue in Camden. High Court Judge Mr Justice Stewart ruled that insufficient attention had been paid by the local planning authority to the setting of nearby heritage assets and that noise impact had not been adequately assessed. The grant of planning permission for the proposed residential development was quashed and the Council was required to pay costs.

In the context of the setting of nearby heritage assets to the application site it is noted that Historic England have severe reservations about the potential impact of the proposed development on heritage assets, archaeological remains of potentially national importance and the character and appearance of the Cathedral and City Centre Conservation Area.

In conclusion, it is considered that in the absence of a full noise survey, undertaken over several nights and the absence of a resultant noise assessment report, the application should either be refused or deferred until a survey is undertaken, a report prepared, and its receipt advertised with a 21 day period to comment on it.

Please may we be informed on the progression of the application so if a noise assessment report is submitted we can comment on it on behalf of our client.

Yours faithfully

Bidwells LLP

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Application Number:	2018/0205/HOU
Site Address:	62 Baker Crescent, Lincoln
Target Date:	5th May 2018
Agent Name:	Kingsmead Design Ltd
Applicant Name:	Mr Gary Aitchison
Proposal:	Erection of a two storey side extension

Background - Site Location and Description

Baker Crescent is located to the east of Fulmar Road in the Birchwood area of Lincoln. The property is located at the northern end of Baker Crescent and is a two storey semi-detached property with a detached single garage.

Permission is sought for a two storey extension to the side of the property which would provide additional bedrooms and living accommodation.

This application is being presented to members because the applicant is related to an employee of the City of Lincoln Council.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 04/05/2018.

Policies Referred to

- National Planning Policy
- Central Lincolnshire Local Plan:
- Policy LP26 - Design and Amenity

Issues

- Visual amenity and design
- Residential amenity and impact on neighbours
- Highways

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mr Barry Hall	3 Frome Close Lincoln LN6 3DA
Jennifer King	64 Baker Crescent Lincoln LN6 0RN

Their main areas of concern are:

- Scale and height
- Reduced driveway width
- Reduced off street parking
- Appearance and layout
- Wildlife
- Overlooking and overshadowing

These issues will be discussed within the main body of the report.

Consideration

Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan (2017) is permissive of extensions to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both the construction and life of the development, 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.

Visual Amenity and Design

The proposed extension would be two storey in height, to the height of the existing eaves and ridge of the existing property. The facing brick and roof tile used would match the existing property. Whilst this is a large extension, the property sits on a large plot which increases in size away from the front of the property and the element to the front elevation is actually quite narrow and would not imbalance the pair of semidetached properties. The design of the extension follows the design of the existing property and is of an appropriate scale. It essentially fills in the gap between the existing property and the detached garage.

Residential Amenity and Impact on Neighbours

The main impact would be on No.64 to the north west of the application site. Two letters of objection have been received from this property, from the owner and the tenants.

The proposed extension would result in no overlooking, there are no windows in the side elevation of the extension and the adjacent property has a single window at first floor

which does not serve a habitable room. As well, the window to the rear of the extension serves an ensuite bathroom and as such would be obscure glazed. The extension would reduce the separation between the two properties however it is not considered that this is to an uncomfortable degree as the extension fills in the footprint between the house and the existing garage.

Highways

The extension would result in the loss of off street parking, the property would no longer have a single garage and the space to the side of the house would be reduced. However there is still the ability to park to the front of the property and on street parking is unrestricted. No.64 would also be able to park to the front of their property but they would be unable to have vehicle access to the area at rear of the property. The loss of access to this part of the property is down to a boundary and ownership dispute and whether the neighbouring property has a right of vehicle access to the side of their property. Whilst this is not a material planning consideration this is obviously a concern of the neighbour. This issue has been raised with the applicant to address with the neighbours.

Lincolnshire County Council as Highways Authority have raised no objections to the proposed scheme.

Other Issues

Neighbours have raised the issue of impact on wildlife. The proposed dwelling would result in no loss of habitat or trees and therefore there is no reason to believe the proposal would negatively impact on existing wildlife.

Lincoln Townscape Assessment

The application dwelling is located within the Birchwood Fringe character area, a large residential area mostly built within a short space of time between 1970 and 2000. The majority of the area lies between the Skellingthorpe and Doddington Roads, and forms part of the larger suburb of Birchwood located 3.5km south west of the centre of Lincoln. The character of the area is strongly influenced by natural and semi-natural features including a number of flooded gravel pits, wooded areas, and a prevalence of dispersed mature trees throughout.

Conclusion

It is considered that the proposed development would be in accordance with local plan policy LP26. The height and scale of the extension is in keeping with the existing and neighbouring properties and would be constructed of materials to match. The amenities which all existing and future occupants of neighbouring properties may reasonably expect to enjoy would not be unduly harmed by the proposed development and as such is considered acceptable subject to the conditions set out below.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Conditions

