

PLANNING COMMITTEE

**Wednesday, 10 October
2018**

5.30 pm

**Committee Rooms 1-2, City
Hall**

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

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.

AGENDA

SECTION A	Page(s)
1. Confirmation of Minutes - 12 September 2018	5 - 14
2. Declarations of Interest	
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.	
3. Applications for Development	
(a) 27-29 Clasketgate, Lincoln	15 - 66

- | | |
|--|------------------|
| (b) 1 St Annes Road, Lincoln | 67 - 96 |
| (c) Land Between 25 And 41 Gaunt Street, Lincoln | 97 - 122 |
| (d) Land Adjacent To 107-115 Gaunt Street, Lincoln | 123 - 132 |

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 Naomi Twedde, Councillor Biff Bean,
Councillor Bill Bilton, Councillor Alan Briggs, Councillor
Kathleen Brothwell, Councillor Chris Burke, Councillor
Bob Bushell, Councillor Gary Hewson, Councillor
Ronald Hills and Councillor Edmund Strengiel

Apologies for Absence: None.

33. Confirmation of Minutes -15 August 2018

RESOLVED that the minutes of the meeting held on 15 August 2018 be confirmed.

34. Declarations of Interest

Councillor Biff Bean wished to declare that he had been working with the community in his capacity as a resident regarding trees in the Hartsholme Ward relating to minute number 35 below.

35. Work to Trees in City Council Ownership

The Assistant Director of Communities and Street Scene:

- a) Advised members of the reasons for proposed works to trees in City Council ownership and sought consent to progress the works identified as set out in Appendix A of the report.
- b) Explained that Ward Members had been notified of the proposed works.

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

36. Applications for Development

(a) Yarborough Leisure Centre, Riseholme Road, Lincoln

The Planning Manager:

- a) Advised that the application sought permission for an artificial grass pitch to accommodate an 11 aside football pitch which would measure 106 metres in length and 70 metres in width.
- b) Reported that the pitch would be capable of accommodating a combination of youth football pitches, mini soccer pitches and training areas.
- c) Reported that the proposal also sought the installation of associated fencing to include 4.5 metre high ball stop fencing to the artificial grass pitch perimeter and a 3.5 metre acoustic fence.
- d) Advised members that the site was located on the existing grass sports pitches to the rear of Yarborough Leisure Centre and that residential developments adjoined the site from the properties on Anzio Crescent,

with Lincoln Castle Academy and Yarborough Leisure Centre located to the south-east.

- e) Highlighted that the application was brought before the Planning Committee as the applicant was the City of Lincoln Council.
- f) Provided details of the policies pertaining to the application as follows:
 - National Planning Policy Framework;
 - Central Lincolnshire Local Plan;
 - LP23 – Local Green Space and other Important Open Space;
 - LP26 – Design and Amenity.
- g) Outlined the responses made to the consultation exercise, including a petition which included in excess of 200 signatures.
- h) Advised members of the main issues to be considered as part of the application, as follows:
 - Principle and Policy Context;
 - Visual Amenity;
 - Highways;
 - Sport England.
- i) Concluded that the proposed artificial grass pitch would be located on an area of grass which was currently used for informal playspace. The proposal formalised the space with an all-weather pitch and associated infrastructure which meant it could be used all year round. Appropriate measures had been taken to mitigate the impact on adjacent neighbours and it was considered that the use was appropriate given the surrounding context of existing sports uses.

Jinny Niven, nearby resident, spoke against the application and made the following points:

- the noise impact assessment was not carried out whilst games were being played during the football season when the noise was at its loudest;
- operation of this site for up to 98 hours a week would significantly increase the time that residents experienced increased noise levels, together with poor language and behaviour that was often heard by current use of the existing facility;
- the noise impact assessment was not carried out within 150 metres of homes around the pitch and not on a Sunday morning when usage was at its highest;
- the noise impact assessment was undertaken at ground level rather than at first floor height;
- the application was within a residential area;
- residents with hearing aids would be significantly impacted due to amplified noise;
- increased levels of noise could result in people's dogs reacting to the disturbance, resulting in a further noise problem for residents;
- a few hours of usage per day could be tolerated by residents, but usage of up to 98 hours per week on the site could not be tolerated;

- the Central Lincolnshire Local Plan stated that local amenities must not be unduly harmed by development and it was her view that amenities would be unduly harmed by this proposal, with people no longer being able to enjoy their homes and fellow residents having suggested that they would no longer wish to live in the area;
- car parking was already challenging in the area and this would only get worse as a result of this proposal;
- current iconic views of Lincoln Cathedral could be distorted for residents as a result of the proposal;
- children, night workers and people who used the land for recreational purposes would all be detrimentally impacted as a result of this proposal, particularly in respect of the hours of use for the site which it was noted could operate until 10pm.

Simon Colburn, representing the applicant, spoke in favour of the application and made the following points:

- the proposal represented part of a £1.8 million project to build two new artificial grass (3G) pitches;
- lack of physical activity was linked to one in six deaths in the United Kingdom and nearly a quarter of children in Year 6 were obese, so the project and this application sought to put in place new facilities to address this issue. The main objective was therefore to get more people active in different ways;
- the existing facilities in the area had been under review for some time with the fitness gym at Yarborough Leisure Centre having been renovated, together with the re-development of Leisure Centre at Birchwood;
- there had been a proven demand for better facilities in this area, with a feasibility study indicating a specific demand for artificial grass pitches;
- this application would provide opportunities to offer more demographics such as women's football, disability football and walking football potentially;
- the facility would be properly managed and run;
- officers had recently met with local residents following a consultation event, which sought to alleviate any concerns;
- charter clubs would be operating on the site, which would tackle any poor behaviour.

Members discussed the content of the report in further detail.

One member acknowledged the comments raised by the resident objecting to the application but said that consideration needed to be given to all people's interests in the city. He was of the opinion that good facilities needed to be put in place and was interested in the facility's management plan, which would detail specifically how issues such as anti-social behaviour and poor language and behaviour would be addressed. He questioned whether such a facility would see an increase or decrease in anti-social behaviour.

A member noted that questions had been raised in respect of the noise impact assessment and requested further clarity on this point.

The Planning Manager reported that a bespoke and site specific noise impact assessment was undertaken where it was considered that noise levels were acceptable and did not cause harm in accordance with criteria set by the World

Health Organisation. This was dependant on mitigation methods, such as the acoustic fencing, which would be delivered as part of the scheme. It was acknowledged that residents would be able to hear activities taking place on the site and they would also be able to see the illumination of flood lights in the evening, but that the impact would not be so great to consider it as unacceptable. It was noted that the site was already an existing sports facility.

It was noted that Sports England had originally submitted an objection to this application which it had now retracted. Further information was requested on this issue.

The Planning Manager confirmed that Sports England had originally objected due to an absence of clarity regarding use of the facility and sustainability. These issues had since been addressed as part of the report and Sports England was now fully supportive of the scheme.

10pm in the evening was considered to be quite late for the facility to cease its operation, especially considering the residential nature of the area. A question was raised as to how strict that cut off time would be.

The Planning Manager stated that the planning condition associated with the hours of operation would be clearly defined and there would be a full expectation that the lights and use of the facility ceased at 10pm. Enforcement powers could be put in place to ensure that this occurred.

It was suggested that all residents who responded to the consultation process should be provided with a copy of the management plan for the facility, including a contact number that they could report any issues through.

The Planning Manager agreed that this was a good idea, but that it was probably beyond the remit of the Planning Committee to include consideration of this issue as part of any decision and associated conditions.

RESOLVED that the petition be received and that the application be granted conditionally.

Conditions

- Development to commence within three years;
- Development to be carried out in accordance with the plans;
- Contaminated land – unexpected contamination;
- Carried out in accordance with noise assessment;
- Carried out in accordance with lighted details;
- Hours of construction;
- Hours of operation.

(b) Birchwood Leisure Centre, Birchwood Avenue, Lincoln

The Planning Manager:

- a) Advised that the application sought permission for an artificial grass pitch to accommodate an 11 aside football pitch which would measure 106 metres in length and 70 metres in width.
- b) Reported that the pitch would be capable of accommodating a combination of youth football pitches, mini soccer pitches and training areas.

- c) Reported that the proposal also sought the installation of associated fencing to include 4.5 metre high ball stop fencing to the artificial grass pitch perimeter and a 3.5 metre acoustic fence.
- d) Advised members that the site was located on an area of grassed playing field and that residential properties adjoined the site to the north, south and east.
- e) Reported that a former airstrip ran along the north western boundary of the site.
- f) Highlighted that the application was brought before the Planning Committee as the applicant was the City of Lincoln Council.
- g) Provided details of the policies pertaining to the application as follows:
 - National Planning Policy Framework;
 - Central Lincolnshire Local Plan;
 - LP23 – Local Green Space and other Important Open Space;
 - LP26 – Design and Amenity.
- h) Outlined the responses made to the consultation exercise.
- i) Advised members of the main issues to be considered as part of the application, as follows:
 - Impact on Neighbours;
 - Visual Amenity.
- j) Concluded that the proposed artificial grass pitch would be located on an area of grass which was currently used for informal playspace. The proposal formalised the space with an all-weather pitch and associated infrastructure which meant it could be used all year round. Appropriate measures had been taken to mitigate the impact on adjacent neighbours and it was considered that the use was appropriate given the surrounding context of existing sports uses.

Simon Colburn, representing the applicant, spoke in favour of the application and made the following points:

- in reference to the 98 hours per week operating hours, it was noted that in reality the facility would not attract anything like that amount of demand;
- lighting would be turned off at 10pm and no league matches would be played at that time of the night, meaning that there was no risk of matches overrunning;
- despite being allowed to operate until 10pm, the majority of clubs would not opt to use the facility at this time of night;
- management plans would be in place to ensure responsible use of the facility;
- anchor clubs using the facility would be signed up to the Football Association Charter and there would therefore be an impetus for those clubs to ensure that the facility was used sensibly;

- a communications strategy and management plan was in place and contact details would be provided for people to be able to contact the facility's management should any issues arise.

Members discussed the content of the report in further detail.

A member had spoken to residents regarding this proposal who had raised concerns in respect of lighting, litter and people urinating in public places. There was also uncertainty in the community as to whether Sunday league football could take place at the facility. Having attended the consultation meeting the issue in respect of lighting had been addressed and good management of the facility would relay the other concerns that had been raised. It was noted that the facility could be used for Sunday league football.

A member was pleased to see that the acoustic fencing was in a strategic place to protect the residential area closest to the site.

A member emphasised the importance of providing people with feedback, particularly those who had provided comments as part of consultation.

The Planning Manager explained that whenever a decision was made on a planning application a letter was sent to any individual who had submitted comments as part of the application's consultation process to explain the decision. He agreed to consider reviewing this letter to potentially include further details or signposting for residents should it be necessary.

RESOLVED that the application be granted conditionally.

Conditions

- Development to commence within three years;
- Development to be carried out in accordance with the plans;
- Contaminated land – unexpected contamination;
- Carried out in accordance with noise assessment;
- Carried out in accordance with lighted details;
- Hours of construction;
- Hours of operation.

(c) **Homebase, Lidl Outlet, Topps Tiles and Part of BHS (Units C, D, E), St Marks Retail Park, Lincoln**

(Councillor Kath Brothwell was not present at the meeting for this item).

The Principal Planning Officer:

- a) Advised that planning permission was sought for the demolition of existing buildings and development of the site for purpose built student accommodation with commercial floor space, car parking, cycle storage and associated landscaping.
- b) Described the location of the application site which was within the western corner of the wider redevelopment site encompassing the St. Marks Retail Park and Shopping Centre.

- c) Reported that the site was currently occupied by the Homebase, Lidl Outlet and Topps Tiles units and part of the BHS unit and surface parking area in the foreground of these units.
- d) Highlighted that prior approval had already been granted for the demolition of the units.
- e) Highlighted that the outline planning application for this part of the site included a portion of the 150 residential units approved across the development site and up to 1,100 student units, with some commercial uses at ground floor to the northern perimeter.
- f) Reported that the application was for the erection of ten blocks of student accommodation, varying in height from four to ten storeys in height, for a total of 1,372 bed spaces in clusters with shared living spaces.
- g) Reported that the main vehicular access for the site would be from the current service yard access at Firth Road, which joined Tritton Road at the traffic light controlled intersection with Beevor Street. The access would lead into the site for servicing purposes but would be primarily for the collection of refuse from storage areas adjacent and the drop off point for students.
- h) Reported that between the blocks would be a series of spaces with seating, landscaping and cycle stores, which would ultimately permit public access from outside the site through to the remainder of the St Marks development.
- i) 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 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.

- j) Outlined the responses made to the consultation exercise;
- k) Reported that a full Environmental Impact Assessment had been carried out.
- l) Advised members of the main issues to be considered as part of the application as follows:
 - The Outline Planning Application and Consideration of Central Lincolnshire Local Plan Policy;
 - Environmental Impact Assessment;
 - The Principle of the Development;
 - Sustainable Access, Highway Safety and Traffic Capacity;
 - The Impact of the Design of the Proposals;
 - The Implications of the Proposals upon Amenity;
 - Other Matters;
 - The Planning Balance.
- m) Reminded members that the Council, as local planning authority, was duty bound to provide housing delivery information to the government in order to demonstrate that the Central Lincolnshire Authorities were making good on projected housing delivery. The delivery of student accommodation in the past three years, and in going forward, would be important when completing these returns to government, which would count towards the City of Lincoln's housing delivery contributions.
- n) Reported that a further condition was recommended to seek confirmation of the final use prior to the occupation of the building in respect of the commercial premises to the northern edge of the site, within Block A.
- o) 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 and it was considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions included within it.

Members discussed the content of the report in further detail, during which the following comments and points were noted:

- regeneration of this site was supported, however, the design of the proposal in its current form was not in keeping with the area, lacked any imagination and, given its prominent location, Lincoln deserved better;
- the Civic Trust had objected to the application, stating that the buildings were too overpowering for the site. Further high-rise buildings in this area would obscure the views of Lincoln Cathedral and Lincoln Castle;
- there was no provision for car parking on the site for student accommodation and it was unclear how students could be prevented from bringing their own vehicles with them;
- this application was concerning in the context of the proposed development of the Western Growth Corridor and the resulting increase in

- traffic, with traffic using the roundabout adjacent to the site already often at a standstill during busy periods;
- the close proximity of the site to the University Bridge, the east-west link and the Western Growth Corridor would be catastrophic for the traffic in this area. An independent traffic monitoring survey had been commissioned by a member which indicated that by 2024 the whole area would be gridlocked. The project itself was worthy of support, but it was in the wrong location;
 - taking into account the commercial units already operating on the site, there would be much less traffic generated from the site should the application be successful than there was currently;
 - students should not bring their own vehicles with them if they knew that there was nowhere to park onsite, with the site being in close enough proximity to the city centre and the University campus to enable them to walk or cycle. However, there was nothing to stop students bringing their own vehicles and in doing so this would impact on the amenities of existing neighbouring residential areas in respect of car parking, which was already limited in certain areas. It was suggested that the introduction of funding for a residential parking scheme may address this;
 - this proposed development showed no comparison or resemblance to other buildings in the immediate area such as the Gateway or the University building. The current design gave the impression of industry or office blocks whereas this was supposed to be a residential development which the people of Lincoln would have to live with. Given that this was a prime site and was essentially a gateway to the city, more was expected in respect of the standard of design;
 - there was no mention of increased facilities for medical or dental facilities associated with the development. It was expected that 1,372 student units would put some pressure on existing amenities in this respect;
 - more student accommodation was required in the city to meet the increasing demand of the expanding University;
 - comments received from the Civic Trust and Natural England were concerning in respect of the proposal;
 - the main University building opposite the application site reflected modern Lincoln and a modern style in keeping with that area, whereas the design of the proposed development as per the application did not meet the same standards;
 - the design of a building was subjective and would be judged by personal opinion, with some people not necessarily in favour of the modern buildings already in place adjacent to the site;
 - the proposal had less of an imposing impact due to it being further away from the highway, whereas existing taller buildings in the area were located much closer to the highway and had still been granted planning permission;
 - the design of the application provided links to the city's industrial past, with red brick used on purpose as opposed to cladding or glass frontage to be more in keeping with materials used in traditional residential dwellings in Lincoln;
 - the proposal represented a high density development which attempted to squeeze as many people in as possible and it was questionable as to whether this would be acceptable should it have been a traditional residential development;
 - the proposed development would take approximately three years to complete, meaning that a key part of the entrance and exit to the city

- would be a building site for a considerable time, with students living amongst this onsite for one or two years of the development;
- despite there being no parking provision onsite, 1,372 people would still be required to cross a busy road either to the University campus or the city centre;
 - part of the wider project, which included retail outlets and a privately operated car park, would attract traffic to the area;
 - size and massing of the proposed development was immaterial at this stage of consideration due to this having been approved as part of the outline planning consent.

The Planning Manager provided clarity in respect of those matters that had previously been approved as part of the outline planning consent, which included the size of buildings and overall massing of the development. In addition, as part of the wider highway implications, an agreement was in place to retain an area of land to allow for further widening to occur on the east-west link, as also included in the outline planning consent.

The Planning Manager added that design was a legitimate material planning consideration. He respectfully disagreed with members' negative comments regarding the design of the application, stating that the design had been undertaken in such a way to purposely make the buildings separate from those iconic buildings of the University campus and instead provide more of an emphasis and reference to the lower part of the city, encompassing the red brick materials that many dwellings in Lincoln had been built with. The 'clean-line' design of the proposed buildings was a modern phenomenon but he was of the opinion that its design, and the materials proposed to be used, did relate to Lincoln. He also explained that the design took into account the perspective from the top of the hill looking south of the city and the impact of the development, with the predominant colour being that of red brick from existing dwellings. The application therefore sought to compliment this view and minimise the impact from the hillside.

The Planning Manager highlighted that the location of the site was within the expanding city centre, with sustainable links to the city and the University. There was nowhere on this site for onsite parking, with concerns expressed that there would be a knock-on effect for residential on-street parking. The nearest residential area with on-street parking was some distance away from the site, which therefore made it unlikely that students would seek to use on-street parking to park their vehicles when living in this accommodation.

RESOLVED, that the application be refused.

Reason for refusal – The design of the proposal was contrary to Lincoln's setting and character: and therefore contrary to policies LP25, LP26 and LP29 of the central Lincolnshire local Plan.

Application Number:	2018/0892/FUL
Site Address:	27-29 Clasketgate, Lincoln, Lincolnshire
Target Date:	14th September 2018
Agent Name:	Globe Consultants Ltd
Applicant Name:	Jackson & Jackson Developments Ltd
Proposal:	Erection of a seven storey building to provide student accommodation (Sui Generis) alongside commercial unit at ground floor level along Clasketgate, following demolition of existing building (Revised Plans)

Background - Site Location and Description

The application site is situated on the north west corner of the junction of Clasketgate with Flaxengate 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 currently defined by a low level retaining wall and line of trees, which are rooted within the adjoining site that has been occupied over recent times by an NCP car park, accessed from Grantham Street. The western site boundary is defined by the commercial building known as Akrill House and associated car parking to its 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.

