

PLANNING COMMITTEE

Wednesday, 27 March 2019

5.30 pm

Committee Rooms 1-2, City Hall

- Membership: Councillors Jim Hanrahan (Chair), Naomi Tweddle (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: Mick Albans, Simon Cousins, Democratic Services, Kieron Manning and Louise Simpson
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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 - 27 February 2019	5 - 16
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. Work to Trees in City Council Ownership	17 - 20
4. Applications for Development	

(a) Lincoln University, Campus Way, Lincoln	21 - 64
(b) Land At Wolsey Way (between Larkspur Road And Windermere Road), Lincoln	65 - 116
(c) Land To The Rear Of 78 Hykeham Road, Lincoln	117 - 142
(d) 241 - 247 Monks Road, Lincoln	143 - 170
(e) 21-22 Bailgate, Lincoln	171 - 190
(f) 26-28 Newport, Lincoln	191 - 210

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 Bob Bushell, Councillor
Gary Hewson, Councillor Ronald Hills, Councillor
Edmund Strengiel and Councillor Jackie Kirk

Apologies for Absence: Councillor Chris Burke

65. Confirmation of Minutes - 16 January 2019

RESOLVED that the minutes of the meeting held on 16 January 2019 be confirmed.

66. Declarations of Interest

Councillor Biff Bean declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Bob Bushell declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Gary Hewson declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Jim Hanrahan declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Kathleen Brothwell declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West

Parade, Lincoln'. Reason: She was associated with one of the objectors to the proposed development.

She left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Naomi Twedde declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: She was associated with one of the objectors to the proposed development.

She left the room during the discussions on this item and took no part in the vote on the matter to be determined.

67. Member Statement

Councillor A Briggs requested that it be noted in the interest of transparency that his son worked for a local demolition firm.

68. Work to Trees in City Council Ownership

The Arboricultural Officer:

- a. advised members of the reasons for proposed works to tree's in City Council ownership and sought consent to progress the works identified, as detailed at Appendix A to his report
- b. provided details of the planting schedule for 2019 attached at Appendix B to his report
- c. explained that Ward Councillors had been notified of the proposed works
- d. stated that in some cases it was not possible to plant a tree in the exact location and in these cases a replacement would be replanted in the vicinity.

Members asked whether the request for retrospective consent to fell three Horse Chestnut trees in Boutham Park adjacent to the footpath to the south of St Helen's Church included the tree blown over in the wind.

The Arboricultural Officer confirmed that the three trees to be felled included the one uprooted by the wind and two additional specimens adjacent to it which were in poor condition and in similar danger of falling.

The Chair thanked the Arboricultural Officer for the additional information provided regarding the schedule of replacement trees to be replanted.

RESOLVED that:

1. The works set out in the schedule at Appendix A attached to the report be approved.
2. Details of the planting schedule 2019 attached at Appendix B to the report be noted.

69. Application for Development: Land East Of Riseholme Road, Lincoln

The Planning Team Leader:

- a. described the 2.22 acre application site located on the eastern side of Riseholme Road, currently vacant land used previously as an allotment
- b. defined the location of neighbouring properties in relation to the site as detailed within the officer's report
- c. advised that planning permission was sought for 35 affordable two storey dwellings with a mixture of 2 and 3 bedrooms, 20 of the units to be shared ownership and 15 for affordable rent
- d. reported that the City Council currently still owned the site although the land would be transferred to Waterloo Housing Group should planning permission be granted for the current proposal
- e. stated that the site had been granted outline planning consent including access details although all other matters reserved on 3 February 2017 (Ref: 2016/0987/OUT)
- f. 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 LP9 Health and Wellbeing
 - Policy LP10 Meeting Accommodation Needs
 - Policy LP11 Affordable Housing
 - Policy LP12 Infrastructure to Support Growth
 - Policy LP13 Accessibility and Transport
 - Policy LP21 Biodiversity and Geodiversity
 - Policy LP23 Local Green Space and other Important Open Space
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework
- g. outlined the responses made to the consultation exercise
- h. advised members of the main issues to be considered as part of the application as follows:
 - The Principle of the Development in Terms of Planning Policy
 - Impact on Visual Amenity
 - Impact on Residential Amenity
 - Other Matters
- i. concluded that:
 - The principle of the use of the site was considered to be acceptable and the development would relate well to the site and surroundings 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.

- Technical matters relating to highways, contamination and drainage were to the satisfaction of relevant consultees or could be controlled through relevant conditions.
- The proposals would therefore be in accordance with the requirements of the relevant policies within the Central Lincolnshire Local Plan, as well as guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail, offering support in general to the proposed scheme. The following comments/questions were raised:

- There seemed to be a landlocked piece of land coming off the application site as detailed on the site layout.
- Officer Response: The whole site was owned by the City of Lincoln Council, including the piece of land to the side which was not landlocked. It was to be retained by the council at the current time.
- The report inferred that the land would be transferred to Waterloo Housing Group. Was this as a gift?
- Officer Response: The land would be transferred as a commercial sale. It was not to be gifted.
- How fast was the broadband speed to new estates such as this site?
- Officer Response: The provision of broadband was a matter for the developers, like all other utilities. The speed was likely to be the same as what was already available along Riseholme Road.
- Was there any provision within the development for solar panels?
- Officer Response: Solar panels did not form part of the proposals. The new build homes included high energy efficient conservation measures. The high level thermal values of these properties would make energy bills affordable.
- The link into the adjacent development included a cul-de sac. Would this be used as a through route?
- Officer Response: There was no through-route. This area would be used for parking spaces only.

RESOLVED, that authority be delegated to the Planning Manager to grant planning permission subject to the signing of a legal agreement to secure the contributions for health care, play space and playing field space, education and the details of the affordable housing and subject to the conditions set out below.

- Time limit of the permission
- Development in accordance with the approved plans
- Samples of materials to be submitted
- Details of electric vehicle charging points
- Noise impact assessment mitigation measures implemented
- Landscaping implemented
- Highway conditions
- Details of maintenance of surface water drainage
- Construction to proceed in accordance with Arboricultural recommendations in terms of tree protection
- Contaminated land remediation if required

- Time restrictions on commercial deliveries, waste collection and construction

70. Appointment of Temporary Chair

It was moved, seconded, put to the vote and:

RESOLVED that Councillor Strengeil be appointed as temporary chair for the next agenda item.

71. Application for Development: 49-51 West Parade, Lincoln

(Councillors Bean, Brothwell, Bushell, Hanrahan, Hewson, and Tweddle left the room during the discussion of this item, having declared a personal and pecuniary interest in the matter to be decided. They took no part in voting on the matter to be determined.)

The Planning Manager:

- a. described the proposed application site located on the south side of West Parade at the corner with Rudgard Lane, currently occupied by a three storey residential property to be demolished as part of the scheme
- b. highlighted that permission was already granted to erect a part 4 and part 3 storey building to accommodate 22no. two bed apartments including cycle and refuse storage, together with 20no. on site car parking spaces and other associated external work
- c. reported that planning permission was now sought for 1 additional apartment, revised access arrangements and 5 new additional car parking spaces
- d. confirmed the location of the development site on the boundary with the West Parade and Brayford No. 6 Conservation Area
- e. noted that this application had originally been submitted for 3 additional apartments, however this has now been reduced to 1
- f. provided details of the policies pertaining to the application, as follows:
 - Policy LP25 The Historic Environment
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework
- g. outlined the responses made to the consultation exercise
- h. advised members of the main issues to be considered as part of the application as follows:
 - National and Local Planning Policy
 - The Principle of the Development
 - Visual Amenity and the Character and Appearance of the Conservation Area
 - Residential Amenity
 - Highways

i. concluded that:

- It was considered that the proposed changes to the original scheme would still be in keeping with the principle set by the previous approval.
- It was considered that the changes would visually improve the scheme as well as provide additional off street parking.
- The additional apartment would have no adverse impact on residential amenity in terms of noise and disturbance and therefore it was considered that the proposal was in accordance with national and local planning policy.

Members discussed the content of the report in further detail, making comments/raising questions as follows:

- The proposal to increase the number of car parking spaces compared to the original application was of benefit to the site and future residents.
- Were the conditions on the grant of the original planning permission still valid? Would there be provision for electrical charging points within the proposed scheme?

The Planning Manager advised that electrical charging points had not been a requirement of the original planning consent although officers could hold a dialogue with the applicant regarding this matter.

RESOLVED, that planning permission be granted subject to the signing of an S106 agreement, and subject to the following conditions:

- The development must be begun not later than the expiration of three years
- The development hereby approved shall be carried out in accordance with the drawings submitted with the application

72. Application for Development: Land To Rear Of 9 Saxon Street, Lincoln

(Councillors Bean, Brothwell, Bushell, Hanrahan, Hewson and Tweddle returned to the meeting. Councillor Hanrahan re-took his seat as Chair)

The Planning Manager:

- a. advised that planning permission was sought for the erection of a single storey dwelling house to provide two bedrooms at the rear of No 9 Saxon Street; a mid-Victorian, three-storey end-of-terrace residential property with (formerly) a shopfront on the ground floor façade
- b. highlighted that the houses on Saxon Street typically had small rear yards with small outbuildings, however, the yard at the rear of the application site was different as it widened out at the end away from the house to span the width of the neighbouring two gardens; giving the piece of land an 'L' shape, on which it was proposed to erect a new building; leaving the application property with a remaining yard space similar to the other houses on the street
- c. confirmed that the site did not lie within a Conservation Area, but was

close to the northern edge of the City of Lincoln Cathedral and City Centre Conservation Area No.1

- d. 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 LP10 Meeting Accommodation Needs
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework
- e. outlined the responses made to the consultation exercise
- f. advised members of the main issues to be considered as part of the application as follows:
- National and Local Planning Policy
 - Impact on Visual Amenity
 - Impact on Residential Amenity
 - Impact on Highway Safety
- g. concluded that:
- The scale, massing and design of the proposed dwelling was considered to be acceptable and would have a satisfactory relationship with the host dwelling and the wider area.
 - The use of high quality materials would make a positive contribution to the appearance of the wider area.
 - The proposal would also not cause undue harm to the residential amenities of neighbouring occupants.
 - The proposal was therefore in accordance with Policies LP1, LP2, LP10 and LP26 of the Central Lincolnshire and with the guidance contained within the National Planning Policy Framework.

Members discussed the content of the report in further detail, referring to the Highways Authority objection to the proposal on the grounds of insufficient parking provision. Individual members responded as follows:

- The Highways Authority had not commented on similar planning applications in this manner.
- There was a contradiction in terms within the report in respect of the Highways Authority objection due to lack of parking, which also stated that the Highways Authority did not request the provision of onsite parking to the host property adjacent to the application site as it had been granted use as a House in Multiple Occupation.
- Nobody had complained to the member concerned in his capacity as local councillor for the area regarding lack of car parking on this street.
- The Highways Authority's view as experts in its field should be heeded in this case. According to the Highways Authority it had a legitimate reason for refusal of planning permission.
- The issues of emergency vehicle access and the letters of objection received in relation to the proposed development supported the Highways Authority objection.

The Planning Manager commented that planning officers did not concur with the Highways Authority opinion.

Members commented further in relation to the proposed development as follows:

- It seemed that the only access to the property was through the side gate or existing house.
- The report inferred the height of the proposed building to be only inches above the set limit requiring planning permission.
- There were no plans detailing internal graphics of the inside of the building in order to make a comparison to the house in multiple occupation next door.
- The street should form part of the Resident's Parking Scheme.

The Planning Manager offered the following points of clarification:

- A mixed message had been provided here in terms of parking provision for the house next door in multiple occupation.
- Access to the property was via the main entrance doorway in Gray Street.
- The 3-4 metre height difference of the building compared to the existing wall was negligible and would not afford any ability to overlook.
- Highways issues raised by neighbours, and picked up by the Highways Authority seemed to relate to problems concerning emergency access on Gray Street, an existing problem which should be dealt with in its own right, not addressed through this planning application. Members remit here was to ascertain whether one additional dwelling would make such a marked difference to parking in the vicinity to warrant refusal of planning permission.

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

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

(Councillors J Kirk and R Hills requested that their vote against this planning application be recorded.)

73. Application for Development: 117 Boutham Park Road, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for the erection of two detached outbuildings to the rear gardens of a recently constructed two storey detached dwelling at 117 Boutham Park Road
- b. reported that the application had been submitted following a complaint surrounding the installation of a concrete base and the start of the erection of an outbuilding, works had since stopped and a planning application had been submitted for consideration

- c. highlighted that the proposals had been subject to significant amendments following officer and neighbour concerns on the overall size and positioning of the original proposal
- d. provided details of the policies pertaining to the application, as follows:
 - Central Lincolnshire Local Plan Policy LP26 - Design and Amenity
 - National Planning Policy Framework
- e. outlined the responses made to the consultation exercise
- f. advised members of the main issues to be considered as part of the application as follows:
 - Accordance with National and Local Planning Policy
 - Principle of the Development
 - Impact on Residential Amenity
 - Impact on Visual Amenity
 - Highway Safety, Access, Parking & Surface Water Drainage
- g. concluded that the outbuildings would not have a detrimental impact on the residential and visual amenity of neighbouring properties in accordance with Policy LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Members discussed the content of the report in further detail, making comments/raising questions as follows:

- Was it possible to impose a condition on the grant of planning permission to prevent the outbuildings being used for habitable purposes?
- The proposed outbuildings seemed slightly larger than that normally acceptable without the need for planning permission. It was hoped its construction would be monitored to ensure the building was erected according to the size parameters permitted.
- Could officers give further clarification to the objection received from the resident of the property behind the proposed outbuilding which stated that a solid wall along her boundary line overtopping her 6 foot fence would substantially block light to her garden?
- How could the neighbours fencing be maintained if it was right up to the boundary wall?

The Planning Team Leader offered the following points of clarification:

- Following negotiations with the planning team, the size of the out building subject to objections had been significantly reduced from that originally proposed to reduce the impact on the properties backing up to it. Some of the objections had been submitted before this time.
- The maintenance of boundary fencing was not a planning issue, although there were facilities available to allow access to neighbours land for this purpose.
- It was possible to impose a condition on the grant of planning permission to prevent the outbuildings being occupied as residential units.

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

Standard Conditions

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

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

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

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

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

- 01) The buildings shall not be used as residential units at any time.

Reason: To ensure that the units shall not be used as habitable dwellings.

Conditions to be adhered to at all times

None.

Table A

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

Drawing No.	Version	Drawing Type	Date Received
117 B Park Road	Rev D	Plans - Proposed	11 th January 2019

74. Application for Development: The Harlequin, 20-22 Steep Hill, Lincoln

The Planning Team Leader:

- a. described the application premises known as the Harlequin, a Grade II Listed, half-timbered late medieval house with a remarkable amount of original fabric extant, recently diagnosed with both insect and fungal infestation due largely to the failure of the guttering system and subsequent water ingress
- b. advised that planning permission was sought to temporarily install additional guttering to the first floor of the west elevation of the building

between a corridor window and a stairwell, to relieve the existing drainage issue

- c. reported on the location of the property within Conservation Area No 1 – Cathedral and City Centre
- d. reported that the application was brought before Planning Committee due to the City Council being the applicant
- e. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Policy LP25 – The Historic Environment
- f. outlined the responses made to the consultation exercise
- g. advised members of the main issues to be considered as part of the application as follows:
 - National and Local Planning Policy
 - Visual Amenity and the Effect on the Listed Building
- h. concluded that it was considered that the proposed works would be in accordance with the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 *'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and guidance contained within National Planning Policy Framework. In particular paragraph 132 which requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and that significance can be harmed or lost through alteration or destruction or by development in its setting'*.

Members discussed the content of the report in further detail.

Members questioned how temporary the additional guttering would be and what grade of materials would be used.

The Planning Team Leader/Planning Manager responded as follows:

- The condition of the building required significant work within three years.
- Use of standard guttering as a temporary measure would be replaced by Conservation Grade materials once a long term solution and more comprehensive scheme of works was carried out.

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

Conditions

- 01) The works must be begun not later than the expiration of three years.
- 02) The development hereby approved shall be carried out in accordance with

- the submitted drawings
- 03) The use hereby permitted shall be removed within 3 years of installation
 - 04) The proposed new fixings shall only be accommodated within the mortar joints

75. Application for Development: 30 Portland Street, Lincoln

The Planning Team Leader:

- a. described the application premises, a two storey mid-terrace property located on the north side of Portland Street within 400m of the High Street to the west, and flanked by a property formerly occupied by Flames and a coffee shop to the east
- b. advised that planning permission was sought for the installation of a new shopfront at 30 Portland Street
- c. reported on the location of the property within the West Parade and Brayford Conservation Area
- d. reported that the application was brought before Planning Committee due to the City Council being the owner of the property
- e. provided details of the policies pertaining to the application, as follows:
 - Policy LP25 – The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP27: Main Town Centre Uses- Frontages and Advertisements
 - National Planning Policy
- f. outlined the responses made to the consultation exercise
- g. advised members of the main issues to be considered as part of the application as follows:
 - National and Local Planning Policy
 - Effect on Visual Amenity and the Character and Appearance of the Conservation Area
 - Effect on Local Amenity
 - Effect on Highway Safety
- h. concluded that the proposed development was of an appropriate design that would not materially harm the character and appearance of the building or conservation area, in accordance with Policies LP25, LP26 and LP27 of the Central Lincolnshire Local Plan (2017) and guidance contained within the National Planning Policy Framework.

Members discussed the content of the report in further detail.

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

- Development is carried out within 3 years
- Development be carried out in accordance with the approved plans.

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

1. Purpose of Report

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

2. Background

- 2.1 In accordance with policy, Committee's views are sought in respect of proposed works to trees in City Council ownership, see Appendix A.
- 2.2 The responsibility for the management of any given tree is determined by the ownership responsibilities of the land on which it stands. Trees within this schedule are therefore on land owned by the Council, with management responsibilities distributed according to the purpose of the land. However, it may also include trees that stand on land for which the council has management responsibilities under a formal agreement but is not the owner.

3. Tree Assessment

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

4. Consultation and Communication

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

5. Strategic Priorities

5.1 Let's Enhance our Remarkable Place

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

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

i) Finance

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

ii) Staffing N/A

iii) Property/Land/ Accommodation Implications N/A

iv) Procurement

All works arising from this report are undertaken by the City Council's grounds maintenance contractor. The Street Cleansing and Grounds Maintenance contract ends August 2020. The staff are all suitably trained, qualified, and experienced.

6.2 Legal Implications including Procurement Rules

All works arising from this report are undertaken by the Council's grounds maintenance contractor. The contractor was appointed after an extensive competitive tendering exercise. The contract for this work was let in April 2006.

The Council is compliant with all TPO and Conservation area legislative requirements.

6.3 Equality, Diversity and Human Rights

There are no negative implications.

7. Risk Implications

- 7.1 The work identified on the attached schedule represents the Arboricultural Officer's advice to the Council relevant to the specific situation identified. This is a balance of

assessment pertaining to the health of the tree, its environment, and any legal or health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications. These can be outlined by the Arboricultural Officer pertinent to any specific case.

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

8. Recommendation

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

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 1

List of Background Papers: None

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

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 3 / SCHEDULE DATE: 27/03/19**

Item No	Status e.g. CAC	Specific Location	Tree Species and description / reasons for work / Ward.	Recommendation
1	N/A	Rear garden boundary of 3/5 Marham Close.	<u>Birchwood Ward</u> 1 Elder. Fell to allow replacement fencing to be constructed.	Approve and replant with a Birch in a suitable location.
2	N/A	Front garden of 7 Dryden Avenue.	<u>Glebe Ward</u> 1 Hawthorn. Fell, the tree is dying.	Approve and replant with a Cockspur Thorn in a suitable location.
3	N/A	Front garden of 8 Laughton Way.	<u>Minster Ward</u> 1 Multi-stemmed Hawthorn. Fell, the tree has poor form, is in close proximity to the property and as part of the garden improvements. 1 Apple tree. There is decay present in the main stem.	Approve and replant with two Cockspur Thorns in a suitable location.
4	N/A	Rear of 8 Cornwall House, Ravendale Drive.	<u>Minster Ward</u> 1 Rowan Fell, the tree has poor form and heavily suppressed. 1 Willow. Fell, the health of the tree is in decline and is heavily suppressed. 1 Scots Pine. Fell, the tree has a poor, unbalanced form.	Approve and replant with 3 Rowans in a suitable location.