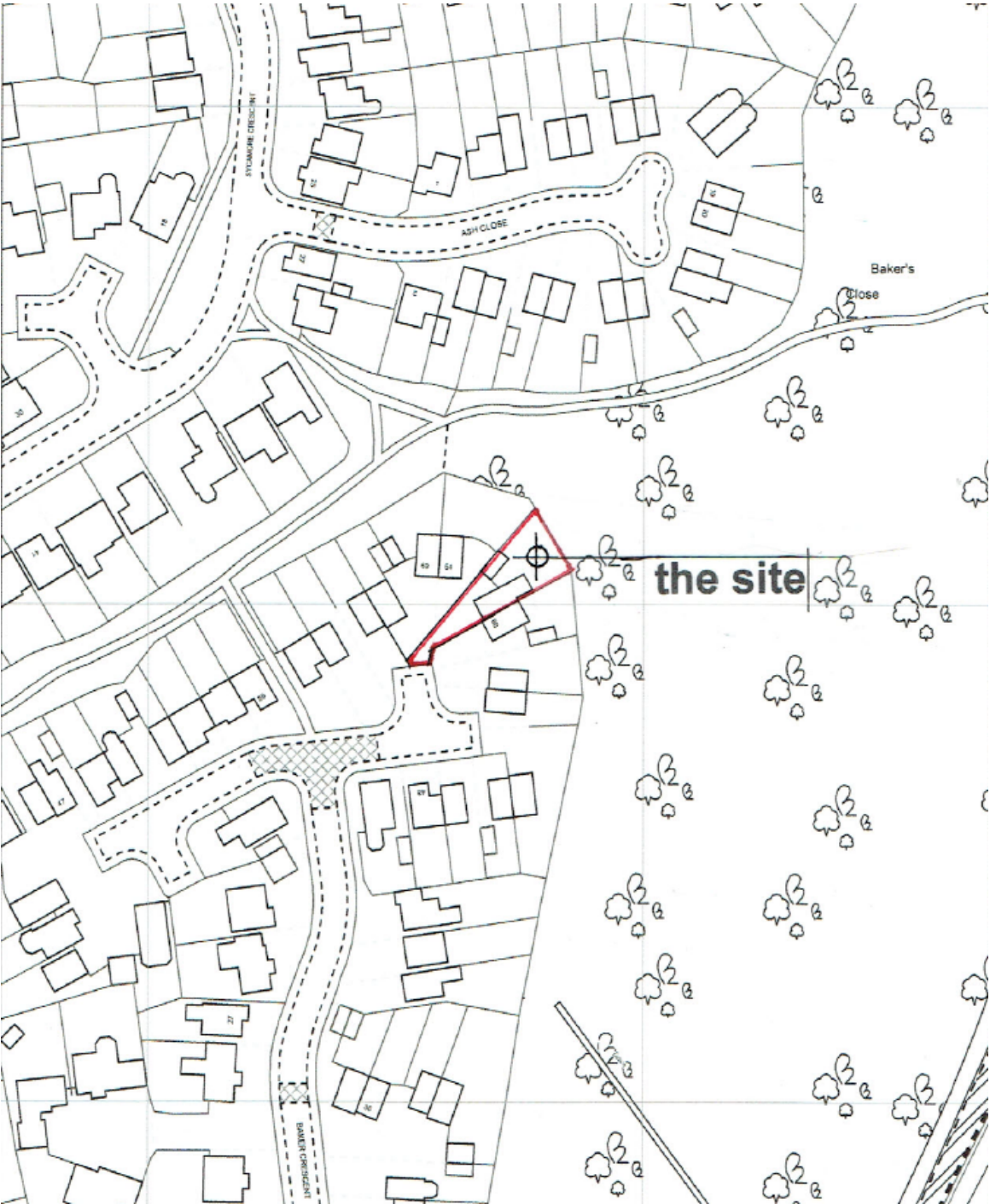
Development to commence within 3 years

Development to be carried out in accordance with the plans

Samples of bricks to be approved prior to commencement of development

Plans

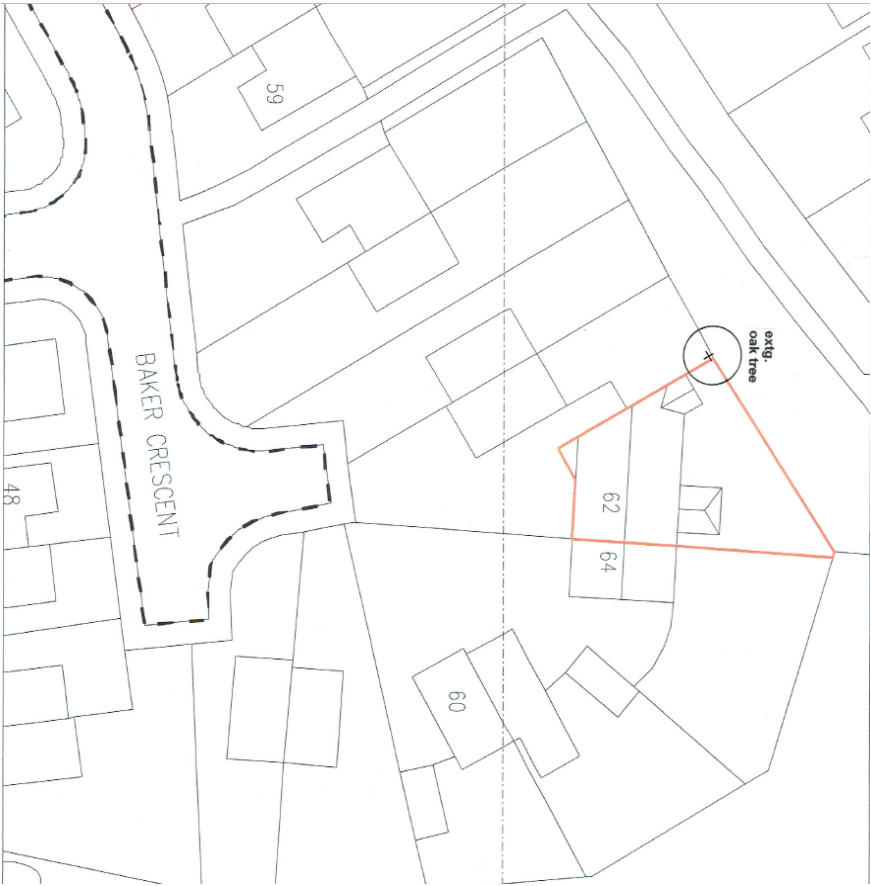
Site Location Plan



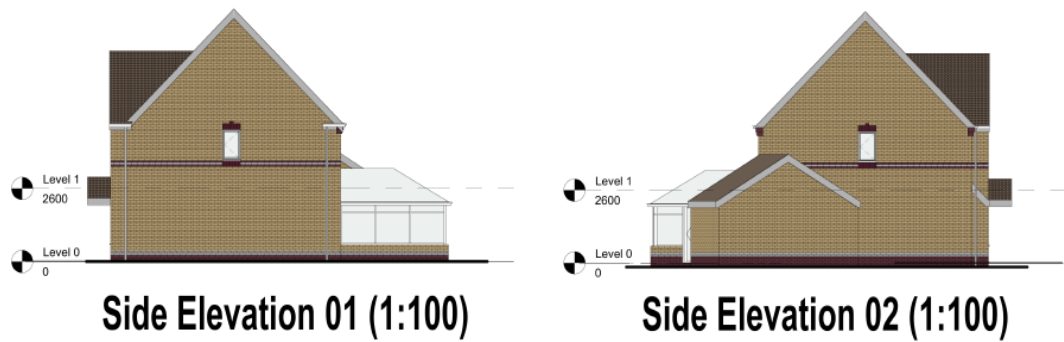
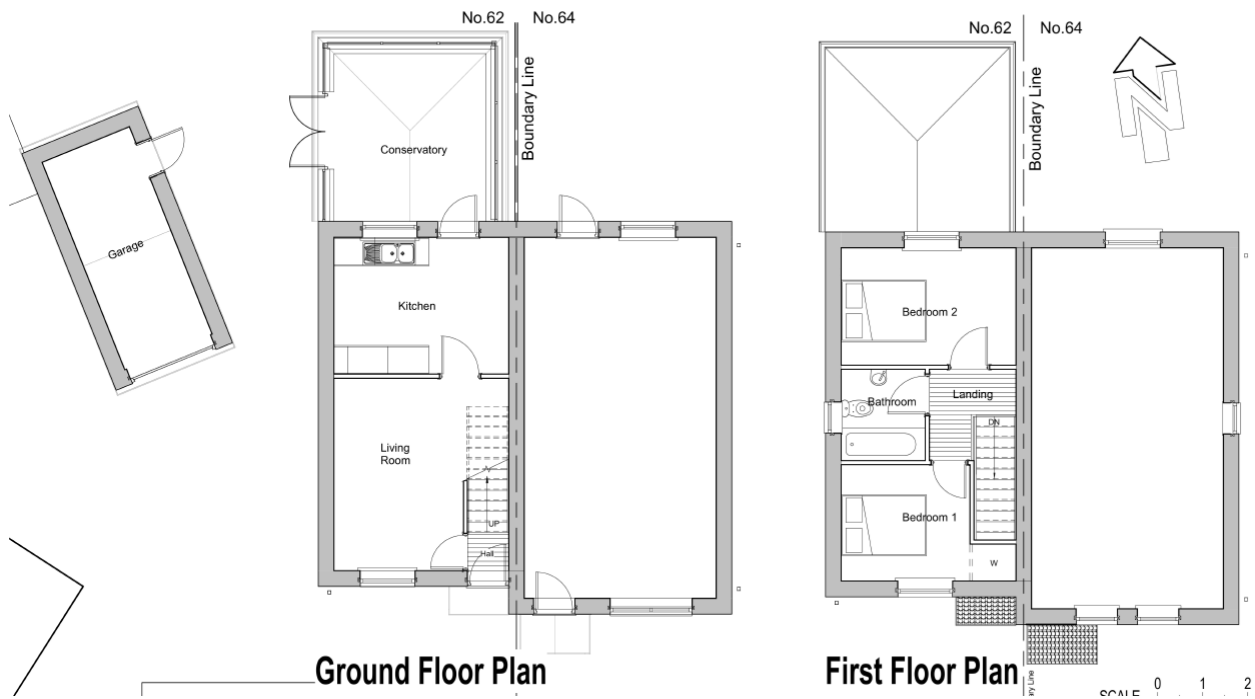
Existing Block Plan



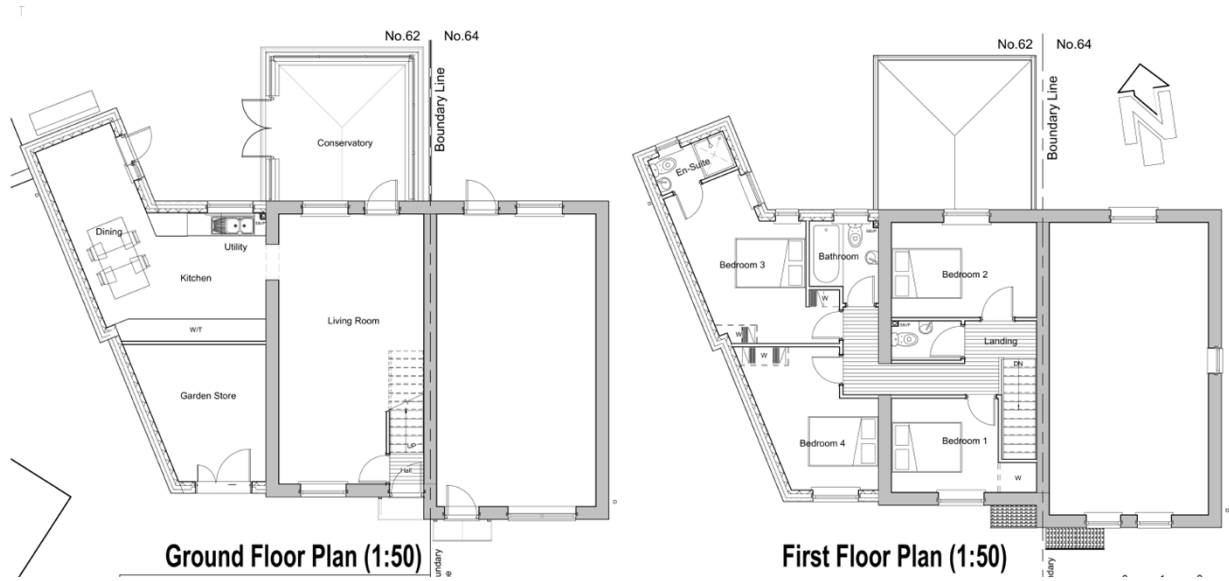
Proposed Block Plan



Existing Plans and Elevations



Proposed Plans and Elevations



Comments for Planning Application 2018/0205/HOU

Application Summary

Application Number: 2018/0205/HOU

Address: 62 Baker Crescent Lincoln Lincolnshire LN6 0RN

Proposal: Erection of a two storey side extension

Case Officer: null

Customer Details

Name: Mr Barry Hall

Address: 3 Frome Close Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Without prejudice, We object to the proposed two storey side extension to our neighbours property,

Your REF 2018/0205/HOU

I write as the owner of the adjacent property sharing the same drive #64, and on behalf of my tenants.