The proposals are for the erection of a seven storey building to incorporate 114 bed spaces of student accommodation on a Sui Generis basis. The bed spaces will be arranged into a number of clusters, each with a common room whilst the ground floor will incorporate a commercial unit to the corner of the building where it faces Clasketgate and Flaxengate. The proposals would involve the demolition of the existing building on site.

Relevant Site History

i) Direct Site History

An application for the erection of a 63-bedroom hotel with a restaurant to its roof was approved for the site by the Members of the Planning Committee in May 2018. The permission also included the demolition of the existing Pygott and Crone Estate Agency.

The current proposals would therefore offer an alternative use to these proposals.

ii) Related Site History

In addition to the direct site history, the site immediately to the north has planning permission for a five storey building for student for a total of 118 bed spaces. Work on this building has commenced on site.

Case Officer Site Visit

Undertaken on 21st August 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 LP9 Health and Wellbeing
 - 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 86
-
- 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 Traffic Capacity;
5. Other Matters; and
6. 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 Formal Response Received
Lincoln Civic Trust	Object
Lincolnshire Police	Comments Received
Historic England	Raised Concerns

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

Consideration

1) The Principle of the Development

a) *Relevant Planning Policies*

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, which advocates a 'presumption in favour of sustainable development' (Paras 10 and 11).

In terms of sustainable development, Paragraph 8 of the Framework suggests that there are "three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with

accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

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.

Policy LP33 sets out the mix of uses that would be supported within the Central Mixed Use Area within the city. This includes retail, leisure, hotels and student halls of residence, amongst others. Policy LP6 refers to retailing in the city centre. Meanwhile, Policy LP7 (A Sustainable Visitor Economy), also indirectly relates to proposals for additional accommodation and supports their development, subject to four criteria related to their impact upon their context. A Lincoln context is also presented at Policy LP31 which supports its role of employment, including skills and innovation.

b) *Assessment of the Principle of the Development*

i) The Need for and Impact of Additional Student Accommodation

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. Nonetheless, Members may recall that there have been numerous discussions recently regarding requirements for developers to evidence a need or demand for student accommodation.

The trajectory of the growth of the universities in the city would point to a strong market for further student accommodation and this development is for accommodation that would be provided for the University of Lincoln should permission be granted.

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.

ii) Housing Delivery

Members may also recall that officers clarified at the Planning Committee Meeting in September 2018 that the Council, as Local Planning Authority, is duty bound to provide housing delivery information to the government in order to demonstrate that the Central Lincolnshire Authorities are making good on projected housing delivery (the Housing Delivery Test). A recent development has now determined that LPAs are able to include the delivery of student accommodation over the past three years, as well as going forward. Student accommodation will therefore be important when completing returns to government on housing delivery, as required by the Housing Delivery Test.

In light of this, it is anticipated that this development would add to the 118 bed spaces already approved at the adjacent site with a total of 114 bed spaces. As such, the development has potential to positively impact upon housing delivery in the short term.

iii) Retailing or Other Uses at Ground Floor

The proposals also include a small area of commercial space at the ground floor of the building and the application indicates that this may be for retail use. However, the proposals could equally be for a number of commercial uses. This would be acceptable in the context of the location of the development in the Central Mixed Use Area and would provide a degree of activity at corner of the building where it meets Clasketgate. Nonetheless, details of the final use of this part of the building can be controlled by condition.

c) Summary on this Issue

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 and indirectly through its occupation, spend in the City and retention/creation of other jobs due to the location of the development within the City. The provision of student accommodation would also improve the social sustainability of the development being in close proximity to the university campus, diverting need away from family homes elsewhere within the city and contributing to housing delivery. In addition, the erection of development in this location would not in itself undermine sustainable principles of development, subject to other matters. However, 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 8 of the Framework requires the creation of well-designed and safe built environment. In addition, Chapter 12 of the Framework also applies, as this refers to the achievement of well-designed places.

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 is within the High Street 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 also supported by Policy LP17, which is relevant to the protection of views.

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; by Policies LP7 and LP31, which refer to the protection and enhancement of the character of the city; and by Policy LP29 which seeks to preserve and enhance the special character, setting, appearance of conservation areas, as well as respecting their special historic and architectural context.

Section 16 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) Dialogue with the Applicant in Relation to Design

The application site is contained within the Cathedral and City Centre Conservation Area and has a direct frontage with Clasketgate and Flaxengate. 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 a high quality built environment. As part of the application process, officers have been actively engaging with the applicant in order to ensure that the alternative proposals for this site would make an equally positive impact upon the character and appearance of the Conservation Area, as Members expected the approved hotel development to.



Visual Looking West along Clasketgate of the Approved Hotel Development

In order to assist the consideration of the proposals in relation to the approved hotel development, this report will also include visuals included in the presentation to Members at the Planning Committee in May, such as that shown above.

ii) Scale and Height of the Proposals and the Fall Back Position

This application is for a building with one further storey but no greater appreciable height. Moreover, the maximum height of the hotel development was 36.080AOD, whereas the proposed development would reach a height of 35.950AOD. Whilst the Civic Trust remains sceptical around how this has been achieved it is possible to confirm that the additional height incorporated in the ground floor reception and functional areas of the hotel was not necessary for this application and the heights of each floor have also been amended. Consequently, the inclusion of another storey has been possible. Furthermore, as with the hotel development and the adjacent development at Grantham Street, contrary to the Civic Trust's assertion, the top floor remains set back and would be no closer to the frontage of the building than the approved development.

Upon the basis that the erection of a building to a scale and height commensurate with the proposed development has already been agreed through the approval of the hotel, officers would advise Members that it would be difficult to revisit the principle of the scale and height of the building for this site. For the purposes of clarity, the overall footprint and height of the development would be comparable with a development that already benefits from planning permission and the proposals would again result in a building which would occupy the majority of the extent of the plot.

The principal difference between the overall scale of the developments is the break that would have been visible between the two buildings were they ultimately to be constructed alongside one another. However, the applicant has designed the intersection of the two buildings to be lighter weight in its appearance and construction with the incorporation of a greater degree of glazing from ground level to the top of the building. Nonetheless, it would

be difficult to argue that the lack of a physical break between the buildings would harmfully increase the scale of development to warrant refusal of the application, particularly given that the continuous built frontage of streets within the city centre is a common characteristic.

Historic England remain concerned regarding the proposals for this site; and the Lincoln Civic Trust and a resident of Lincoln have also submitted objections to the submissions for this application.

The Civic Trust has made reference to the objections that they raised with the previous application for a hotel. At that time they suggested that the scale of that building was too large but the Members of the Planning Committee were satisfied that the height of the development was suitable for the site. This is therefore important in considering the latest response from both parties, particularly those of a resident as their letter is supported by a number of visuals (which are copied in this agenda).

With this in mind, officers would urge caution in how the line drawings provided by a resident are considered, as these do not reflect the architectural finish, including the change in the depth of the façade through openings or other detailing or the choice of materials for the construction of the building.

In addition to this, at Appendix A of this report, the applicant has provided the same visuals but with further visual clarification of the scale of the proposed buildings. Moreover, the outline of the building has been corrected and edged in red. The applicant has also asked that the photorealistic CGIs, included later in this report, from a series of viewpoints are relied upon as they provide a much more useful exercise in illustrating how the building would be read within the surrounding townscape.

iii) Loss of the Existing Building

The current application again proposes the demolition of the existing building to facilitate the new 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

As Members may recall that the previous application for the hotel development of this site considered this impact. Moreover, following consideration of Lincoln's Historic Environment Record and assessment by the Council's Principal Conservation Officer, officers were able to recommend that "*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.*"

Officers remain satisfied that there has not been a material change in circumstances since the determination of the application and it considered that the loss of the building would still be acceptable, as 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 below.

Notwithstanding this, it is considered appropriate to again impose a planning condition on an approved application requiring an internal assessment of the building to take place prior to its demolition. This would enable the Council to fully understand 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. This would accord with the requirements of Paragraph 198 of the Framework. 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.

iv) Architectural Appearance of the Proposals and Comparison with the Approved Hotel

Notwithstanding the points made in relation to the scale of the development and the loss of the existing building within the site as a fall-back position, as the architectural solution for the development of the site is different to that proposed for the hotel, it would remain to consider the application upon the basis of the visual appearance of the individual building as well as its impact upon the character and appearance of the wider Conservation Area.



Eastern Elevation of the Approved Hotel Building

There are clear differences between the current proposals and the hotel development, as described throughout the report and the applicant for the proposal now before you originally sought to accommodate the proposals within the external fabric originally approved for the hotel. Ultimately this approach presented challenges regarding the location of new floor levels within the building and their relationship with window openings and as a consequence it was agreed that the most appropriate approach would be to design a new building to accommodate the new use now being proposed.

As a result of this, the latest revised elevations are for a new architectural solution for the proposed use. There are some similarities with the architecture of the approved development at Grantham Street due to the fact that the end use of the building and room sizes will be the same, the principal elements of the façades of the building will also include a consistent layout of window apertures set within a wider brick clad frame.

The applicant has given a great deal of attention to the treatment of the external façade of the proposed building and its relationship with the approved development at Grantham Street. This ensures that both developments can be constructed to an equally high quality finish. Moreover, the proposals are to utilise different brick sizes for each building and the façade of the proposed building incorporates larger glazed openings with dark coloured frames and a deeper setback from the brick frame façade.



Partial Elevation of the Corner of the Building and the Lower Levels of the Flaxengate Frontage

The inclusion of an additional floor and smaller units of accommodation have undoubtedly changed the way in which the building appears from the street as the building will incorporate an additional horizontal division as well as vertical divisions for each room. However, the architectural solutions are appropriate and would maintain interest across the elevations of the building. In particular, as can be seen from the images above and below, the division between the ground and first floors is recessed back to the glazing to add a feeling of verticality at street level; and the proposals will utilise a slender, long brick, which will return into the window openings with varying degrees of chamfering across the plane of the elevations.



Partial Elevation of the Corner of the Building and the Lower Levels of the Clasketgate Frontage

In light of the above, officers are satisfied that the proposals would stand up as a high quality development in their own right and when considered in relation to the approved development at Grantham Street. In particular, officers are satisfied that there would be a suitable difference between the architecture and materials palettes chosen for each of the Grantham Street and Clasketgate Buildings to ensure that they maintain an appearance of separate and distinct buildings.

v) Design of the Development within its Context

It is noted that the Civic Trust and a resident raised concerns regarding the original application but that was actually based on the approved architecture for the development of a hotel. As the proposals have now moved away from this approach, it is necessary to consider the impact of these proposals upon the character and appearance of the Conservation Area.

The plans submitted for the development include specific references to the type of materials proposed for the building, as referred to above. The applicant has also provided a number of photovisuals of the proposals to illustrate how the development will assimilate within its immediate context. In particular, the visuals help to illustrate the varied mix of buildings and their heights which prevail along this part of Clasketgate:





As with the design of the individual building, officers are satisfied that the development would incorporate facing materials of sufficiently high quality and colour / texture to have a suitable modern appearance that would enhance the character and appearance of the Conservation Area.

The established views towards the historic hillside would not be affected by the proposal so it is considered therefore that it would not cause undue harm to the setting of the listed buildings on the hillside. Similarly, officers remain satisfied that the development would not have a harmful impact upon the established setting of the Theatre Royal nor on the heritage values of the Theatre Royal building itself.

c) *Summary in Relation to this Issue*

Officers are satisfied that the proposals would result in a modern building that will assimilate well within its context, particularly the façade treatments, which address the street edge in a similar way to other buildings within the vicinity and are sufficiently broken down into component parts in order to add visual interest to the building. Moreover, the proposals offer the opportunity to regenerate this important area with a high quality development that is suitably scaled to appropriately 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 duties contained within sections 66(1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990. In terms of the former, officers consider that the proposed development is in accordance with the duty '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'. Meanwhile, in terms of the latter, officers consider that the proposed development is in accordance with the duty '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 would be in accordance with the requirements of the Framework with respect to new development within the 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, Paragraph 127 of the Framework suggests that planning decisions “should ensure that developments...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.” Similarly, those decisions should also contribute to and enhance the local environment by “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of...noise pollution”; and mitigate and reduce any “adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life” (Paragraphs 170 and 180 respectively).

Policy LP26 of the Plan deals with 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. Policies LP5 and LP33 of the Plan also refer to the impact upon the amenity of neighbouring occupiers.

b) *Assessment of the Implications of the Proposals*

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. In light of the relationship with these properties it is considered that there would not be any harm resulting from the development, particularly in relation to the scale of the development any loss of light or overbearing impacts, or any resultant loss of privacy. Furthermore, it is not anticipated that the occupancy of the development would cause to harm the occupants of those buildings by way of noise or disturbance.

Notwithstanding the above, comments have been received from the owners and operators of 'Moka and Shack', the nightclub opposite the site on Clasketgate. They have expressed concerns about late night noise from their premises and general activity from their customers resulting in complaints from occupants of the proposed student accommodation, 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.

Whilst the Common Room for each floor would be located at the Clasketgate frontage, closest to that use, the proposals would include a greater number of bedrooms when compared to the previously approved hotel. With this in mind, in order to ensure that the commercial use opposite would not be adversely affected by the proposals being in place and vice versa, it would be appropriate for the applicant to provide a noise assessment and relevant mitigation to protect the occupants of the proposed accommodation. As with the application for the hotel for this site, it would be appropriate to control, by planning condition, that the window specification and measures to reduce the passage of sound into the bedrooms should be approved prior to the occupation of any part of the building. This is likely to mean high specification glazing and limitations on the opening of windows.

As with the application for the neighbouring development, the Council's CCTV Team Leader has enquired whether it would be possible to include CCTV in the proposal, in particular, to ensure that the wireless network transmission paths are not impacted upon. This would necessitate the agreement of the developer to locate transmitters on the building or its roof. Officers have informed the applicant of this requirement and do not consider that it is an unreasonable request in order to ensure the safety of users of the building and the locality.

Finally, the applicant has been made aware of the consultation response received from Lincolnshire Police which contains pertinent advice in relation to designing-out potential issues with safety relating to the building.

c) *Summary on this Issue*

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 matters relevant to the protection of amenity.

4) Sustainable Access, Highway Safety and Traffic Capacity

a) *Relevant Planning Policies*

Paragraph 110 of the Framework sets out the key elements that development should deliver in order to ensure that they are safe and do not have a severe impact upon the road network. This is supported by policies in the Plan, including LP5, LP13 and LP33, as well as Policy LP36, which more specifically refers to development in the 'Lincoln Area'. The latter, in particular, outlines 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"

b) *Assessment of the Implications of the Proposals*

i) Movements Directly Related to the Development

The implications of the proposals upon the highway network relate to access, safety and traffic capacity.

Whilst there will inevitably be more significant trips by car at the beginning and end of terms (when students move in and out of the accommodation), it is important to note that the hotel use that has permission could be considered to be a more transient form of accommodation and the Highway Authority did not request any parking for that use. Notwithstanding this, there are several surface and multi-storey car parks nearby and the site can also be reached conveniently by public transport, as it is not far from the bus and railway stations. Furthermore, based upon the proximity of the development to the University of Lincoln and the city centre, it is ideally located to be accessible on foot and by bicycle and there will be secure cycle storage within the courtyard to the rear of the development, with 12 rails to affix cycles to.

ii) Movements Indirectly Related to the Development

The Civic Trust has raised a question in relation to a dedicated area for deliveries etc. but as can be seen from the submission the proposals are for the development to be interlinked with the approved development at Grantham Street. Therefore, there will be sharing of delivery and servicing areas. For example, the proposals are for refuse collections to be made from the Grantham Street side of the development as waste will be collected from the storage space included as part of that application. Officers are satisfied that this in itself would not sufficiently alter the nature of the existing arrangements to be

harmful to the occupants of neighbouring properties, as the regularity of collections could not be controlled by planning condition. Nonetheless, officers consider that it would be necessary to ensure that the refuse storage area is provided prior to any of the accommodation first being brought into use, which can be controlled by planning condition along with delivery times.

iii) Other Impacts

Although the development of the site would again result in the loss of approximately 15 car parking spaces, these were consented to be omitted with the scheme for a hotel. The spaces were only used by employees of Pygott and Crone Estate Agency and were 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.

c) Summary on this Issue

As the majority of movements to and from the proposed development would be on foot or by bicycle to and from the University (and other local trips to the city centre), the impact upon highway safety or traffic capacity resulting from the development is not considered to be harmful.

5) Other Matters

a) Archaeological Implications of the Development of the Site

i) Relevant Planning Policy

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.

ii) Work Undertaken for this Application

The applicant has resubmitted all the evidence that was submitted during the consideration of the application for the hotel development of the site. Based on this evidence base, Members may recall that officers recommended that permission could be granted subject to a number of planning conditions recommended by the City Archaeologist to govern the following:-

1. The provision of a detailed Written Scheme of Investigation 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; and
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 and would address the concerns raised in respect of archaeology by Historic England.

b) Flood Risk and Drainage

i) Relevant Planning Policies

The Framework sets out a strategy for dealing with flood risk in paragraphs 155-165 inc. which involves the assessment of site specific risks with proposals aiming to place the most vulnerable development in areas of lowest risk and ensuring appropriate flood resilience and resistance; including the use of SUDs drainage systems. Meanwhile, Policy LP14 of the Plan is also relevant as it reinforces the approach to appropriate risk averse location of development and drainage of sites, including the impact upon water environments.

ii) Assessment of the Implications of the Proposals

The applicant has resubmitted the information accompanying the application for the hotel development of the site, this included a high-level Drainage Strategy which 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.

Furthermore, the drainage scheme also suggested that surface water would be addressed in a more conventional form with an attenuation tank. The details of this will need to be finalised, particularly if the proposals share a drainage scheme with the neighbouring site at Grantham Street and if there are any implications upon archaeology. 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.

c) Land Contamination

i) Relevant Planning Policy

Paragraphs 170, 178 and 179 of the Framework refer to land contamination and are supported by Local Plan Policy LP16, which 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 any documents in relation to contamination but it is important to note that a Phase I Desk Study for the hotel development suggested that there is potential for several key contaminants to be present on site. However, as that report was not submitted with the application, it would be appropriate to impose standard contaminated land planning conditions on an approved application, as advised by the Council's Scientific Officer.

d) External Lighting

As with the application for the development of the adjacent site at Grantham Street, it would be appropriate for the applicant to provide details of any functional or architectural

external lighting of the building or its curtilage, in order to avoid a detrimental impact upon neighbouring properties. It is therefore recommended that an appropriate scheme of lighting is controlled by planning condition.