Application Number:	2019/0070/FUL
Site Address:	Lincoln University, Campus Way, Lincoln
Target Date:	1st May 2019
Agent Name:	HLM
Applicant Name:	Mr Kevin Macdonald
Proposal:	Erection of a five-storey building to provide a higher education facility (Use Class D1), including ancillary facilities and associated plant including a biomass boiler, access and servicing, cycle parking and hard/soft landscaping.

Background - Site Location and Description

The proposed development would be located to the South East corner of the Brayford Campus adjacent to the Ropewalk. To the north of the site is the Art, Architecture and Design buildings and the Delph Pond to the West.

For some time, it has been the University's goal to develop a medical school for Lincolnshire and on 20th March 2018, the Higher Education Funding Council England (HEFCE) and Health Education England (HEE) confirmed that the University of Lincoln's collaborative bid with the University of Nottingham to establish a new medical school was successful.

Permission is therefore sought to erect a five storey, zero carbon building to accommodate 'The Lincoln Medical School'. The unique internal use of the building has dictated some of the external appearance of the building as has the University's desire for a highly sustainable building.

Site History

Planning permission was granted in 2013 (2012/0473/O) for outline consent for an overarching vision and Masterplan for the Brayford Campus. Any new facility needs to work within the constraints set out within this plan.

Critical views towards the cathedral were identified and long views from the south of the site which needed to be maintained. Building plots were allocated within the masterplan to maintain a cone of vision northwards towards the Cathedral. The building line to the east of the proposed site is fixed to maintain this vision and is defined by a pedestrian route.

Case Officer Site Visit

Undertaken on 12th March 2019.

Policies Referred to

- National Planning Policy Framework
- Central Lincolnshire Local Plan
 - Policy LP26: Design and Amenity Standards
 - Policy LP32: Lincolns Universities and Colleges

Issues

- National and Local Planning Policy

- Design and Appearance
- Environmental Credentials
- Landscaping
- Archaeology
- Drainage

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Environment Agency	Comments Received
Lincoln Civic Trust	Comments Received
Lincolnshire Police	Comments Received
Vicky Allen - NHS	No Response Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Anglian Water	Comments Received
Highways & Planning	Interim Comments Received

Public Consultation Responses

No responses received.

Consideration

National and Local Planning Policy

Policy LP32: Lincoln's Universities and Colleges

In principle, development proposals will be supported where they support the ongoing development of higher and further education establishments in the City, provided that these are well integrated with and contribute positively to their surroundings.

University / College related development proposals will be supported in principle if the development would facilitate their continued growth and assist in maximising the economic benefits the Universities / Colleges bring to Central Lincolnshire. Support will be given to

deliver more efficient and flexible academic buildings and high-quality urban design on the existing Brayford Pool Campus in accordance with Lincoln University's adopted masterplan.

Policy LP26: Design Principles

All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:

- a. Make effective and efficient use of land;
- b. Maximise pedestrian permeability and avoid barriers to movement through careful consideration of street layouts and access routes;
- c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;
- d. Not result in the visual or physical coalescence with any neighbouring settlement;
- e. Not result in ribbon development, nor extend existing linear features of the settlement, and instead retain, where appropriate, a tight village nucleus;
- f. Incorporate and retain as far as possible existing natural and historic features such as hedgerows, trees, ponds, boundary walls, field patterns, buildings or structures;
- g. Incorporate appropriate landscape treatment to ensure that the development can be satisfactorily assimilated into the surrounding area;
- h. Provide well designed boundary treatments, and hard and soft landscaping that reflect the function and character of the development and its surroundings;
- i. Protect any important local views into, out of or through the site;
- j. Duly reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style;
- k. Use appropriate, high quality materials which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability;
- l. Ensure public places and buildings are accessible to all: this should not be limited to physical accessibility, but should also include accessibility for people with conditions such as dementia or sight impairment for example.

The Principle of the Development

In terms of the principle of the development, the development is in accordance with the local plan allocation as a University Campus (Policy LP32) and the most up to date University Masterplan shows the principle of a building in this location.

Proposed Development

The building is required to co-locate a variety of users and activities, both specific to the Medical School and for wider University. The proposed Lincoln Medical School would deliver a comprehensive new teaching facility across five storeys. The building would accommodate:

- Ground floor level - Provision of 2x 120 capacity lecture theatres, seminar space, café and social learning
- First Floor - Provision of a library, science laboratory and a project laboratory

- Second Floor - departmental office space, tutorial spaces and an external roof terrace
- Third Floor - Allow space to allow for future expansion and increased flexibility in the use of the internal space
- Fourth Floor - Anatomy suite and clinical skills suite
- Fifth Floor - void space above the double height plant floor
- Roof level - houses the photovoltaic panels and plant room

The roof terrace which is proposed to the southern side of the building would provide a large external space for gatherings, assemblies and university events. The terrace would be visible along the main boulevard and would enable informal teaching and break out activities to occur outside on the terrace.

The University has set a target to create a 'zero carbon' building. Sustainability has been a key design driver for the design and the project team developed the design to ensure that the passive strategies to heating/cooling, lighting and ventilation have been maximised to reflect the University's ambitious requirements.

Design and Appearance

The appearance of the proposal has evolved through a number of pre application meetings with officers of the planning department as well as a presentation and question session with members of the City Council. Some concerns were raised prior to the formal submission and the submitted scheme has sought to improve on the previous design. Changes to the scheme include a bronze mezzanine plant room on the roof which is pulled back from the main body of the building. It is formed of a shimmering bronze anodised aluminium panel that is perforated near the roof and allows the building to glow at night. All the flues have been grouped together into a single funnel encased in the same material as the plant room.

On the south facade, a green wall frames an integrated solar facade system which is formed of photo voltaic panels that would utilise solar energy throughout the year and celebrate the environmental approach taken with the building. This green wall extends to the roof where a green perimeter to the roof has now been incorporated. This has softened the flat roof structure whilst also visualising the buildings green credentials.

The facade of the building would use a variety of textures, through the different types of brickwork, and materials to break up the elevations. The ground floor of the building would be constructed of Lincolnshire Limestone. This is a high quality, local material which would anchor the building and be seen at ground level when approaching the building. The upper floors would be constructed of a buff brick, with the two storey element constructed of a different darker brick.

The large window openings on all facades are articulated using aluminium framing in keeping with the plant room material. A variety of frame styling has been used across the building to further add interest including chamfered reveals to the east elevation and a limestone colour full height panel of framed windows to the south east elevation.

Designing in the signage for the building from the outset has further identified the building. "Lincoln Medical School" would be displayed above the solar wall on the south elevation and a university crest would be displayed on the wall at the main entrance.

It is considered that the proposed development would be in accordance with the aims of local plan Policy LP26. The building is of high quality design and the applicants have incorporated a number of features to make sure the building is unique whilst also reinforcing local distinctiveness with the use of local materials and materials which are used elsewhere within the university campus.

Environmental Credentials

The building has been designed to support the use of natural daylight within the internal spaces and maximises the window provision for natural ventilation in the majority of spaces. The layout of the building also allows for natural cooling in the spaces located around the perimeter of the building, both of which removes the need for mechanical cooling.

The building has a proposed green wall on the south facade that would help to reduce noise levels by reflecting, refracting and absorbing acoustic energy in addition to adding an extra layer of insulation between the planting and the wall construction. A biomass boiler would provide a sustainable source of heating and would be powered by locally sourced wood.

On the south facade an integrated solar facade system, which is formed of photo voltaic panels would utilise solar energy throughout the year. At roof level a photovoltaic array would provide a further source of renewable energy and would utilise a locally available renewable resource. In terms of visual impact of the photovoltaic panels, they produce less glare than standard glazing, with glare generally occurring when the sunlight is reflected off of a flat shiny surface. Solar panels are constructed with small indentations that reduce reflectance from sunlight and a number of manufacturers fit the panels with additional light trapping properties to boost the effectiveness of the energy capture from the sun which in turn further reduces the possibility of glare. Solar panels are designed absorb light not to reflect it and to achieve this they are given an anti-reflective coating to maximise light absorption.

Landscaping

The site landscaping has been designed to be in keeping with the landscaping found elsewhere within the campus and to create an extension to the existing development around the Isaac Newton building. Silver and mid-grey linear concrete pavers would make up the hard landscaping along with resin bound gravel.

There would also be a mixture of soft landscaping with the planting of standard and multi stem specimen trees, ornamental planting beds and less formal wetlands.

The soft landscaping would continue onto the roof terrace which would include low level shrub planting as well as taller multi-stem trees. There would also be an ornamental grass border to the parapet border. This terrace would provide both an interesting architectural feature to the design as well as a practical outdoor space where students are able to enjoy an outdoor space.

It is considered that the proposed landscaping would both complement the proposed new building but would also be an extension of the existing campus allowing

Highways

In terms of the provision of vehicle and cycle parking there are existing cycle stands within the campus that would be retained and supplemented by an additional 30 cycle stands that would be covered and provided as part of the new development and located to the north of the site along the main boulevard and to the south-west of the site along the new north-south pedestrian route. To further encourage the use of sustainable modes of transport the scheme provides showers, changing rooms, lockers and a changing places facility at ground floor level.

The scheme provides for no additional car parking or car parking specific to this site. The University has a car parking permit scheme for all staff which is managed by the university. They also have a site wide Travel Plan which encourages and promotes other modes of travel given the city centre location of much of the campus.

The building would integrate into the existing network of footways and cycleways around the campus and would continue to allow for flexible movement of people.

Archaeology

A programme of test pit evaluation has been proposed to better understand the nature of the archaeological resource and to better define a mitigation strategy to be implemented in advance of development. The evaluation comprises the excavation of 2 test pits measuring 2m x 2m in locations agreed with the City Archaeologist.

Evidence shall be gathered to establish the presence/absence, nature, date, depth, quality of survival and importance of any archaeological deposits to enable an assessment of the potential and significance of the archaeological remains, and to allow for the determination of any appropriate strategies to mitigate the effect of the proposed development upon the archaeological resource.

These works can be secured by condition and with the submitted Written Scheme of Evaluation.

Drainage

The site is within the Upper Witham Internal Drainage Board district and contains the Board maintained watercourse Fosdyke Delph (24100).

Pre application discussions have been taking place with the applicant and the Drainage Board to ensure there is no increase in flood risk and that access to the attenuation pond is maintained for the board to continue to carry out maintenance.

The drainage board objects in principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However the board have noted that although the site is behind the flood defence it is not considered to be at risk from breaching. A Flood Risk Assessment is included in the application that contains appropriate mitigation include a minimum FFL of 5.6m.

Land Contamination

A Geo-environmental report has been submitted for the site and Remediation Method Statement to detail remedial measures subsequently required. The details contained within these reports would be secured by condition.

Conclusion

Ongoing development of Universities within the City are supported by Policy LP32 of the Central Lincolnshire Local Plan. Lincoln University have been successful in becoming one of 5 regions chosen to have a new medical school following a long bidding process. The expansion of medical school provision is hoped to provide for 25 % more medical students throughout the UK. The proposed Lincoln Medical School would deliver a comprehensive new teaching facility across five storeys and would be environmentally friendly 'Zero Carbon' building. The design integrates a number of environmental principles whilst achieving a high quality, unique design which would further enhance the university campus.

Application Determined within Target Date

Yes.

Recommendation

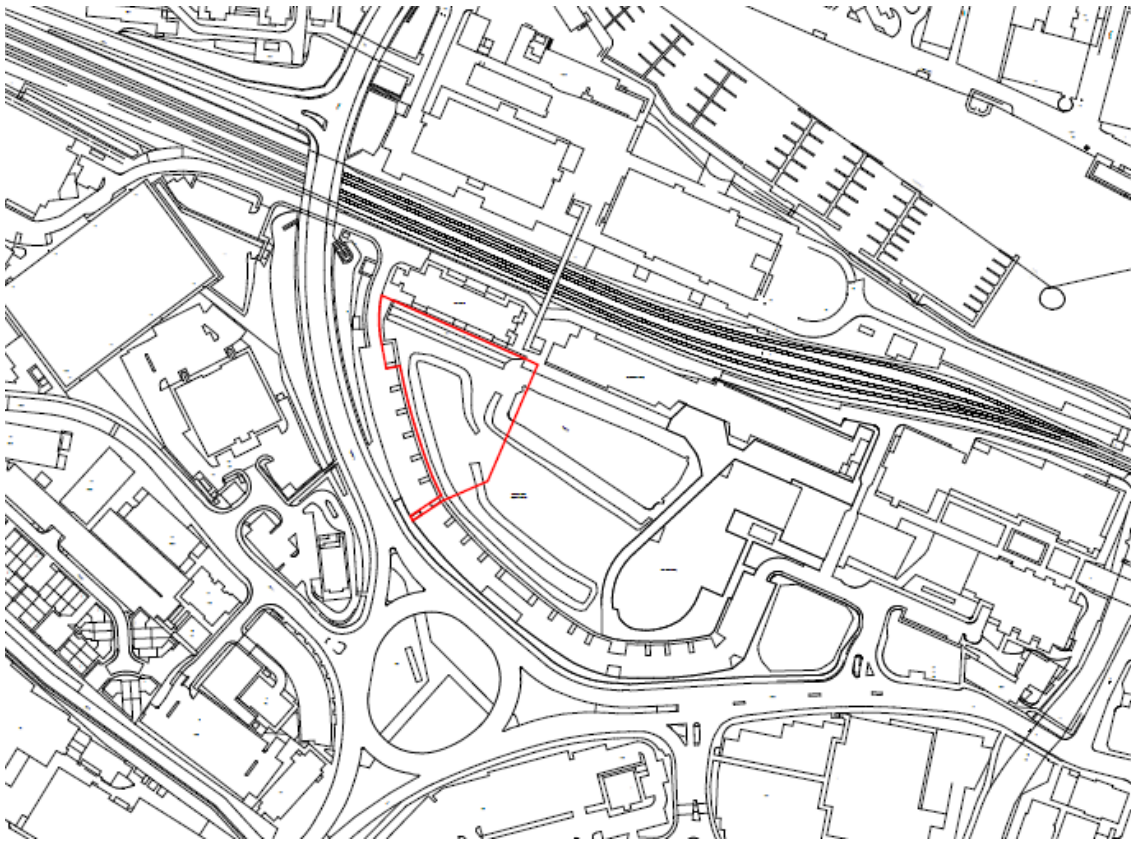
That the application is granted conditionally.

Conditions

- Carried out within 3 years
- Carried out in accordance with the plans
- Foul water drainage works
- Archaeology
- Finished Floor Levels
- Contaminated Land