1 we object to the scale and height of the proposed two storey side extension that will dwarf and box in our current driveway and home, with insufficient vehicle access if the proposed extension is on the shared boarder as proposed, existing drive width between properties wont allow two cars to parked side by side.

Current property deeds imply no building on the driveway boarders be allowed?

2 We object to being overlooked both to the front and side elevations, our bathroom would have reduced light and create a cold and damp area to the complete side elevation as no natural sunlight would enter, potential hazardous gases could build up from gas appliance waste outlets. the physical size of the proposed extension would dwarf ours and adjacent properties, leaving no access down our drive.

3 We object to the detrimental effect on highway safety and congestion this would create, currently four properties sharing the head of each driveway

The proposed extension would reduce this to only one vehicle and at best one and half vehicles without infringing on shared head of driveway and or our driveway.

On the application it says they would lose one parking space, the fact is they would lose three vehicles one being the seven metre Motorhome that takes up two spaces.

4 Existing block plan 517606 submitted with planning application portrays ownership of the communal head of driveway, straight drive and wider drive than number 64

Head of drive is communally owned and shared by all four adjacent properties, vehicles should not be parked on this head as it would cause obstruction to access of homes.

Number 62 and 64 have a dog leg in its drive and should be equal widths.

Further evidence can be found with Land registry title LL177560 (62 Baker Crescent) clearly shows a dog leg along the drive.

Land registry title LL177651 (64 Baker Crescent) also shows dog leg in drive, not straight as indicated.

5 Proposed block plan 512737 submitted with planning application is incorrect, attached semi is number 60 number 64 is adjacent property that shares the driveway.

7 we object to the design, appearance and layout, isometric view-514723 file shows front elevation has a garden store having a vertical shutter type double door for access, implying commercial in appearance, certainly not in keeping with existing residential properties, is this not a garage / workshop but in name alone.

8 Layout, building on the shared driveway parameter intrudes on driveway function, which currently enables occupiers to park off street, the proposed design would drive vehicles to park onto the street, Baker crescent is closed off (dead end) road, not a crescent as name suggests.

9 Proposed plan layout implies new footings would sit onto my driveway as like their current garage which currently intrudes onto my driveway.

10 Current block plan suggests 62 baker crescent has wider drive than 64 baker crescent, they are equal, which makes the proposed extension misleading/incorrect

11 Land registry title LL177560 states ownership is different to that of applicants name, is this relevant?

12 Oak trees and silver birch, they are numerous in number to the rear of these properties, ultimately backing onto Hartholme lakes, its common to find newts ,frogs, toads and other aquatic wildlife in the gardens, lets not spoil what nature allows us.

To Whom it may concern;

We are the current long-term occupants of 64, Baker Crescent, Lincoln, the adjacent dwelling.

Without prejudice, we object to the proposed extension at 62, Baker Crescent for the following reasons :-

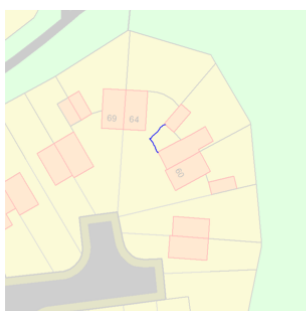
- 1) We view this development as a huge encroachment upon both the privacy and space around the property. A two-story development on this aspect of the property will diminish the quality of natural daylight by the two houses becoming so much closer together. It will inevitably lead to number 64 being more overlooked and overshadowed than at present.
- 2) The space required to build the extension will leave number 64 with only one parking space. This will be permanent and is clearly an unrealistic situation for a 3 bedroom property. There will be no parking available for either visitors, or for a second vehicle for the occupants. There is insufficient on street parking available at this location to replace this lost space.
- 3) The general aesthetics of this quiet corner of the cul-de-sac will be changed forever & the side extension is not in keeping with the design and layout of the street in general.

Please also see the attached supporting document.

Kind regards

Jennifer King

The blue line shows how restrictive the extension would be to the use of our driveway. The driveway is already over crowded (as demonstrated by the photo). If the extension is built the rear portion of our drive will be unusable without damage to vehicles or buildings.



Consultee Comments

Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk



To: Lincoln City Council

Application Ref: 2018/0205/HOU

With reference to this application dated 9 March 2018 relating to the following proposed development:

Address or location

62 Baker Crescent, Lincoln

Date application referred by the LPA
12 March 2018

Type of application: Outline/Full/RM/
FUL

Description of development

Erection of a two storey side extension

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Case Officer:

Becky Melhuish

for Warren Peppard

Flood Risk & Development Manager

Date: 5 April 2018

Site Photos







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Application Number:	2018/0158/FUL
Site Address:	1 St Pauls Lane, Lincoln, Lincolnshire
Target Date:	23rd March 2018
Agent Name:	ADSDF
Applicant Name:	Lewis Delahay
Proposal:	Installation of perspex dining igloos on roof terrace (Retrospective)

Background - Site Location and Description

The application building is the Tap House Bar and Kitchen, which is situated at the corner of St. Pauls Lane and Westgate and is a single and two-storey building, which incorporates a roof terrace.

The application building is not listed but is located within the Cathedral and City Centre Conservation Area (No.1) and adjacent to the ramparts of the Lincoln Castle, which is a Grade I Listed Building and Scheduled Monument.

The proposals are to retain two structures described by the applicant as 'dining igloos' and are in a dome format. However, there are two further unauthorised structures that have been erected prior to and alongside these structures, i.e. a building which has the appearance of a shed and a roof-top bar. All three types of structure have a differing appearance.

Site History

There is no relevant planning history for the site but it is important to note that the current application is retrospective for the two dome structures shown in the plans attached to this report. Moreover, these were erected at different points in time alongside the 'shed' structure and external bar, all without planning permission and only the domes are shown within this application.

Case Officer Site Visit

Undertaken on 13th February 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP3 Level and Distribution of Growth
- Policy LP5 Delivering Prosperity and Jobs
- Policy LP7 A Sustainable Visitor Economy
- Policy LP13 Accessibility and Transport
- Policy LP17 Landscape, Townscape and Views
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP31 Lincoln's Economy

- National Planning Policy Framework

Issues

In this instance the main issues relevant to the consideration of the application are as follows:

1. The Principle of the Development;
2. The Impact of the Proposals upon Heritage Assets;
3. Other Matters; and
4. The Planning Balance.

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	No objections
Environmental Health	No objections
Principal Conservation Officer	Comments included in Officer Report
Lincoln Civic Trust	No objections
Historic England	Advice provided in respect of planning policy and guidance

Public Consultation Responses

No responses received

Consideration

1) The Principle of the Development

a) *Relevant Planning Policies*

i) *Sustainable Development and the Proposed Uses*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations

indicate otherwise. The National Planning Policy Framework (the Framework) is a material consideration in determining planning applications. Framework paragraph 215 indicates that due weight should be given to relevant policies in the development plan according to their consistency with the Framework i.e. the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

The development plan comprises the adopted Central Lincolnshire Local Plan (the Plan) and during its examination the policies therein were tested for their compliance with the Framework.

Paragraph 14 of the National Planning Policy Framework (the Framework) outlines the following in relation to the principle of development:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

For decision taking this means (unless material considerations indicate otherwise):

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

In terms of sustainable development, Paragraph 7 of the Framework suggests that there are three dimensions: economic, social and environmental. "These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

Meanwhile, at the heart of the Core Planning Principles within the Framework (Paragraph 17) is the expectation that planning should:-

"proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the

housing, business and other development needs of an area, and respond positively to wider opportunities for growth”

Turning to Local Plan Policy, Policy LP1 of the Plan supports this approach and advocates that proposals that accord with the Plan should be approved, unless material considerations indicate otherwise.

In terms of the spatial dimension of sustainability, proposals need to demonstrate that they contribute to the creation of a strong, cohesive and inclusive community, making use of previously developed land and enable larger numbers of people to access jobs, services and facilities locally, whilst not affecting the delivery of allocated sites and strengthening the role of Lincoln (Policy LP2). Meanwhile, Policy LP3 sets out how growth would be prioritised and Lincoln is the main focus for urban regeneration; and Policy LP5 supports the growth of job creating development which also supports economic prosperity but only where proposals have considered suitable allocated sites or buildings or within the built up area of the settlement; and the scale of what is proposed is commensurate with its location.