6) Planning Balance

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 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 student accommodation, spend in the City and retention/creation of other jobs due to the location of the development within the City. The location of additional accommodation in a sustainable location would not undermine this position, rather it would serve the University that continues to grow. Furthermore, 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. This would also improve environmental sustainability

With this suitably designed development, the implications upon the character and appearance of the conservation area and the impact of the development upon general amenities would not have negative sustainability implications for the local community, as they would lead to a development that would be socially and environmentally sustainable. What is more, the development would deliver wider benefits to the City, through improvements to this key area of the City as referred to in the report.

Similarly, subject to the foundation design of the proposed development being a suitable means of preservation for buried archaeological remains, in this instance officers would advise Members that the planning balance should fall in favour of the proposals due to the long term implications of the enhancement that would be brought to the conservation area, as well as the potential stimulus that the proposals could be for further wider enhancement of the historic townscape.

Thus, assessing the development as a whole in relation to its economic, social and environmental dimensions and benefits, officers are satisfied that there are significant benefits of developing this site in the manner proposed.

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

Yes additional information provided and the scheme revised following officer feedback.

Conclusion

The building proposed is appropriate in terms of its use and is of a high quality design. The design is clearly different from the approved hotel but it is an equally appealing and is sensitive to its context. The scale and massing are very similar to the previous approval and the relationship with the building under construction to the north is equally carefully considered.

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

Application Determined within Target Date

Yes, subject to an agreed extension of time.

Recommendation

That the application is Granted Conditionally subject to the planning conditions listed below:-

Standard Conditions

Approved Plans
Timeframe of Permission

Conditions to be discharged before commencement of works

Historic Building Recording of Existing Building;
Contract for Redevelopment Works to be Provided Prior to Building Demolished;
Archaeology;
Contaminated Land Conditions;
Noise Assessment and Details of Noise Attenuation for Windows;
Details of Plant / Machinery and Mitigation;
Schedule of Materials;
Foul and Surface Water Management Strategy;
Details of CCTV Equipment for Building;

Conditions to be discharged before use is implemented

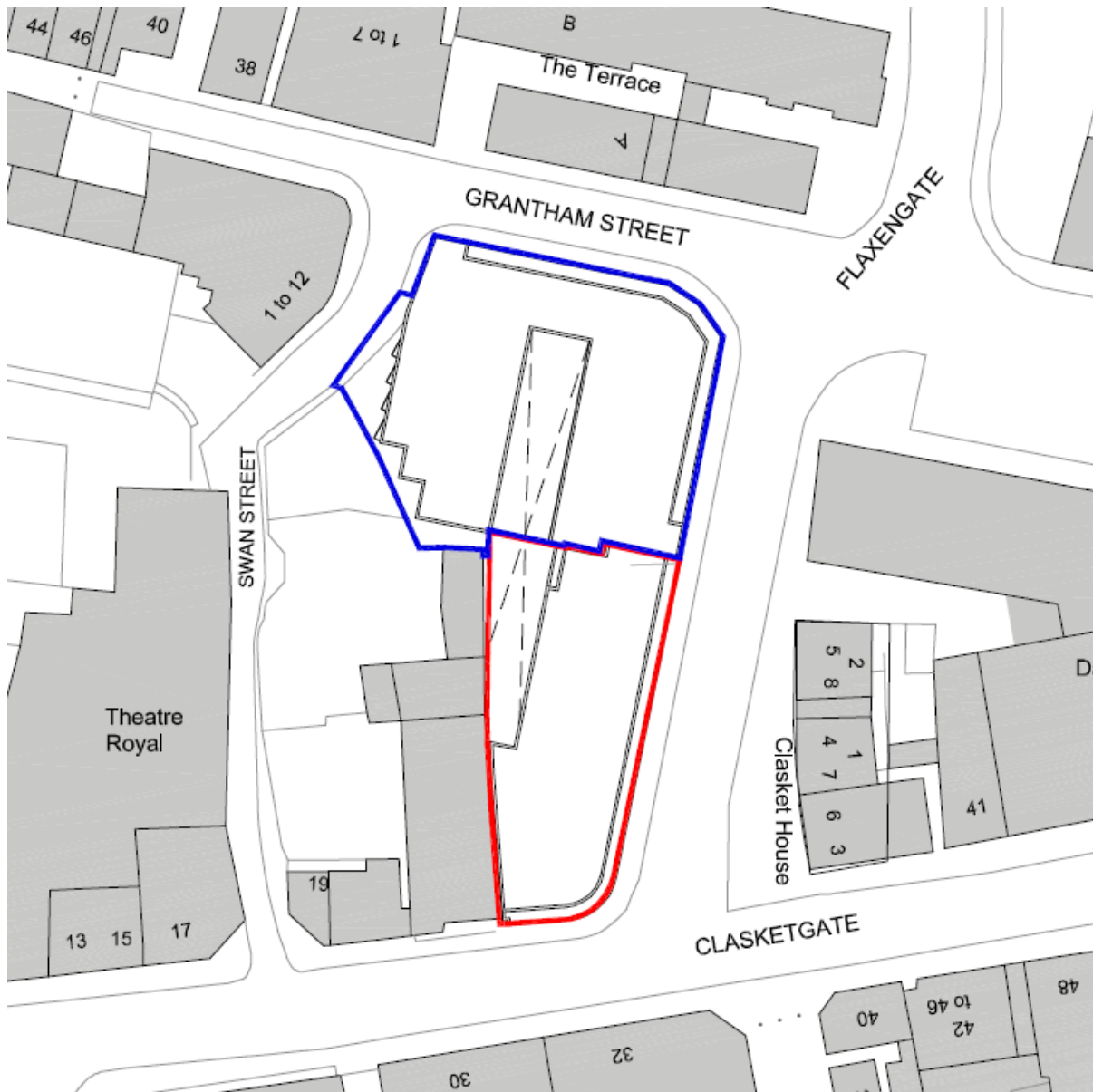
Cycle Storage Provided on Site;

Conditions to be adhered to at all times

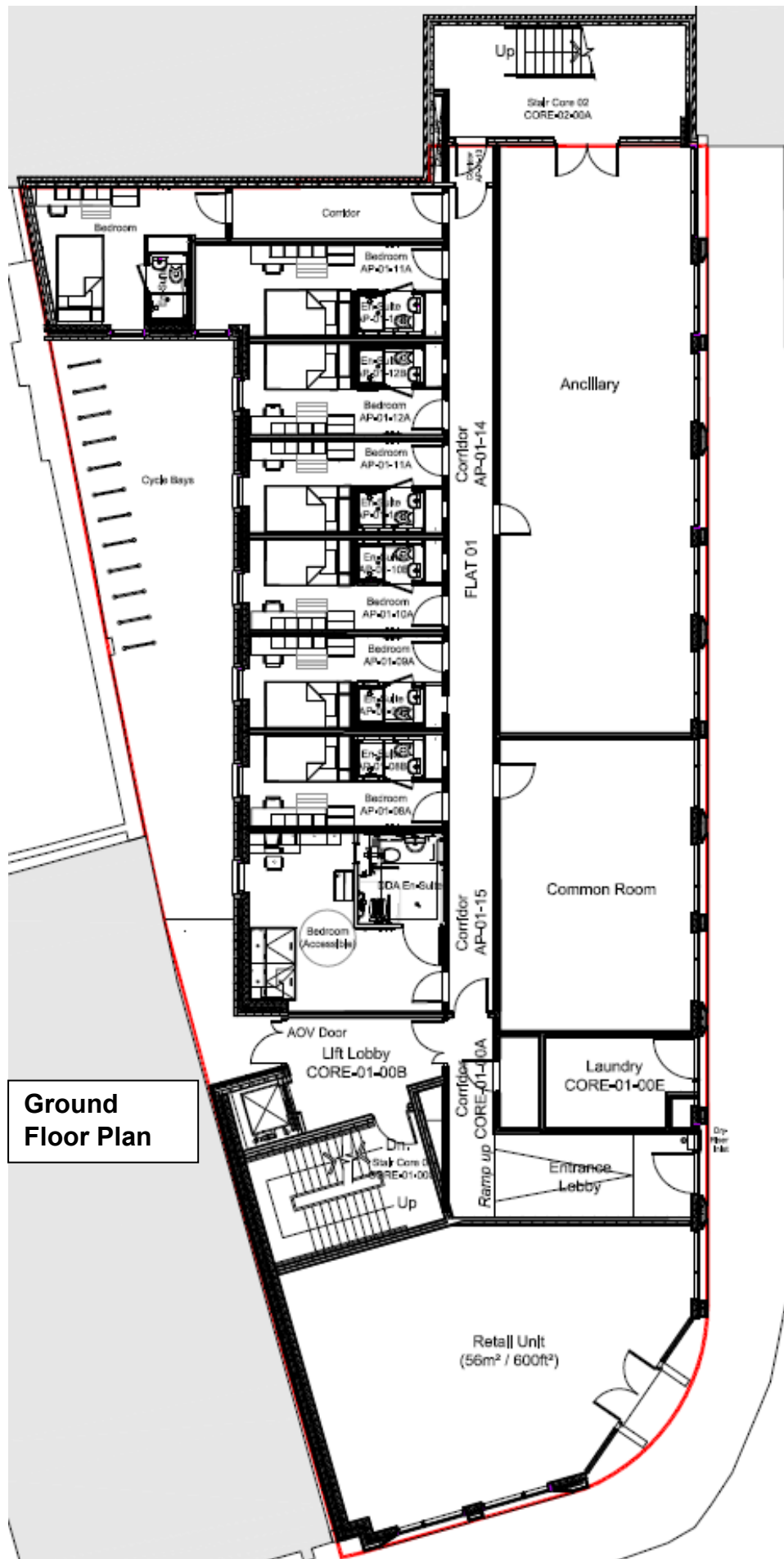
Details of Kitchen Extraction and Mitigation;
Details of any External Lighting; and
Controls over hours of deliveries and refuse collections.

Report by Planning Manager

Plans

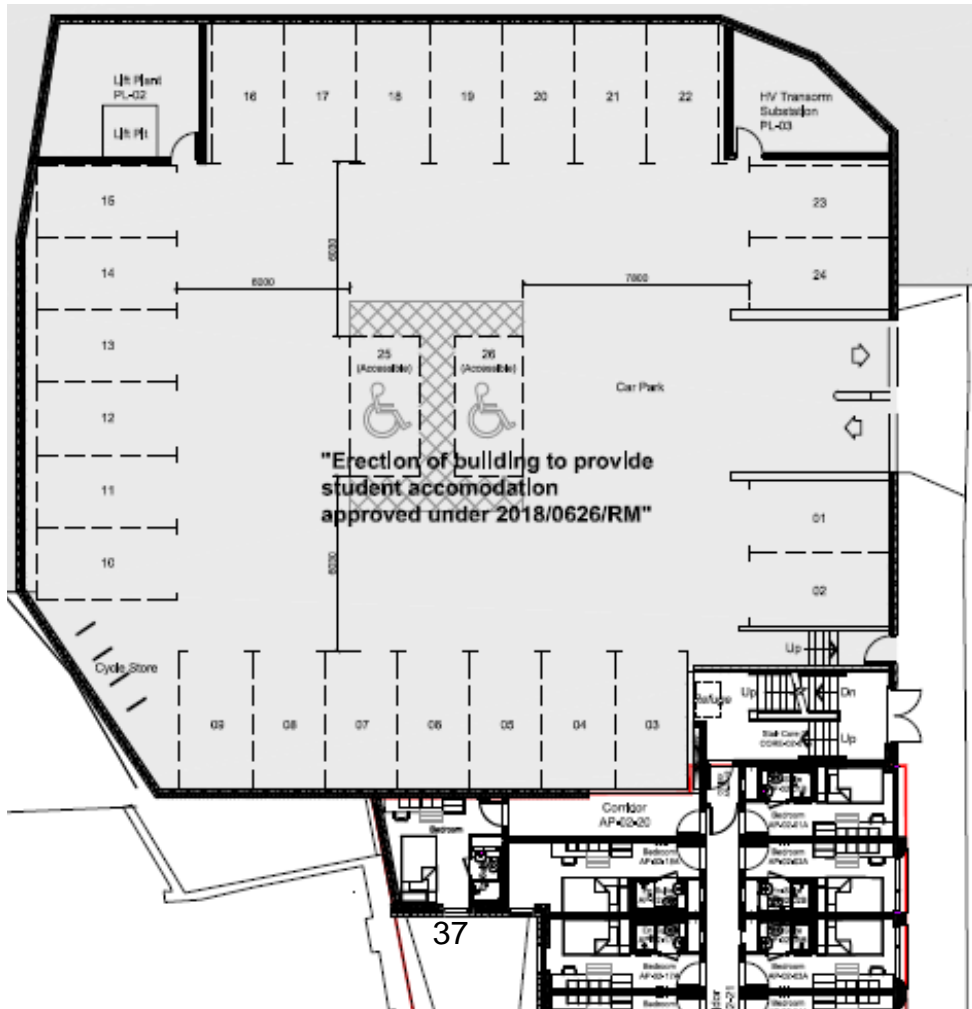


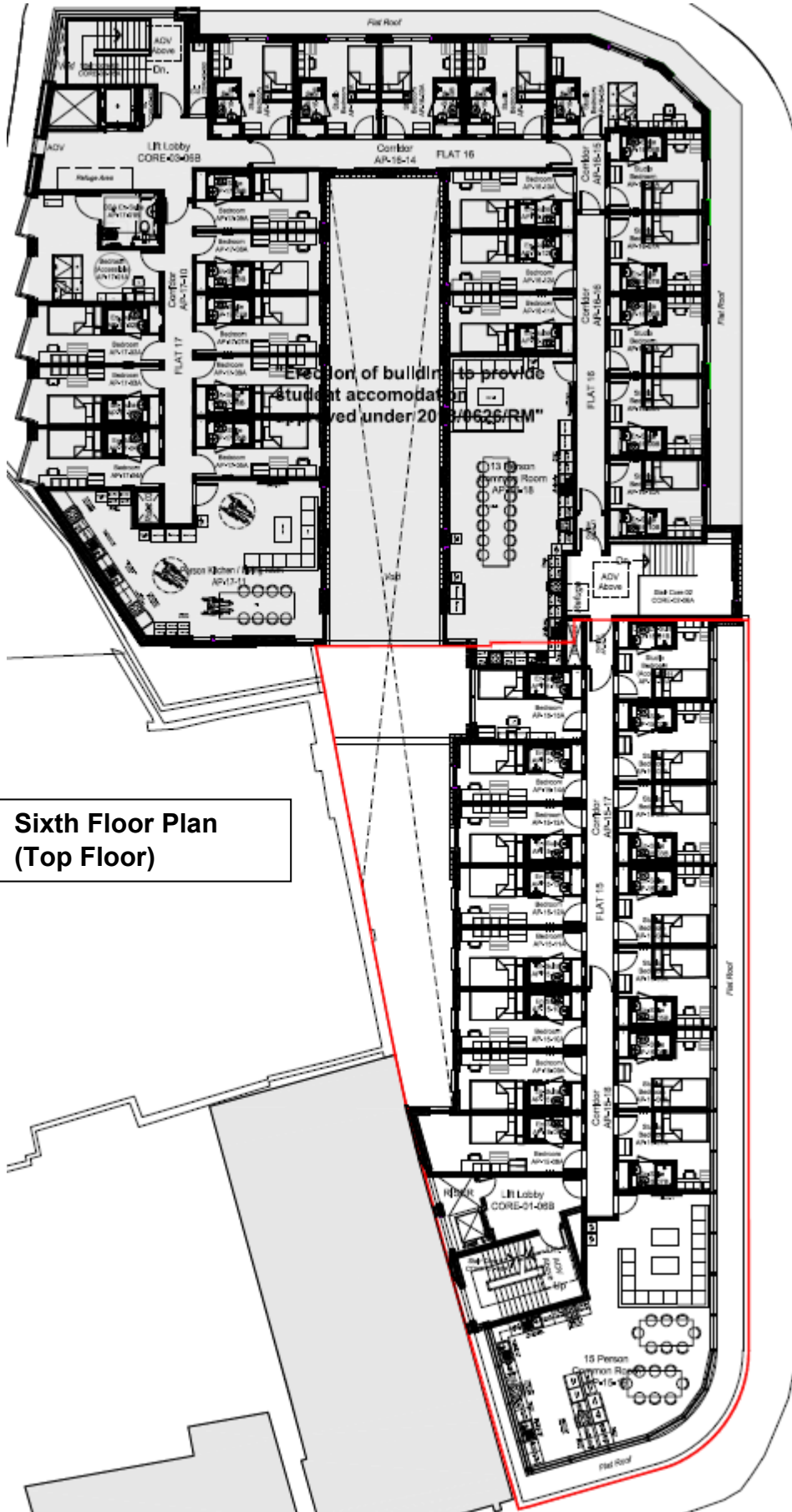
Site Location Plan



Ground Floor Plan

First Floor Plan





Sixth Floor Plan
(Top Floor)

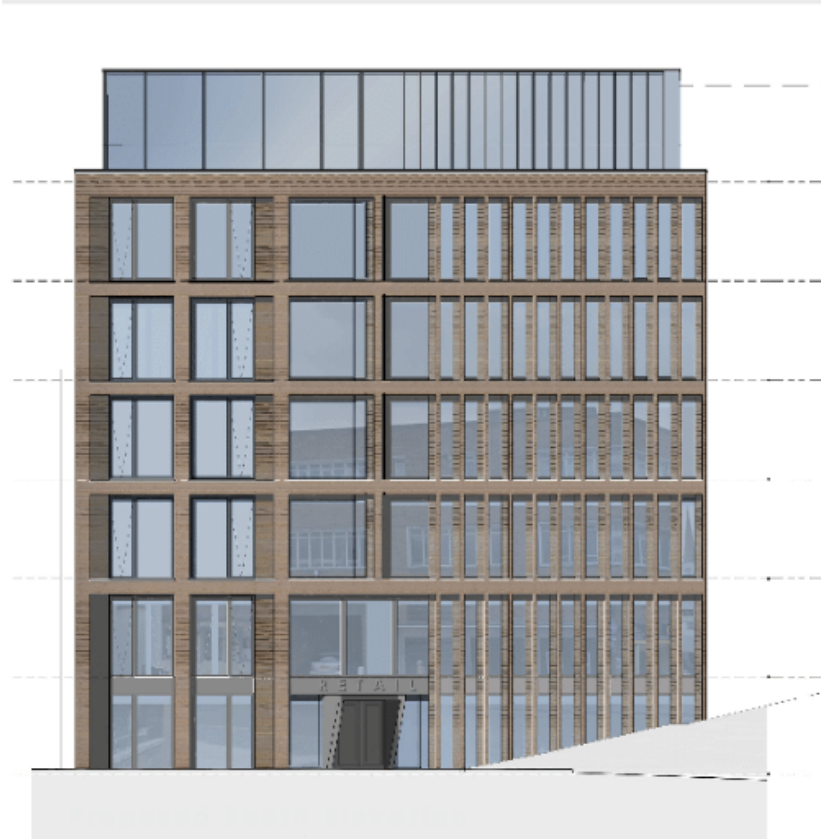
Elevations

39



Proposed East Elevation (Flaxengate) in Context with Approved Grantham Street Development

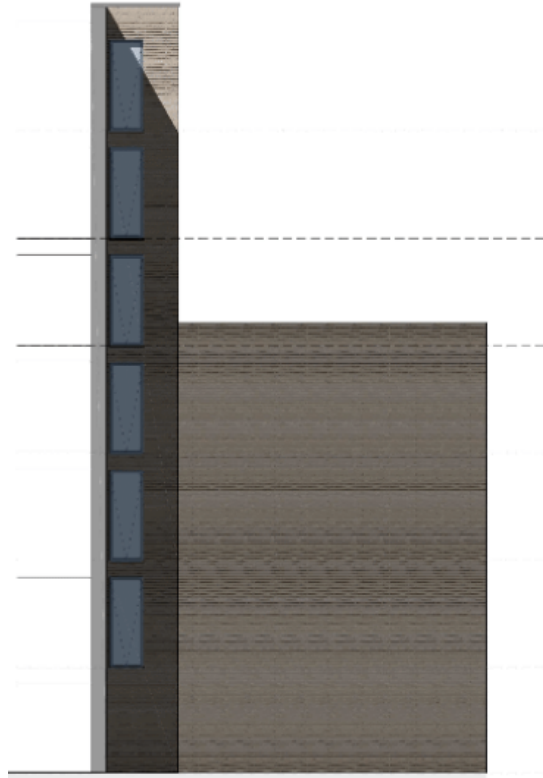
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South Elevation (facing Clasketgate)



Proposed West Elevation (facing Swan Street)



**North Elevation
(facing into rear courtyard – rear of adjacent offices shown)**

Photo Visualisations







Site Photographs











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Consultation Responses on Revised Submission

Historic England

Thank you for your letter of 10 September 2018 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

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.