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Site Location Plan



Block Plan



Elevations



North-East Elevation



East Elevation



South-East Elevation



South Elevation



West Elevation



North Elevation

Floor Plans

Ground Floor



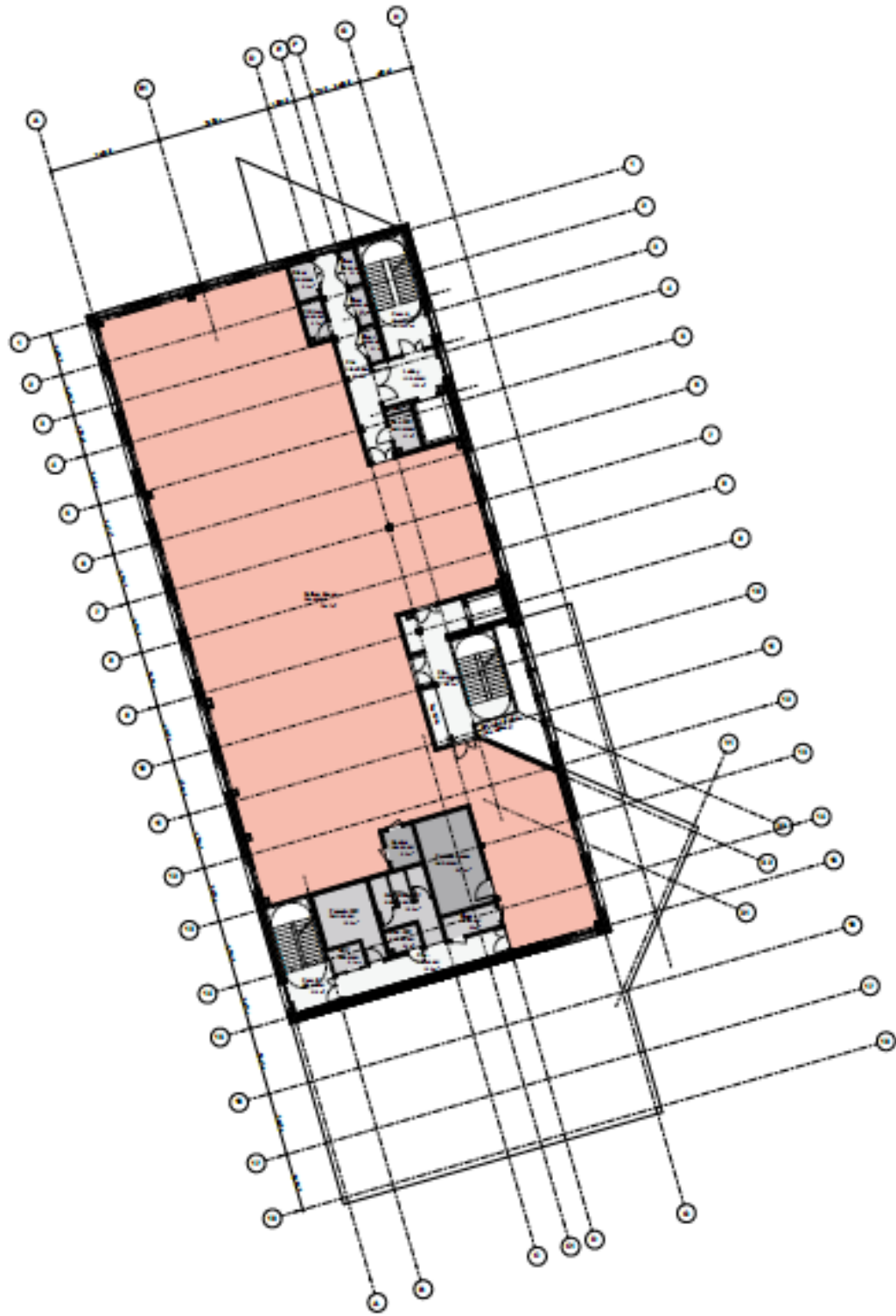
First Floor



Second Floor



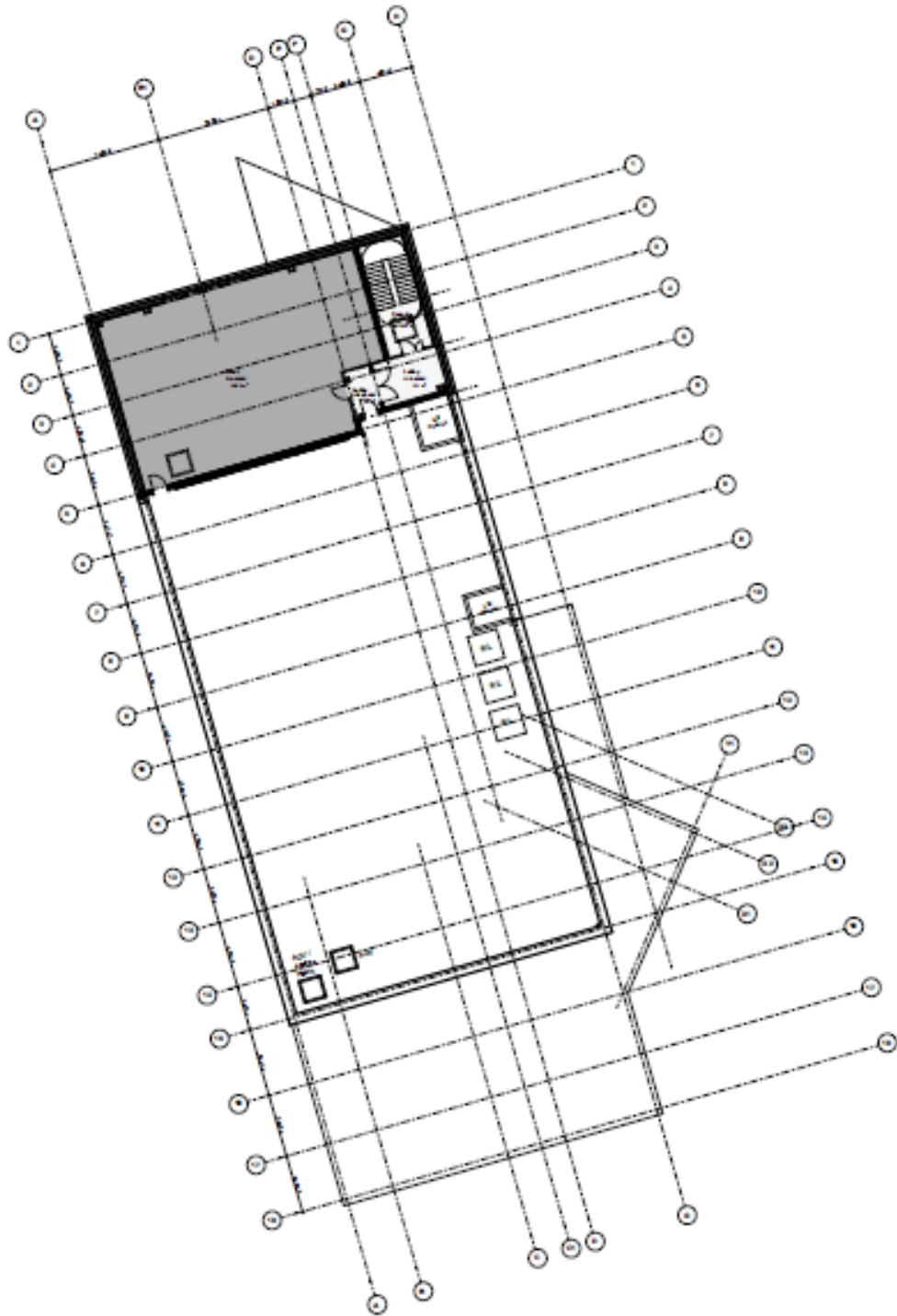
Third Floor



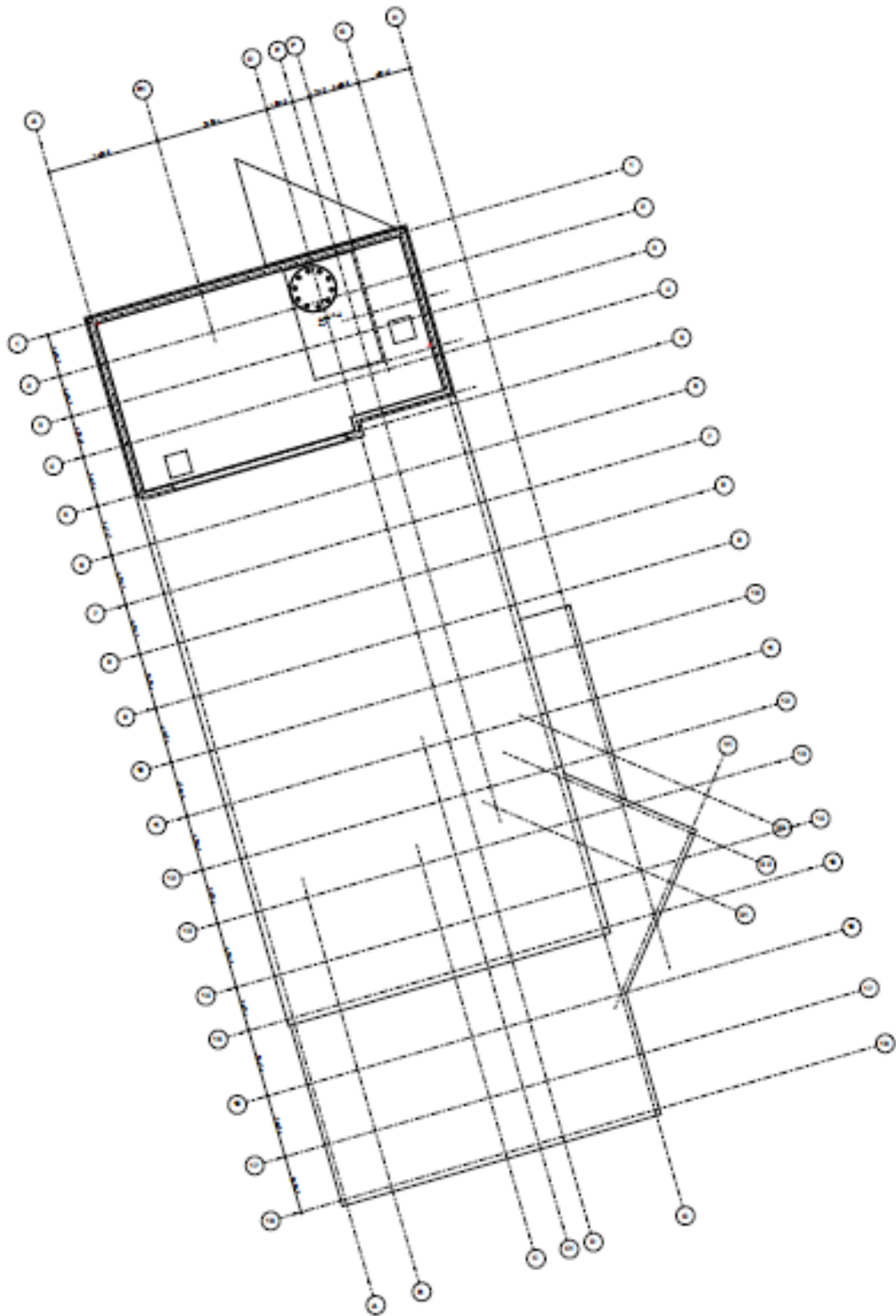
Fourth Floor



Fifth Floor



Roof Plan



Visuals





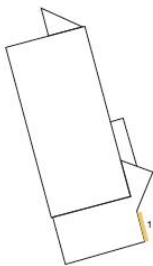


East Elevation

Materials Key

- 01 Lincolnshire Limestone
- 02 Brick Type 1a - Light coloured multi-brickwork with colour matched mortar in a flush mortar joint profile and stepped brick coursing
- 03 Brick Type 1b - Light coloured multi-brickwork with colour matched mortar in a flush mortar joint profile (no stepped brick coursing).
- 04 Brick Type 2 - Light coloured brickwork with colour matched mortar in a flush mortar joint profile
- 05 Pre-Cast Concrete colour matched to Lincolnshire Limestone
- 06 Pre-Cast Concrete coping colour matched to Lincolnshire Limestone
- 07 Bronze coloured aluminium window with splayed window reveal and head detail
- 08 Bronze coloured aluminium window with splayed head detail
- 09 Bronze coloured aluminium window with splayed reveal detail
- 11 GRC Cladding colour matched to Lincolnshire Stone
- 12 Bronze coloured anodised aluminium cladding

Key Plan



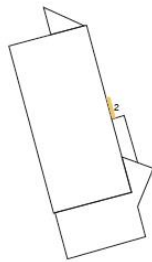
5.03 Proposed Bay Studies

East Elevation

Materials Key

- 01 Lincolnshire Limestone
- 02 Brick Type 1a - Light coloured multi-brickwork with colour matched mortar in a flush mortar joint profile and stepped brick coursing
- 03 Brick Type 1b - Light coloured multi-brickwork with colour matched mortar in a flush mortar joint profile (no stepped brick coursing)
- 04 Brick Type 2 - Light coloured brickwork with colour matched mortar in a flush mortar joint profile
- 05 Pre-Cast Concrete colour matched to Lincolnshire Limestone
- 06 Pre-Cast Concrete coping colour matched to Lincolnshire Limestone
- 07 Bronze coloured aluminium window with splayed window reveal and head detail
- 08 Bronze coloured aluminium window with splayed head detail
- 09 Bronze coloured aluminium window with splayed reveal detail
- 10 GRC Cladding colour matched to Lincolnshire Stone
- 11 Bronze coloured anodised aluminium cladding

Key Plan



Section B-B

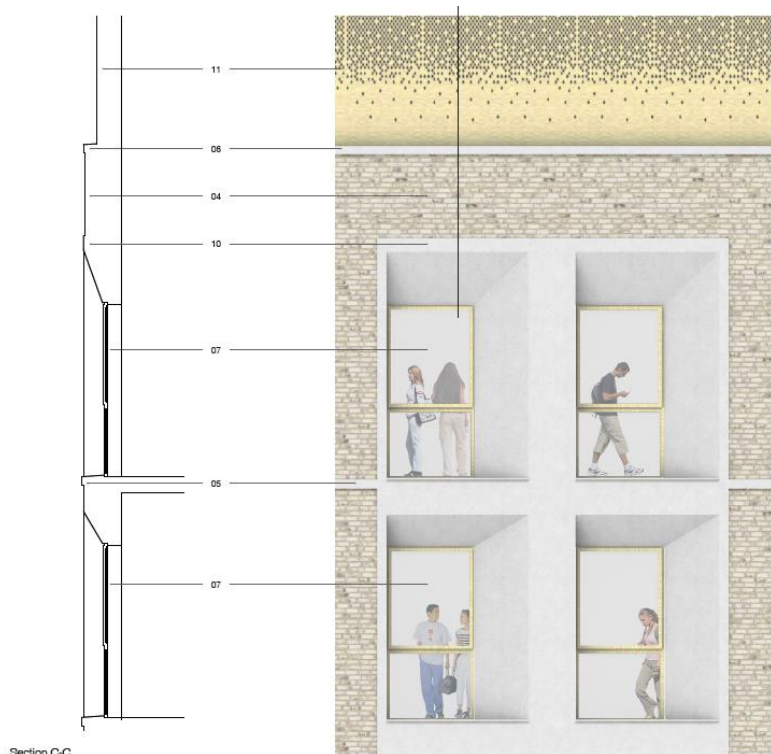
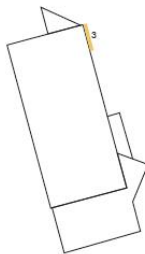
5.03 Proposed Bay Studies

East Elevation

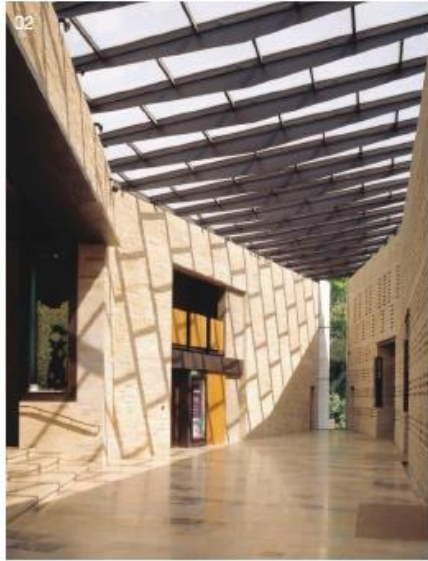
Materials Key

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- 07 Bronze coloured aluminium window with splayed window reveal and head detail
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- 11 Bronze coloured anodised aluminium cladding

Key Plan



Section C-C



Site Photos

















Consultee Comments for Planning Application 2019/0070/FUL

Application Summary

Application Number: 2019/0070/FUL

Address: Lincoln University Campus Way Lincoln Lincolnshire LN6 7TS

Proposal: Erection of a five-storey building to provide a higher education facility (Use Class D1), including ancillary facilities and associated plant including a biomass boiler, access and servicing, cycle parking and hard/soft landscaping.

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 - We would like to commend the University for the design of the building and the thought process that has gone into creating the proposal.

Our concerns are as usual to do with the transport situation within Lincoln and the total lack of any quantity of car parking spaces. Putting a requirement for student parking, the Medical School is going to attract a large number of ancillary workers, administrators and a large number of visiting lecturers, general staff and technicians and there appears to be no consideration of how these people will arrive in the City and park their cars. As we are all aware, there is not a comprehensive and cohesive park-and-ride system and to assume that visitors will all arrive in the city on public transport, we are dreaming. We fear that this lack of any provision will lead the people we need to make this project and the wider city a success, to consider going elsewhere and starve the City of the knowledge base we require. Furthermore, we continue to be concerned about the access of students to and from the main site. The provision of student accommodation on the St. Marks Site coupled with the accommodation at the Gateway and the Macdonalds will lead to multiple crossings both Brayford Way and the Ropewalk and feel that a bridge over the roundabout will not only aid student safety but aid the transport progress through the junction. We urge the committee to give this some consideration.

Dear Sir/Madam

REFERENCE: 2019/0070/FUL

DEVELOPMENT: ERECTION OF A FIVE-STOREY BUILDING TO PROVIDE A HIGHER EDUCATION FACILITY (USE CLASS D1), INCLUDING ANCILLARY FACILITIES AND ASSOCIATED PLANT INCLUDING A BIOMASS BOILER, ACCESS AND SERVICING, CYCLE PARKING AND HARD/SOFT LANDSCAPING

LOCATION: LINCOLN UNIVERSITY, CAMPUS WAY, LINCOLN, LINCOLNSHIRE, LN6 7TS

Further comments now the documents are available.

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district and contains the Board maintained watercourse Fosssdyke Delph (24100).

The site affects the Board maintained drainage network Fosssdyke Delph, the attenuation pond within the University and access arrangements. Pre allocation discussions have been taking place with the Applicant and Consultants working for them to ensure there is no increase in flood risk and the Board can continue to carry out maintenance.

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However it is up to City of Lincoln Council as the planning Authority grant planning permission. It is noted that although the site is behind the flood defense it is not consider to be at risk from breaching. A Flood Risk Assessment is included in the Application that contains appropriate mitigation include a minimum FFL of 5.6m.

The Drainage Statement confirms that the proposed development does not exceed the allowable impermeable area within the Ward Cole 2020 Masterplan Assessment which means the Fosssdyke Delph pond does not need to be enlarged.

Note the maximum water level for 1 in 100 year plus climate change is 4.0m. A reassessment of the impermeable has been carried out, including the proposed Medical School the area is 7.153ha. The allowance within the Ward Cole 2020 Masterplan Assessment is 7.575ha, any addition impermeable development in excess of this area will require modifications to the Fosssdyke Delph pond, in addition additional capacity must be provided to account for the increase in climate change allowances.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (6m) of the top of the bank of a Board maintained watercourse Fosssdyke Delph (24100). An application has been submitted to the Board for the culverting of Fosssdyke Delph (UD-4473-2019-CON). Additional Consent will be required for all other works within the 6m Byelaw distance including the proposed outfall.

Regards
Guy Hird
Engineering Services Officer



FAO: Lana Meddings
City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Our ref: AN/2019/128614/02-L01
Your ref: 2019/0070/FUL
Date: 04 March 2019

Dear Lana

**Erection of a five-storey building to provide a higher education facility (Use Class D1), including ancillary facilities and associated plant including a biomass boiler, access and servicing, cycle parking and hard/soft landscaping.
Lincoln University Campus Way Lincoln Lincolnshire LN6 7TS**

Thank you for referring the above application on 31 January 2019.

We have **no objections** to the proposed development, as submitted, subject to the imposition of the following condition on any subsequent planning permission granted:

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (FRA) (ref 18-0566.04) dated January 2019 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.6 metres above Ordnance Datum (AOD).

Reason

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

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

As you are aware the discharge and enforcement of planning conditions rests with your authority. It is, therefore, essential that you are satisfied that the proposed draft condition meets the requirements of paragraph 4 of the National Planning Practice Guidance (NPPG) (Use of Planning Conditions, section 2). Please notify us immediately

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

Customer services line: 03708 505 505
Calls to 03 numbers cost the same as calls to standard
geographic numbers (i.e. numbers beginning with 01 or 02).

if you are unable to apply our suggested condition, as we may need to tailor our advice accordingly.

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

Please consult us on the details submitted to your authority to discharge this condition and on any subsequent amendments/alterations.

Information for your authority

There will be no scope for the finished floor levels to be taken any lower given the land levels are 5.2 - 5.3 metres AOD around the raised section and as the site lies in Flood Zone 2. National flood risk assessment standing advice is that finished floor levels must be 300 millimetres (mm) above the general ground floor level of the site.

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

Yours sincerely

Keri Monger
Sustainable Places - Planning Adviser

Direct dial 020 847 48545

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



LINCOLNSHIRE POLICE

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

Ref: App. 2019/0070/FUL

11th February 2019

Mr K Manning
Development Team
City Hall
Beaumont Fee
Lincoln
Lincolnshire
LN11 DF

Full: Lincoln University (Medical School) Campus Way, Lincolnshire, LN6 7TS

Thank you for your correspondence and subsequent plans received 31st January 2019 and the opportunity to comment on the proposed development. I have studied the online plans and would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the learning environment for users of this development.

Layout and Block Plan

The overall master plan and generic layout of the University Campus is that of an open and largely permeable development. The consequence is that heightened awareness and thought should be given to the shell and fabric of any building contained therein and specifically issues of access control and resilience of the building structures proposed.

This is of significant importance in terms of defining what public and private (University) domain is. Where it is unclear or where a dominance of public access exists there is likelihood that undesirable risk and commensurate activities may occur and become a problem in the future.

Scientific Laboratories

The Lincolnshire Police Counter Terrorist Security Advisor CTSA must be consulted prior to finalisation of plans for the construction of any new laboratory intended for work with Pathogens or Toxins that are listed within the Anti-Terrorism, Crime and Security Act 2001. The Act lays out specific minimum required security standards for such things as walls, doors, locks and windows. This is in addition to the normal requirements of HSE for the relevant Containment Level of the planned facility.

External doors

The Secured by Design minimum requirement for all external door sets is PAS 24:2016 (doors of an enhanced security). Depending on the eventual or intended use of specific units or parts of units the specification for doors and windows together with general security and access control measures may need to be of an enhanced nature. This will be subject to assessment



against the level and type of materials and substances that may be contained within any laboratory or storage facility.

Subject to this specification the advice and directions of our Force Counter Terrorism Security Advisors **must** be sought.

CCTV System

A comprehensive monitored CCTV should be included throughout the site with appropriate signage. Such a system could be remotely monitored at a central security location that does have 24 hour security cover unless 24 hour cover is provided at the new location.

Should it be considered appropriate a police response monitored system to with installation to EN 50131-1, (PD6862 Scheme for the implementation of European Standards), or BS 8418 for a detector activated CCTV system.

Signage.

Effective use of directional and informative signage can do much to reduce the opportunity for any persons accessing the site and not knowing where they should be. Site maps and clear directions to a security office or reception will reduce any opportunity for unwanted trespass on the site.

Likewise an effective identity card/ badge system for all persons on the premises can significantly enhance security.

Use of Bicycles.

Secure bicycle parking should be made available within an appropriate roofed building (with all round surveillance that is within view (no more than 100 metres) of occupied buildings or CCTV) with ground bolted cycle stands. Galvanised steel bar construction (min thickness of 3mm) filled with concrete – minimum foundation 300mm with welded anchor bar. This facility should have adequate vandal resistant dedicated energy efficient lamps lighting during hours of darkness. www.bikeoff.org/design_resource . A design focussed and inviting cycle rack/shed would encourage safe and secure bike use where students, staff and visitors feel confident to leave their cycles. If this is not achieved evidence strongly supports that cycle use will be reduced and users will find alternative means and locations to store cycles.

The effectiveness of any cycle storage or security system regardless of product is reliant on ensuring that natural surveillance and location of the facility is considered an important aspect of the overall plan.

Lighting

Lighting should be co-ordinated with an effective CCTV system and any light fittings protected against vandalism. The overall lighting scheme should be well considered and evenly distribute light avoiding dark shadows, provide good colour rendition, and not cause glare or light pollution and effectively support formal and informal surveillance within the block development and surrounding area.

A good lighting system can be cost effective and ensure that there will be a witness to any intrusion. It should allow staff, students and visitors to feel secure and safe within their living environment. Importantly it should make intruders feel vulnerable and that there is an increased likelihood of being challenged.

With regard to the lighting I would suggest that external lighting be low energy consumption lamps with an efficacy of greater than 40 lumens per circuit watt. Secured by Design has not specified this type of security lighting for a number of years following advice from the institute



of Lighting Engineers and police concerning the increase in the fear of crime (particularly amongst the elderly) due to repeated PIR activations. Research has proven that a constant level of illumination is more effective at controlling the night environment.

External lighting must be switched using a photo electric cell (dusk to dawn) with a manual override.

Lighting (bulk head style) should be designed to cover all external doors.