The relatively recent adoption of the Plan ensures that there is a very clear picture of the options for growth in Central Lincolnshire

In more broader terms, Policy LP33 sets out the general mix of uses that would be supported within the Central Mixed Use Area, including shops (A1); offices used by the public (A2); Food and Drink Outlets (A3, A4 and A5); houses and flats (C3); hotels (C1); student halls of residence and theatres.

b) Assessment of the Impact of the Proposals

As the proposals would be for the extension of provision of facilities in connection with an existing commercial use supported by policies of the Plan, the principle of development would be acceptable. However, it would still be necessary to consider the impacts of the proposals upon the principles of sustainable development outlined in the Framework, particularly in relation to heritage assets.

2) The Impact of the Proposals upon Heritage Assets

a) Relevant Planning Policy

So far as this issue is concerned, as alluded to above, the proposals must achieve sustainable development and it is the social dimension of sustainability that relates to design. Moreover, Paragraph 7 of the Framework requires the creation of high quality built environment. In addition, the policy principles outlined in Paragraphs 17, 58, 60, 61 and 64 of the Framework also apply. Moreover, the Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

At the local level, the Council, in partnership with English Heritage, have undertaken the Lincoln Townscape Appraisal (the LTA), which has resulted in the systematic identification

of 105 separate “character areas” within the City. The application site lies within the Castle Character Area. Policy LP29 refers to the LTA and requires that developments should “protect the dominance and approach views of Lincoln Cathedral, Lincoln Castle and uphill Lincoln on the skyline”. This policy is supported by Policy LP17, which is relevant to the protection of views and suggests that:-

“All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible. Particular consideration should be given to views of significant buildings and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive intervisibility from various viewpoints.”

Policy LP26 refers to design in wider terms and requires that “all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.” The policy includes 12 detailed and diverse principles which should be assessed. This policy is supported by Policy LP5 which also refers to the impact on the character and appearance of the area; and Policy LP31, which refers to the protection and enhancement of the character of the city.

In terms of the wider impacts upon built heritage, Policy LP29 also requires that “proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context”; and “protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their settings and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements”.

Meanwhile, conservation is enshrined in the Core Planning Principles of the Framework (Paragraph 17) as planning is expected to “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”. In addition, Section 12 of the Framework also refers to the impacts of development upon designated heritage assets and is supported by Policy LP25 also applies as it specifically refers to the impacts of developments upon these assets. In terms of conservation areas, the policy requires that development should either enhance or reinforce features that contribute positively to the area’s character, appearance and setting. Meanwhile, proposals also need to have regard to the setting of other designated assets, including listed buildings and scheduled monuments.

b) Assessment of the Implications of the Proposals

This section of this case officer report has been written in conjunction with the Council’s Principal Conservation Officer, having regard to the comments received from Historic England and the Conservation Officer’s advice which followed a joint site visit undertaken in February.

i) The Site Context

Number 1 St Paul’s Lane is situated within a particularly heritage sensitive area of the city namely the Bail, within the Cathedral and City Centre conservation Area and is within the

setting of Lincoln Castle which is a Grade I Listed Building and a Scheduled Monument; and Lincoln Cathedral which is also Grade I. In light of this, both have been designated at the highest levels in terms of historic, architectural, and archaeological interest.

It is considered that the proposals have the potential to affect views within the Conservation Area and the setting of the key heritage assets adjacent. As such, the visual implications of the proposals for the site are key to the assimilation of development into its context and maintaining the high quality of the built environment.

Moreover, views towards the Castle and Cathedral are an essential element of their significance as deliberate landmarks which sit in, but intentionally dominate, their context. The clear legibility of the castle and its ramparts is a key feature of this experience, as this communicates the military origins of Lincoln Castle and as a symbol of state to stamp royal authority. What is more, clear views towards the walls was a priority of the recent multi million pound 'Castle Revealed' project.

In terms of the wider Cathedral and City Centre Conservation Area, the Lincoln Townscape Assessment describes how the townscape dominated by the curtain wall contributes to the character of the area. The host building is typical of the smaller scale buildings around the ramparts which reinforce the status of the castle. Furthermore, close views of the Castle from St Pauls Lane have a strong influence on the townscape character of this area. The simple palette of materials and traditional forms of primarily 19th century red brick and slate roof buildings enhance the visual experience of contrasting with the monumental backdrops of the stone built Lincoln castle and in medium distant views Lincoln Cathedral and contribute to a very strong sense of place.

ii) Implications upon the Setting of Heritage Assets

The responsibility of the authority with respect to heritage assets is outlined in the Framework and the 1990 Listed Buildings and Conservation Areas Act. Moreover, the Authority should have special regard in respect of the desirability of the preservation of the Castle and its setting and the character of the Conservation Area and more broadly should give great weight to the conservation of designated heritage assets. What is more, the Framework sets out that any harm to significance that is accepted in the granting of planning consent must be shown to be both necessary and justified in terms of public benefits.

Setting, and the contribution it makes to the significance of a heritage asset is considered in Historic England's Good Practice Advice in Planning Note 3 – the Setting of Heritage Assets. Paragraph 5 confirms that 'consideration of the contribution of setting to significance of heritage assets, and how it can enable that significance to be appreciated, will almost always include the consideration of views'.

In this instance, the location, design and appearance of the proposals are considered to cause incongruous and harmful visual clutter when seen in views from St Paul in the Bail site, an important designed open space and heritage asset in its own right which offers an opportunity to stop, rest and appreciate views towards the Castle. Formerly the low profile of the building with its single storey scale, flat roof form and inclusion of parasols to the roof, did not impinge unnecessarily upon these views and allowed the heritage assets to appropriately dominate the view and character of the area.

The two parasols that were originally situated on the roof of the building would be moveable or collapsible when not in use during or at the end of the day and are an element that one would expect to find in relation to a roof terrace. In contrast, the domes and shed would be permanently erected when in use. Moreover, these structures would populate the foreground of the important view toward the Castle.

As alluded to, the impact of the dome structures is exacerbated by the presence of the shed structure but also the bar (which does not have consent), all of which add to the cumulative impact of disparate elements which clutter the roof scape and view. This piecemeal arrangement of structures on top of the flat roof is poorly designed and conceived in terms of the prevailing quality and character of the existing sensitive townscape. Furthermore, the effect is exacerbated by illumination at night creating unnecessary light pollution which is a competitive element with the lighting of the rampart walls.

In terms of the benefits that one may associate with such a proposal, it is somewhat contradictory that the proposal seeks to provide enclosed seating which would take advantage of the views towards the Castle and Cathedral but in doing so it compromises those very views from the public realm. Consequently, the provision of the domes in themselves would not provide public benefits that would outweigh the harm that they would cause to the setting of the heritage assets. The impact of the provision of additional jobs associated with the proposals will be referred to in the next section of this report.

c) Summary in Relation to this Issue

Officers consider that the introduction of the dome structures, in addition to the overly suburban form of the shed building and rustic makeshift bar, would sit on the roof as incongruous structures which introduce visual clutter and impede and diminish the quality of the views towards Lincoln Castle and consequently cause harm to its significance. The impact on the character and appearance of the Conservation Area is not preserved by the proposal and diminishes the character of the area in a harmful way. In both cases, this harm is not outweighed by public benefit and actually it is the public benefit of those views from the public realm which are particularly affected.

The proposals are considered to be in conflict with the policies referred to above and the application would not accord with the duty contained within section 66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and section 72 (1) 'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

In light of the above, if consented, the proposals would result in development which would be harmful to social and environmental sustainability in conflict with the Framework.

3) Other Matters

a) *Implications of the Proposals upon Amenity*

i) *Relevant Planning Policy*

In terms of national policy, the NPPF suggests that development that results in poor design and/or impacts upon the quality of peoples' lives would not amount to sustainable development. Consequently, the implications of both are key to the consideration of the acceptability of the principle of development within a given site. Moreover, the Framework (Paragraph 9) sees "seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life" as being important to the delivery of sustainable development, through "replacing poor design with better design" and "improving the conditions in which people live" amongst others. Furthermore, the core principles of the Framework (Paragraph 17) indicate that "planning should...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

Policy LP26 of the Plan deals with design and amenity. The latter refers to the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy and suggests that these must not be unduly harmed by, or as a result of, the development. There are nine specific criteria which must be considered. The policy is in line with the policy principles outlined in Paragraphs 17, 59 and 123 of the NPPF. Indeed, Paragraph 123 of the Framework suggests that "decisions should aim to...avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development".

ii) *Consideration of the Impacts of the Development*

In this instance the proposals are in connection with the existing use of the building and would result in a different form of seating to the roof of the building, as such there would not be a harmful impact upon the amenities of the occupants of adjacent properties in respect of noise or disturbance. Furthermore, the scale of development would not be overbearing upon neighbouring uses.

b) *Sustainable Access, Highway Safety and Air Quality*

i) *Relevant Planning Policies*

The impacts of growth are enshrined in the Core Planning Principles of the Framework (Paragraph 17), which expects planning to actively manage this growth "to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable". As such, Paragraph 35 requires that: "developments should be located and designed where practical to [amongst other things] give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones".