We have been consulted in relation to amended plans in relation at the above site. We have previously provided advice on this application in our letter of 9th August 2018. Having reviewed the additional information provided we have no further comments to make on this occasion and refer you back to our previous advice contained within our letter of 9th August 2018 which still remains relevant.

Our advice is given in line with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, the Planning Practice Guidance and the Historic Environment Good Practice in Planning Notes 2-3.

Recommendation

Historic England has concerns regarding the application on heritage grounds as outlined in our advice letter of 9th August 2018. 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 highlight our concerns in relation to archaeology as outlined in our letter of 9th August 2018, which we would wish to be thoroughly addressed.

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 192,193,194 and 196. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Rose Thompson
Inspector of Historic Buildings and Areas

Lincoln Civic Trust

OBJECTION - We have already made our position clear; but to briefly precis our comments:

1. Structure is too high particularly for the 'Clasketgate Street' elevation;
2. The mass of the structure is of too greater magnitude for position;
3. It is a boring non-descript "office block" sitting in the "cultural quarter";
4. There is no provision for student "drop-off" or deliveries; and
5. Internal design does not allow for any other use when student numbers decrease.

Lincolnshire Police (Revised Submission)

Lincolnshire Police has no formal objections to the revised planning application.

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 Designing Out Crime Officer (DOCO)

Responses by or on Behalf of Neighbours or Others on Revised Submission

Mr. S. Walia (Huckleberrys, 30 Clasketgate, Lincoln)

The addition of a further 2 floors to the development will have a significantly detrimental effect upon our residential accommodation, by blocking the little daylight available to us. Commercially the works will also impact our hotel rooms while causing significant disturbance to our guests while works are in progress.

I also struggle to comprehend how this will benefit an area of "conservation"

Consultation Responses on Original Submission

Historic England

Thank you for your letter of 26 July 2018 regarding the above application for planning permission and your letter of 7th August 2018 in relation to further amendments submitted. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

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.

We have previously given advice in relation to this site in our letters of 1st December 2017 and 15th May 2018. The previous proposal was for the demolition of 27-29 Clasketgate and the erection of a six storey building (2017/1181/FUL). In our letters we raised concerns in relation to the proposed demolition of 27-29 Clasketgate, the archaeological impacts of the proposal and the proposed new development. The application was subsequently approved by your authority. From our understanding the current application remains largely unchanged from the previous application with the exception of a few minor amendments to the design of the proposed 7 storey building. The application mainly proposes a change of use from the consented hotel

scheme to student accommodation. Our previous concerns therefore remain largely unchanged in relation to the current application as outlined below.

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

It will be for your authority to consider whether the Heritage Statement provides a robust and accurate analysis of the impact of the proposal on the significance of heritage assets in line with paragraph 189 and 190 of the NPPF 2012. As previously advised, 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 7 storeys in height, in a mixed palette of materials which includes a brick cladding, standing seam roof, and glazed clerestory. We understand from the information contained within the supporting planning statement that the height remains unchanged from the previously approved scheme and that the extra storey is possible through alterations in floor to ceiling heights. We also note that only minor amendments have been made to the previous design. Our comments therefore remain as outlined previously. In our view, 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. A 7 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. We are however aware, a building of this height has previously been approved.

Archaeological assessment

We have examined the updated Desk Based Assessment CGMS (October 2017) & Supplement (April 2018) and the Interim Archaeological evaluation Report PCAS Archaeology (April 2018). As previously advised Historic England does not concur with the narrow view of setting impacts upon the Scheduled Colonia (LI115) as set out

in the CGMS report nor aspects of the assessment of archaeological potential. Further to the approach set out in Setting of Heritage Assets (Historic Environment Good Practice Advice Note 3) setting needs to be understood both in terms of the experience of the monument as place and as associated archaeological remains. At Lincoln the experience of the Roman city as legible in the modern landscape and its overlay onto the natural topography is a key element of its significance and cannot be reasonably reduced to visiting the museum or looking at printed material. The development site has as demonstrated from the material submitted and records of interventions on adjacent ground, evident high potential for remains of national importance to survive at depth, we do not concur with the updated CGMS document that the results of the evaluation demonstrate an absence of Roman buildings nor can the Roman ground surface or the post-Roman levels be dismissed as providing a neutral contribution to the significance of the monument, indeed an understanding of how space was used in the City both in terms of open areas and structures is key to the understanding of significance in the City as a whole.

The trial trenching results suggest that a program of excavation to formation level (allowing for the avoidance of plant and service intrusion) could with careful location of piles to avoid sensitive remains provide a reasonable strategy to avoid unacceptable losses to national important remains or unacceptable impacts on the overall significance of the Roman City (including as setting to Li115 and other Scheduled Roman remains in Lincoln) and treat remains proportionately. To achieve this outcome excavation and potential resurvey with GPR from formation level and use of archaeological boreholes will be required in a bespoke scheme of work to the satisfaction of the City Archaeologist. As set out in our published Piling and Preservation advice a sustainable piling strategy is not a matter of simply setting an arbitrary percentage of acceptable loss to a poorly understood resource, rather it is necessary both to understand the character and form of the material to be piled and to set out the piling layout relative to the significance and sensitivity of those remains.

Elements of the submitted Desk Base Assessment remain unfit for purpose in that that they fail to engage appropriately with the significance of the site and the sensitivity of the Scheduled Monuments, however an approach based upon an archaeologically informed piling strategy as discussed above could address archaeological impacts and setting effects if supported by sufficiently robust conditions further to NPPF Para's 193, 194, 196 and 199. On that basis we do not object on archaeological grounds but would wish to see these concerns thoroughly addressed.

Our advice is given in line with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, the Planning Practice Guidance and the Historic Environment Good Practice in Planning Notes 2-3.

Recommendation

Historic England has concerns regarding the application on heritage grounds as outlined above. 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 192,193,194 and 196

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Rose Thompson

Inspector of Historic Buildings and Areas

Lincoln Civic Trust

We would firstly like to reiterate the 'Objections' we had to the original application 2017/1181/FUL.

The committee felt that the site was prime for redevelopment but that the application was too large and dominated the street scene. The original application talked about creating a bridge between uphill and downhill; we felt it created a barrier between the two parts of the city.

Our original objections are:

1. The overall mass of the structure is too large and with now 7 storeys rather than the original proposal of six, the building will be overpowering for the Clasketgate street scene. We appreciate that the plan appears to suggest that the overall height of the structure will not be increased (some concern there), the concentration of floors and windows on the proposal will have an equally overpowering effect. It is noted that the top floor appears from the plans, to be closer to the edge of the building which differs from the original proposal.
2. It has the general appearance is of a nondescript office block and given that it is within the cultural quarter of the city, should be more distinctive. (To refer to it as having Contemporary Art Deco features is pushing the boundaries).
3. There is no provision for a drop-off area for either students arriving with belongings or for future deliveries of supplies or student arrivals and departures.

In our original objections we were most concerned about the lack of any sensible parking facility.

The revised proposal removes that requirement, but as we have pointed out in past applications for student blocks, many students will attempt to bring cars to the city and there is in this particular area, absolutely no car parking provision at all. This will lead many students parking their cars further away and into the residential areas such as Monks Road. Whilst we appreciate that it is the Councils and Universitys policy to discourage the use of private transport, it cannot be legally enforced and we may be building up a real problem for the future.

Our other concern is that at the moment the student population of the Lincoln Universities and colleges is still growing and that is to be applauded, but there will come a time and is already being seen at many other Universities in the country, when the numbers either plateau or more likely start to shrink. The internal design of this type of purpose-built student accommodation does not allow for any other use without

some major alterations. The accommodation is purposefully designed to maximise the space and be suitable only for students with a short-term tenure and would not be adaptable for other residential purposes. The University's stated aim is to have a surplus supply of 2% which on a student population of say 16,000 would equate to 320 bed spaces being empty at the beginning of the academic year. As we all know the drop-out rate in the first two to three months is fairly high and hence the surplus rate by November will be higher. That level of surplus would equate to two blocks of a similar size to the application being completely empty which would be very concerning. We would ask that more consideration be given to the internal design.

The site on Clasketgate is prime for redevelopment and with the down-turn in retail its uses are limited so we appreciate that a different use of the site has to be considered. We are concerned of the suitability and the damage to the street scene that a building of this magnitude will do.

Lincolnshire Police

Historically Student Accommodation can become vulnerable to crime and anti-social behaviour therefore it is important that the best security arrangements and provision are planned for such premises.

I have no further comments to add beyond those made in my previous response.

The safety, security and general well-being of students should be of paramount importance when considering the detail of this application.

Lincolnshire Police has no formal objections to the planning application.

However I would in particular draw your attention to the following paragraph as the plans indicate a roof terrace / flat roof to which ready access appears likely.

Access to Places of Height

It is important that access to places of height (prevention of suicide) is secured on all levels and should include the provision of substantial windows and locking systems together with fixed and secured 'window restraining' devices. Any points of access to the roof area or other place of height should be secured by way of 'appropriate' fire compliant locking systems.

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 Designing Out Crime Officer (DOCO)

Responses by or on Behalf of Neighbours or Others on Original Submission

Mr. J. Wright (69 Nettleham Road)

I OBJECT to the above revised application, specifically for excessive height and bulk, and its impact on Clasketgate and Flaxengate. My reasons are detailed below:-

Current Townscape of Clasketgate

1. Historic England on 9 August 2018 expressed concerns and stated *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.*
2. Immediately opposite the proposed development on Clasketgate is Ye Olde Crown, a Tudor timber framed tavern of two storeys, with ancient dormer windows in the steeply pitched roof.
3. There is a 3-storey office block immediately west of the proposed development, with 2-storey shops beyond that as far as The New Theatre Royal.
4. Immediately east of the proposal across Flaxengate is a 3 storey brick building with pitched roof

The Impact of the Proposal on Clasketgate and Flaxengate

5. The proposed 7-storey development fronting onto Clasketgate is thus far too high for the adjacent townscape. It will completely overpower and dominate Clasketgate, and is out of character with the adjoining buildings such as Ye Olde Crown and the adjacent shops.
6. This development is proposed to be a seamless continuation of the approved 6-storey student accommodation block on Grantham Street. It will therefore form a continuous wall of up to 7 storeys high, along the full length of Flaxengate from Clasketgate up to Grantham Street.

Drawings showing the Impact of the Proposed Development

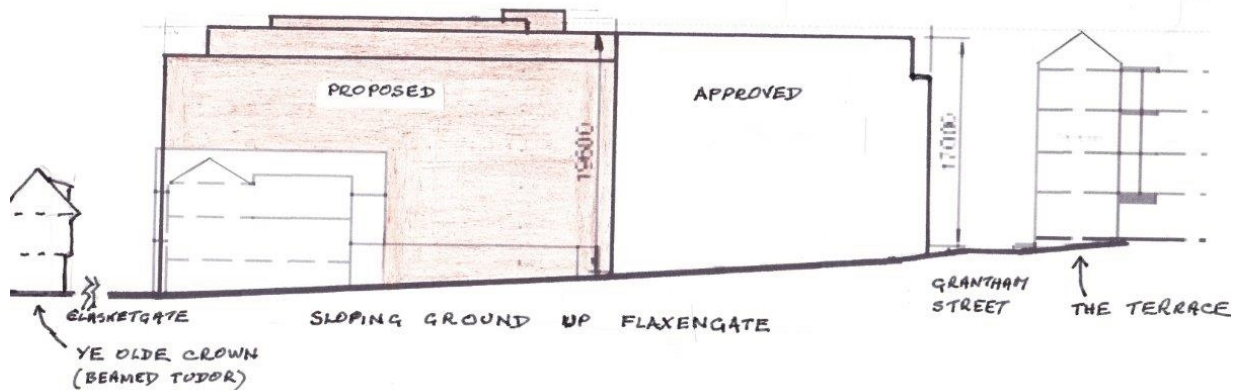
The impact is best conveyed by reference to the following three line drawn visuals. I am a chartered civil engineer, and have carefully prepared these drawings to try to ensure that they are as accurate as possible, without distortion.

Drawing 1, - Height Parameters

- Flaxengate slopes down steeply, and drops approximately 3 storeys from The Terrace on the uphill side of Grantham Street down to Clasketgate

- This drawing shows how the proposed development joins to the approved development on Grantham Street to form a continuous wall.
- Members will note that the approved block has a roof level just under the roof height of the Terrace, but that the developers did not make any reduction in height to reflect the sloping ground down Flaxengate
- The proposed development has been continued at this same roof line, again with no allowance for sloping Flaxengate. Consequently, the frontage onto Clasketgate which continues the roof level of the 4-storey Terrace block is about 3 storeys higher than The Terrace frontage.
- There is no information on Lincoln City Council's Planning website about the top storey, Level 7, of the development. However, it appears that it may be a luxury pent house suite, glazed all round with curtain walling, plus a roof top terrace with safety screens which are higher than the roof line of the approved development. Rising still higher above this roof line is a structure which presumably is to give access to the roof top terrace. The result is that this rises almost to 8 storeys above street level.

DRAWING 1 - HEIGHT PARAMETERS



Drawing 2, - Line Drawn Visual of Clasketgate looking east from Swan Street

- This drawing shows how the development will dominate and overpower the predominately 2 and 3 storey buildings adjacent
- Notice the impact it will have on the Tudor beamed tavern – Ye Olde Crown, which is immediately opposite.
- The development will also be a discordant intrusion when viewed from longer distances along Clasketgate, both east and west

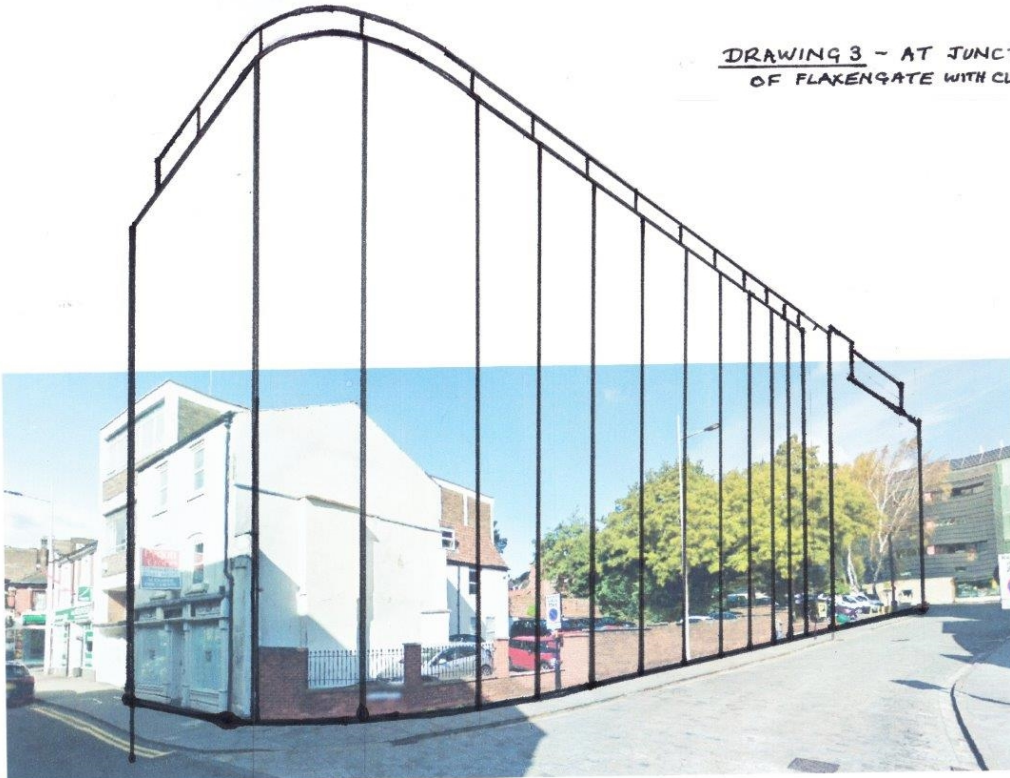
DRAWING 2 - CLASKETGATE LOOKING EAST
FROM SWAN STREET



Drawing 3, - Line Drawn Visual looking from the junction of Flaxengate with Clasketgate

- This drawing clearly shows the overpowering scale of the proposed development, and the intimidating effect of the continuous tall façade from Clasketgate up the hill to Grantham Street.