Landscaping (where applicable)

Landscaping should not impede the opportunity for natural surveillance and must avoid the creation of areas of concealment. Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any tree should be pruned to a minimum height of 2 metres, thereby maintaining a clear field of vision around the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Boundaries between public and what is private space should be clearly defined and open accessible spaces should not allow for any unintended purpose which may cause any form of anti-social behaviour or nuisance.

Entrance.

An integrated access system throughout the development using vandal proof resistant proximity readers (biometric swipe cards) would allow for any security issues following staff exclusions. Should consideration be given to the use and application of prevailing biometric and voice recognition technology this should be discussed with the CPDA/CTSA at the earliest opportunity?

This area should be well illuminated and welcoming with the entrance area having a clear view of the approaches to the entrance.

Where a separate automatically opening door is required for disabled access, use should be made of a proximity reader and /or biometric swipe card technology.

The use of an 'air lock' system whereby two sets of automatic doors are used, the first opening will allow a visitor through with the provision to control sighted access from the reception or by remote camera / intercom system. In such an environment it is not uncommon for unwanted access to be gained by way of 'follow through' access placing staff and students at risk of crime and anti-social behaviour.

Windows

All windows and glazing **must** incorporate at least one pane of laminated glass to a **minimum** of 6.8 mm or glass tested to BS EN356:2000 *Glass in building, Security glazing – resistance to manual attack to category P1A. All easily accessible windows must be to PAS24:2016 or their equivalent verified standard.*

Window restraints should be included on all accessible window sets at places of height.

Roof Top Garden or Terrace

Access to places of height should be carefully managed to ensure that users are unable to easily climb balustrades or other boundary treatments. This should extend to avoiding the use of other climbing aids and any furniture should be of a weight or design that reduces the opportunity for the easy movement of furniture.

The height of the boundary or balustrade should be raised to a minimum height of 1.8m, if balustrade is of a brick built construction this could be achieved by the use of a glazed screen.

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)
john.manuel@lincs.pnn.police.uk





Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email planningliaison@anglianwater.co.uk.

AW Site Reference: 144170/1/0052059

Local Planning Authority: Lincoln District (B)

Site: Lincoln University Campus Way Lincoln Lincolnshire LN6 7TS

Proposal: Erection of a five-storey building to provide a higher education facility (Use Class D1), including ancillary facilities and associated plant including a biomass boiler, access and servicing, cycle parking and hard/soft landscaping. | Lincoln Unvers

Planning application: 2019/0070/FUL

Prepared by: Pre-Development Team

Date: 11 March 2019

ASSETS

Section 1 - Assets Affected

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

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

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

Section 3 - Used Water Network

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We therefore request a condition requiring an on-site drainage strategy (1) **INFORMATIVE** - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) **INFORMATIVE** - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) **INFORMATIVE** - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) **INFORMATIVE** - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) **INFORMATIVE**: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 - Suggested Planning Conditions

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

Used Water Sewerage Network (Section 3)

Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
Reason To prevent environmental and amenity problems arising from flooding

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

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

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

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

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

Foul water:

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

Surface water:

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

The Highway and Lead Local Flood Authority (HLLFA) would make the following comments on the below application:

2019/0070/FUL - Erection of a five-storey building to provide a higher education facility (Use Class D1), including ancillary facilities and associated plant including a biomass boiler, access and servicing, cycle parking and hard/soft landscaping.

Highways

In order to make a full assessment of the application the HLLFA will require the following information:

- A Transport Statement.
- A Travel Plan.
- A revised red outline plan showing how the development connects to the public highway for vehicular access.

The red outline plan shows a connection to the public highway on Brayford Way (A57). The application form states that no new pedestrian or vehicle access is proposed as part of the application, however the Design and Access statement indicates it is a pedestrian route with a new surface treatment. Can the applicant clarify this point?

The transport statement is to include information on how the development connects to the wider network (particularly pedestrian and cycleway links), a parking strategy, construction phase highway network impact, building servicing etc.

Drainage

The submitted drainage strategy is acceptable in principle.

Regards

John Clifton
Principal Development Management Officer
Development Management
Place Directorate
Second Floor, Lancaster House
36 Orchard Street
Lincoln
LN1 1XX
Tel: (01522) 782070
E-Mail: developmentmanagement@lincolnshire.gov.uk
www.lincolnshire.gov.uk

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Application Number:	2016/0842/OUT
Site Address:	Land At Wolsey Way (between Larkspur Road And Windermere Road), Lincoln, ,
Target Date:	2nd November 2016
Agent Name:	LK2 Architects LLP
Applicant Name:	Mr D Race
Proposal:	Erection of 14 Bungalows (Outline) (Flood Risk Assessment and Drainage Layout received in relation to proposals 29 August 2017)

Background - Site Location and Description

Site Location

The application site is roughly rectangular in shape and is located to the west of Wolsey Way. It adjoins the King George V Playing Field to the west and residential development in Westholm Close, Hurstwood Close and Wolsey Way to the north; and Larkspur Road to the south. Opposite the site on Wolsey way is a larger residential site being developed by the applicant, that land lies in West Lindsey. The applicant still retains ownership of fingers of green space that project into Westholm Close and Hurstwood Close.

Description of Development

The proposals are for outline planning permission for 14 bungalows with only the access fixed for the development, i.e. the position access is taken from Wolsey Way. All other details, including the layout and landscaping of the site; and size of the bungalows are all indicative at this stage. Along with the appearance of the dwellings, these would be agreed through subsequent application(s) for Reserved Matters.

The site is shown without notation within the Local Plan so is not specifically allocated for housing.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 8th November 2016.

Policies Referred to

Central Lincolnshire Local Plan 2017

Policy LP1	A Presumption in Favour of Sustainable Development
Policy LP2	The Spatial Strategy and Settlement Hierarchy
Policy LP3	Level and Distribution of Growth
Policy LP9	Health and Wellbeing
Policy LP10	Meeting Accommodation Needs

Policy LP11	Affordable Housing
Policy LP12	Infrastructure to Support Growth
Policy LP13	Accessibility and Transport
Policy LP14	Managing Water Resources and Flood Risk
Policy LP16	Development on Land affected by Contamination
Policy LP21	Biodiversity and Geodiversity
Policy LP24	Creation of New Open Space, Sports and Recreation Facilities
Policy LP25	The Historic Environment
Policy LP26	Design and Amenity
Policy LP29	Protecting Lincoln's Setting and Character
Policy LP36	Access and Movement within the Lincoln Area

Core Strategy & Development Management Policies of the Lincolnshire Minerals & Waste Local Plan (Adopted June 2016):

Policy M11 Safeguarding of Mineral Resources

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. Application of Central Lincolnshire Local Plan Policy;
3. Provision of Affordable Housing and Contributions to Services;
4. The Design of the Proposals and their Visual Impact;
5. The Implications of the Proposals upon Amenity;
6. Sustainable Access, Highway Safety and Traffic Capacity;
7. Biodiversity and Arboriculture;
8. Drainage;
9. Land Contamination and Air Quality; and
10. 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	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Environment Agency	Comments Received
Anglian Water	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
West Lindsey District Council	Comments Received

Public Consultation Responses

Name	Address
Mrs. L. Graby	Kidra 22 Larkspur Road Lincoln LN2 4SS
Mr. & Mrs. Kendall	3 Hurstwood Close Lincoln LN2 4TX
Mr. & Mrs. Crampton	9 Hurstwood Close Lincoln LN2 4TX
A Coulbech & J Lindsay	9 Westholm Close Lincoln LN2 4TS
Mr. & Mrs. Crowder	12 Westholm Close Lincoln LN2 4TS
Mr. A. & Mrs. J. Byrne	10 Hurstwood Close Lincoln LN2 4TX
Mr. N. & Mrs. S. Bolton	1 Hurstwood Close Lincoln LN2 4TX
Mr. & Mrs. Lofts	11 Hurstwood Close Lincoln LN2 4TX
Mr. L. & Mrs. I. Millward	Pickwick 7 Westholm Close Lincoln LN2 4TS
Mr. & Mrs. Maplethorpe	13 Larkspur Road Lincoln LN2 4SS
Mr. D. & Mrs. H. Redmile	14 Westholm Close Lincoln LN2 4TS

Ms. L. Rose	25 Larkspur Road Lincoln Lincolnshire LN2 4SS
Mr. C. Graby	Kidra 22 Larkspur Road Lincoln Lincolnshire LN2 4SS
Mrs. C. Gurga	14 Montaigne Garden Glebe Park Lincoln LN2 4LR

Consideration

1) The Principle of the Development

a) *Relevant Planning Policies*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The 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 National Planning Policy Framework 2019 (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)". These refer to economic, social and environmental objectives.

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

b) *Location and Supply of Housing*

The Council's current housing supply was considered as part of the preparation of the Central Lincolnshire Local Plan and includes those sites allocated for residential development. The application site is not included as an allocated site as it falls below the threshold for these sites being for less than 25 dwellings.

Evidence currently available to officers indicates that the Council is able to demonstrate a five-year supply and local development plan policies can be considered up to date. There is therefore not pressure for the Council to approve development which may not otherwise satisfy the requirements of the Framework as referred to above. This will be referred to in detail throughout the remainder of this report.

Notwithstanding this, the site is located within a sustainable position for the proposed dwellings to meet local demand. Moreover, the location would offer the opportunity to promote sustainable transport choices (due to accessibility by bus, cycle and walking routes) and connections to existing areas of employment, schools and other services and facilities. However, the accessibility to existing services is only one of the issues relevant to the consideration of sustainability.

Officers recognise that the development would deliver economic and social sustainability directly through the construction of the development and indirectly through the occupation of the proposed dwellings, spend in the City and retention/creation of other jobs due to the location of the development within the Lincoln Urban Area. In addition, the erection of development in this location would not in itself undermine sustainable principles of development subject to other matters as set out below.

2) Application of Central Lincolnshire Local Plan Policy

a) *Local Plan Designation of the Site*

i) *Important Open Space*

Members may or may not be aware but at the point that the application was submitted, the application site was included in the 1998 plan as part of the Green Wedge and as functional open space. In light if this it was proposed as part of the Central Lincolnshire Local Plan as an area of Important Open Space encompasses the King George's playing fields.

However, the Inspector for the Examination of the Local Plan concluded that this narrow parcel of land is clearly separated from the playing fields by a fence and a row of trees. It is also largely overgrown and whilst there are informal routes across the site, the land is within private ownership with no formal access. The boundary of the Important Open Space was therefore amended on Inset Map 47 to remove this parcel of land north-east of the playing fields, as shown below:-



Inset Map 47 Extract

The designation of the site for an informal recreational use has therefore been lost and the green wedge has also been omitted in this part of the city, due to the development of land in the neighbouring housing allocation. Whilst this is a point of frustration for residents, the non-designation in the Local Plan is a material consideration in the determination of this application and the applicant cannot be forced to allow access to their land. Nonetheless, the report will refer to the nature of the route through the site that is proposed to be provided.

ii) Minerals Designations

The application site is shown on the map above as a Site Specific Minerals Safeguarding Area but this is not a designation as there are no mineral policies within the Local Plan. The designation relates to the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies (Adopted June 2016), Policy M11 of which deals with the 'Safeguarding of Mineral Resources' and is a material consideration.

Having considered the context of the site, officers are satisfied that the loss of the site for mineral extraction purposes would not be harmful as it is unlikely that it would be extracted due to the size of the site and its immediate residential context. As such, it would not harm the Cathedral in the long term in terms of its environmental or social sustainability. Consequently, officers are satisfied that the development would not conflict with aforementioned policy and there would be no justification to resist the development of the site upon such grounds.

iii) Summary

In light of the above, officers would recommend to Members that there would not appear to be a justification to resist the development of the site upon the grounds of its designation in the Local Plan.

b) Policy in Relation to Health Infrastructure Provision

As alluded to above, the application was received whilst the 1998 Local Plan was being replaced by the Central Lincolnshire Local Plan. In the interests of fairness to applicants, the Council's within Central Lincolnshire decided not to strictly apply those policies for applications received before the adoption date where doing so would lead to a material change in circumstances. In particular, officers did not strictly enforce the policy seeking contributions from developers in relation to health provision for such applications (Policy LP9). Furthermore, due to the date the application was received, the NHS have not been consulted as part of this application. It is therefore recommended that the same stance should be taken with the consideration of this application and it would not be reasonable to turn the clock back and revisit this issue.

c) Other Policy

Upon the basis that the other policies in the current Local Plan replace those in the 1998, it is considered that the current position should be applied in respect of those policies, i.e. in relation to Affordable Housing, Local Green Infrastructure, Strategic Playing Fields and Education.

3) Provision of Affordable Housing and Contributions to Services

a) Relevant Planning Policies

i) Provision of Affordable Housing

The Framework maintains the principle of creating sustainable, inclusive and mixed communities and calls for local planning authorities to set policies for meeting identified affordable housing needs on site unless offsite provision or a financial contribution of broadly equivalent value can be robustly justified (para. 50). The Council's current policy for affordable housing dictates that 25% of all units should be affordable homes (Policy LP11) for all schemes incorporating 11 or more residential properties.

ii) Other Community Infrastructure and Services

The Framework, at Paragraph 92 refers to new development and states:

"To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; and
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."

Paragraph 94 of the Framework refers to the importance of ensuring "a sufficient choice of school places is available to meet the needs of existing and new

communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education".

In addition, developments which would result in an increase in the number of households within the locality are expected to contribute to improvements to existing playing facilities or provide play and amenity and open space that could be utilised by the development (Policy LP24 of the Plan).

b) *Affordable Housing*

The development being over 11 dwellings in size will be above the threshold for affordable housing, it will therefore provide 25% of the proposed dwellings for affordable purposes onsite. In this instance, this would equate to 4 properties. In accordance with Policy LP11, the exact tenure mix should be informed by and compatible with government guidance and discussed with the Local Authority, having regard to local evidence, particularly if the developer retains nomination rights.

c) *Impact upon Education and of the Community Infrastructure Levy*

The County Council as Education Authority would receive contributions to Secondary Education Provision by virtue of the Community Infrastructure Levy. However, in their consultation response (included in the papers attached to the committee report and uploaded to the Council's Public Access system), the County has also referred to the impacts of the development upon primary education. They have requested that the applicant is required to provide a contribution in order to mitigate the impact of the development upon primary education. Ultimately, the total to be spent on a specifically derived project will need to be secured through a S106 agreement. Notwithstanding this, officers are satisfied that the requests are CIL Regulations compliant and that the scale of development should not have a bearing on the actual impact resulting from the development.

d) *Local Green Infrastructure and Strategic Playing Fields*

The size of the development site would not be sufficient to meet the requirements of policy in respect of on-site provision of strategic playing fields and would be expected to contribute to the development of local green infrastructure projects.

In terms of the former, it is clear that there is existing playing field provision adjacent to the site but investment in facilities is calculated on a pro rata basis as the population expands and contributions towards strategic playing fields (SPF) would be used within a 15mile travel distance of the site, which would take in the whole of the administrative area of the city. Investment in SPF across the city would therefore not necessarily be into the King George V playing field. Moreover, as Members will appreciate, the Council's current strategy is to improve access to playing fields to permit all year round use with all-weather pitches. The nearest pitches would be Yarborough Leisure Centre or Sudbrooke Drive and we would also be seeking the full contribution in this respect for this site.

Meanwhile, in terms of the latter, through the Central Lincolnshire Local Plan this can

include a multitude of differing forms of Local Green Infrastructure (LGI), not just play space. The offsite contribution sought would be likely to be used for:-

- improvements to the King George V play space; or
- the creation of informal space; or
- investment in allotments or other similar green infrastructure.

As with education provision, these matters can be secured through a S106 agreement but the specific projects will need to be agreed through this process in compliance with Appendix C of the Local Plan and the Central Lincolnshire Developer Contributions Supplementary Planning Document (Adopted June 2018).

e) *Mitigating the Direct Impact of the Development*

All of the matters raised in subsections (b) to (d) above appear to be reasonable and based upon a solid rationale, as such officers are satisfied that these requests would meet the tests relevant to planning obligations referred to in the Framework. Consequently, the provision of onsite affordable housing can be dealt with by a planning condition and the impact upon other facilities and services can be secured by virtue of a S106 agreement.

The applicant has committed to meeting these requirements and to the signing of a S106 agreement. However, should the applicant subsequently fail to meet these requirements, it could undermine the principles of sustainable development outlined in the Framework. As such, if the S106 agreement has not been signed within six months of the date of Planning Committee, and there is no reasonable prospect of doing so, the Planning Manager will refer the application back to the Planning Committee for further consideration by Members.

4) The Design of the Proposals and their Visual Impact

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. Policy LP26 of the Local Plan 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.

b) *Assessment of the Implications of the Proposals*

The application site does not contain any nationally designated (protected) heritage assets, such as scheduled monuments, listed buildings or registered parks and gardens. The site is also situated between existing residential development to the north and south.

Notwithstanding this, the visual implications of the proposals for the site are key to the assimilation of development into its context and the creation of high quality built environment. In this instance the proposals are for outline approval, with access the only consideration. As such, the details for the layout of the site and the proposed bungalows are yet to be finalised, so would need to be considered with further application(s).

Residents have suggested that the property that is situated adjacent to the end of Westholm Close should be omitted. However, it is considered that the indicative layout would follow the established characteristics of development either side of the application site, in terms of its spacing, alignment in relation to one another and the inclusion of green spaces. In particular, the position of Plot No. 10, with suitable landscaping and boundary treatment would not be unduly imposing or harmful to the character of the area. In light of this, the proposals would not appear out of character.

Similarly, whilst the scale of the proposed bungalows is not known, they should also not be out of place within this context. With suitable consideration of the scale of each property in relation to its neighbours, it would allow for a successful integration with the surrounding townscape.

Consequently, officers would advise Members that the development would not be harmful to the character of the area or to the social sustainability of the locality, as required by the Framework. Notwithstanding this, it would be necessary to control the final appearance of each of the bungalows and a scheme of landscaping through the Reserved Matters application.

c) *Summary on this Issue*

Officers are satisfied that the application demonstrates that the proposals could be accommodated within the site in the context of the established grain of development, including in terms of the number and spacing of bungalows, so would not be harmful to the character of the area. The proposals would therefore not be harmful to the character of the area for such reasons and the provision of a high quality built development would improve the social sustainability of the locality as required by the Framework. As such, officers would advise Members that there would not appear to be grounds to resist the development in this regard.

5) 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.

b) Assessment of the Implications of the Proposals

Subject to the control over the scale and design of the bungalows and layout of the wider site, it is considered that the proposals would not be harmful to the amenities of the occupants of neighbouring properties for the reasons set out below in the relevant subsections of this part of the report:-

i) Impacts of Overlooking and Loss of Privacy

The proposals are for bungalows so should not in lead to overlooking of neighbouring property if they are of a conventional layout and scale. However, it would be possible to control these impacts through a further application for Reserved Matters, along with boundary treatments and scheme of landscaping for each property to protect the amenities of neighbouring properties, particularly as the boundaries to the north to the green areas serving Hurstwood Close and Westholm Close, which are largely open to views at present.

ii) Impacts of Scale and Height

A number of residents adjoining the application site have suggested that the proposals should only be single storey in height, particularly having regard to the fact that the properties situated on the eastern side of Wolsey Way are said to be imposing upon the single storey dwellings opposite. Similarly, residents have fears regarding the proximity of the proposed properties with existing bungalows

The height of the proposed bungalows is not known but there is no reason why the final design of the proposals should be harmful to the occupiers of neighbouring properties. This would include the prominence or scale of each bungalow when viewed from within the gardens of those properties and its relationship with the properties. Officers would therefore recommend that the application should not be resisted upon these grounds.

iii) Noise and Disturbance

Whilst the layout within the site is not fixed, based on the indicative details already submitted, the proposed development would be likely to require vehicular movements to the rear of properties situated within Larkspur Road. However, the access road within the development would be likely to be separated by an area of open space and existing and proposed planting. The development is also only for a modest total of dwellings so it is considered that the vehicular movements associated with the proposed development would be unlikely to lead to unacceptable levels of noise and

disturbance to the occupiers of the neighbouring properties or their rear gardens. The proposed development would therefore not be detrimental to the living conditions of these neighbouring residents in this respect. Similarly, the use of gardens adjacent to other existing gardens would not be any different to other identical relationships within this residential context.