A number of Local Plan Policies are relevant to the access, parking and highway design of proposals. In particular, the key points of Policy LP13 are that "all developments should demonstrate, where appropriate, that they have had regard to the following criteria:

- a) Located where travel can be minimised and the use of sustainable transport modes maximised;
- b) Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;
- c) Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing routes where opportunities exist, that give easy access and permeability to adjacent areas”

There are also transport measures referred to in Policy LP36, which more specifically refers to development in the ‘Lincoln Area’, the key measures add to and reinforce the criteria within Policies LP5 and LP13. As such, they are intended to reduce the impact upon the local highway network and improve opportunities for modal shift away from the private car. In particular, development should support the East West Link in order to reduce congestion, improve air quality and encourage regeneration; and improve connectivity by means of transport other than the car. Similarly, Policy LP33 also requires that developments do not result in “levels of traffic or on-street parking which would cause either road safety or amenity problems.” Moreover, the policy also highlights the importance of providing appropriate parking for vehicles and cycles for all users within developments; and that walking and cycling links are maintained and promoted.

Paragraph 32 of the Framework suggests that the residual cumulative impacts of the development would need to be severe for proposals to warrant refusal. This is reinforced by Policy LP13 of the Local Plan which suggests that only proposals that would have “severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.”

ii) Sustainable Access and Highway Safety

The Highway Authority has not raised any concerns regarding the application upon the grounds of traffic capacity or highway safety regarding the development.

c) Economic Benefits

The applicant’s Design and Access Statement outlines that the provision of the proposed domes would enable an additional 96 covers to be provided on a daily basis with the equivalent of three additional full-time members of staff.

Whilst officers do not doubt that there would be additional demand for seating externally that is enclosed and not necessarily weather-dependent and that there might be direct benefit to the applicant and indirect benefit from other spend locally. However, this has not been formally quantified with a business plan or with actual figures since the applicant has been trading in the domes whilst they have been unlawfully erected.

Nonetheless, these benefits would need to be weighed in the planning balance against the impacts of the development upon heritage assets referred to in the previous section of the report.

d) *Summary on these Issues*

Taking all the above in to account, it is considered that the proposals would not cause unacceptable harm in respect of the protection of amenity or highway matters. However, the economic benefits of the development would need to be weighed against its impacts upon heritage assets in the planning balance.

4) Planning Balance

Paragraph 14 of the Framework sets out a presumption in favour of sustainable development which for decision taking means that where relevant policies of the development plan are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework, taken as a whole; or specific Framework policies indicate development should be restricted. In this instance, there are restrictive policies in relation to heritage assets that would lead to the proposals not being sustainable.

Moreover, whilst there would not be harm caused to the general amenities of people living or working nearby or to highway safety, it is clear from the main body of the report that the proposals could not be accommodated without causing harm to the character and appearance of the Cathedral and City Centre Conservation Area or the setting of the Grade I Listed and Scheduled Castle. Furthermore, this harm is not outweighed by public benefit and actually it is the public benefit of those views from the public realm which are particularly affected. Similarly, whilst officers accept that there would be some economic benefits either directly to the applicant or indirectly in the locality resulting from the proposals, it is considered that these benefits would not be so significant that they should outweigh the harm that is and would continue to be evident through the development, were it be granted permission.

As such, officers consider that the proposals would be in conflict with the policies referred to in this report and the application would not accord with the duty contained within section 66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and section 72 (1) 'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

Thus, assessing the development as a whole in relation to its economic, social and environmental dimensions and benefits, officers are not satisfied that the benefits of the proposals would outweigh the harm caused. As such, it is considered that, in the round, this proposal could not be considered as sustainable development and would fail to accord with the Plan and Framework, sufficient for the recommendation of officers to be that suitable planning permission should not be granted.

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

Yes, to explain concerns of officers.

Financial Implications

The proposals would be subject to business rates, which the Council would receive.

Legal Implications

None.

Equality Implications

None.

Conclusion

The presumption in favour of sustainable development required by the National Planning Policy Framework would not apply to the proposals as there would be conflict with the three strands of sustainability that would apply to development as set out in the planning balance. Therefore, there would be harm caused by approving the development. As such, it is considered that the application should not benefit from planning permission for the reasons identified in the report and below.

Application Determined within Target Date

Yes, subject to extension of time.

Recommendation

That the application is refused permission for the reasons outlined below:-

By reason of their form, external appearance (including materials of construction) and ancillary lighting, the proposals would be incongruous additions to the roof terrace of the building, which introduce visual clutter and impede and diminish the quality of the views towards the Scheduled and Grade I Listed Lincoln Castle, thereby causing harm to its setting and significance. What is more, the impact upon the character and appearance of the Cathedral and City Centre Conservation Area is not preserved by the proposal and diminishes the character of the area in a harmful way. The proposals would therefore be contrary to the requirements of Policies LP5, LP17, LP25, LP26, LP29 and LP31 of the Central Lincolnshire Local Plan, as well as the requirements of Sections 7 and 12 and the social and environmental sustainability principles referred to in the National Planning Policy Framework.

Report by Planning Manager

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Site Photographs

Please Note: all the views show the two domes that were erected without permission, as well as the 'shed' structure and external bar which have also both been erected without permission and are not shown within the application.