DRAWING 3 - AT JUNCTION
OF FLAKENGATE WITH CLASKETGATE



Conclusions

1. I note that Historic England states that *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.....We consider that the scale of the proposed building would have a negative impact upon the character and appearance of the conservation area.....when viewed from Clasketgate, the proposed building would appear overbearing.....The proposed roof profile, including the large area of glazing.....would....not sit harmoniously within this context.....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 and distinctiveness.*
2. I note that Lincoln Civic Trust states that *The overall mass of the structure is too large and now with 7 storeys.....the building will be overpowering for the Clasketgate street scene.....We are concerned of the suitability and the damage to the street scene that a building of this magnitude will do.*
3. **I submit that the scaled drawings I have supplied clearly demonstrate that the building is at least 3 to 4 storeys too high and that its mass on Flaxengate is far too heavy and intrusive. It is a major overdevelopment of this small site.**
4. I am aware that a 6 storey hotel proposal has previously been approved for this site. This had a proposed roof line slightly lower than the present application, and was proposed as a shorter building, clearly separated from the approved student's accommodation on Grantham Street. The impact of its height and mass was thus significantly less.
5. Notwithstanding this comment, the hotel proposal was not implemented, and the current application is a completely new proposal. Planning Committee members can therefore view this current application from first principles, as no precedent has been set.

I therefore urge members of the Planning Committee to refuse this application on the grounds of excessive height and mass, on its damaging effect to the character and appearance of the conservation area, and that it makes no positive contribution to local character and distinctiveness.

Yours sincerely

Jeremy Wright
B.Sc (Tech), M.I.C.E, Chartered Engineer.

Moka and Shack, 11 Silver Street

We write on behalf of our client, Deltic Group, owners and operators of Moka and Shack, a nightclub 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 22:00-04:00 on Fridays and 22:30-03:00 on Saturdays with occasional one-off mid-week events. The venue 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 seven-storey, 118-bedroom student accommodation building opposite its nightclub, is the possible impact upon a long established existing late-night business like Moka and Shack. The concern is over the potential impact upon residents in bedrooms of the proposed accommodation, 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 Agent of Change Principle whereby developers are responsible for ensuring new developments provide mitigation against existing late-night businesses is now an accepted planning consideration, following its inclusion in national planning policy. Paragraph 182 of the revised National Planning Policy Framework (NPPF) states:

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Whilst it is accepted that existing national and local development plan policies support mixed use developments in central locations, due consideration has to be given to existing businesses in line with the above.

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.

A previous application for a 63-bed hotel (2017/1181/FUL) was approved on 30th May 2018, at the same site. Condition 12 required, prior to the installation of the windows, the submission to the council of details of specification and measures to reduce the transmission of sound into the hotel rooms. When determining the current application, significant consideration should be had regarding the heightened sensitivity of the proposed student accommodation. The previously approved hotel had 63 residential receptors, compared to 118 included in this scheme. As a result, any potential condition(s) imposed should reflect such sensitivity. It is suggested that if the application is to be approved, conditions should be imposed to ensure all bedroom windows are triple glazed and permanently sealed shut and air conditioning is provided to each bedroom.

The applicant's planning statement outlines that the layout of the proposed scheme is such that the common area is sited facing the Clasketgate frontage. While it is appreciated that sleeping accommodation

is facing the quieter Flaxengate, the noise from our client's premises will still be audible and will therefore require the requisite attenuation measures to fully protect amenity and ensure no unreasonable restrictions are placed upon the existing premises.

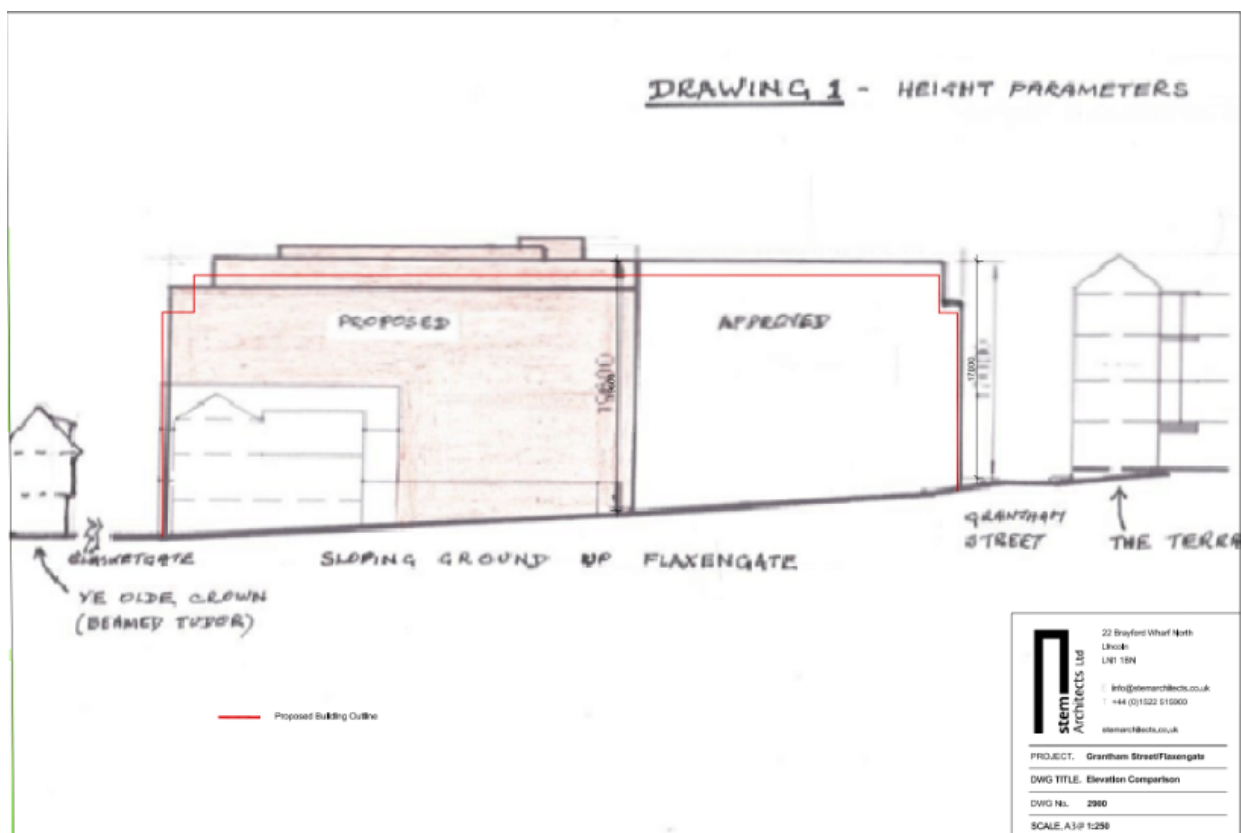
Planning Officers will be aware of the recent High Court decision on 8th September 2015 relating to proposed residential development adjoining the Koko night club, a live music venue in Camden. High Court Judge Mr Justice Stewart ruled that insufficient attention had been paid by the local planning authority 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.

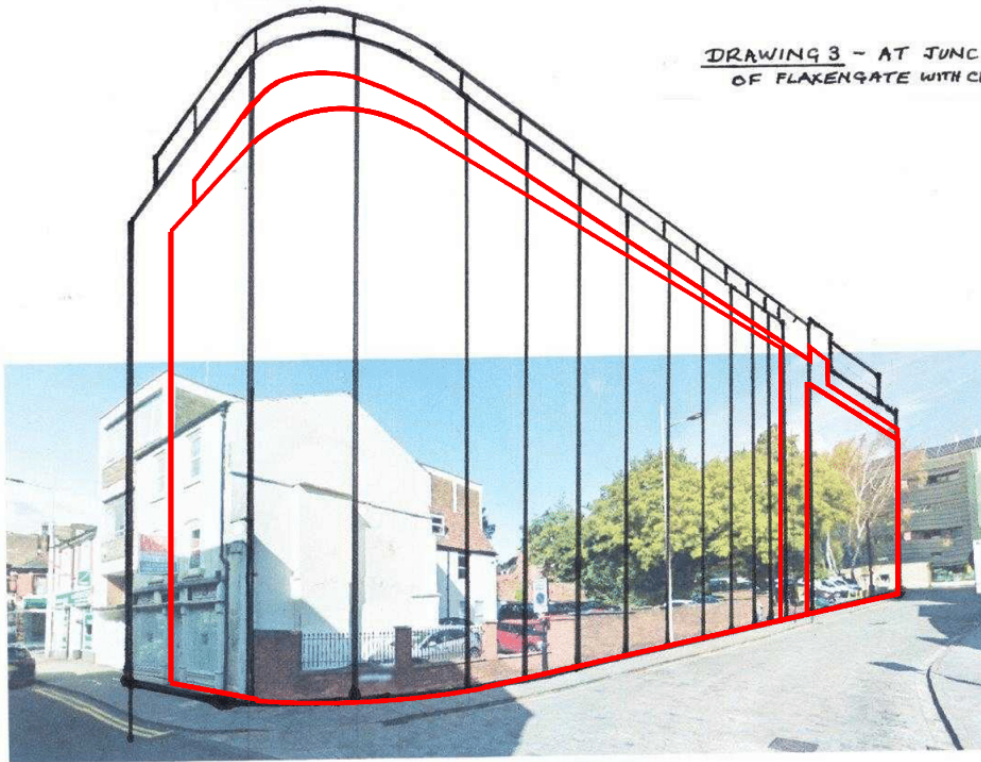
In conclusion, it is considered that in the absence of a full noise survey, undertaken over several nights and the absence of a resultant noise assessment report, the application should either be refused or deferred until a survey is undertaken, a report prepared, and its receipt advertised with a 21-day period to comment on it. If the council are minded to approve the scheme, conditions should be imposed that reflect the sensitivity of the proposal to nearby longstanding late-night premises.

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.

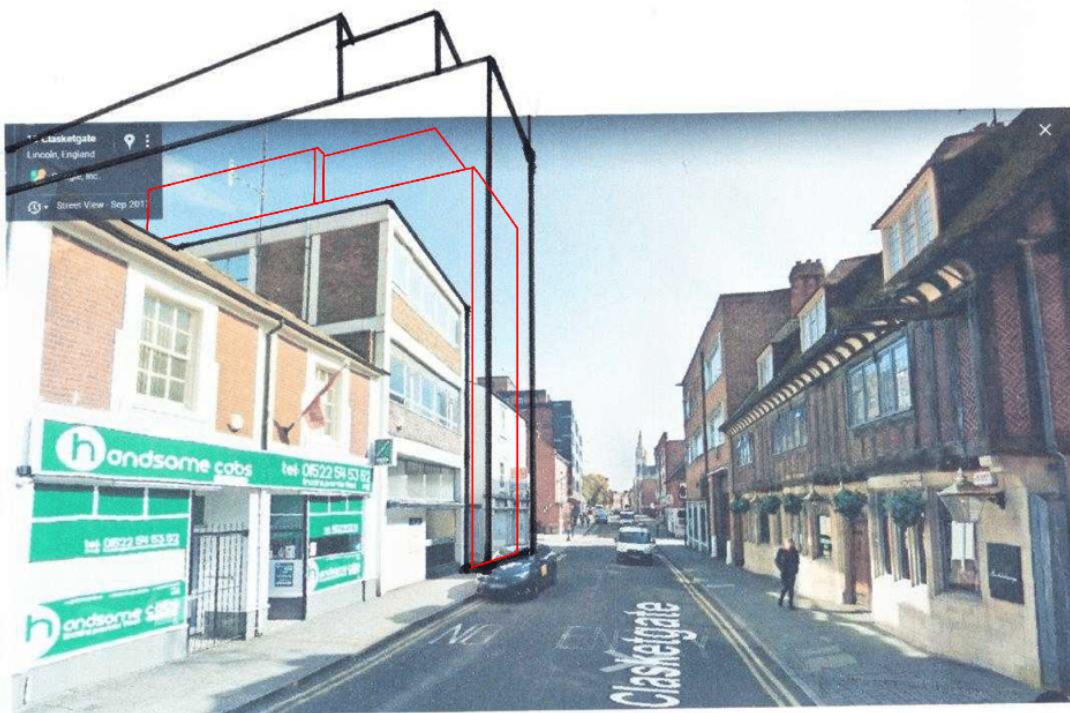
Appendix A: Applicant's Response To Concerns Regarding Massing



DRAWING 3 - AT JUNCTION
OF FLAKENGATE WITH CLASKETGATE



DRAWING 2 - CLASKETGATE LOOKING EAST
FROM SWAN STREET



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Application Number:	2018/0970/FUL
Site Address:	1 St Annes Road, Lincoln, Lincolnshire
Target Date:	29th September 2018
Agent Name:	Heronswood Design Ltd
Applicant Name:	Mr Andrew Derry
Proposal:	Erection of a single storey extension to front elevation to facilitate the conversion of existing offices into 9no. residential units

Background - Site Location and Description

1 St Anne's Road is located on a corner plot with St Anne's close to the south and St Anne's Road to the east. The plot is in a residential area although the hospital is located to the east.

The property was most recently in use by the NHS as office accommodation. Permission is now sought to change the use of property to 9 self-contained residential flats. As part of the conversion a small extension is also sought to the front of the property. The conversion would create 6 x one bedroom flats and 3x 2 bedroom flats.

Case Officer Site Visit

Undertaken on 27th September 2018.

Policies Referred to

- National Planning Policy Framework
- Central Lincolnshire Local Plan
 - LP25: The Historic Environment
 - LP26: Design and Amenity
 - LP37: Subdivision of properties in Lincoln

Issues

- Visual amenity and design
- Residential amenity and impact on neighbours
- Loss of trees
- 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

Monks Road Neighbourhood Initiative	No Response Received
Lincoln Civic Trust	Comments Received
Lincolnshire Police	Comments Received

Public Consultation Responses

Name	Address
Coryn Jenvey	Via email
Jilly Smallwood	7A Greetwell Road Lincoln LN2 4AQ
Colin Gillard	Via email
Paul And Heather Barczak	13 Greetwell Road Lincoln LN2 4AQ
Paul Pumfrey	11 Greetwell Road Lincoln LN2 4AQ
Miss Claire Smalley	Monks Manor Lodge 4 Greetwell Road Lincoln LN2 4AX
Mr Kevin Coupland	Heronswood Design 2 Sadler Court Lincoln LN6 3RG

Consideration

Visual Amenity and Design

Minor amendments to the external appearance of the building are proposed as part of the application. To the front of the property a current single storey off shoot would be removed and replaced with an extension of similar scale and appearance but with a slightly larger footprint. Again, to the east elevation, an existing door would be removed and replaced with a window which would match the other windows on the property. The doorway would be bricked in with a brick to match the main property.

To the south elevation an existing single storey flat roof infill section would be re-clad and an existing window removed. Another door on this elevation would be removed and replaced with matching brick work and a high level window.

To the north elevation an existing window would be replaced by a door and an existing door removed and replaced with a window. This is due to the internal reconfiguration of the property and to allow access to the individual flats.

The site sits just outside of the Conservation Area however it is still important to assess the visual impact of the proposed alterations. Much of the property, particularly the ground floor is obscured due to the lower land level in which the property sits, and the landscaping along the boundary. Therefore the proposed single storey extensions would have limited impact on the surrounding area. The other minor alterations would be in keeping with the existing property and as such would be appropriate and in accordance with local plan policy.

Residential Amenity and Impact on Neighbours

The principle of a residential use in the property is acceptable. This would have always been a residential property with permission previously sought for it to be used by the hospital as office accommodation. Given the size of the property it is reasonable that its use as a single family home would be difficult, therefore the subdivision is acceptable.

The conversion or change of use of buildings in other uses to self-contained flats is supported by policy LP37 of the local plan where the existing building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area. It is considered that the subdivision would result in reasonably sized individual units with no reason to believe they would have an adverse impact on neighbours. Adequate provision is made for external communal areas, bin storage and on-site parking. The site is also within walking distance of the City Centre and local facilities in the Monks Road area.

Construction/Demolition Impacts

Although this is a relatively small development, due to the close proximity to neighbouring sensitive uses, there is potential for significant problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. It is therefore recommended construction of the development 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.

Tree Removal

The proposal would result in the loss of 9 trees. A number of objections have been received from local residents. These relate to the total loss of trees from the site. As can be seen from the supporting plans the proposal would not result in the total loss of trees, rather 9 trees from within the site would be removed to make way for off street parking. All the trees to the site perimeter would be retained. Policy LP25 states that development 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.

Whilst the development is not within a Conservation Area, and therefore none of the trees are protected, it is on the boundary with the Lindum and Arboretum Conservation Area. The trees lining this part of St Anne's Road clearly make a contribution to the setting of the Conservation Area in this particular location. Proposals should aim to protect trees, and it is considered that the trees which contribute positively to the area, and which are referenced by neighbours, are those on the site boundary and these are to remain.

The City's Arboricultural Officer has carried out an assessment of the trees on site and

considers the trees proposed for removal to be of mainly low amenity value, with the large tree in the north west of the garden being of moderate amenity value. Whilst it would be preferable to be able to keep the trees, their removal is allowing the provision of off road parking and outdoor amenity space for the flats, which are required as part of the scheme so as not to have a harmful impact on on-street parking and on the amenity of future occupants. To offset the loss of the trees on site it is considered acceptable to require a scheme of replacement tree planting. Therefore on balance it is considered that by offsetting the loss of the trees with replacement planting, the proposal is acceptable in planning terms.

Highways

Accessing into the site would be taken from an existing access on the corner of the site, with egress onto St Anne's Close. 9 onsite parking spaces would be provided which equates to one per apartment. The Highways Authority have raised no objections to the proposed scheme and the planning authority are satisfied that the proposal would not result in any impact on highway safety.

The proposed development would include off street parking and, therefore, it is recommended that the applicant be required to incorporate appropriate electric vehicle recharge points into the development in line with the recommendations of paragraph 110 of the NPPF. These can be secured by condition.

Contaminated Land

Due to past uses in the vicinity of the site there is the potential for contamination to be present. As such, in order to address any contaminated land issues that that may be identified during the development of the site, it is recommended that a condition be attached to ensure that in the event that contamination is found at any time it is reported to the Local Planning Authority.

Bin Storage

The flats to the ground floor would have external space for their bins within their own external private space. The flats to the first floor would be served by a bin store located to the east of the site.

Conclusion

The proposed use of the property for self-contained residential flats would be acceptable in this existing residential area. The physical alterations to the building would be minimal and would remain in keeping with the scale and design of the existing property. All other issues have been addressed and further works can be secured by condition. It is therefore considered that the application accords with the National Planning Policy Framework and Central Lincolnshire Local Plan policies.

Application Determined within Target Date

No.