Notwithstanding the above, unless there would be controls in place to deal with the noise and disturbance associated with construction working, it is clear that the development of the site could be a nuisance to neighbouring occupiers. In light of this, it is recommended that the hours of working and deliveries for construction are controlled through a management plan to ensure that disturbance is kept to a minimum at unsociable hours.

iv) Other Impacts

Notwithstanding the implications associated with (i) and (ii), as these impacts could be exacerbated by any changes in levels throughout the application site, it would be necessary for changes to the levels (to accommodate the proposed ground floor and the surrounding levels for each property) to be approved by planning condition. This would provide suitable control to ensure that there would not be overlooking or overbearing impacts resulting from the proposed bungalows.

c) *The Planning Balance*

Taking all the above in to account, it is considered that the proposed development of the site could be accommodated in a manner that would not cause unacceptable harm. Moreover, with satisfactory controls over the final design of the development, the mitigation employed in relation to levels, boundary details and construction working, the proposals would be socially and environmentally sustainable in the context of the Framework and would accord with the policies in the Local Plan.

6) 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 LP13 and 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

Residents have indicated as part of the consultation exercises that vehicular and pedestrian access should only be taken from Wolsey Way. As access is the only ‘Matter’ being considered as part of the application, the point of vehicular access can be fixed as part of the application. There is therefore no intention to access the site from the neighbouring residential streets. Similarly, the indicative site layout suggests that there would not be pedestrian access through to the site from neighbouring streets, the only access would be through to the playing fields to the west of the site.

Residents have also suggested that the proposals will result in highway safety issues and congestion locally, including the location of the bus stop near to the site access. The application is supported by a Transport Statement and the bus stop is shown as part of the application. The Highway Authority does not object to the application, in particular in terms of the nature of the access and its relationship with the bus stop and wider Wolsey Way. In addition, this report has also already referred to the location of the site and opportunities available for other means of transport, including bus travel. The proposals are therefore considered to be in accordance with the abovementioned policies.

7) Biodiversity and Arboriculture

a) Relevant Planning Policy

Paragraphs 170 and 175 of the Framework apply to the proposals and require that development conserve and enhance biodiversity and permission refused where mitigation or compensation are not available. Meanwhile, Policy LP21 refers to biodiversity and requires development proposals to "protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site; minimise impacts on biodiversity and geodiversity; and seek to deliver a net gain in biodiversity and geodiversity." The policy then goes on to consider the implications of any harm associated with development and how this should be mitigated.

b) Ecology

The application is supported by an ecological report compiled by a suitably qualified expert in April 2016. The report confirms that the site is not of significance for or constraint to great crested newts; reptiles; water voles and otters; badgers; roosting and foraging bats; and barn owls. As such, no mitigation or enhancement is required in connection with any of these species.

The only impact upon other breeding birds is likely to be if the development requires the removal of any hedge, which could be used by birds for nesting. This constraint however only applies during the bird breeding season, which is roughly March to

August inclusive. Nesting birds are not a constraint outside the breeding season i.e. September to February inclusive. In light of this it is suggested that a planning condition is imposed to ensure that vegetation is not removed within this timeframe, unless approved by the Council following consideration of a further survey of that vegetation.

c) *Arboriculture*

A number of trees have already been removed within the site. Whilst the loss of established trees is regrettable from a visual and ecological context, there are no controls over their protection within this site. Conversely, there are also no guarantees that other trees could need to be removed as the layout is currently indicative. This is a matter that officers can give greater attention to when the design is being finalised. However, greater comfort can be provided through the application for Reserved Matters being accompanied by information of the retained trees and the method of protection for those trees during construction. Subject to this being addressed, it is considered that there would not be any reason why harm should be caused to the biodiversity of the locality through the loss of trees.

8) Drainage

a) *Relevant Planning Policy*

The Framework sets out a strategy for dealing with flood risk in Paragraph 163 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.

b) *Surface Water*

The application has required significant discussion between the applicant, Council and Lead Local Flood Authority (LLFA). This has unfortunately resulted in the drainage scheme submitted not being fully SUDs compliant. However, neither Anglian water nor the LLFA has objected to the principles outlined in the application and it would not result in a risk to neighbouring land or property. Given the size of the landholding, the applicant has committed to applying SUDs principles and their scheme has been assessed as being suitable for this location. With this in mind, officers are satisfied that the details of the surface water drainage for the site would be appropriate in accordance with the details already received and no further information would be required for this development. The proposals would therefore accord with the aforementioned policies. Nonetheless, it would be important for the final details of any changes in site levels for the development of this site to be controlled by condition, as these could result in surface water flooding of neighbouring land.

c) *Foul Water*

Anglian Water have responded as part of the consultation for this application and

suggest that there is capacity within the system to accept flows from the development. In light of this, a foul water drainage connection to the mains sewer would be appropriate. Details of the connection are outlined in the drainage strategy for the site, which can be secured by planning condition.

d) Summary

Subject to the development being constructed in accordance with the details submitted as part of the application being controlled by planning condition, there would not appear to be grounds to resist the application in relation to these matters.

9) Land Contamination and Air Quality

a) Relevant Planning Policies

Paragraph 170(e) of the Framework requires that planning decisions "should contribute to and enhance the natural and 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 soil, air, water and noise pollution". Paragraph 178 goes on to discuss the detailed assessment of applications in relation to these matters. Meanwhile, making improvements to air quality and its impacts are addressed in Paragraphs 103 and 181 in terms of the location of development and the use of green infrastructure making a positive contribution to improvements to air quality. Furthermore, Paragraph 110 states that "applications for development should...be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations".

In addition, policies of the Local Plan apply to contaminated land (Policy LP16) and the impacts of the development upon air quality from the perspective of amenity (Policy LP26).

b) Contaminated Land

The application is not supported by information in respect of ground contamination but this is not essential before the grant of planning permission, as this can be provided before built development is undertaken. Ultimately the proposals would result in the redevelopment of the site which would lead to remediation of any contamination. In light of this, officers consider that planning conditions can be imposed to deal with land contamination if necessary. This is the advice of the Council's Scientific Officer.

c) Air Quality

Officers concur with the Council's Pollution Control Officer that the proposed development, when considered in isolation, is unlikely to have any significant impact on air quality. However, cumulatively the numerous minor and medium scale developments within the city will have a significant impact if reasonable mitigation measures are not adopted. Given that there are air quality issues in the city, it seems entirely reasonable and proportionate to the scale of development that each property is provided with an electric vehicle recharge point.

Officers would advise Members that this matter can be addressed by the planning condition referred to in the response received from colleagues.

10) Planning Balance

The Framework sets out a presumption in favour of sustainable development which for decision taking means that where relevant policies of the development plan are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework, taken as a whole; or specific Framework policies indicate development should be restricted. There are no restrictive policies that would lead to the proposals not being sustainable.

However, a conclusion whether a development is sustainable is a decision that has to be taken in the round having regard to all of the dimensions that go to constitute sustainable development. In this case, officers recognise that the development would deliver economic and social sustainability directly through the construction of the development and indirectly through the occupation of the dwellings, spend in the City and retention/creation of other jobs due to the location of the development within the City. Whilst the Council currently has a five-year supply of housing, the application site would be in a sustainable location and would not undermine the housing supply position, rather it would provide additional choice.

What is more, the benefits of providing the proposed dwelling in a sustainable location would commute to the local community, as there would be contributions made to infrastructure and affordable housing. Furthermore, with a suitably designed development, the implications upon the character of the area and the residential amenities of near neighbours would not have negative sustainability implications for the local community, as they would lead to a development that would be socially sustainable. In addition, with suitable schemes to deal with trees, drainage, contamination and air quality, the development would be environmentally sustainable.

Thus, assessing the development as a whole, officers would advise Members that all of the strands would be positively reinforced by the proposals. As such, assessing the development as a whole in relation to its economic, social and environmental dimensions and benefits, it is considered that, in the round, this proposal could be considered as sustainable development and would accord with the Local Plan and Framework.

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

Yes, additional information has been sought in respect of drainage and the indicative layout amended accordingly.

Financial Implications

The proposals would offer benefits to economic and social sustainability through spend by new and existing residents and jobs created/sustained through construction of the development respectively. In addition, there would be residential properties that

would be subject to council tax payments and the Council would receive monies through the New Homes Bonus and CIL Payments.

Legal Implications

The application is the subject of a legal agreement.

Equality Implications

None.

Conclusion

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

Application Determined within Target Date

Yes, subject to extension of time.

Recommendation

1. That petitions submitted be received.
2. That the application be granted conditionally.

Standard Conditions

- 01) Timeframe for Permission (Inclusive of Reserved Matters).
- 02) The Reserved Matters.
- 03) Approved Plans.
- 04) Trees to be Retained and their Protection.
- 05) Existing and Proposed Land Levels.

Conditions to be Discharged before Commencement of Works

- 06) Scheme for Affordable Housing
- 07) Construction Management Plan (Inclusive of Working and Deliveries).
- 08) Arrangements for Management and Maintenance of Streets.

- 09) Engineering, Drainage, Street lighting and Constructional Details of the Streets.
- 10) 30% of the Properties to Compliant with Part M4 (2) of the Building Regulations in accordance with Policy LP10.
- 11) Electric Vehicle Recharge Points.
- 12) Boundary Walls and Fences.

Conditions to be Discharged Before Use is Implemented

- 13) Drainage Works (Surface and Foul Water).
- 14) Footways.
- 15) 30 metres of Estate Road from Public Highway.

Conditions to be Adhered to at All Times

- 16) Unexpected Contamination.
- 17) No Removal of Vegetation during Breeding Season

Report by Planning Manager

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Site Location Plan



Indicative Site Layout



Site Photographs



View Northwest at Site Access from Wolsey Way



View Southeast at Site Access from Wolsey Way



View southwest along northern boundary with adjacent properties



View Northwest along northern boundary with adjacent properties



View northwest towards properties at Wolsey Way frontage and in Hurstwood Close



View northwest towards Hurstwood Close



View Northeast towards Hurstwood Close



View Northwest towards Westholm Close



*View Southwest towards King George V Playing Field
(between Hurstwood and Westholm Close)*



View northeast along southern boundary with adjacent properties in Larkspur Road

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Consultee Responses

Anglian Water

ASSETS

Section 1 – Assets Affected

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

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

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

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

Section 3 – Foul Sewerage Network

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

Section 4 – Surface Water Disposal

- 4.1 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 – Trade Effluent

- 5.1 Not applicable

Environment Agency

The Environment Agency does not wish to make any comments on this application, as it does not pose a significant risk in terms of our remit.

Lincoln Civic Trust

OBJECTION – Comment: We feel that this has been designated an “Important Open Space” on the Central Lincolnshire Plan” and this should be honoured. We see no reason why this should be amended and it should be left as a green space. The applicant says that this is an “unkempt grass land” which had it been so would by now be totally overgrown and untidy. It is not and it has been looked after but not manicured. The applicant says that the development would give “a purpose to an otherwise unkempt space” that “has limited value and overgrown”. We would challenge both of these statements and point out that it has been in the condition that it is for some 25 years and as the tracks across the space bear witness, it has been and still is in use. We would ask the committee to refuse this application as it is seen as ‘Overdevelopment’.

Lincolnshire County Council - Education

Thank you for your e-mail of 16 August 2016, concerning the proposed development at the above site. I have now had the opportunity to consider the impact on the local schools reasonably accessible from the development. As a consequence I can advise that a full education contribution is sought from the proposal. I have calculated the level of contribution relative to the proposed number of dwellings, the type of dwellings proposed and the current projected position in both local primary and secondary schools and school-based sixth forms, as we have a statutory duty to ensure sufficiency of provision.

This development would result in a direct impact on local Schools. In this case both the Primary and Secondary Schools that serve Lincoln are projected, notwithstanding the proposed development, to be full in the future to the permanent capacity of the school. A contribution is therefore requested to mitigate against the impact of the development at local level. This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF(2012) and fully complies with CIL regulations, we feel it is necessary, directly related, fairly and reasonably related in scale and kind to the development proposed in this application.

The level of contribution sought in this case equates to £56,534.00. This is on the basis of recent research by Lincolnshire Research Observatory utilised to calculate pupil product ratio (PPR) and then that is multiplied by the number of homes proposed to calculate the number of pupils generated. This is then multiplied by the prevailing cost multiplier per pupil place to give the mitigation cost request. The PPR calculation illustrates that some 2 primary, 2 secondary places and 0 school-based sixth form places will be required in the locality as a direct consequence of this development and, as there is insufficient capacity available, we propose the applicant should mitigate the effect of the proposal by payment of a capital contribution to allow creation of more capacity.

At present projections show that, excluding the effect of the development in question, Lincoln North Primary Schools will have no permanent surplus places and Lincoln North Secondary Schools will have no surplus permanent places by 2019 when it is reasonable to presume this development would be complete or well on the way.

As mentioned above, we feel our request complies with the policies and guidance set out in NPPF(2012). It is necessary, reasonable and directly related to the proposed development and we have taken into account up to date projections of pupil numbers in existing schools.

As no details of number of bedrooms are provided within the application, I have used the Lincolnshire-based general multiplier to illustrate the likely level of contribution and formulae will be used in the required S.106 agreement that detail the eventual total to be paid, based on the full or reserved matters application. I set out below the impact in terms of number of pupils relative to the dwellings proposed within this application:

House Type	No of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
Unknown	14	0.2	2	0.19	2	0.038	0

The calculation of the contribution is therefore:

2 primary places at £12,257#
£24,514.00

2 secondary places at £18,469#
£36,938.00

0 school-based sixth form places at £20,030# £-

current cost multiplier per pupil place based on National Cost Survey

Total contribution - £61,452.00 x 0.92 (local multiplier)* =£56,534.00

*to reduce cost and to reflect Lincolnshire's lower than average build cost compared to the national average.

I would confirm that the County Council seeks that a S.106 agreement is entered into in this case, noting the significant cumulative impact of this application alongside other developments currently proposed in Lincoln and surrounds. Without a capital contribution the education infrastructure will be unable to match pupil numbers and an objection considered otherwise.

The funding could be held by the LPA or County Council and only spent by The County Council on:

Primary - A scheme at a Lincoln North primary school to be confirmed prior to the signing of any s.106 agreement (£22,552)

Secondary - Internal remodelling at Castle Academy to provide capacity for one additional form of entry (£33,982)

School-based Sixth Form - N/A

We would suggest the S.106 monies are paid at the halfway point in the development to allow timely investment by LCC whilst not adversely affecting the developer's viability.

Please note LCC retains the Statutory Duty to ensure sufficiency of school places and this includes capital funding provision of sufficient places at academies. We would invest the funding at the most appropriate local school/s regardless of their status but ensure the S.106 funding is used only to add capacity as this is the only purpose for which it is requested.

I can confirm that we will ensure that no more than 5 S.106 contributions are pooled towards a specific piece of infrastructure and that prior to committing the money we will contact the LPA and contributor to make them aware of our intended use of the S.106. This will ensure transparency of use and to reconfirm that no more than 5 contributions are ever pooled towards a specific item of infrastructure.

I look forward to hearing from you, thank you for your notification of the application and thank City of Lincoln Council for your continued cooperation and support.

Yours sincerely

Simon Challis
Strategic Development Officer
Corporate Property Service

Lincolnshire County Council, as Lead Local Flood Authority and Highway Authority

Requests that any permission given by the Local Planning Authority shall include the conditions below.

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL

HP23

Before each dwelling is occupied the road and footway providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling (or other development as specified).

To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

HP25

No dwellings (or other development as specified) shall be commenced before the first 30 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 848 (03)001 A07 dated May 16 has been completed.

In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Wolsey Way.

HP31

No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority

To ensure that the future maintenance of the streets serving the development thereafter, are secured and shall be maintained by the Local Highway Authority under Section 38 of the Highways Act 1980 or via an established private management and maintenance company.

HP32

No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

HP33

No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- b) Provide attenuation details and discharge rates which shall be restricted to 3.8 litres per second;
- c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and

- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

HI03

Prior to the submission of details for any access works within the public highway you must contact the Head of Highways - on 01522 782070 for application, specification and construction information.

HI05

You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

HI08

Please contact Lincolnshire County Council Streetworks & Permitting team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.

Note to Officer

Layout has not been considered by the Highway Authority as this is a reserved matter.

Lincolnshire Police

Lincolnshire Police do **NOT** have any objections to this development.

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

It is fully appreciated that this outline application is only seeking to establish the principle of development and that the finer detail of design will be submitted at a later date.

However, the applicant needs to consider the following advice when drawing up a more detailed proposal:

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 (bungalows) floor, basement and other easily accessible locations.

I have studied the online plans (Design and Access Statement) and would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the development.

- 1) Properties should be orientated to face streets and public areas. Windows of routinely occupied rooms (e.g. lounge/living room/kitchen) should be positioned to provide effective overlooking of the frontage and contribute to natural surveillance.
- 2) To encourage greater use and reduce the fear of crime, all footpath networks should be directly overlooked by housing.
- 3) It is important that space is clearly defined to delineate public, semi-private or private space. Avoid space which is unassigned. ***All space should become the clear responsibility of someone.***

When it is unclear whether space is public or private it is difficult to determine what is acceptable behaviour. Uncertainty of ownership can reduce responsibility and increase the likelihood of crime and anti-social behaviour going unchallenged.

- 4) Front gardens on all through roads should effectively be defined using low walls, railings or planting in order to effectively create defensible space to the housing. Boundaries between each property should be clearly defined.
- 5) Gable ends of properties should not directly adjoin public areas, as this often leads to nuisance for the residents. The provision of good gable end surveillance by way of windows can mitigate against this risk.
- 6) The profile of the entrance into the site (entrance gate and raised carriageway crossing) displays a presence which will give the impression that the facility and its grounds are 'private'.
- 7) Front doors should be located where they can be seen from the street and neighbouring houses. They must not be located in deep recesses or behind other obstacles that would provide cover for criminal activity.

- 8) The rear gardens of properties, where possible, should lock into each other, reducing the potential for an offender to gain access to the back of properties without being witnessed.
- 9) Effective division between front and rear gardens needs to be provided e.g., 1.8m high fencing and lockable gates.
- 10) It is strongly advised that if there are any rear access (service) alleyways incorporated, they must be gated at their entrances. The gates must not be easy to climb over or easily removed from their hinges and they must have a key operated lock. Alleyways giving access to rear gardens are frequently exploited by burglars and can become a focus for anti-social behaviour.
- 11) If properties have driveways to the side of the dwellings themselves, windows should be incorporated in the side elevation at landing or first floor level to allow residents to overlook their vehicles.
- 12) Appropriate street lighting should be provided around the site. Good lighting will deter intruders and reduce the fear of crime. Lighting should comply with British Standard 5489 -2013.
- 13) The proposed tree planting should be developed in tandem with any street lighting in order to avoid the scenario of tree canopies obscuring lighting. Street lighting should be provided which complies with British Standard 5489– 2013.
- 14) One of the most effective ways to prevent property crime is to make the property itself as secure as possible. With this in mind, it is highly recommended that all vulnerable ground floor windows and doors be security- tested to comply with British Standard PAS.24:2012 (Secured by Design Standards). *See note above.*
- 15) I would recommend that each dwelling be provided with lighting to illuminate all external doors, car parking and garage areas. Ideally lighting should be switched using a photo electric cell (dusk to dawn) with a manual override.
- 16) In respect of landscaping, it is important that in vulnerable locations, such as entrances, parking areas and footpaths, low planting should not exceed 1000mm in height, and tree canopies should not fall lower than 2m from the ground. This is in order to allow people to see their surroundings better, make a rational choice of routes and eliminate hiding places.
- 17) Car parking should ideally be located within curtilage of the property at the front. If properties have driveways to the side of the dwellings themselves, windows should be incorporated in the side elevation at landing or first floor level to allow residents to overlook their own vehicles. Consideration towards provision of suitable parking for visitors should be an element of this proposal as a failure to consider such a facility may lead to inconsiderate and inappropriate parking within the development.

Communal Areas (Public Open Spaces) Play Areas (if to be considered)

Where a communal recreational area may be been created development it is important that adequate mechanisms and resources are in place to ensure its satisfactory future management. If a play-area (toddler) is to be included this should be so designed that it can be secured at night-time to help prevent any misuse such as damage or graffiti. The type and nature of any fencing should be specific to this area but should be to a minimum of 1200mm which can often discourage casual entry.