1) Views from the site of St Paul-in-the-Bail





2) View from the Frontage of the Castle Hotel



3) Views up to Roof Terrace from St Pauls Lane

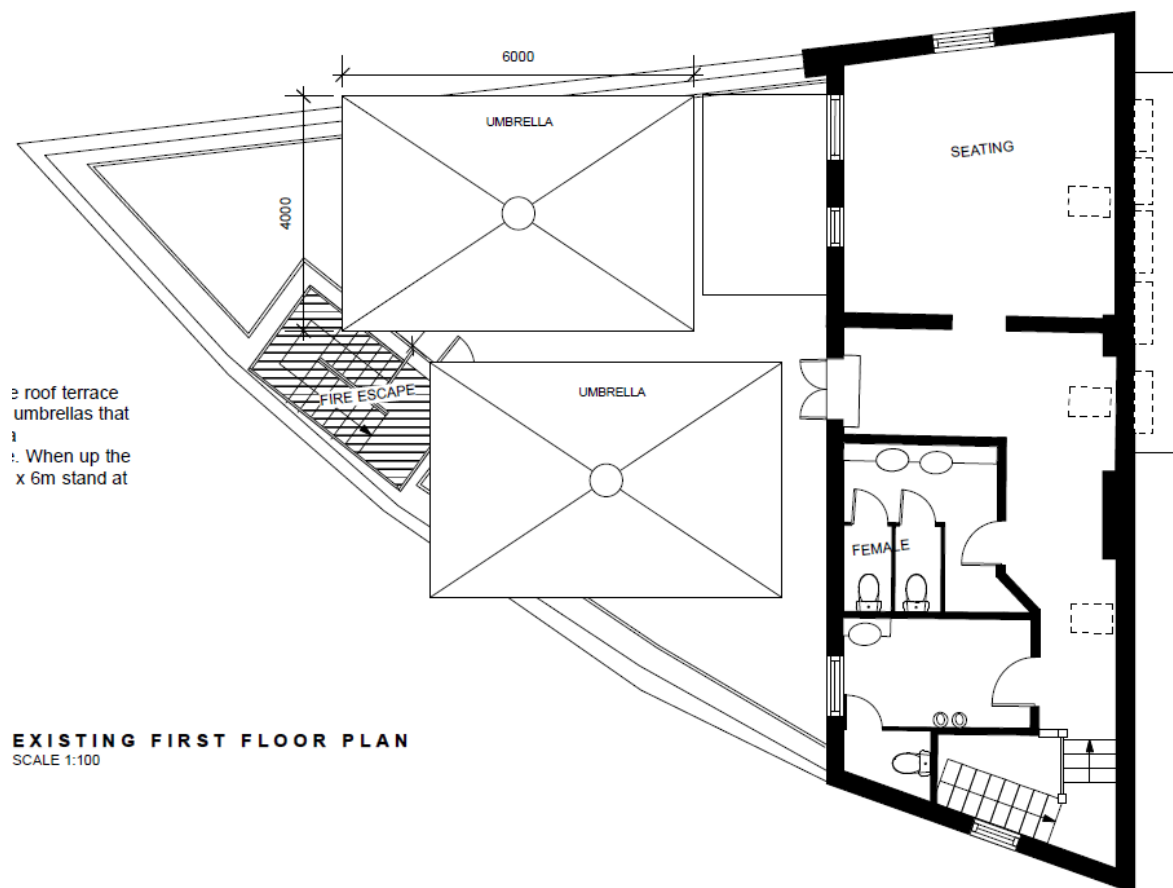


Plans

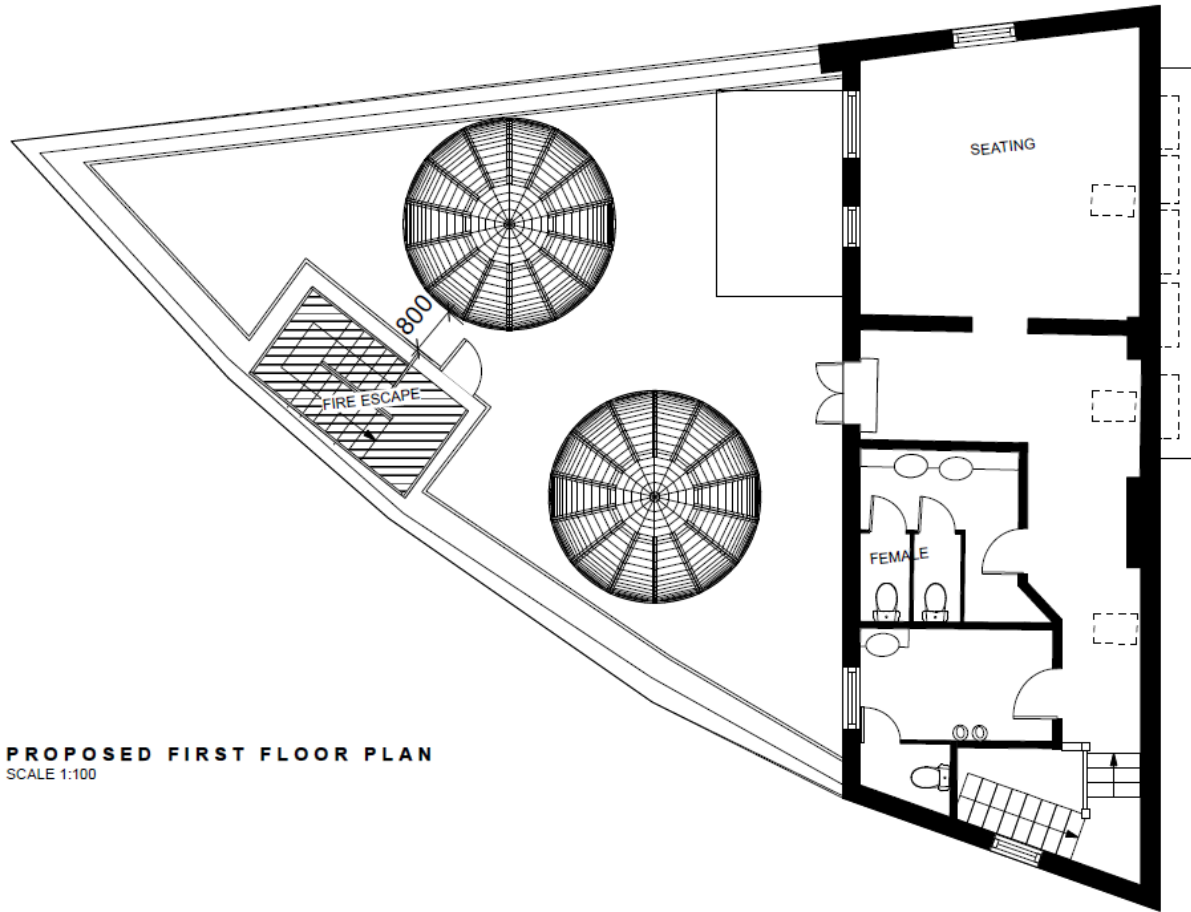
Site Location Plan



Existing Floor Plan



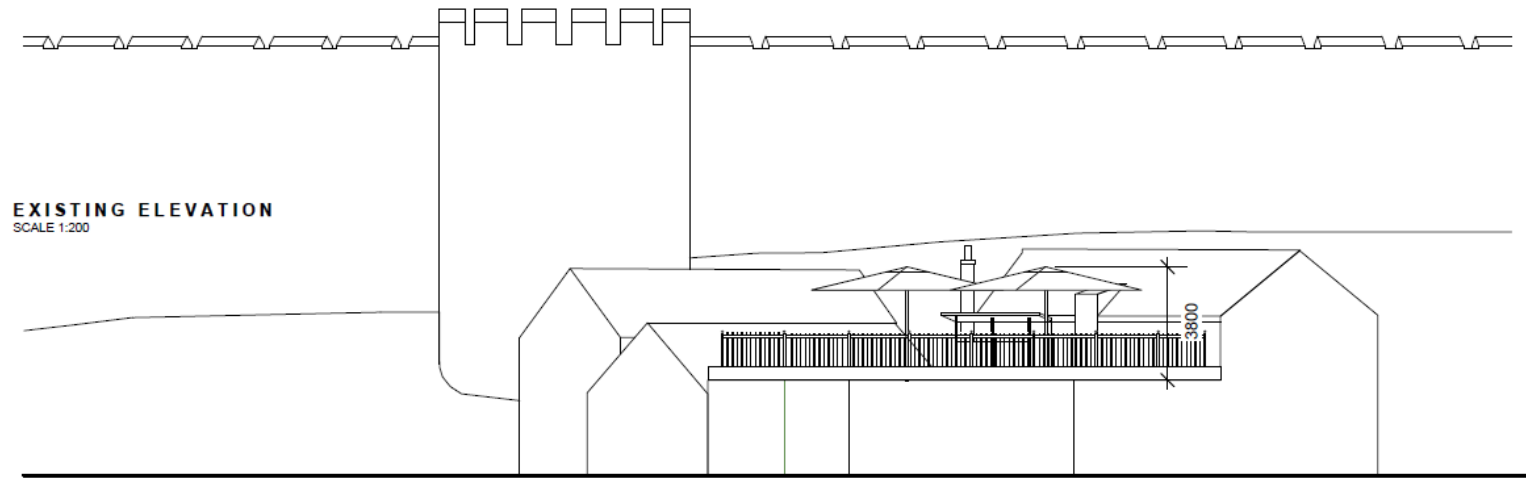
Proposed Roof Terrace Floor Plan



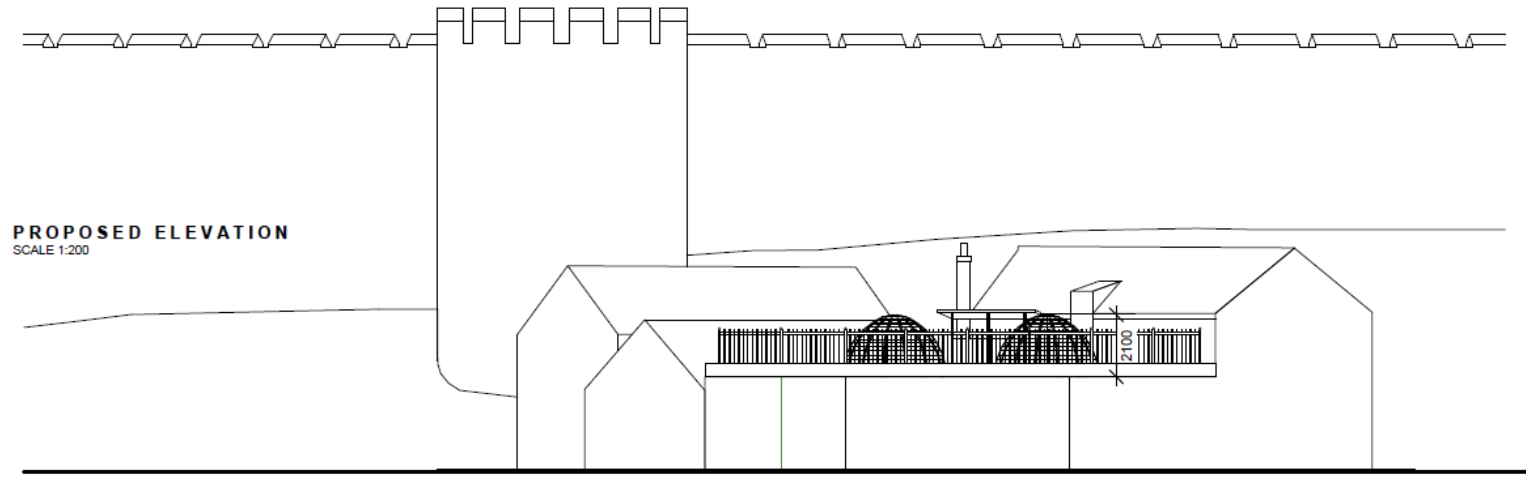
PROPOSED FIRST FLOOR PLAN
SCALE 1:100

Please Note: the external bar to the top right hand corner is not consented and the 'shed' structure (also not consented) is not shown on the proposed plans despite requests.