Recommendation

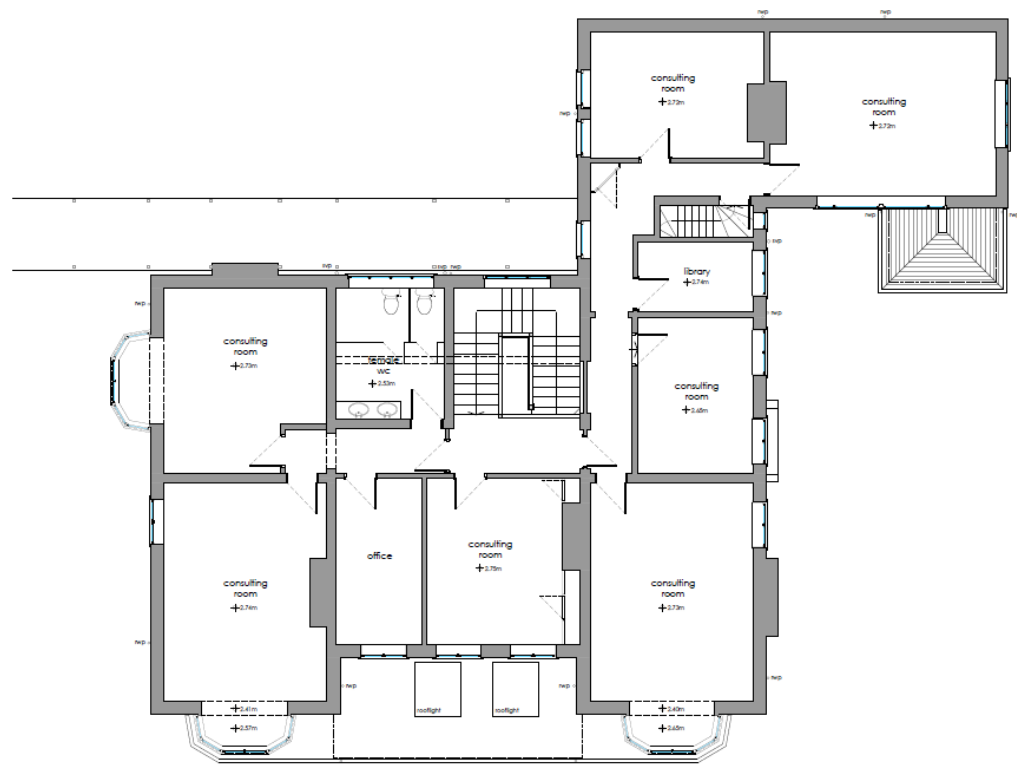
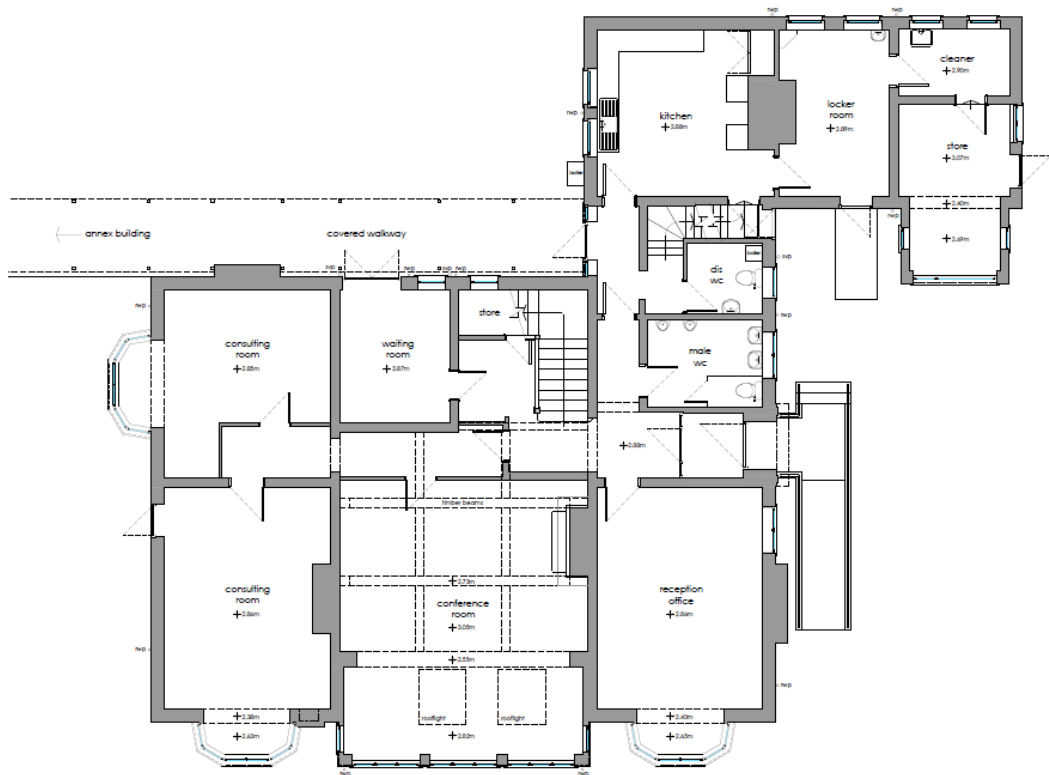
That the application is Granted Conditionally.

Conditions

1. Development is carried out within 3 years
2. Development be carried out in accordance with the approved plans
3. Scheme of replacement tree planting
4. Details to demonstrate tree roots can be protected during the construction phase
5. Electric Vehicle charging points
6. Hours of working
7. Samples of proposed materials

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Existing Floor Plans



Existing Elevations

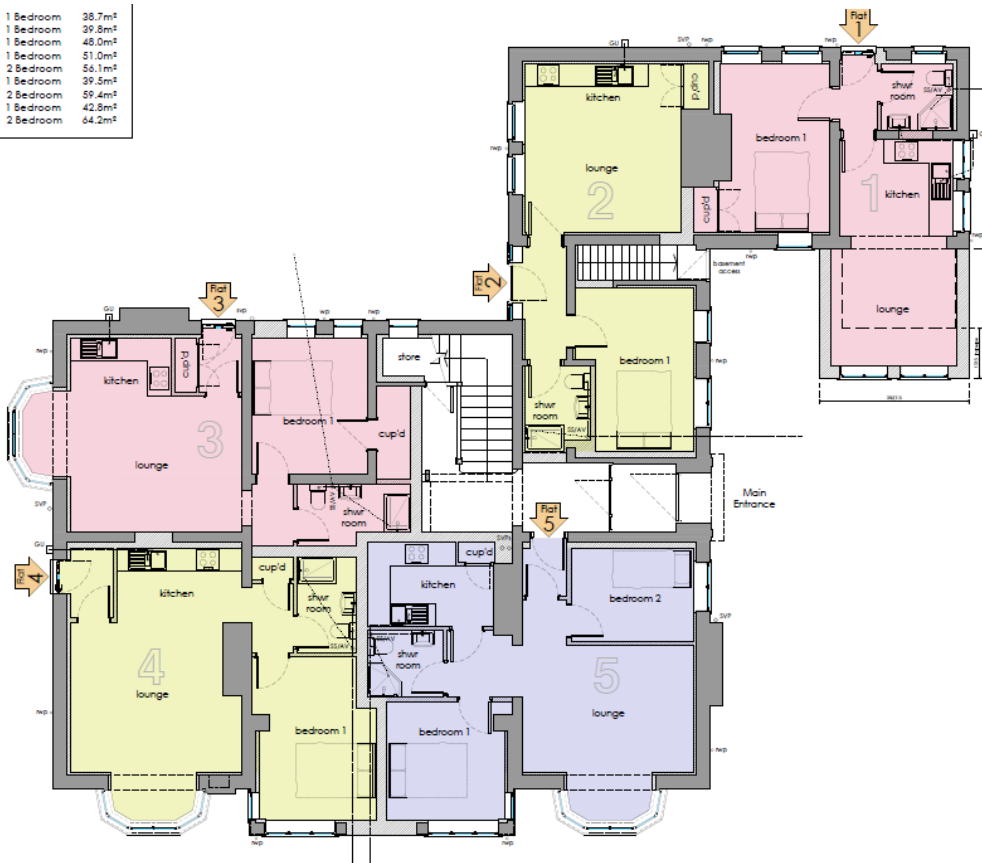


Proposed Layout



Proposed Ground Floor

1	- 1 Bedroom	38.7m ²
2	- 1 Bedroom	39.8m ²
3	- 1 Bedroom	48.0m ²
4	- 1 Bedroom	51.0m ²
5	- 2 Bedroom	56.1m ²
6	- 1 Bedroom	39.5m ²
7	- 2 Bedroom	59.4m ²
8	- 1 Bedroom	42.8m ²
9	- 2 Bedroom	64.2m ²



Proposed First Floor Plan

1	- 1 Bedroom	38.7m ²
2	- 1 Bedroom	39.8m ²
3	- 1 Bedroom	48.0m ²
4	- 1 Bedroom	51.0m ²
5	- 2 Bedroom	56.1m ²
6	- 1 Bedroom	39.5m ²
7	- 2 Bedroom	59.4m ²
8	- 1 Bedroom	42.8m ²
9	- 2 Bedroom	64.2m ²



Proposed Elevations





Tree Removal Plan



Site Photos















Consultee Comments

Environment & Economy
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail:Highwaysudssupport@lincolnshire.gov.uk



To: Lincoln City Council

Application Ref: 2018/0970/FUL

With reference to this application dated 3 August 2018 relating to the following proposed development:

Address or location

1 St Annes Road, Lincoln, LN2 5RA

Date application referred by the LPA
17 August 2018

Type of application: Outline/Full/RM/
FUL

Description of development

Erection of a single storey extension to front elevation to facilitate the conversion of existing offices into 9no. residential units

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) /REASONS FOR REFUSAL

HI03

The permitted development requires the formation of a new/amended vehicular access. Applicants should note the provisions of Section 184 of the Highways Act 1980. The works should be constructed to the satisfaction of the Highway Authority in accordance with the Authority's specification that is current at the time of construction. For further information, please telephone 01522 782070.

HI08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

H106

The site is located within an area at risk from surface water flooding. Therefore, in accordance with the NPPF, the submission of a Flood Risk Assessment, which also considers the provision of appropriate mitigation works, is recommended. This will enable the Local Planning Authority to satisfy themselves that the risk of flooding from surface water has been adequately addressed.

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 and accordingly, does not wish to object to this planning application.

Case Officer:
Emily Stevenson
for Warren Peppard
Flood Risk & Development Manager

Date: 05.09.18

Application Summary

Application Number: 2018/0970/FUL

Address: 1 St Annes Road Lincoln Lincolnshire LN2 5RA

Proposal: Erection of a single storey extension to front elevation to facilitate the conversion of existing offices into 9no. residential units (updated tree removal plan).

Case Officer: Lana Meddings

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

No Objection - Comment: Whilst we are happy with the development we are concerned about the removal of a large number of trees. We further note that there does not appear to be a Tree Schedule giving details as to what trees are to be removed.



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. 2018/0970/FUL

17th August 2018

Our Ref: PG//

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Re: 1 St Annes Road, Lincoln, Lincolnshire, LN2 5RA

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.**

The potential for unwanted guests will be considerable at this location and therefore robust measures should be installed to ensure the security and safety of residents. An air lock style (double access point) communal entrance (help prevent unauthorised follow through access) that allows an access control system, with an electronic door release, and visitor door entry

system that provides colour images, and clear audio communications linked to each individual unit. This can be built internally to the main communal entrance.

Under no circumstances should a trade person release button or similar uncontrolled access method be used.

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.

Communal Areas & Mail Delivery

Where communal mail delivery facilities are proposed and are to be encouraged with other security and safety measures to reduce the need for access to the premises communal letter boxes should comply to the following criteria.

- Located at the main entrance within an internal area or lobby (vestibule) covered by CCTV or located within an 'airlock style' entrance hall.
- Be of a robust construction (Federation Technical Specification 009 (TS009))
- Have anti-fishing properties where advised and appropriate.
- Installed to the manufacturers specifications.
- Through wall mail delivery can be a suitable and secure method.

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.

Bin Storage

Internal communal bin and bicycle stores within blocks of flats must have no windows and be fitted with a secure door set that meets the same physical specification as 'front door' and specifically Section 2, paragraphs 21.1 to 21.6 and 21.8 to 21.13. This will ensure that such stores are only accessible to residents. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands.

External bins stores and home composting containers (supplied to meet 'Code for Sustainable Homes' 'Was 3') should be sited in such a way that they cannot be used as a climbing aid to commit crime.

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.

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 PGCFR Dip Bus.
Designing Out Crime Officer

Neighbour Comments

Taylor, Louise (City of Lincoln Council)

From: Jilly Smallwood [REDACTED]
Sent: 31 August 2018 20:29
To: Technical Team (City of Lincoln Council)
Subject: Proposed development 1 St Anne's Road Lincoln

As a long time resident of Greetwell Road, (7A) I am strongly opposed to the proposal to cut down all the trees on the property, particularly as they are in the Lindum and Arboretum Conservation Area. I feel that the area which is now leafy, pleasant and ecologically sound would come under considerable threat if this were to take place.

Jilly Smallwood

Spinks, Tania (City of Lincoln Council)

From: Tim Price [REDACTED]
Sent: 31 August 2018 15:12
To: Technical Team (City of Lincoln Council)
Subject: St Anne's Road Development

Good Afternoon,

As a resident of the Greetwell Road/St Anne's road area I would like to register my concern over the development of the ex NHS building at 1 St Annes's Road. Although I have not seen the proposed plans for the building my concern does not at the moment relate to the building but to what I believe is the proposal to remove all the trees from this area. I believe this is part of the Lindum and Arboretum Conservation area and is a green corridor linking Greetwell Road to the Arboretum. This is an attractive area and with increasing traffic bringing increasing pollution and noise every tree is desperately needed not only to provide a pleasant vista but also some measure of relief from traffic noise. I sincerely hope that any such plans to remove the trees will be reconsidered.

With best wishes

Tim Price

Sent from my iPad

Taylor, Louise (City of Lincoln Council)

From: PAUL PUMFREY [REDACTED]
Sent: 30 August 2018 09:33
To: Technical Team (City of Lincoln Council)
Subject: 1 St Anne's Road LN2 5RA. 2018/0970/FUL

Attention Simon Walters
Directorate of Communities and Environment

I am writing to lodge a formal complaint regarding the proposal to cut down all the trees on the above property. These trees are in the Lincoln and Arboretum Conservation area and therefore are protected and thus should not be cut down.

I shall await your response.

Paul Pumfrey
11 Greetwell Road
LN2 4AQ

Dear sir , I wish to register my concern regarding the proposed development of flats at the building previously used as a outpatient department of the county hospital. Whilst I have no objection in principal to the development, I do have great concerns regarding the proposal to remove all of the trees on the site. The impact on the green corridor along st Ann's Rd would be significant, and the precedent might well be used by the United Lincolnshire health trust to fell even more trees. I look forward to your reply. Yours faithfully. C. Gillard.

Sent from my iPad

Hi,
I object to the plans to remove all the trees on this property as part of its development.
Ref: 2018/0970/FUL

Coryn Jenvey

Dear Sir/Madam

We have received a copy of the plans and wish to register an objection in respect of any proposal to remove , as we understand it , all existing trees from the site.

We note that this property is in the Lindum and Arboretum Conservation area and that trees are protected.

We live at 13 Greetwell Rd which is just above this property and object on two grounds. Firstly, from a personal perspective the loss of these trees would open the upper part of our house to public view from anyone walking up St. Anne's Rd. and spoil for us a lovely leafy vista down the hill.

From a public perspective agreement to loose these trees would probably be the start of a process resulting in the loss of a green corridor linking Greetwell Rd with the Arboretum. It could well be argued in any future planning application that a precedent had been set and further trees felled.

There are a splendid collection of trees in this area and we think it would be a great shame to loose these four trees.

We accept that these trees will shade the early morning sun from a few of the flats but would argue that there are plenty of propeties in this area which have to put up with this inconvenience.

We understand that this proposal will only proceed to an open meeting if there is sufficient objection and this is probably unlikely given that few properties may have been informed of this.

Plenty of people however walk past this site and a prominent poster displayed on the propery wall informing the public of this plan would we respectfully suggest be appropriate.

Regards

Paul and Heather Barczak

Comments for Planning Application 2018/0970/FUL

Application Summary

Application Number: 2018/0970/FUL

Address: 1 St Annes Road Lincoln Lincolnshire LN2 5RA

Proposal: Erection of a single storey extension to front elevation to facilitate the conversion of existing offices into 9no. residential units (updated tree removal plan).

Case Officer: Lana Meddings

Customer Details

Name: Miss Claire Smalley

Address: Monks manor lodge 4 greetwell road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

Hello

Reading the details of this plan, I have no problem with the housing development but object to all of the trees being removed. This property is opposite my house and an area I walk past regularly with my dog.

Kind regards

Claire

Comments for Planning Application 2018/0970/FUL

Application Summary

Application Number: 2018/0970/FUL

Address: 1 St Annes Road Lincoln Lincolnshire LN2 5RA

Proposal: Erection of a single storey extension to front elevation to facilitate the conversion of existing offices into 9no. residential units.

Case Officer: Lana Meddings

Customer Details

Name: Mr Kevin Coupland

Address: Heronswood Design 2 Sadler Court Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As agents for this application, we just want to clarify the situation with regard to the trees on the site as there seems to be some confusion.

a) The site is not in the conservation area & there are no TPO trees on site as confirmed by LCC Planning Dept.

b) We propose to remove 9 trees within the site, none of the trees on the site boundary onto St Annes Road & St Annes Close are proposed to be removed.

c) A new site plan has been uploaded onto the portal which identifies more clearly which trees are to be retained & which trees are proposed to be removed, for the purposes of clarity.

We kindly request, that should this issue be your only objection to the application that you reconsider your formal objections with a view to removing your objections, should the further information supplied appease your concerns.

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Application Number:	2018/0881/FUL
Site Address:	Land Between 25 And 41 Gaunt Street, Lincoln, Lincolnshire
Target Date:	12th September 2018
Agent Name:	Lindum Group
Applicant Name:	Heidi Walton
Proposal:	Erection of three-storey building to accommodate 9no. self-contained flats (REVISED PLANS: RE-POSITIONED BUILDING AND WINDOWS)

Background - Site Location and Description

The application is for the erection of a three storey building to accommodate nine self-contained flats on land between 25-41 Gaunt Street. The development would front Gaunt Street, presenting a 2 ½ storey staggered elevation, with a three storey wing to the rear of further accommodation forming a 'T' shaped building. The development would be managed by the applicant, LEAP (Lincolnshire Employment Accommodation Project), which is a local charity and social landlord. The applicant advises the scheme would house independent young people who have completed a support package and evidenced their readiness to live successfully within the community.

The application has been amended during the process as a result of officer comments regarding the relationship of the proposal with neighbouring properties. The building has been re-positioned slightly to the west and the position/design of windows being revised. Neighbours were re-consulted on the revised plans, and at the time of writing this report no further representations had been received.

The site currently accommodates a flat roof block of 20 back to back garages. There are two vehicular access points to each side from the road to the south. Officers are aware that there are issues with anti-social behaviour at the site. The boundary to the north is defined by an approximately 1.8m high fence and forms the side boundary of 19 Witham Mews and the rear boundary to the gardens of 31, 33 and 35 Anchor Close. Directly adjacent to the east is the side elevation of 23-25 Gaunt Street and 1-5 Woodburn Place. There are a number of windows as well as a gated access serving these flats within the elevation facing the site. To the west is the side elevation and boundary wall of 41 Gaunt Street. The facing elevation of this property includes two garage doors and two high level windows.