I would recommend that 'air lock' style access points (at least two) with grated flooring to prevent animal access and the resultant fouling that may occur. Such gating systems will also reduce the risk of younger children exiting onto the adjacent roadways.

One of the attributes of safe, sustainable places is 'Ownership' - places that promote a sense of ownership, respect, territorial responsibility and community. Ownership is particularly relevant to this outline planning application in respect of social inclusion, particularly when you consider that as much as 40% of the housing proposed could be low cost/affordable homes. It is important to highlight that low cost/affordable housing must be pepper-potted throughout the development rather than concentrated in one area or isolated from the general housing market. Social inclusion promotes a sense of ownership, respect and territorial responsibility within the community.

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

The defensive character of the development should not be compromised through **excessive** permeability caused by the inclusion of too many, or unnecessary segregated footpaths which allows the criminal legitimate access to the rear or side boundaries of dwellings or footpath links. Better places to Live by Design, the Companion Guide to PPG3, Secure by Design, Manual for Streets all promote pedestrian, cycle and vehicular permeability through residential areas by designing roads on a network basis rather than using footpaths.

Should outline planning consent be granted, I would ask that consideration be given by the Authority to require full details of what crime prevention measures are to be incorporated into this development. These should be required as part of Reserved Matters. These measures should ideally take into account the contents of this report.

I would direct and recommend that the current *Police CPI New Homes 2016* is referred to as a source document in the planning and design process.

Further guides are available on www.securedbydesign.com that include SBD Commercial 2015 V2, SBD New Schools 2014 & Sheltered Accommodation. I would ask that you direct architects and developers to these documents and ensure their reference in the various Design & Access statements. Equally please do not hesitate involving this office in and on any further consultations.

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

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

Upper Witham Internal Drainage Board

The Board has no comments on this application, the development does not affect the interests of the Board.

Guy Hird (Engineering Services Officer)

West Lindsey District Council

Thank you for your consultation on the above application.

We would ask that the views of any nearby residents to the application site are taken into account when determining this proposal, other than this I can confirm that West Lindsey District Council has no further comments in regards to this application.

Yours Sincerely

Charles Winnett
Development Management Planning Officer

Neighbour Responses

Revisions

Mr. D. & Mrs. H. Redmile (14 Westholm Close)

Our previous objection which we made in respect of this application still stands .

Miss. J. Lindsay & Mr. A. Coulbeck (9 Westholm Close)

After viewing the revised plans, I am totally disappointed. The original plans were horrendous for our property No 9 Westholm Close. On the first plans, we were totally surrounded by proposed new bungalows except for a small bit of public green land to the side of our front drive. The position of the bungalows would mean that fencing would be erected to make the rear gardens of the new bungalows private. Therefore our outlook would merely be fencing. As stated, on these plans, there was a small piece of land to the side of our front drive which was going to be 'a public green area' (We perhaps may have escape a six foot fence). On viewing the revised plans a bungalow is now to be built on this green area and the bungalow directly in front of our home is now to be made bigger. Thus losing yet another piece of green area on the land which was supposed to be a Cathedral Corridor, and probably totally fencing us

off. We do not believe that the person drawing up these plans realises what an eyesore the proposed new plans will be to our property; we plead with him/her to visit our property to discuss and see what damage the proposed buildings will do.

As in our previous correspondence to the council we are disappointed that Taylor Lindsey are proposing to build on this land, and then utterly dismayed by the actual plans.

Mrs. I & Mr. L. Millward (7 Westholme Close)

The letter from Jacqui Lindsay and Adrian Coulbeck to you dated 21st November, 2016 has just come to our attention and we feel that we must whole heartedly endorse their comments. In fact we would go further and say that in our minds it is an absolute shame to destroy three fully mature publicly enjoyed trees for the sake of a few feet of a new private garden. We further feel that had the developer produced a plan that allowed the generally residents accepted boundary as being between the end of the two last properties in the close i.e. numbers 9 and 14 instead of the plan submitted for a boundary between 7 & 14, which quite frankly makes no sense as this intrudes into the existing close, then feelings against the development would not be as strong! We trust that it will be taken into account the residents of this close and not the land owner have maintained and improved the land within the close up to and including the end of numbers 9 and 14 for a period in excess of 20 years. The land owner cut usually the grass in the main field generally twice a year but in recent times only once a year.

Mr. L. & Mrs. J. Maplethorpe (13 Larkspur Road)

The revised plans make no difference to our comments and objection in our letter of 8 September 2016 stating that this land should not be granted permission to be built on to confirm with the condition imposed upon it to be left as a 'Cathedral corridor' open space. Obviously this condition is still valid otherwise West Lindsey District Council would not have had to impose this same condition on the land on the opposite side of Wolsey Way down to the by-pass when granting recent planning permission for their development.

Further Response

Many thanks for your email and attachment. We have no doubt that this development will go ahead as developers almost always win against the wishes of local residents. I would point out that the site opposite this one which comes under WLDC is preparing the ground ready for open space to mirror the site in question – therefore if this development is permitted the open space Cathedral corridor is lost forever.

Mr. C. Graby & Mrs. L. Graby (Kidra, 22 Larkspur Road) independently of one another:

A number of the properties surrounding this site, including our own, are at a much lower ground level than the site itself. We are concerned that any excessive amounts of water coming from the proposed site could flood our land and property. We should appreciate the developers reassuring us that plans are in place to reduce the

difference in ground levels, once the site is developed, to ameliorate the risk of any flooding causing damage to surrounding properties and gardens.

Mr. P. & Mrs. C. Kendall (3 Hurstwood Close)

The objections raised and comments made in our letters to Mr K Manning as listed above under 'Our ref' still apply to this development. We have no further comments to make.

Mr. & Mrs. R. Crampton (9 Hurstwood Close)

With ref to the above we are writing to you to express our major concerns about the earth level at this development which left as it is will cause a water run off towards properties in Hurstwood Close. We would welcome information as to what the developer is proposing regarding the 'hump' land level.

We are also concerned as to the exact position of the boundary in relation to the private road leading to the 4 properties at the end of Hurstwood Close.

Please note that previous objections still stand.

Mrs. C. Gurga (14 Montaigne Garden)

this land was as others have stated a green belt.with the houses being built on the opposite side of walsey way this will put more traffic onto walsey way . the traffic calming put in place is already being abused by residents from the new development parking cars between the traffic calming bollards and more property can only make things worse.serious consideration needs to be given to the roads as this new development will put more exits onto an already large volumn of traffic

Petitions

We the undersigned being residents of Hurstwood Close Lincoln wish to register our joint objection to the development of land off Wolsey Way Lincoln (your ref 2016/0842/OUT)

The reasons are as follows:

1. Green belt land with a strategic pathway that needs protecting under the Core Planning principles.
2. Harms and reduces the informal recreation of the area.
3. When the newer residents to the area purchased their properties they had been independently informed that the land would not be built on.
4. The land contains Limestone which we understand is in short supply for the renovation of Lincoln Cathedral.
5. The layout of the proposed bungalows brings them into close proximity to existing and established properties.
6. The proposed development also highlights that established trees will be removed which impacts on the existing properties.

The petition was signed by the occupants of Nos. 1, 2, 3, 4, 5, 6, 8, 9 and 10 Hurstwood Close, which includes two occupants from each of the properties at Nos. 1, 2, 3, 6 and 9 (a total of 14 persons).

A further petition was also received prior to this simply against the development with signatures from the occupants of 4, 6, 7, 10, 12 and 14 Westholm Close, including two occupants from each of the properties at Nos. 7, 12 and 14 (a total of 9 persons). There was no supportive text such as that above.

Mr. N. & Mrs. S. Bolton (1, Hurstwood Close)

Dear Sir, with regard to your letter Ref.2016/0842/OUT for outline planning permission to build bungalows off Wolsey Way, Lincoln. We would like to register our comments re the plan. As the plan stands we have no objections to this.

What we would like for you to take into consideration is that we would certainly object to any planned building of anything but bungalows on this plot. Also we would like to make sure that the road for entry to this plot comes from

Wolsey Way, and not through Hurstwood Close or Westholme Close. The reason for our objection to anything but bungalows would be that it would spoil the whole outlook of this area. As it is Taylor Lindsey have built some 2 and 3 storey properties on Wolsey Way right opposite Our estate of bungalows and totally spoiled the views and ambience of the bungalows right opposite to these monstrous buildings. How planning permission could have been allowed for these huge properties to be built in front of 1 storey buildings I have no idea.

We hope you will bear in mind these comments when you make your decision. As we have said we are not objecting to the bungalows as they will probably enhance the outlook of this area which has been left to grow long grass and only cut

once a year. As long as the planned building remains as the outline planning map and does not encroach any more than is shown into the 2 closes.

I would ask that we be kept up to date with this planning application as soon as any information is forthcoming.

Mr. P & Mrs. C. Kendall (3 Hurstwood Close)

First Letter

We visited your department today and was dealt with by Millie, who was very helpful and explained the current situation, listened to our comments and suggested we inform you of our concerns.

In principle we have no objection to the proposal providing that:-

- 1) The developer builds single storey bungalows and does not change the type of dwellings to be erected on the site.
- 2) The developer has the right to build on the land and is not in breach of any covenants that may be written into the Transfer of Land on purchase of the land from the original seller.
- 3) That access to the new dwellings be restricted solely to the road from Wolsey Way and on no account access, even by pedestrians, be allowed through Hurstwood Close or Westholm Close.
- 4) That the boundary on the western side, visible from Hurstwood and Westholm Closes' be constructed of high quality material compatible with the wishes of the residents of the affected closes'.
- 5) That the removal of trees in front of Numbers 7,9 and 12 Hurstwood Close be kept to an absolute minimum.
- 6) That the proposed basin, adjacent to the western side of the entrance to the proposed site from Wolsey Way, (which we understand could be a water feature) be replaced by trees.

We would just like to comment further on points 1) and 2) above.

First point 1) We are very concerned that three storey dwellings have been built on Minster Fields facing bungalows on Wolsey Way. Whilst Minster Fields is under the jurisdiction of the West Lindsey Planning Authority, we are both surprised and appalled that such development so close to, overlooking and so clearly adversely affecting property in the Lincoln City area, could be allowed to pass through any planning committee. We are therefore naturally apprehensive about this current application involving the same developer.

Second point 2) We were led to believe, following discussions with our conveyancing solicitor during our searches when we moved into number 3 Hurstwood Close five years ago, that the piece of land subject to this planning application (Outline) would not be developed as it was subject to 'an open space' requirement.

We have no further concerns and would be obliged if your department would ensure we are kept informed of the progress of this application in general and to any changes to the number and type of dwellings to be erected on the site, in particular. Many thanks.

Second Letter

Further to our letter of the above reference dated 22 August 2016 (copy attached) in which we stated that 'in principle we have no objection to the proposed development'; we have on further examination of the proposed site plan and in comparison with the existing buildings in both Hurstwood and Westholm Close; concluded that the density the dwellings will constitute an unacceptable development in such a small space. There is also bound to be an adverse effect on both highway safety and congestion, effects of loss of trees and appearance of the overall environment. We therefore do object to the development.

The further comments to points 1) and 2) in our original letter (highlighted on the copy of the original letter attached) still stand as we consider them very relevant and should be taken into consideration.

In addition we find that with all the development now under construction in our neighbourhood, the need to build on the wedge of green, between 'The Glebe' and 'Nettleham Fields' listed as an 'open space requirement' in the Pre-Contract Report drawn up prior to our exchange of contracts on 3 Hurstwood Close back in September 2011, and the site of the proposed development, cannot be justified.

Letter Received Independently from the occupants of Nos. 9 and 11 Hurstwood Close (Mr. & Mrs. R. Crampton; and Mr. & Mrs. B. Lofts)

We would like to make comments and register our concerns re this development.

1. Can you confirm that the land is not under any Transfer of Land covenants from the original seller and which department holds the relevant information? All residents have indicated that they were informed when they were buying their properties that this land would not be built on as it was an open space and Green belt. Has this now been changed and who and when changed this at the same time not informing the residents of the change.
2. Please confirm that the Developer can only build the number and type of dwelling as stated on the outline plan. We note that the original number was 18 bungalows which have been reduced to 14. Was this done because of Council concerns?
3. On the land which is directly opposite our bungalows there is only indicated the rough boundary of the land. We would like you to confirm what type of material is being proposed for the boundary and where that boundary material is being positioned. We do not want the trees removed and hope that we would be consulted before final decisions are made.
4. The private road leading to bungalows number 5, 7, 9 and 11 is a single track road of 12.0 feet width, whereas the road leading up to the this road measures approximately 18 feet. It is therefore important to residents of properties 7, 9, and 11 that the boundary of the new development is not set directly on the boundary of the private road.
5. Please confirm there is no access into the development other than from Wolsey Way as per the outline plan.
6. We feel that the proposed basin be not included and replaced with trees or other suitable greenery.
7. Under section 2.3 of the Freeth report the Land is saved under Local Plan (1998) as a Green Belt with a Strategic footpath running through it. Please comment as per item 1 above.

8. Can you confirm that this land has been the subject of any previous Planning applications which have subsequently rejected?
9. Under item 4.3 of the Freeth report the development include 2, 3 and 4 bedroom DWELLINGS. Can you confirm that only Bungalows will be built?
10. Under the Freeth report 5.7 Core Planning Principles of the NPPF it says that Green belt land needs protecting. Surely then building on this land does not protect the Green Belt!
11. Under the Freeth report Saved Local Plan (1998) item 5.43 Policy 43 it states that Planning Permission will not be granted if it harms or reduces informal recreation which this development will obviously do!

I hope you will consider the above concerns and respond swiftly.

Mr. A. & Mrs. J. Byrne (10, Hurstwood Close)

We would ask you to please clarify the following points:

- 1) Please advise if there will be any access, either vehicular or pedestrian from the proposed development, on to Hurstwood Close? It doesn't appear so from the current plan but confirmation would be reassuring at this stage.
- 2) The boundary between the side of our property on Hurstwood Close and the new development, will this be a wall, fence or other construction?
- 3) Who will be responsible for the maintenance/upkeep to the side that ajoin my property/boundary?
- 4) Can the developer confirm that only bungalows will be erected and that this proposal will not change? Obviously we have concerns regarding this, due to the current building on the opposite side of Wolsey Way, where 3 storey houses are now looming down onto the bungalows opposite.

We would be grateful if you could answer the above points and keep us informed of any changes to this application.

Mr. L. & Mrs. J. Maplethorpe (13 Larkspur Road)

With regard to the above planning application for the erection of 14 bungalows (outline). We would wish to make an objection to this application as follows:

- This open space is designated as a 'Cathedral corridor' and as such would have had a condition on the original planning that this land could not be built on. This is confirmed by the land on the opposite side of Wolsey Way, currently being built on, and which is also subject to a condition placed on the land by West Lindsey District Council, Planning Department / Lincolnshire County Council, Planning, mirroring that open land in the above planning application, should remain as open space, also a 'Cathedral corridor' down as far as the bypass. Therefore, how can an application for this open space be considered.
- Have prior planning applications been made to build on this land and if so were they refused because of the 'Cathedral corridor'?
- Has an application be made for this condition to be removed from the land?

We hope our concerns and objection to this application be taken into consideration when a decision is made.

Mrs. L. Graby (Kidra, 22 Larkspur Road)

We have no objection to the application made by Taylor Lindsey to erect 14 bungalows on the green space that borders our bungalow.

We should like to be kept informed of the outcome of this application and any future 'full' planning application made regarding this land as, like other residents in the area, we would object to anything other than single storey buildings being erected by any builder on this green space.

Ms. L. Rose (25 Larkspur Road)

I note that outline planning permission has been sought for the green space which falls between Larkspur Road and Windemere Road. My memory of the Local Plan is that this piece of land is designated a green wedge and therefore specific criteria have to be applied for the development of that land. I wasn't aware that the designation has been changed, so presumably these criteria still apply. Given the massive housing development on the opposite side of Wolsey Way on land that used to be fields, I believe that it is essential for this green wedge to be maintained. It is the only piece of informal green space on a heavily built up area. It is used by residents for walking etc. as the footway tracks on the land will testify. It is also an essential wildlife corridor, made all the more important with the loss of the fields opposite.

Mrs. I. and Mr. L. Millward (7 Westholme Close)

We thank you for your letter of the 16th instant. We are both in general agreement with all the comments put forward by Mr & Mrs Kendall in their letter of the 22nd August. In addition however we would express our concern as to the closeness of the proposed boundary fence in Westholm Close and also the apparent removal of several large established trees. The 'committee' must appreciate that the owner of the land has not maintained the land in the existing green area of Westholm Close which has in fact for very many years been maintained by residents of this close. This including the buying and planting of the trees and paying for professional grass cutting of the land in question to make the area more presentable for the residents. We appreciate that the owners of the land are perfectly entitled to build, with appropriate permissions, including that area which intrudes actually into Westholm Close but would ask the owners/developers to seriously consider the extent of this particular building line. It has always been our understanding that the 'Council' would take over responsibility and ownership of this green area once the developers had erected a proper boundary fence which we all assumed would be between the boundary of number 14 across to the boundary of number 9. being the two last bungalows and forming the end of the close. However the existing plan seems to propose a boundary line from number 14 across to the boundary of number 7 which leaves the property known as number 9 having a 6 foot boundary fence along the whole of their front approach drive and also would apparently entail the removal of several large trees planted by the residents over past years and would in effect be an intrusion into the area of the existing close.

We repeat that we all appreciate that the owner of the land is perfectly entitled to make these proposals but would ask them to appreciate our point of view in that this green area at the end of Westholm Close has been maintained only by the residents for in excess of 20 years and that we have come to appreciate this green space which we feel should left to include the area outside of property number.9.and not leave that property isolated from the rest of the properties who front the green space and have paid for its upkeep over the years.

A Coulbech & J Lindsay (9 Westholme Close)

We would like to appeal against the proposed 14 bungalows that are to be erected on the green belt between Larkspur Road and Windermere Road.

As one of the newest residents, at the time of buying the property, we were told that the area designated would not be built on. This also goes for the other three residents who have bought into this area recently. The main reason for buying such a property, was not for the building, but for the view and the openness of the surrounding area: It was the feel good factor that was the major selling point. We have lived in the property for two years and spent quite a bit of money renovating the property.

As for some of the comments in the design and access statements, we find it a little weighted in the developers favour. As for the comment that the improvised foot path has been worn, there is no mention to the three residents, ourselves included, that pay a contractor to cut the grass between the properties in Westholm close and down the side of the properties of number 9 and 14, to ensure at all times there is a clear path way. This service is done twice a month for more than 10 years. The area has been maintained to look very attractive for dog walkers, the general public and also for residents of our close.

It is a shame that the council did not take up on the proposal many years ago to take charge of this land and keep it as an open space for all to use and prevent any future development. Through this proposed project we are losing a vital contribution to the reduction of the carbon foot print by destroying fully established mature trees. There are three beautiful mature trees in front of our property that the builders are proposing to cut down. I believe there is a similar situation in Hurstwood close.

Our main objection to this proposal is the positioning of the bungalow that is to be built side-ways on, directly in front of our property of number 9 Westholm close. The rear garden and the garage will be directly opposite all three of our front windows (Main bedroom, Sitting room and lounge) Instead of an open view of greenery and trees, we may be staring at a brick garage and a 6ft fence, which will be erected right along-side of the private drive that gives access to our property. This is, we presume, will be standard around all new developments, to give owners privacy in their gardens. We feel distressed and very saddened that a bungalow is planned to be built at the side of our property, but then for a bungalow to be built at the front of our home also is devastating. We would ask at this point, please could the plans be reconsidered. If a bungalow was to be built directly opposite with the front elevation opposite our front elevation, it may look more attractive. However, the proposed plans for the bungalow in front our property looks horrendous and is totally isolating us off from Westholm Close.