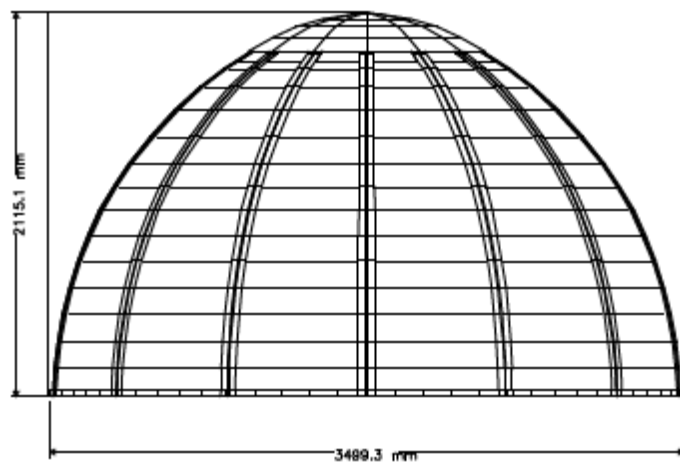
Existing Elevation showing Umbrellas Erected



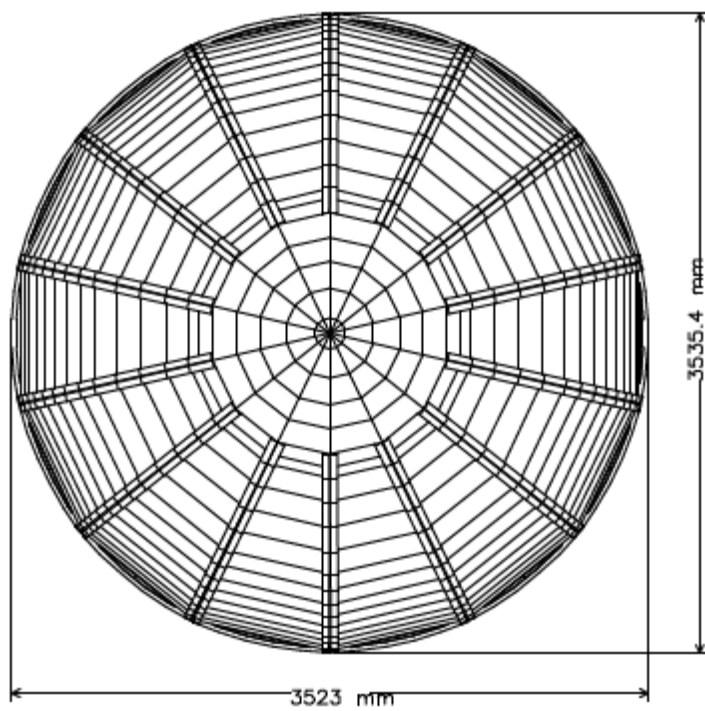
Proposed Elevation Showing Domes Erected (excludes the 'shed' structure)



Elevation and Plan of Domes



DOME ELEVATION
SCALE 1:50



DOME PLAN
SCALE 1:50

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Correspondence

Environmental Health

Further to your consultation on the above application, I would confirm that I have no objections to the proposals in terms of contaminated land, air quality, noise or other environmental impact.

Historic England

Thank you for your letter of 16 February 2018 regarding the above application for planning permission. We refer you to the following published advice which you may find helpful in determining the application.

Detailed guidance on assessing the impact of development on the setting of a heritage asset is set out within Historic Environment Good Practice Advice note '*The Setting of Heritage Assets*' and the NPPF Planning Practice Guidance (paragraph: 013 Reference ID: 18a-013-20140306). The advice note on setting outlines many factors which may influence the contribution of the setting to the significance of a heritage asset, including history and degree of change, relationships to other heritage assets, and views (p 4-7, p11). The setting advice note also highlights aspects of a development which may influence its impact on the setting and significance of a heritage asset (p12-13) including key views, architectural form or design, competition with or distraction from the asset and lighting effects. Number 1 St Paul's Lane lies within the setting of a number of designated heritage assets including Lincoln Castle (listed Grade I and a scheduled monument) and Lincoln Cathedral (listed Grade). Views to and from the castle and cathedral from within the townscape of 'The Bail' (in the Cathedral and City Centre conservation area) make an important contribution to the significance and setting of these designated heritage assets.

We also suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. If you would like detailed advice from us, please contact us to explain your request.

Lincoln Civic Trust

No Objection. Comments: It was noted that this is a retrospective application

Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as

Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Application Number:	2018/0302/RG3
Site Address:	Skellingthorpe Road Playing Field, Skellingthorpe Road, Lincoln
Target Date:	14th April 2018
Agent Name:	None
Applicant Name:	City of Lincoln Council (Mr Lee George)
Proposal:	Siting of 1no. storage container (Retrospective) (Revised Description)

Background - Site Location and Description

The application relates to Skellingthorpe Road Playing Fields, which is located on the north side of Skellingthorpe Road, opposite the main entrance to Hartsholme Country Park.

The storage container was relocated from Boultham Park, following the sale of land for development.

The application site falls within the boundary of the Western Growth Corridor Sustainable Urban Extension (CL819) as allocated within the Central Lincolnshire Local Plan (2017). However, indicative site layouts suggest the playing fields would remain undeveloped open space.

Site History

No relevant site history

Case Officer Site Visit

Undertaken on 21st March 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP23 Local Green Space and other Important Open Space
- National Planning Policy Framework

Issues

Whether the development is in accordance with Policy LP23 'Local Green Space and other Important Open Space' of the Central Lincolnshire Local Plan (2017)

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

No responses received

Consideration

The relocated storage container measures 20ft by 10ft and has been sited in the south-east corner of the playing field car park.

Although the application site falls within the boundary of the Western Growth Corridor Sustainable Urban Extension (CL819), indicative site layouts suggest that the playing field and car park would remain undeveloped. Consequently, Central Lincolnshire Local Plan Policies LP28 'Sustainable Urban Extensions' and LP30 'Lincoln's Sustainable Urban Extensions' are not considered relevant to this application.

The application site is not formally identified as Important Open Space within the Central Lincolnshire Local Plan, however, it is considered appropriate to assess the development with reference to Policy LP23 'Local Green Space and other Important Space', which states;

An area identified as an Important Open Space on the Policies Map is safeguarded from development unless it can be demonstrated that:

- a. In the case of publicly accessible open space, there is an identified over provision of that particular type of open space in the community area and the site is not required for alternative recreational uses or suitable alternative open space can be provided on a replacement site or by enhancing existing open space serving the community area;
- b. In the case of all Important Open Spaces, there are no significant detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets.

The development has not affected the provision of open space at Skellingthorpe Playing Fields, as the storage container has been sited within the car park. Furthermore, due to its siting within the car park behind a row of trees and shrubs, it has a neutral impact on the character and appearance of the surrounding area, and does not affect important views of the north escarpment, including Lincoln Cathedral in its immediate setting of houses, trees and the castle.

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

No.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The development has not affected the provision of open space nor resulted in detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets; in accordance with Policy LP23 'Local Green Space and other Important Open Space' of the Central Lincolnshire Local Plan (2017) and relevant guidance within the National Planning Policy Framework (2012).

Application Determined within Target Date

Yes, extension of time agreed.

Recommendation

That the application is granted conditionally.

Standard Conditions

- 01) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.
The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
		Location Plan	19th February 2018
		Block plans	19th February 2018

2018/0302/RG3 Siting of 1no. storage container (Retrospective) (Revised Description)

Skellingthorpe Playing Fields

Site location plan



Block plan



Storage container





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Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2018/0302/RG3

With reference to this application dated 16 February 2018 relating to the following proposed development:

Address or location

**Skellingthorpe Rd Playing Field, Car Park On Skellingthorpe Rd Playing Field,
Lincoln**

Date application referred by the LPA
20 February 2018

Type of application: Outline/Full/RM/:
FUL

Description of development

Siting of 1no. storage container

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Case Officer:

Becky Melhuish

for Warren Peppard

Flood Risk & Development Manager

Date: 13 March 2018

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Application Number:	2018/0276/RG3
Site Address:	Boultham Park Allotments, Hall Drive, Lincoln
Target Date:	14th April 2018
Agent Name:	None
Applicant Name:	City of Lincoln Council (Mr Lee George)
Proposal:	Siting of 1no. storage container (Retrospective) (Revised Description)

Background - Site Location and Description

The application relates to Boultham Park Allotments, which is located on the east side of Hall Drive, opposite Lincoln Indoor Bowls Club.

The storage container was relocated from Boultham Park, following the sale of land for development.

The application site is identified as Important Open Space (IOS) within the Central Lincolnshire Local Plan (2017), and falls within Flood Zone 3 as shown on the Environment Agency's Flood Map for Planning (Rivers and Sea).

Site History

No relevant site history

Case Officer Site Visit

Undertaken on 21st March 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP23 Local Green Space and other Important Open Space
- National Planning Policy Framework

Issues

Whether the development is in accordance with Policy LP23 'Local Green Space and other Important Open Space' of the Central Lincolnshire Local Plan (2017)

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Environment Agency	Comments Received

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

No responses received

Consideration

The relocated storage container measures 20ft by 10ft and has been sited within the allotment site on a side track off the main track around the allotments.