The wider area is characterised by a mix of two storey traditional terraces along with two storey blocks of flats and more modern 2, 2 ½ and 3 storey dwellings as part of the Anchor Quays development to the north.

In addition to the application receiving more than four objections the site is owned by the City Council and therefore is being presented to Members of the Planning Committee for consideration and determination.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 29th August 2018.

Policies Referred to

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

- National Planning Policy Framework

Issues

- Principle of use
- Visual amenity
- Residential amenity
- Access and 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
Lincolnshire Police	Comments Received
Environmental Health	Comments Received
Shane Harrison	Comments Received

Public Consultation Responses

Name	Address
Miss Heidi Walton	LEAP Homer House Monson Street, Lincoln LN5 7RZ
Mrs Margaret Jackson	20 Gaunt Street Lincoln Lincolnshire LN5 7PT
Richard Wright	

Mr Bill Taylor	1-5 Woodburn Place Lincoln Lincolnshire LN5 7AH
Dr Lucinda Taylor	Flat A + Flat B 25 Gaunt Street Lincoln Lincolnshire LN5 7PU
Mrs Wendy Halsall	Bagend Mill Lane Scamblesby Louth Ln11 9xp
Miss Ashley Chapman	31 Anchor Close Lincoln Lincolnshire LN5 7PE
Mr Russ Hubbard	120 Gaunt Street Lincoln Lincolnshire LN5 7RE
Mr Matthew Newton	20 Gaunt Street Lincoln Lincolnshire LN5 7PT
Mr Clarke	36 Gaunt Street Lincoln Lincolnshire LN5 7PX

Consideration

Correspondence has been received from and on behalf of neighbouring properties at Gaunt Street, Woodburn Place and Anchor Close. Objections are raised to the height of the building and that the scale is inappropriate for the area. It is also considered that the proximity to neighbouring dwellings would result in an overbearing impact, loss of light and overlooking, particularly towards the east. The loss of garages, increased on street parking, congestion, increase in anti-social behaviour and noise during construction are also cited as concerns.

Some of the representations raise comments regarding de-valuing property, although this is not a material planning consideration.

Comments have also been received from the applicant during the process of the application to attempt to address some of the concerns raised. The applicant notes that a

Community Consultation exercise was held in August for the residents of the area to discuss the proposals and answer any specific concerns.

Principle of Use

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Policy LP10 also advises that residential care accommodation, which is designed to accommodate those who need some form of on-site assistance, should also be directed to urban areas. Officers are therefore satisfied that the principle of the residential use and the nature of the accommodation is wholly appropriate in this location, particularly considering that the site is within a predominantly residential area.

Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

Visual Amenity

It is considered that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated access, parking and garden areas to the side and rear. The development represents a good use of land and would have a strong presence in the street, which would visually be an improvement on the current garage use. The building would have a slight set back from the street and step in the elevation, breaking up frontage giving the appearance of two separate units. To the rear of the site the building is three storey in height, but to the frontage presents as 2 ½ storeys with dormer windows. Similar examples of 2 ½ storey development with dormers can be seen on the nearby 49 Gaunt Street and properties to the north.

The ridge height of the development would only sit approximately 0.5m above that of 23-25 Gaunt Street. While objectors have stated that the height and scale of the building is inappropriate, officers are satisfied that the proposal would have an acceptable relationship with the street, particularly considering the varied character of the area. Officers are therefore satisfied that the proposal would relate well to the site and surroundings in relation to siting, height, scale and massing.

It is also considered that the design of the proposal is acceptable. The elevations are simple combining traditional proportions and red brick with grey UPVC windows set in reveal and canopies above the two front doors to the street. The design is continued throughout the rest of the development to the rear. The materials proposed have been used before on another scheme and officers are satisfied with the colour, quality and appearance. It is therefore considered that the development would reflect the original architectural style of the local surroundings.

The agent has indicated that the boundaries are to remain open with the exception of a low level railings or a knee rail. Details of these and their position will be conditioned. The site layout plan indicates areas of hard and soft landscaping. Subject to details of the boundary treatment officers consider that this and the landscaping would improve on the overall character of the development and its surroundings.

The proposal would therefore be in accordance with CLLP Policy LP26 and also paragraph 130 of the NPPF, which requires that developments take advantage of opportunities to improve the character and quality of an area.

Residential Amenity

The front portion of the building would be located approximately 3.6m from the side, east boundary of the site which is directly abutted by the side elevation of 23-25 Gaunt Street. This would sit opposite a ground floor bedroom window and three first floor windows; which are understood to be a landing, kitchen and obscure glazed bathroom. The rear portion of the proposed building steps in and increases the separation to the boundary to between approximately 5.8 and 6.6m. Opposite this is the 1 ½ storey rear off-shoot known as Woodburn Place, which also directly abuts the boundary. Within the facing elevation of this are five ground floor, obscure glazed bedroom windows, above which are four rooflights serving living rooms. Objections have been received from and on behalf of the occupants of the adjacent flats with concerns regarding the impact on these windows and rooflights due to the proximity of the proposal which would appear overbearing, result in loss of light and outlook. Officers have also met the owner of flats 3, 4 and 5 Woodburn Place on site and are aware of his specific concerns regarding overlooking and loss of light to the rooflights.

Officers have carefully considered these relationships. With regard to the proximity, while this is closer than would usually be expected it is an unusual situation as the neighbouring windows benefit from an outlook directly over land not within their ownership. A 2m high fence could be erected under permitted development allowances on the boundary in front of the ground floor windows, which would have a significant effect. This, and the fact that windows in the side elevation generally are not afforded the same level of protection as those in the front or rear, means that, on balance, officers are satisfied that the separation is sufficient and that the proposal would not appear unduly overbearing or result on an unacceptable level of loss of light. It should be noted that discussions with the agent during the process of the application resulted in this separation being slightly increased.

These discussions also resulted in amendments to the window positions and design. The facing elevation of front section of the building is blank, so there would be no direct overlooking towards the bedroom and kitchen windows of 23-25 Gaunt Street. The east facing elevation of the rear section of the building incorporates landing and bathroom windows to all floors, all of which are obscure glazed. First and second floor kitchen windows are also proposed, however, officers are satisfied that the over 6m separation and angle would ensure that the level of overlooking towards the rooflights of Woodburn Place would not be unacceptable. The ground floor kitchen window was also originally proposed in the facing elevation but was re-positioned to the rear at the request of officers to avoid any direct overlooking towards the bedroom windows of Woodburn Place.

It is therefore concluded that the proposal would have an appropriate relationship with the neighbouring properties of Gaunt Street and Woodburn Place to the east.

The opposite side boundary, to the west, is defined by the side elevation and boundary wall of 41 Gaunt Street. This facing elevation only incorporates two garage doors and two high level windows, with further windows set back behind the boundary wall. The front section of the building would be 6.2m from the boundary, separated by the vehicular access into the site, increasing to 14.6m at the rear. While the proposal would sit forward of the neighbouring property the separation and arrangement of windows in the existing elevation would ensure that the proposal would neither appear overbearing nor result in a

harmful level of loss of light. Similarly to the opposite east elevations, the west elevations of the building comprise a blank facing front section with glazing to the rear section. Again, the relationship between the existing and proposed is such that there would be no significant issues regarding overlooking.

Part of the rear boundary, towards the north west, forms the side boundary with the garden of 19 Witham Mews, the facing gable of which is blank. The remainder of the rear boundary is to the rear gardens of 31, 33 and 35 Anchor Close. The boundary is defined by an approximately 1.8m high fence and the rear off-shoot of the building would be approximately 4.5m this. However, this portion of the building does not have a substantial width and is in an off-set position to the neighbouring dwellings. It also has no windows to the first or second floors. The front portion of the building, although incorporating windows, would be over 16m away. Officers therefore consider that the relationship of the proposal to these properties is acceptable.

The consideration process has taken into account the objections from the neighbouring occupants of Gaunt Street, Woodburn Place and Anchor Close. It is concluded that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development through either overbearing, loss of light or loss of outlook. It is also considered that the level of amenity for future occupants of the development would be acceptable. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

Access and Highways

Vehicular access to the site would be taken to the west of the building providing access to two on-site parking spaces and also enabling the access to the neighbour's garages to the rear of 41 Gaunt Street to be maintained. Pedestrian access along the opposite side, east boundary of the site would be maintained to the neighbouring flats within 23-25 Gaunt Street and Woodburn Place.

Objections from local residents raise concerns regarding the loss of the garages and that there will be an increase in on street parking and congestion.

The Lincolnshire County Council (LCC) as Local Highway Authority has requested that the applicant provide justification for the loss of the garages and if there are any proposals to replace the parking facilities removed. At the time of writing the report discussions regarding this were ongoing, so this will be fully reported on the update sheet along with the LCC's final comments.

Other Matters

Contaminated Land

A site investigation report has been submitted in support of the application. The City Council's Scientific Officer has been in contact with the agent during the process of the application. The officer has advised that while this matter is ongoing it can be appropriately dealt with by conditions as necessary.

Drainage

Officers have been copied into an email from the Upper Witham Drainage Board to the LCC in their capacity as Lead Local Flood Authority in respect of surface water drainage. To date the LCC has not commented formally on the application in this respect so officers will provide an update on this matter at committee.

Archaeology

Due to the location of the site the City Council's Archaeologist requested a desk based assessment (DBA). The DBA has been submitted and considered and as a result the Archaeologist has recommended trenches, which should be undertaken and reported on prior to the determination. The recommendation to Members will therefore reflect this, and request that, if the application is approved, this matter be delegated to officers to finalise.

Bin Storage

The City Council's Community Contracts (CC) Officer has raised no objections to the application and has provided information regarding communal bin requirements, which have been forwarded to the agent.

Design and Crime

Comments have been made by the Lincolnshire Police, they have raised no objections but have suggested recommended measures. This correspondence has been forwarded to the agent for their information.

Construction

Some objectors have raised concerns that there will be disruption during construction. This matter cannot be strictly controlled by the planning process although a condition will restrict construction and delivery hours.

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

Yes. Revisions made to the position and window arrangement/design in the interests of protecting residential amenity.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the use of the site for residential purposes is considered to be acceptable and the development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design. The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Matters relating to contamination and archaeology can be dealt with appropriately by condition. Subject to the LCC not raising any objections in respect of highways or flood risk the proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP10 and LP26, as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

Subject to receiving no objections from the Lincolnshire County Council in respect of highways or surface water drainage, officers recommend that the application is Granted Conditionally subject to the following conditions, with delegated authority granted to the Planning Manager to resolve matters relating to archaeology:

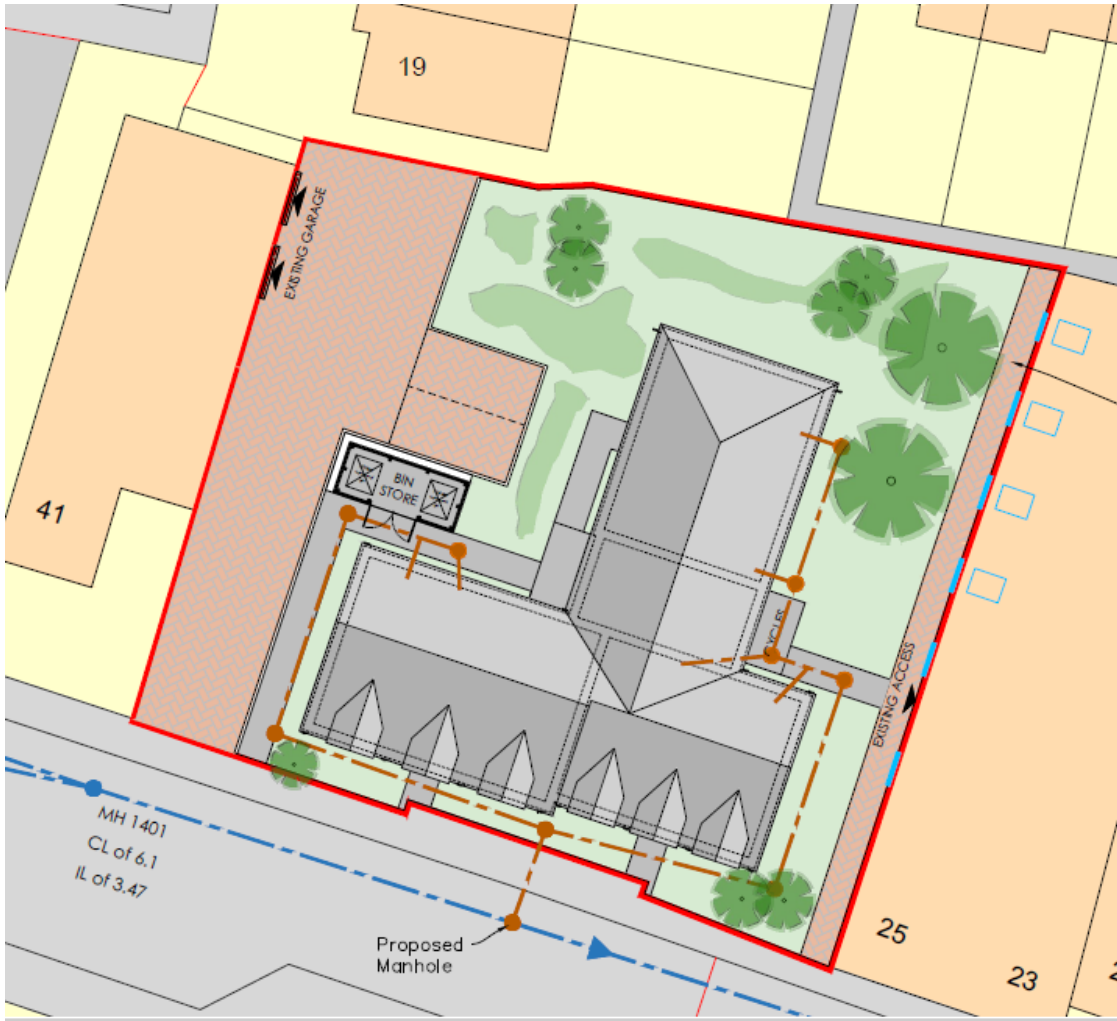
- Time limit of the permission;
- Development in accordance with approved plans;
- Contamination;
- Archaeology;
- Boundary details;
- Land levels;
- Implementation of landscaping;
- Construction of the development (delivery times and working hours); and
- Windows and doors set in reveal.

2018/0881/FUL: Land between 25-41 Gaunt Street

Plans, photos and consultation responses



Site location plan



Proposed site layout



Proposed ground and first floor plans



Front elevation to Gaunt Street



Rear elevation



Side, east elevation

Side, west elevation





Front boundary of site



Towards site from west



Side elevation of 41 Gaunt Street



Rear of site and side gable of 19 Witham Mews



Rear boundary and rear elevations of Anchor Close properties



Side elevation of 23-25 Gaunt Street and Woodburn Place



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. 2018/0881/FUL

8th August 2018

Our Ref: PG//

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Re: 25 – 41 Gaunt Street, Lincoln, Lincolnshire, LNX 7PX

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.**

The potential for unwanted guests will be considerable at this location and therefore robust measures should be installed to ensure the security and safety of residents. An air lock style (double access point) communal entrance (help prevent unauthorised follow through access) that allows an access control system, with an electronic door release, and visitor door entry

system that provides colour images, and clear audio communications linked to each individual unit. This can be built internally to the main communal entrance.

Under no circumstances should a trade person release button or similar uncontrolled access method be used.

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.

Communal Areas & Mail Delivery

Where communal mail delivery facilities are proposed and are to be encouraged with other security and safety measures to reduce the need for access to the premises communal letter boxes should comply to the following criteria.

- Located at the main entrance within an internal area or lobby (vestibule) covered by CCTV or located within an 'airlock style' entrance hall.
- Be of a robust construction (Federation Technical Specification 009 (TS009))
- Have anti-fishing properties where advised and appropriate.
- Installed to the manufacturers specifications.
- Through wall mail delivery can be a suitable and secure method.

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.

Bin Storage

Internal communal bin and bicycle stores within blocks of flats must have no windows and be fitted with a secure door set that meets the same physical specification as 'front door' and specifically Section 2, paragraphs 21.1 to 21.6 and 21.8 to 21.13.

This will ensure that such stores are only accessible to residents. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands.

External bins stores and home composting containers (supplied to meet 'Code for Sustainable Homes' 'Was 3') should be sited in such a way that they cannot be used as a climbing aid to commit crime.

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.

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

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: 2018/0881/FUL

With reference to this application dated 17 July 2018 relating to the following proposed development:

Address or location

Land Between 25 And 41 Gaunt Street, Lincoln, LN5 7PX

Date application referred:
25 July 2018

Type of application: Outline/Full/RM/
FUL

Description of development

Erection of three-storey building to accommodate 9no. self-contained flats

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

ADDITIONAL INFORMATION REQUIRED

Please request applicant to justify the removal of the garages and if there are any proposals to replace the parking facilities that are to be removed.

Case Officer:
Laura Rowett
for Warren Peppard
Flood Risk & Development Manager

Date: 10 August 2018

Dear Sir/Madam

REFERENCE: 2018/0881/FUL

DEVELOPMENT: ERECTION OF THREE-STOREY BUILDING TO ACCOMMODATE 9NO. SELF-CONTAINED FLATS

LOCATION: LAND BETWEEN 25 AND 41 GAUNT STREET, LINCOLN, LN5 7PX

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

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. Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water. As a brownfield site discharge should be limited to 70% of the ACTUAL existing discharge 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,

Richard Wright

Engineering Services Technician
Witham & Humber Internal Drainage Boards,
Witham House
J1 The Point
Weaver Road
Lincoln
LN6 3QN

Customer Details

Name: Mrs margaret jackson

Address: 20 GAUNT STREET LINCOLN lincolnshire

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This building will take away parking and increase on street parking which is already full and extra parking from this building will make it extremely difficult for residents already living here to find a place in an evening. This will have negative impact on the area and devalue property as no one will want to buy in an area where you cannot park I feel there is enough property without adding to it ,

Customer Details

Name: Miss Ashley Chapman

Address: 31 Anchor Close Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development on the grounds on scale and height, overlooking, highway safety and congestion and loss of light.

This building will impose on the properties behind it which will be directly overlooked and have light to the very small existing yards blocked.

It is taking away multiple parking garages on a street that is filled with houses that do not have other parking options. One side of the street is already dedicated to on street parking which already presents a hazard as it is often full, creates blind spots and leads to people parking on double yellows.

Customer Details

Name: Mr Matthew Newton
Address: 20 Gaunt Street Lincoln

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: Concerns over an increase in anti-social behaviour.