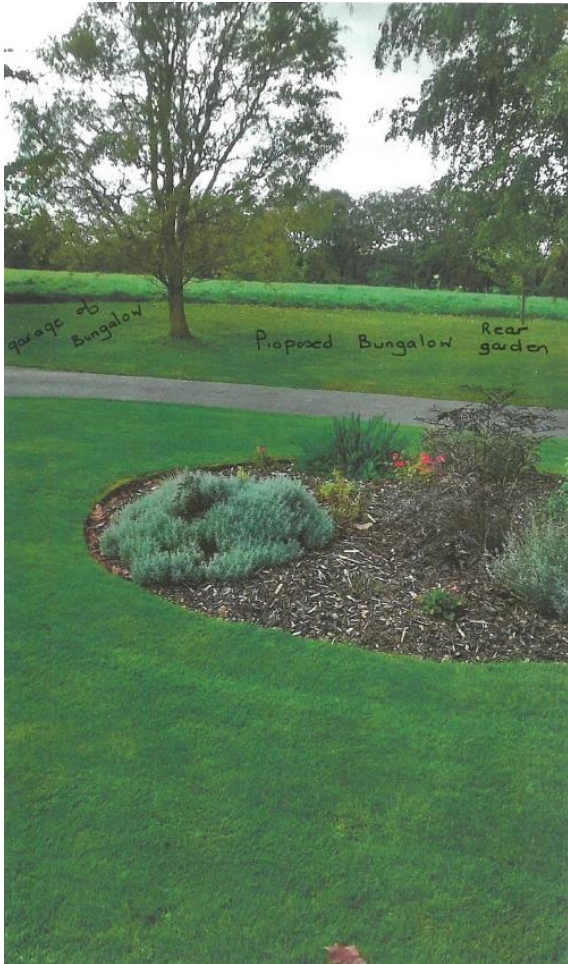
I am thoroughly disappointed that Taylor Lindsay are going to build on the land **but am totally distressed that a bungalow is going to be built adjacent to our front elevation.**

Please could you consider the following points:-

1. We would like confirmation that you would consider the design lay out of the bungalow plot 9, directly in front of our dwelling. Alternately omit plot 9 as we will already be overlooking plots 10 and 11.
2. We have signatures from our neighbours who fully sympathize with us of the lay out of plot 9. We, Including most of our neighbour in our close, feel that plot 9 is encroaching Westholm Close, and isolating 9 Westholm Close
3. We ask that the three mature trees are to be saved outside 9 Westholm Close and those also in Hurstwood Close in the similar area.
4. Please confirm that there will be no access into the development other than Wolsey Way as per outlined plans.
5. Under section 2.3 of the Freeth report the land is saved under local plan (1998) as a Green Belt with a strategic footpath running through it – please could you comment on this.
6. Please consider the private road of Nos 7,9, 12 and 14 Westholme Close and also the same with private roads in Hurstwood Close.
7. We and behalf of other neighbours at Westholm and Hurstwood Close would like the opportunity to invite a member of the planning department to view the proposed site. We would like to discuss in person what issues and how the proposed plans will affect our properties, especially the properties with private roads in both Westholm and Hurstwood Close.

Please consider our appeal and we look forward to your response.





Mr. A. & Mrs. PH Crowder (12 Westholm Close)

With reference to the proposed development plan for land adjoining Wolsey Way, Lincoln, for the erection of fourteen bungalows, we note, in the Architect's Report, that 'an informal/trodden pedestrian link has been established...but no public right of way exists...'.

This route across the edge of the land (on the Westholm/Hurstlea Close side) has been enjoyed as a right of way, for up to 25years, by members of the public.

Section 31 of the Highways Act 1980 states that if a route is enjoyed by the public for 20years or more, as of right, and without interruption, the path is deemed to have been dedicated as a highway, even if it has not been dedicated.

As the landowner has made no attempt to maintain either the edge of the land, or the wedges of land on Westholm and Hurstlea Closes, it has fallen upon the nearby residents to do so, either by paying for a gardener, or by cutting the grass themselves. Some have even planted trees to enhance the area.

Whilst we have no objections to the building of the bungalows, we feel consideration for the residents of both Closes is missing. We feel that particular consideration should be given to those residents adjacent to the land: No.9 Westholm Close, for example, has a driveway which runs across the front of the house – Plot 9 of the proposed development would have a rear garden on the line of their driveway (presumably with 6ft.fences surrounding it). Having a six-foot fence to the front view is hardly in keeping with Amenity Design COMMUNITY

Criteria 6.1.2, which states, "Urban spaces should be ... visually attractive and appealing places for residents...etc".

A simple solution might be to rotate the two new bungalows which are closest to both cul-de-sacs by 90 degrees, so that their frontages would face the existing bungalows, and be 'open plan'. A footpath from Westholm Close could then be made to join the proposed new road perpendicularly, thereby maintaining the access to the playing fields that residents and other pedestrians have used for so long.

We respectfully ask that you consider our formal objection to the initial plan.

Mr. D. & Mrs. H. Redmile (14 Westholm Close)

We purchased No 14 Westholm Close on the 5th May 2016 on the clear understanding that this site was a green belt area in perpetuity. We have no serious objections to the principle of development but would suggest the omission of the plot which occupies the now green space (the maintenance of which we financially contribute to), this

alleviates the obstruction caused by presumably six foot fencing to both ourselves and No 9.

We appreciate the financial implication to the developers but consider the suggested intrusion to existing properties outweighs this. We would appreciate consideration being given to this suggestion by both the Planning Officers and Planning Committee.

Application Number:	2018/1325/FUL
Site Address:	Land To The Rear Of 78 Hykeham Road, Lincoln, Lincolnshire
Target Date:	18th January 2019
Agent Name:	None
Applicant Name:	Mr Matt Gull
Proposal:	Erection of a single storey dwelling and integral garage. (Revised Address) (Revised Description) (Revised Plans)

Background - Site Location and Description

Site Location

The application site is located to the west the dwellings situated on Hykeham Road and adjoins dwellings within Somersby Close and Hykeham Road. It is served by a long access track situated between Nos. 72 and 78 Hykeham Road. As a result, the site is situated back from this road and opens out to the rear of Nos. 78 and 80. The site is currently laid to grass along the entirety of the access and the main site area.

Description of Development

Members will note that the proposals have been revised, this was as a result of officer concerns in respect of the scale of the development and its relationship with the gardens of neighbouring properties; and overlooking from dormer windows. The proposals are now for a single storey dwelling with a lower conventional roof height and no rooms in the roof space. The dwelling incorporates an attached garage and three bedrooms.

Site History

There was planning permission in the early 1990s (under reference LH11/0527/93) for the erection of a bungalow and garage within this site. That permission has since expired.

Case Officer Site Visit

Undertaken on 7th January 2019.

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 LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land affected by Contamination
- Policy LP21 Biodiversity and Geodiversity
- Policy LP26 Design and Amenity
- Policy LP36 Access and Movement within the Lincoln Area

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 Objections, Recommend an Informative
Lincolnshire Police	Comments Received
Lincolnshire Fire And Rescue	No Response Received

Public Consultation Responses

Name	Address
Mr Clive Jackson	84 Hykeham Road Lincoln Lincolnshire LN6 8AB
Mr Kenneth Dunn	20 Somersby Close Lincoln Lincolnshire LN6 8AF
Mr Phil Bedson	22 Somersby Close Lincoln Lincolnshire LN6 8AF
Mr DJ Clapham	67 Hykeham Road Lincoln Lincolnshire LN6 8AD
Miss Lisa Cotton	72 Hykeham Road Lincoln Lincolnshire LN6 8AB

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)". These refer to economic, social and environmental objectives.

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.

b) Assessment of the Implications of the Proposals

The Council has previously resisted proposals for development situated to the rear of existing properties along Hykeham Road, most notably at 121 and 176-178 but these have primarily been in circumstances where there has been access taken through the curtilage of existing properties and the garden(s) of those properties suggested for development. However, in this instance, the proposals are for an area of land that has independent access and has been separated from neighbouring properties for a considerable period of time. It has also previously had the benefit of planning permission for a bungalow in the past (see the site history).

Whilst the Council currently has a five-year supply of housing, the application site would be in a sustainable location and would not undermine the housing supply position, rather it would provide additional choice. It is also recognised 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 site is also situated in a sustainable location within close proximity of a bus route which serves the city centre so would be sustainable in this context. However, this contribution, along with the delivery of a further dwelling within Central Lincolnshire would be relatively minor and would not necessarily be benefits that the local community would appreciate, particularly as there would not be direct benefits to the community associated with 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.

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.

b) Assessment of the Implications of the Proposals

The site is situated to the rear of other dwellings facing two residential streets within the locality, Hykeham Road and Somersby Close, and accessed from the former. The layout of the site is not significantly different from any other property within the vicinity and fills the majority of the width of the site like others adjacent. Where it does differ is in terms of the layout is how much space would be taken by the property and vehicular circulation space within the site. However, it is questionable whether this would be harmful to the character of the area, as the property would be situated a reasonable distance from the highway and would not be readily visible from public areas. Furthermore, whilst the proposed dwelling is

simple in terms of its architectural detailing, this would not be at odds with other bungalows that are situated within the locality.

Notwithstanding this, it would still be important for the materials of construction of the development; and hard and soft landscaping within the site to be agreed by planning conditions. This will bring suitable control over these matters to ensure that the development makes a positive contribution to the character and appearance of the area.

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.

b) *Assessment of the Implications of the Proposals*

It is considered that the dwelling that is now proposed would not be harmful to the amenities of the occupants of neighbouring properties for the reasons set out below in the relevant subsections of this part of the report:-

i) Impacts of Overlooking and Loss of Privacy

The proposed dwelling would be single storey in height so there would be no overlooking or a loss of privacy resulting from the introduction of the property itself within the site. However, it would be important to agree boundary treatments for the site to protect the amenities of neighbouring properties, particularly as boundaries to the north and west are largely open to views at present.

ii) Impacts of Scale and Height

The height of the property is now significantly lower than the original proposals and, whilst the dwelling would be positioned relatively close to the boundaries of neighbouring properties in certain positions within the site, it would not be sufficiently prominent or overbearing from within the gardens of those properties to recommend that the application should be resisted upon those grounds.

iii) Noise and Disturbance

The proposed development would require vehicular movements alongside and to the rear of the existing dwellings situated either side of the access from Hykeham Road. However, there are examples of garages sited in similar locations to the side and rear of existing properties, along Hykeham Road. Given that the proposals are for a single dwelling, officers are satisfied that the vehicular movements associated with the proposed development would not be dissimilar to others experienced in this residential area. As such, officers do not consider that the proposals would lead to undue noise and disturbance to the occupiers of the dwellings or their rear gardens. The proposed development would therefore not be detrimental to the living conditions of these neighbouring residents in this respect. Similarly, the use of gardens adjacent to other existing gardens would not be unreasonable within a residential context.

Notwithstanding the above, unless there would be controls in place to deal with the noise and disturbance associated with construction working, it is clear that the development of the site could be a nuisance to neighbouring occupiers. In light of this, it is recommended that the hours of working and deliveries for construction are controlled to ensure that disturbance is kept to a minimum at unsociable hours.

iv) Other Impacts

Notwithstanding the implications associated with (i) and (ii), as these impacts could be exacerbated by any changes in levels throughout the application site, it would be necessary for changes to the levels (to accommodate the proposed ground floor and the surrounding levels for the property) to be approved by planning condition. This would provide suitable control to ensure that there would not be overlooking or overbearing impacts.

c) The Planning Balance

Taking all the above in to account, it is considered that the proposed development of the site could be accommodated in a manner that would not cause unacceptable harm. Moreover, with satisfactory controls over the mitigation employed in relation to levels, boundary details and construction working, the proposals would be socially and environmentally sustainable in the context of the Framework and would accord with the policies in the Local Plan.

4) Sustainable Access, Highway Safety and 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 Policies LP13 and LP36. The latter more specifically refers to development in the 'Lincoln Area' and 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*

The development would incorporate sufficient space within the site to enable vehicles to enter and leave in a forward gear, as well as to enable vehicles to park clear of the highway. Visibility from the access to the north is compromised to a certain degree by the landscaping along the boundary with No. 72 Hykeham Road but the Highway Authority do not raise any concerns with the application and this relationship is not significantly different from others within the street. Nonetheless, it would be important to agree the details of boundary fences / or walls that would be sited in this area as they would be more permanent and could obscure visibility to the south.

5) Other Matters

a) *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

Given that the site adjoins other residential properties to all sides, unless surface water drainage is addressed in an acceptable manner it could lead to flooding of neighbouring land. This would be particularly important due to any level changes resulting from the property or hard landscaped areas. The applicant has indicated that they propose to utilise soakaways but have not provided any details or tested that this would be appropriate. In light of this, it would be necessary for the details of surface water drainage to be controlled by planning condition. Similarly, the applicant has suggested that there is already a foul water drainage connection for the site and intends to connect to this. This would need to be controlled by planning condition.

Consequently, subject to those planning conditions, the proposals would be in accordance with the Framework, specifically in relation to flood risk as the proposals would not result in unacceptable risk to life from inundation or be in conflict with the environmental dimension of sustainability outlined in Paragraph 8.

b) *Air Quality*

i) Relevant Planning Policy

The Framework, through paragraphs 103 and 181, seeks to reduce pollution overall and endorses improvements to air quality and mitigation of impacts. The latter makes specific reference to Air Quality Management Areas and suggests that planning decisions should ensure that any new development should be consistent with the local air quality action plan for these areas. This approach is supported by Policy LP26 of the Local Plan, which requires that the adverse impacts of air quality upon development is considered.

ii) Assessment of the Implications of the Proposals

Officers concur with the Council's Pollution Control Officer that the proposed development, when considered in isolation, is unlikely to have any significant impact on air quality. However, cumulatively the numerous minor and medium scale developments within the city will have a significant impact if reasonable mitigation measures are not adopted.

Given that there are air quality issues in the city, it seems entirely reasonable and proportionate to the scale of development that the property is provided with an electric vehicle recharge point. Officers would advise Members that this matter can be addressed by planning condition.

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 information in respect of ground contamination and, due to past uses within the vicinity of the site, there is the potential for contamination to be present. However, it is not essential that information is provided before the grant of planning permission, as this can be provided before built development is undertaken. Ultimately the proposals would result in the redevelopment of the site which would lead to remediation of any contamination. In light of this, officers consider that planning conditions could be imposed to deal with land contamination if necessary. This is the advice of the Council's Scientific Officer.

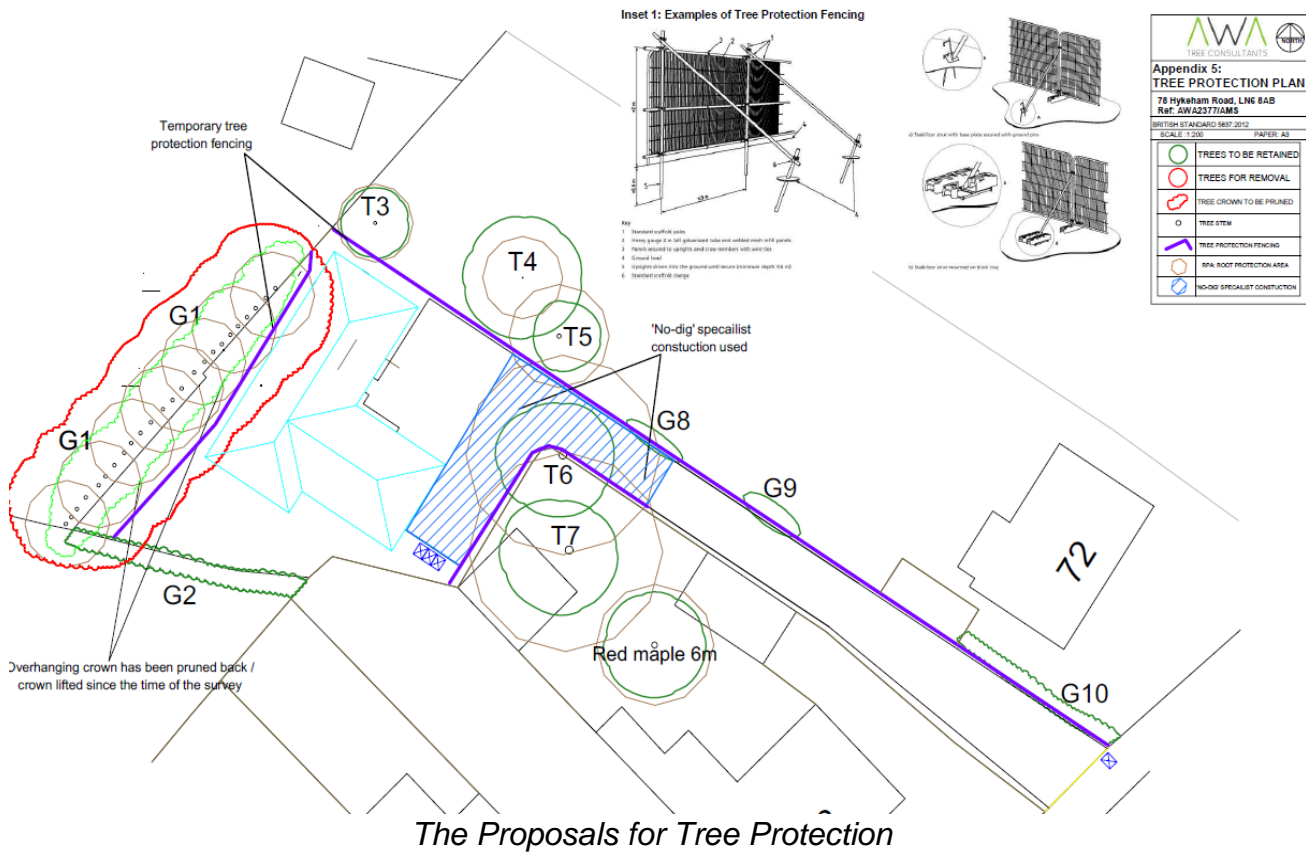
d) Ecology, Biodiversity and Arboriculture

i) Relevant Planning Policy

Paragraphs 170 and 175 of the Framework apply to the proposals and require that development conserve and enhance biodiversity and permission refused where mitigation or compensation are not available. Meanwhile, Policy LP21 refers to biodiversity and requires development proposals to "protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site; minimise impacts on biodiversity and geodiversity; and seek to deliver a net gain in biodiversity and geodiversity." The policy then goes on to consider the implications of any harm associated with development and how this should be mitigated.

ii) *Assessment of the Implications of the Proposals*

The application is supported by a tree survey and separate document that deals with protection and the proposals for excavation, including no dig areas under the canopy of trees. As there are trees located outside the site that could be impacted by the proposals it would be important for the retained trees to be protected during construction. This approach has been endorsed by the Council's Arboricultural Officer. There are currently no trees or other forms of landscaping within the site itself so it would be appropriate to ensure that the details of additional landscaping within the site are provided for agreement. Subject to these matters can be controlled by planning condition, it is considered that there would not be any harm caused to the biodiversity of the locality.



e) *Fire and Rescue*

The Fire Authority has not responded as part of the planning application but officers have asked the developer to confirm whether the driveway is wide enough to enable an appliance to enter the driveway to serve the building should there be a fire. The driveway should be sufficiently wide enough for the first ten metres to enable such access to bring the dwelling within firefighting distance.

f) *Refuse Collection*

The applicant has indicated on the plans submitted that the refuse from the development will be collected from the end of the access driveway, adjacent to the highway. As can be seen from the plan and the photographs accompanying this report, the driveway is sufficiently wide to enable a vehicle to pass alongside refuse bins.

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 recognise that the development would deliver economic and social sustainability directly through the construction of the development and indirectly through the occupation of the dwelling, spend in the City and retention/creation of other jobs due to the location of the development within the City. Whilst the Council currently has a five-year supply of housing, the application site would be in a sustainable location and would not undermine the housing supply position, rather it would provide additional choice. Whilst the benefits of providing the proposed dwelling in a sustainable location would not necessarily commute to the local community as there would not be any contributions made to infrastructure.

The implications upon the character of the area and the residential amenities of near neighbours would not have negative sustainability implications for the local community, as they would lead to a development that would be socially sustainable. In addition, with planning conditions to deal with tree protection, new landscaping, drainage, contamination and air quality, the development would be environmentally sustainable.

Thus, assessing the development as a whole, officers are satisfied that all of the strands would be positively reinforced by the proposals. As such, assessing the development as a whole in relation to its economic, social and environmental dimensions and benefits, it is considered that, in the round, this proposal could be considered as sustainable development and would accord with the Local Plan and Framework.

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

Yes, the site description was changed and the proposals amended as shown in the application.

Financial Implications

The proposals would offer benefits to economic and social sustainability through spend by new residents and jobs created/sustained through construction. In addition, there would be a residential property that would be subject to council tax payments. What is more, the Council would receive monies through the New Homes Bonus and CIL Payments.