The application site is formally identified as Important Open Space within the Central Lincolnshire Local Plan, as such it is considered appropriate to assess the development with reference to Policy LP23 'Local Green Space and other Important Space', which states;

An area identified as an Important Open Space on the Policies Map is safeguarded from development unless it can be demonstrated that:

- a. In the case of publicly accessible open space, there is an identified over provision of that particular type of open space in the community area and the site is not required for alternative recreational uses or suitable alternative open space can be provided on a replacement site or by enhancing existing open space serving the community area;
- b. In the case of all Important Open Spaces, there are no significant detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets.

The storage container has been sited within the allotment site and therefore has a neutral impact on the character and appearance of the surrounding area. Although it is located within Flood Zone 3, where there is a high probability of flooding, it is classed as 'Less Vulnerable' development and is therefore considered appropriate. Furthermore, in accordance with the Environment Agency's standing advice, the Sequential and Exception Tests do not need to be applied as the development is classed as minor development (less than 250 square metres).

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

No.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The development has not affected the provision of open space nor resulted in detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets; in accordance with Policy LP23 'Local Green Space and other Important Open Space' of the Central Lincolnshire Local Plan (2017) and relevant guidance within the National Planning Policy Framework (2012).

Application Determined within Target Date

Yes, extension of time agreed.

Recommendation

That the application is granted conditionally.

Standard Conditions

01) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

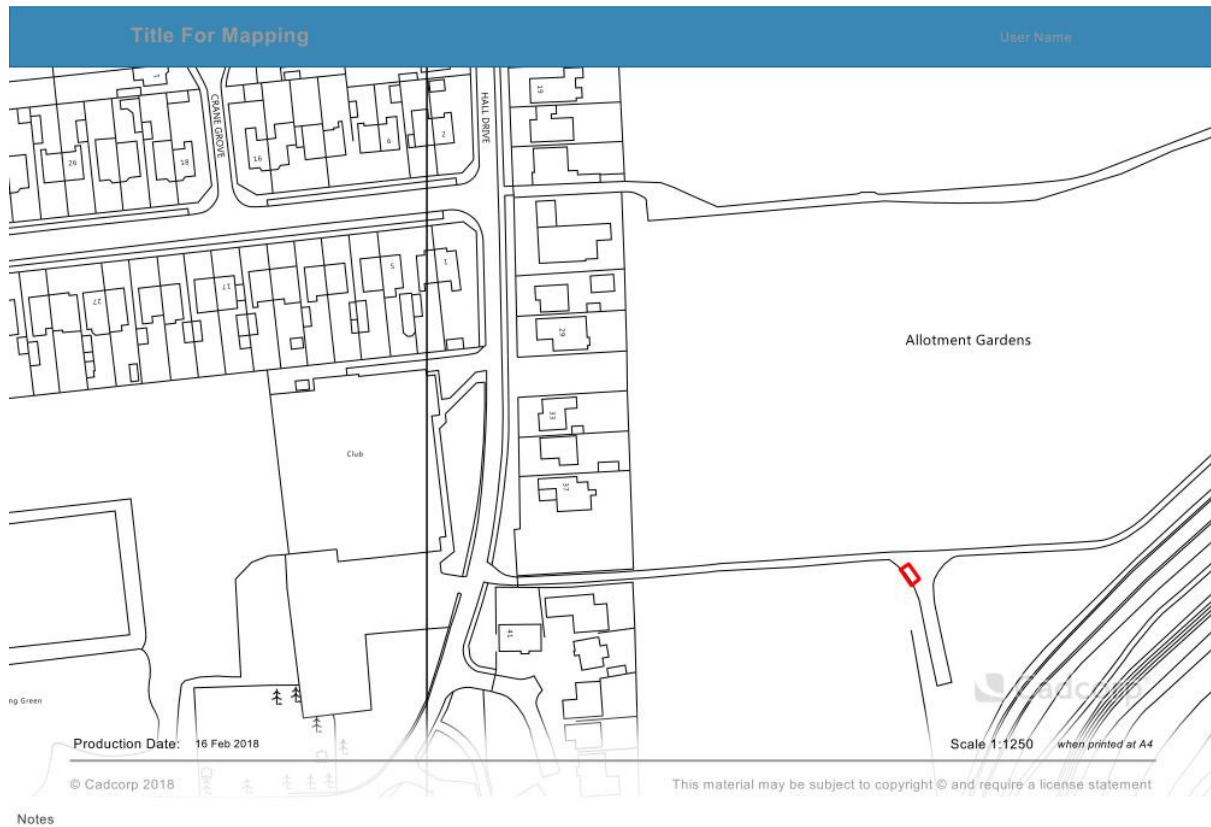
Drawing No.	Version	Drawing Type	Date Received
		Location Plan	9th February 2018
		Block plans	9th February 2018

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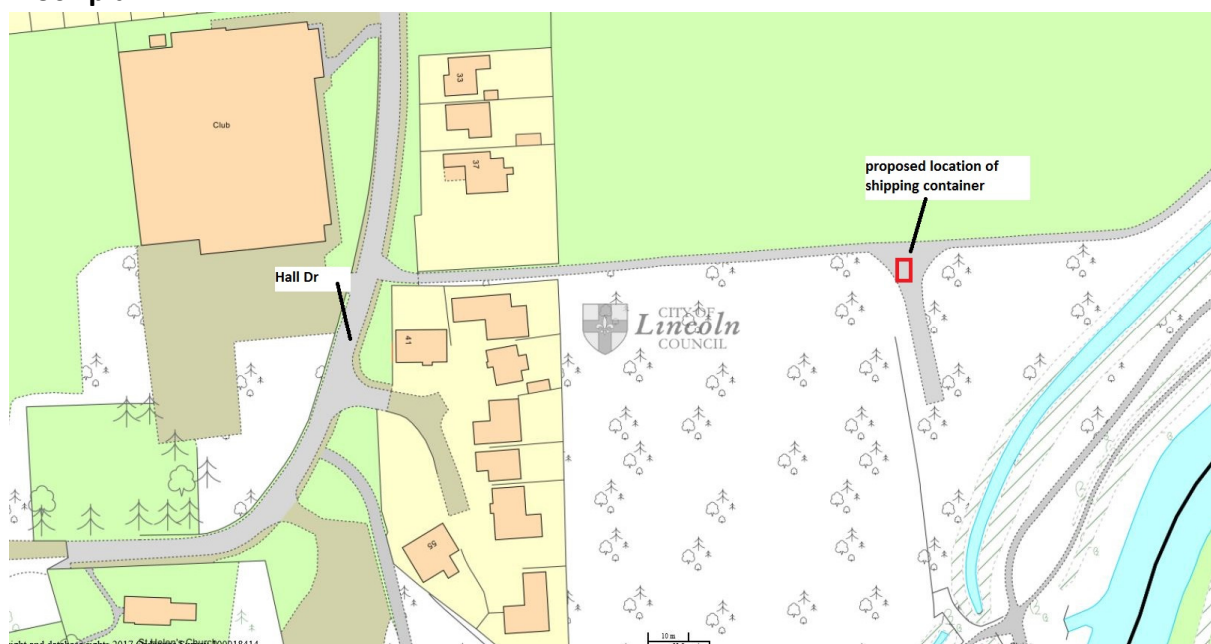
2018/0276/RG3 Siting of 1no. storage container (Retrospective) (Revised Description)

Boultham Park Allotments

Site location plan



Block plan



Storage container



Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2018/0276/RG3

With reference to this application dated 16 February 2018 relating to the following proposed development:

Address or location

Boultham Park Allotments, Hall Drive, Lincoln

Date application referred by the LPA
21 February 2018

Type of application: Outline/Full/RM/:
FUL

Description of development

Siting of 1no. storage container (Retrospective) (Revised Description)

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Case Officer:

Date: 13 March 2018

Becky Melhuish

for Warren Peppard
Flood Risk & Development Manager

Davies, Amy (City of Lincoln Council)

From: LN Planning <LNplanning@environment-agency.gov.uk>
Sent: 26 February 2018 11:05
To: Technical Team (City of Lincoln Council)
Subject: RE: 2018/0276/RG3

Dear Sir/Madam

Thank you for consulting the Environment Agency on the above planning application.

We do not wish to comment on this application although we do recommend that the applicant view our Flood Risk Assessment standing advice which can be found here:

<https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#vulnerable-developments-standingadvice>

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Kind regards,

Keri Monger

Sustainable Places – Planning Adviser | Lincolnshire and Northamptonshire

Environment Agency | Nene House, Pytchley Road Industrial Estate, Pytchley Lodge Road, Kettering, NN15 6JQ

keri.monger@environment-agency.gov.uk | Please note our new team inbox email address

LNplanning@environment-agency.gov.uk

Direct Dial: 020 847 48545 | Team Dial: 020 302 53536



-----Original Message-----

From: developmentteam@lincoln.gov.uk [mailto:developmentteam@lincoln.gov.uk]

Sent: 21 February 2018 11:35

To: LN Planning

Subject: Consultation on Planning Application

Dear Sir/Madam

Please find attached consultation for Planning application reference 2018/0276/RG3

Regards

Development Team
City of Lincoln Council