Customer Details

Name: Mr Russ Hubbard
Address: 120 Gaunt Street Lincoln

Comment Details

Commenter Type: Member of the Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: Parking is already extremely difficult on Gaunt street as it is. The removal of a dozen or so garages and the addition of 9 more flats is completely unacceptable as it will have a terrible impact for the local residents and the area. I'm shocked this is even being considered by the local council.

Customer Details

Name: Dr Lucinda Taylor
Address: 25A and 25B Gaunt Street Lincoln

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment: The proposed development between numbers 23-25 and 41 Gaunt Street is inappropriate in scale for the area, As currently sited it impacts on the neighbouring properties of 23-25 Gaunt Street. The East wall of the is far too close to the existing dwellings. At ground floor level it dramatically restricts light through the bedroom window of 23 Gaunt Street, whilst at second storey level it is an overbearing presence against the hall, bathroom and kitchen windows of 25 Gaunt Street.

Customer Details

Name: Mr Bill Taylor

Address: 1-5 Woodburn Place Gaunt Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: In principle I think that the proposed development of the council garages site is a good idea. However I would like to lodge some strong objections in relation to the design and layout of parts of the plan. The design as currently proposed impacts adversely on the adjacent row of maisonettes at 1-5 Woodburn Place.

The new development will have an dramatic and overbearing presence on these neighbouring properties to the East. However this impact could be alleviated by adapting the plan as follows:-

1. The rear flats of the proposed development are three storeys high. This is in direct contrast to the line of the nearby building to the East which drops down to one and half storeys high beyond the line of the terraced houses adjacent. Surely the rear stem of the proposed building should follow the roofline of the neighbouring building and be restricted to two storeys high to avoid this overbearing intrusion.
2. The siting of the proposed building is very close to the buildings on the East of the site and doesn't seem to take advantage of the full width of the site available. The overbearing intrusion from the new building would be mitigated if it was moved more towards the West of the site.
3. Regardless of the siting of the proposed building as a whole the rear flats of the building as currently orientated impact adversely on the neighbouring dwellings at 1-5 Woodburn Place. This could be alleviated by the rear stem of the proposed development being in effect "flipped over" on the plan so that it's footprint is moved further to the West.

The proposed new building has kitchen windows in the rear flats on the second and third storeys that directly look down into the living rooms of the four adjacent maisonettes through the West

facing roof windows of those dwellings. This intrusion is particularly acute in relation to numbers 3 and 4 Woodburn Place affording no privacy to the occupants in their main daytime room. Whilst this problem could be partly resolved with the suggestions in points 1-3 above, removing the East facing kitchen windows on the proposed building completely or alternatively re-siting them so that they are on the North facing wall is the only complete solution.

Customer Details

Name: Mrs Wendy Halsall

Address: Bagend Mill Lane Scamblesby Louth

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I own 1 Woodburn Court 25 Gaunt Street and I have a tenant who lives at the property. He is an elderly gentleman and when I spoke to him today, he expressed his concern about the potential implications of the proposed development: Land Between 25 and 41 Gaunt Street, Lincoln.

1. He lives on the ground floor and his bedroom window faces the side of the development, noise during and after the construction would impact on the quality of his life.
2. I understand that the proposed development would on completion be only 2.8 metres away from Woodburn Court and I think this would considerably lessen the amount of daylight available to his bedroom.

I wish to make an objection to the proposed development by LEAP, on Gaunt Street, Lincoln.

The reason for the objection is several reasons, as follows.

I have lived on Gaunt Street for around 8 years now.

We have a perfectly good site of around 20 garages, which LEAP wants to knock half of them down for the development. They claimed Lincoln City Council has another site for the 10 garages to be rebuilt on. However, I cannot see where, as Gaunt Street, is mostly developed on already.

Now, I understand LEAP wants to knock down 10 of the garages and replace them, with 7 garages.

A lot of the garages are rented by people living between 2-22 Gaunt St and from the block of flats known as Alfred St. A lot of the people who rent these garages and encounter a good 5 min walk back to their properties.

Also, Gaunt St is residents parking, we still get a lot of people who flout the laws and park without a permit. Recently, we had a van park illegally for 6 months without being moved.

We also get residents from 2-22 Gaunt St park outside 28-46 (4 spaces) our flats, as they cannot park outside the houses due to the narrow street. They also take up spaces in the 8 car park spaces across the road from my flat.

I am sick of people from 2-22 Gaunt St parking outside my flat, due to the noise. Some of the people think it is okay to get in/out of their cars and bang their doors etc. I have in vain had words with these people, but get met with a load of abuse.

I would also like to mention that, although Gaunt St is mostly blocks of flats, a lot of them own cars, and parking is sometimes an issue, especially on most evenings, when people return from work, not to mention on Sundays, when the parking restrictions do not apply.

I would like to know what the Council's ideas are on homeless people?

I did speak to a member from LEAP, but not to Heidi, who was dealing with this matter. I did at length ask who would be rehomed there and she did inform me, they did select people suitable for the flats.

I did express my concerns, due to homeless people and sometimes the problems they might cause, such as anti-social behaviour that might happen.

She did tell me there would be a manager on the premises at all times, but that if anti-social behaviour did occur, I might be best to phone the police.

I therefore suggest, for the reasons above, that as listed above, the planning application by LEAP, is rejected.

MR.C.D.Clarke
36 Gaunt St,
Lincoln.
LN5 7PX

Application Number:	2018/1000/RG3
Site Address:	Land Adjacent To 107-115 Gaunt Street, Lincoln, Lincolnshire
Target Date:	6th October 2018
Agent Name:	Lindum BMS
Applicant Name:	Mr Mark Wheater
Proposal:	Erection of 7no. single storey flat roof garages within existing car parking area

Background - Site Location and Description

The application is for the erection of seven garages within an existing council owned car park on land adjacent to 107-115 Gaunt Street. The car park is located towards the end of Gaunt Street with the car park of the Kingdom Hall of Jehovah's Witnesses to the north, the three storey Gaunt Street flats to the south and the River Witham to the west. The car park comprises a total of 14 spaces.

The garages would be positioned on seven existing spaces to the north east of the car park. The flat roof garage block would be constructed with concrete panels, a profiled metal roof and steel garage doors, with a white powder coated finish.

The application is being presented to Members of the Planning Committee as the City Council is the applicant.

The proposed garages are intended to contribute towards the provision that will be lost as a result of the proposed re-development of the council owned garage site between 25-41 Gaunt Street. This application is also being presented to Members at this Committee for consideration.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 29th August 2018.

Policies Referred to

- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Principle and highways
- Visual and residential amenity
- Flood risk and drainage

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
Mrs Hayley Wells	115 Gaunt Street Lincoln Lincolnshire LN5 7RD
Upper Witham Internal Drainage Board	Witham House J1 The Point Weaver Road Lincoln LN6 3QN

Consideration

Principle and Highways

The seven garages would replace seven existing car parking spaces. Given the current use of the site there is no objection in principle to the proposal.

The Lincolnshire County Council (LCC) as Local Highway Authority has considered the proposal and has concluded that the development is acceptable and do not wish to object to the application. Comments of support from the occupant of 115 Gaunt Street, states that garages would help.

Visual and Residential Amenity

Officers have no issue with the scale, position or functional design of the garages, which are not dissimilar to others in the vicinity. The garages would be obscured to a degree by adjacent trees, hedges and shrubs but in any case it is not considered that the proposal would have a detrimental impact on local surroundings.

In terms of the impact on residential amenity the closest properties are the flats to the south, namely 107, 111 and 115 Gaunt Street. Officers consider that the nature of the use of garages would be similar to that of the existing car park, and would therefore not have a detrimental effect on the adjacent properties or those within the wider area. The separation to neighbouring properties and uses is also sufficient to ensure that the proposal would neither appear overbearing nor result in an unacceptable degree of loss of light.

Officers are therefore satisfied that the proposal would not cause undue harm to the visual amenity of the wider area or the amenities that the occupants of neighbouring properties may reasonably expect to enjoy, in accordance with Central Lincolnshire Local Plan (CCLP) Policy LP26.

Flood Risk and Drainage

The site is located within Flood Zone 2, however, the proposal would be classified as a minor development which is unlikely to raise significant flood risk issues.

Officers have been copied in to an email from the Upper Witham Drainage Board to the LCC in their capacity as Lead Local Flood Authority regarding surface water drainage. The LCC has considered the application and these comments and has raised no objections to the application in this respect.

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

No.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the proposal is acceptable considering the existing car park use and the structure would not have a harmful impact on either visual or residential amenity. The proposal is also to the satisfaction of the Lincolnshire County Council as Highway and Lead Local Flood Authority. The application is therefore in accordance with the requirements of Central Lincolnshire Local Plan Policy LP26 and guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

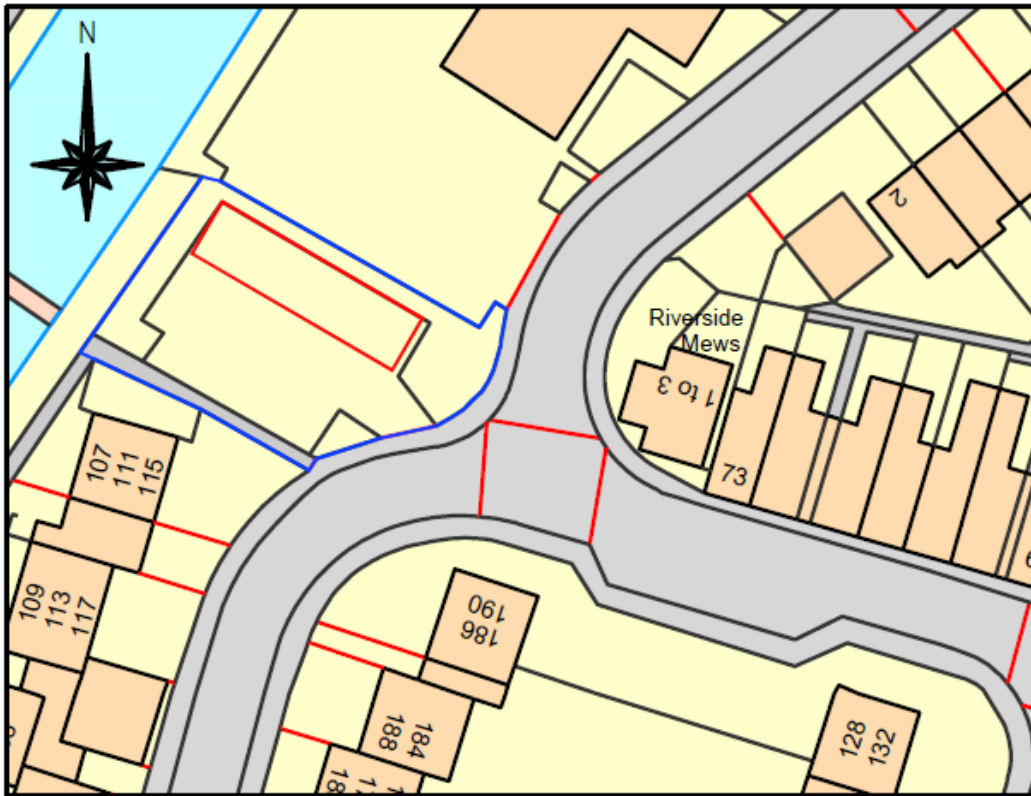
Recommendation

That the application is Granted Conditionally subject to the following conditions:

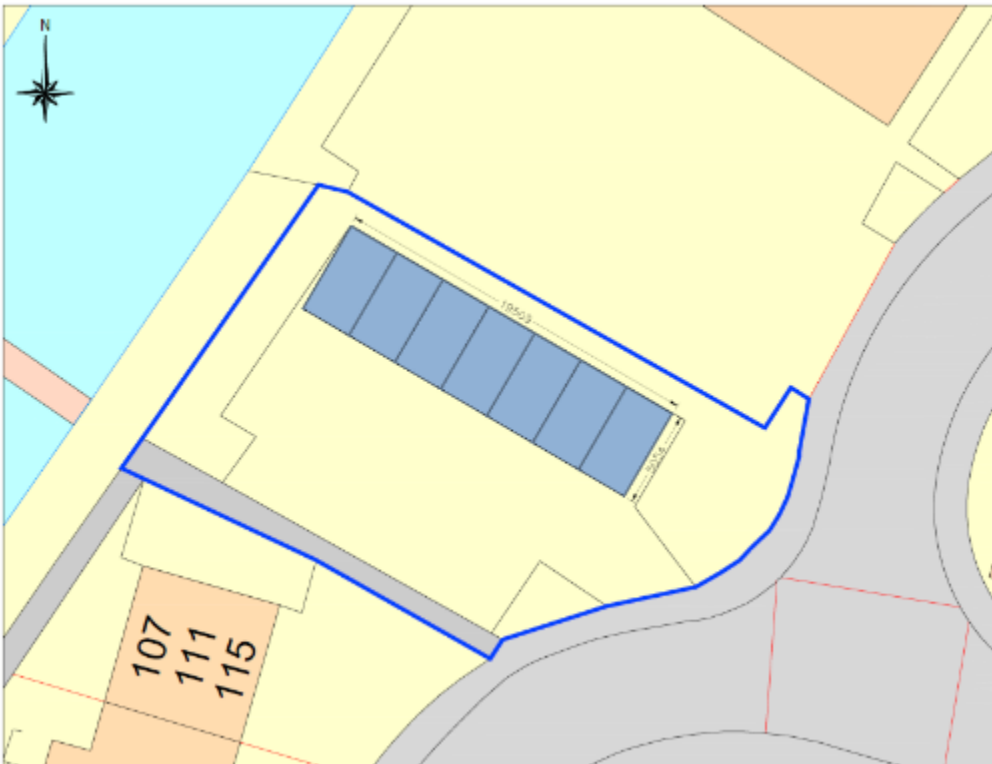
- Time limit of the permission;
- Development in accordance with approved plans;
- Land contamination; and
- Construction of the development (delivery times and working hours).

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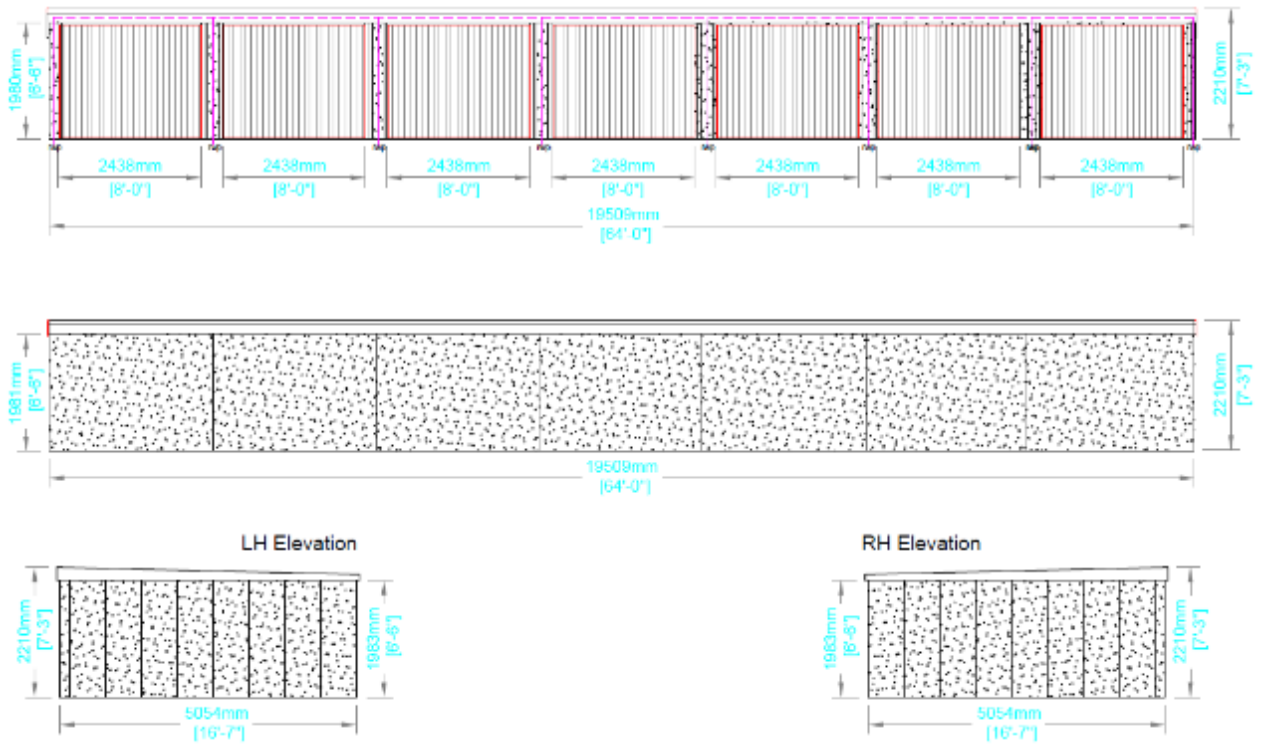
Land adj. to 107-115 Gaunt Street: Plans, photos and consultation responses



Site location plan



Proposed site layout



Proposed elevations



Site from Gaunt Street



Proposed location for garages



View across Kingdom Hall of Jehovah's Witnesses car park to rear of site



Gaunt Street flats to south

Customer Details

Name: Mrs Hayley Wells

Address: 11t Gaunt street Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We need garages would help

Dear Sir/Madam,

REFERENCE: 2018/1000/RG3

DEVELOPMENT: ERECTION OF 7NO. SINGLE STOREY FLAT ROOF GARAGES WITHIN EXISTING CAR PARKING AREA

LOCATION: LAND ADJACENT TO 107-115 GAUNT STREET, LINCOLN, LN5 7RD

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

We note the site is within the EA Flood Zone 2, high-risk to flooding from rivers, due to its location, and low risk to surface water flooding. However as the development is non-residential a Flood Risk Assessment is not included.

It is further noted, the means of surface water disposal will be via Main Sewer.

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. Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water.

Regards,

Richard Wright

Engineering Services Technician

Witham & Humber Internal Drainage Boards,
Witham House
J1 The Point
Weaver Road
Lincoln
LN6 3QN

Environment & Economy
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail:Highwaysudssupport@lincolnshire.gov.uk



To: Lincoln City Council

Application Ref: 2018/1000/RG3

With reference to this application dated 10 August 2018 relating to the following proposed development:

Address or location

Land Adjacent To 107-115 Gaunt Street, Lincoln, LN5 7RD

Date application referred by the LPA
16 August 2018

Type of application: Outline/Full/RM/
FUL

Description of development

Erection of 7no. single storey flat roof garages within existing car parking area

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) /REASONS FOR REFUSAL

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 and accordingly, does not wish to object to this planning application.

Case Officer:
Emily Stevenson
for Warren Peppard
Flood Risk & Development Manager

Date: 23.08.18