Legal Implications

None.

Equality Implications

None.

Conclusion

The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with the three strands of sustainability that would apply to development as set out in the planning balance. Therefore, there would not be harm caused by approving the development. As such, it is considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions outlined below.

Application Determined within Target Date

Yes.

Recommendation

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

Standard Conditions

- 01) Timeframe of Permission (three years to commence work).
- 02) Approved Plan.

Conditions to be Discharged before Commencement of Works

- 03) Contaminated Land (Investigation and Risk Assessment).
- 04) Contaminated Land (Remediation Scheme).
- 05) Contaminated Land (Verification of Remediation).
- 06) Existing and Proposed Land and Finished Floor Levels.
- 07) Surface Water Disposal.
- 08) Foul Water Disposal.
- 09) Tree Protection Measures.
- 10) Materials.

Conditions to be Discharged before Use is Implemented

- 11) Hard Landscaping.
- 12) Soft Landscaping.
- 13) Boundary Walls and Fences.
- 14) Electric Vehicle Recharge Point

Conditions to be Adhered to at all Times

- 15) Unsuspected Contamination.
- 16) Construction Working Hours.
- 17) Construction Delivery Hours.

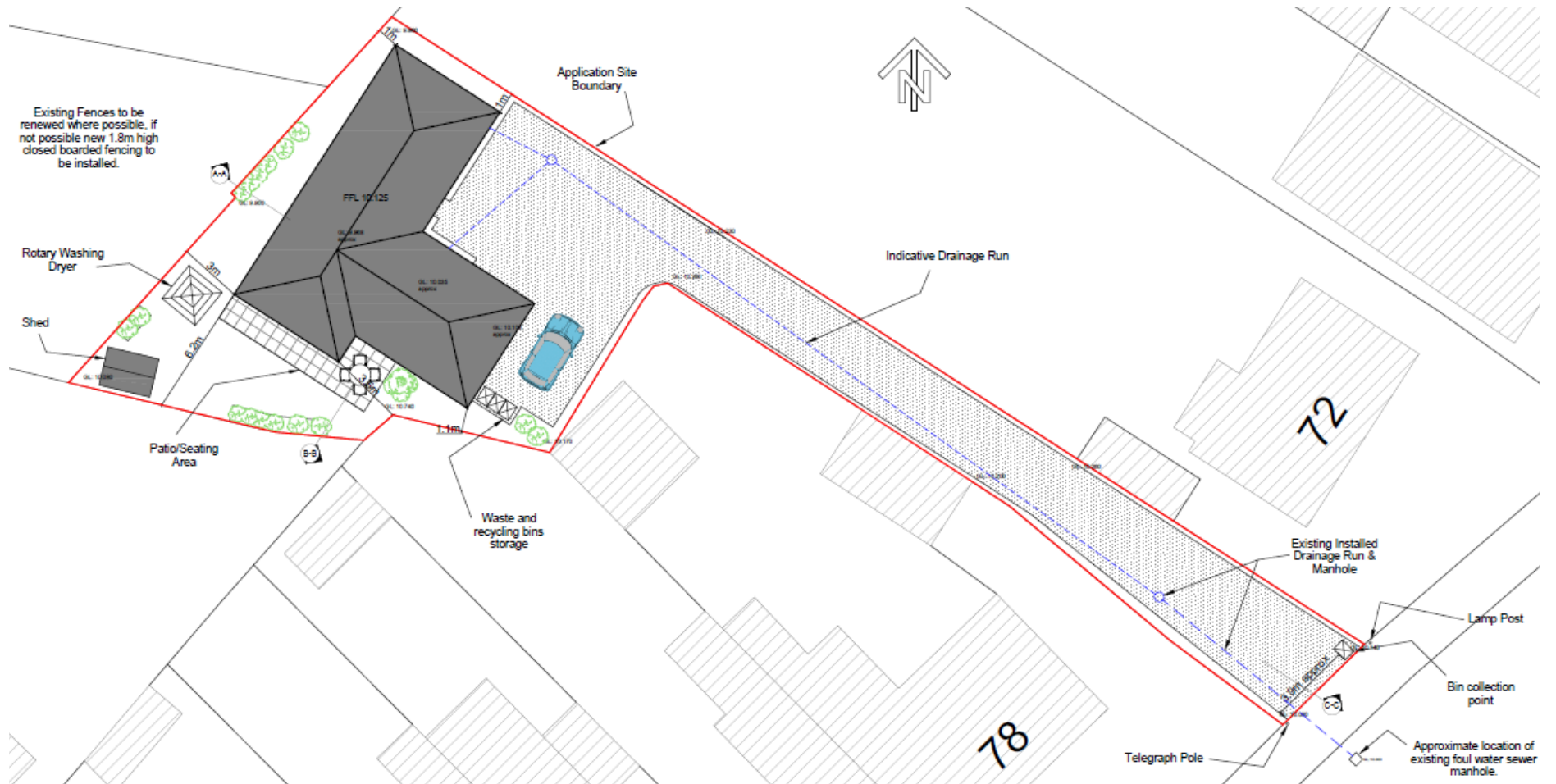
Report by Planning Manager

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Plans



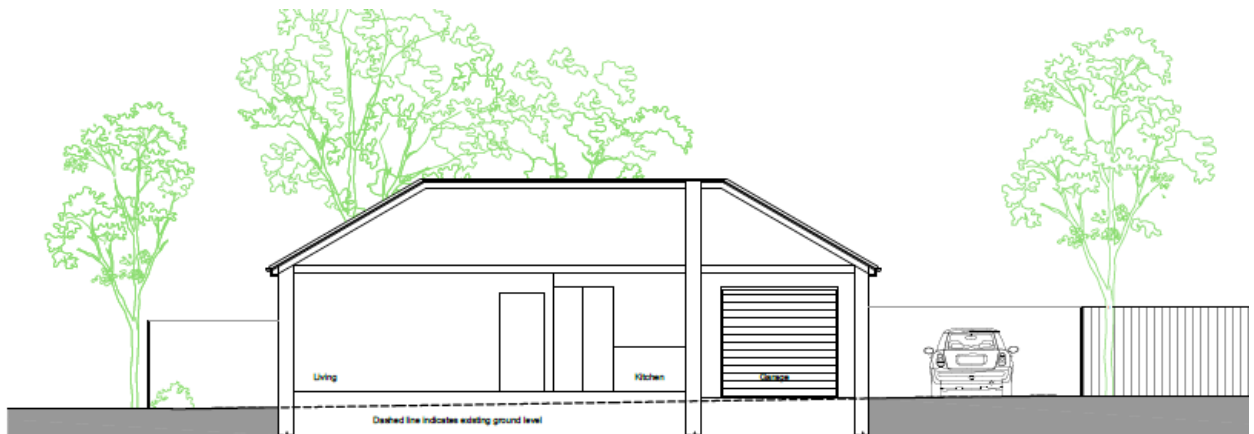
Site Location Plan



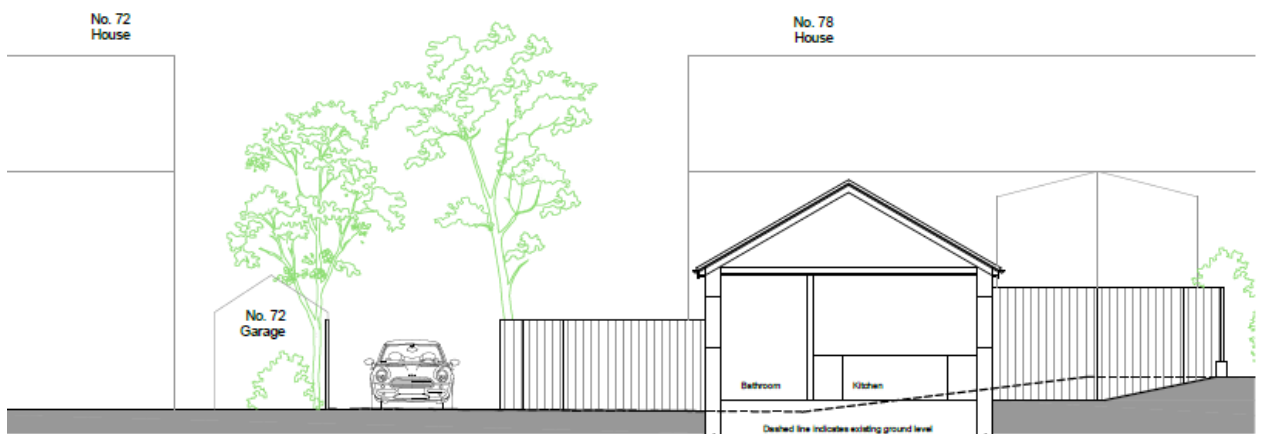
Proposed Site Layout



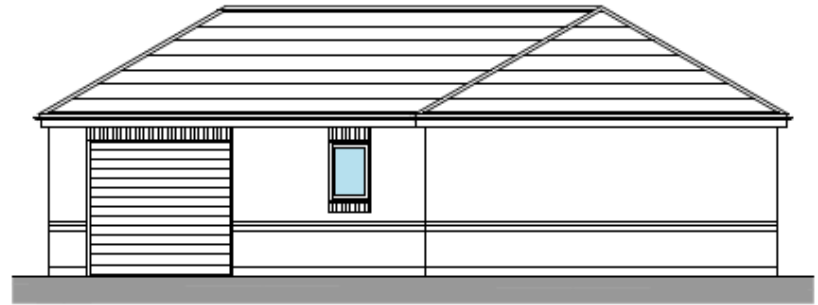
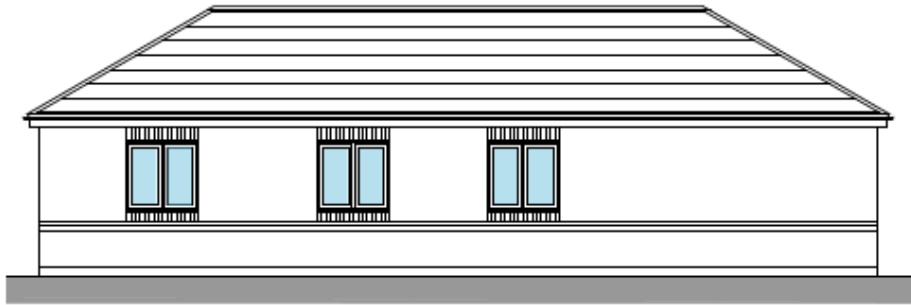
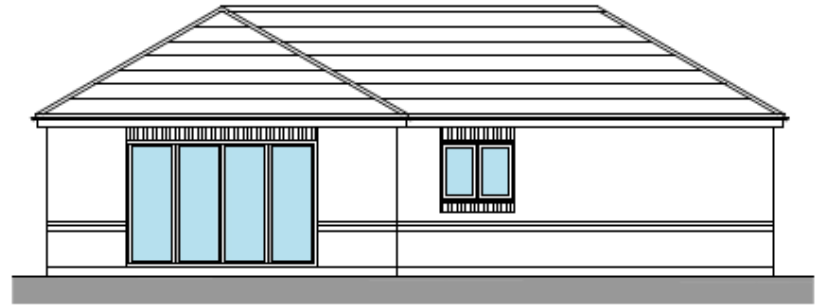
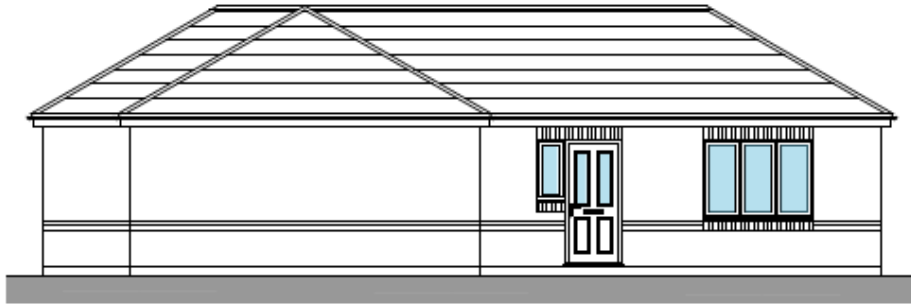
Proposed Floor Plan



Section Looking North



Section Looking East



Proposed Elevations

Site Photographs



Towards Western Boundary (adjoining 20 and 22 Somersby Grove)



Towards Southern Boundary (adjoining 80 Hykeham Road and 18 Somersby Grove)



Towards Eastern Boundary (adjoining 78 and 80 Hykeham Road)



Towards Eastern Boundary and Vehicular Access



Towards Northern Boundary (Adjoining 72 Hykeham Road)



Towards Hykeham Road Along Access



From Hykeham Road Towards Site Along Access



View North Along Hykeham Road with Access to the Site to the Left

Consultee Responses

Arboricultural Officer (Mick Albans)

Further to your request for me to consider the proposed development of land to the rear of 78 Hykeham Road, I submit the following observations for your consideration.

I visited the site on December 12th 2018 after reading the applicant's Design and Access Statement, Arboricultural Report and Impact Assessment and the Arboricultural Method Statement.

I consider the applicant's Arboricultural Report and Impact Statement to be a fair and accurate assessment of the trees located adjacent to the site and the possible effects of development on the site.

I also consider the Arboricultural Method Statement and the recommendations therein to be appropriate and sufficient to protect the trees from any potential adverse effects of the development.

I note in particular the proposed protection of Scots Pine T6 and T7 by the installation of protective fencing and ground protection boards prior to any storage of plant, materials and machinery and the start of any construction. I also note in relation to the access driveway the proposed installation of 'no dig' hard surfacing within the root protection area.

I therefore recommend that the tree protection methods as outlined in the applicant's Arboricultural Report, Impact Assessment and Method Statement are the subject of a condition for any subsequent approval granted in relation to this planning application.

Lincolnshire County Council (Highway Authority & Lead Local Flood Authority)

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.

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.

Lincolnshire Police (response has not changed from the original to the revised proposals)

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

development.

Lincolnshire Police has no formal objection to this 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 MA BA (Hons) PGCE PG CPR Dip Bus.

Force Designing Out Crime Officer (DOCO)

Upper Witham Internal Drainage Board

The board has no comments on this application.

Neighbour Comments

Revised Scheme

Mr. K. Dunn (20 Somersby Close)

Further to my previous response, on looking at the revised plans I note that the boundary line drawn in red indicates that the trees at the bottom of 20 Somersby close are within the land owned by 78 Hykeham road. This is incorrect and on inspection the trees are all within the boundary garden of Somersby close and there is an existing fence in Hykeham road which confirms this. Therefore the boundary line needs to be re drawn. I confirm that the trees at the bottom of Somersby are to remain intact with no removal and to a height of at least six meters.

Mr. P. Bedson (22 Somersby Close)

I have previously commented in respect of this application and the treatment of the boundaries, but, now an amended a plan has been submitted I have further concerns.

It now appears that the dwelling will be larger than first intended with an integral garage, although it is not clear if any windows or patio-doors will be sited on the rear of the property which will face our land. As a result we feel that the proposal will now impact the bottom of our land and in turn have a detrimental effect on our privacy and possible the drainage of any rainwater, which, at present is an issue towards the plot in question.

We also have concerns that the dwelling will only be sited 1m from our boundary and given the narrow driveway accessing the plot this may cause an issue if ever fire & rescue vehicles were needed. As stated in other comments, previous applications from other applicants have been refused siting privacy as a reason for refusal for both present and future residents, therefore this should be a factor when deciding the outcome of the plans.

Mr. D. Clapham (67 Hykeham Road, owner of Nos. 78 and 80 Hykeham Road)

i am looking over the plans as of yet can not find alterations but will email you as and when i find relivant content to report.
Found.

please alter the complaint to reflect 78 and 80 being i own both properties and theproposed development will effect both.

Firstly given the large trees in my garden and there position to the vacinity of the plot and boundry i would like to knoiw how they will run both services and a suer drain down the lane with out some removal of roots wich intern could make any trees unstable.

Continued Drive Gravel how will prequations be taken to prevent damage of underlying roots given gravel could sink further and further over the years.

Secondly on the tree survey there is a orange highlighted area this is in no way the acual boundry it is much smaller.

Thirdly the tree survey states no macinery will enter yet the trees have been cut using cherry picker and shredder.

(1.4 Details of Consent 1.4.1 Planning consent is subject to this method statement being agreed upon in advance by the Local Planning Authority. The contents of this report must be adhered to, before, during, and after the construction phase. 1.4.2 As such, no equipment, machinery or materials shall be brought onto the site in connection with the development until this arboricultural method statement detailing tree management and tree protection measures has been submitted to and approved by the Local Planning Authority.)

Mick Alburns Comments

(I note in particular the proposed protection of Scots Pine T6 and T7 by the installation of protective fencing and ground protection boards prior to any storage of plant, materials and machinery and the start of any construction. I also note in relation to the access driveway the proposed installation of 'no dig' hard surfacing within the root protection area)

Contaminants

i have previously informed of garages and a buss depo unfotanatly the two elderly people that have the information have passed away i would suggest that by defalt its

assumed commercial use was in place and if a test is done this will prove or disprove the matter.)

i note the new application states no 3 times that no contaminants are present (14 existing use)

Contaminated Land

It is noted from historical maps that the site previously had buildings on it and from historical records it appears that the buildings were used as garages. However, there is no further information as to whether the garages were domestic or commercial in nature. It is therefore recommended that the applicant be requested to complete a screening assessment form for contamination to enable a decision as to whether contaminated land needs to be considered in greater detail through planning conditions.

Police

I note that the police have commented yet this is based on the first application of erection of a 2 story in the garden of 78 and not land to the rear of .

Fire

i can not see a fire report. surely a fire report is way more important.

i can not comment on the following as will not open (COMMUNITY CONTRACTS EMAIL)

I would ask that the legal boundary be checked against the plans as previously 2 false inaccurate surveys have been drawn up and the original boundary was agreed by solicitors on my side and Taylor Lindsay and in accordance with Raymond Phillips of Walters Rural. if you require further details.

previous planning.

i have already stated that an attempt some years ago to erect the previous bungalow when i phoned in to Taylor Lindsay was told footings have been put in i then called the planning and was told no blue paper so any works don't count.

i would recommend that any excavation concrete or drainage if not inspected or any paper trail the following statement from Taylor Lindsay be dismissed and removed.

(5.0 PLANNING HISTORY: 5.1 The site has previously been granted planning permission for a single dwelling and detached garage under application reference no. LH11/0527/93. This planning permission, to the best of our knowledge, was implemented by site clearance, excavations begun, and drainage installed.)

including there may be further comments brought before you but i feel very strongly this should be refused and that the evidence states this i further feel that everything that has been said still stands as although a dormer bungalow is a bungalow it still has two floors and as such the ceiling heights will be similar to a two story house and given the application should be viewed and considered as if all boundaries have low fencing there is potential for the upper floor to over look the rear gardens of 6 families.

if you require any further comments please contact me here or urgent important matters

Original Scheme

Mr. C. Jackson (84 Hykeham Road)

Concerns regarding the property overlooking my own, Scale & height of property. Effects on trees as I have observed that several large conifers have been felled very

recently. Noise & disturbance from construction and also from occupants. Aesthetics & design.

Miss. L. Cotton (72 Hykeham Road)

I have no objection to the principle of developing the site, however I would like to object to the current proposals and respectfully ask that consideration is given to the following points.

1. Privacy.

1.1. The proposed dwelling is orientated such that the front windows face the rear elevation of No.72 Hykeham Road and the gardens of 68, 70 and 72. The planned dwelling would provide direct line of sight to the kitchen and living space of No.72 and we would urge the planning officer and the developer to give this consideration before granting permission.

2. Boundary Treatments.

2.1. The application includes no details of the proposed boundary treatments and the planning officer should note that the existing fence which belongs to the development site is largely missing or is formed of a mixture of post and wire and sparse trees/shrubs.

2.2. The proposed access road to the dwelling is approximately 50m long and runs alongside the garden of No.72 Hykeham Road, a family home with pets and young children who regularly use the garden. We would respectfully urge the planning officer and the developer to consider the safety of the neighbours as there is the potential for vehicles to reach hazardous speeds on the road with inadequate physical barrier.

2.3. The lack of a solid boundary between the dwelling and the garden of No.72 would also affect the private use of the garden for occupants of both dwellings.

2.4. It is considered that a close boarded fence should be provided to address these points.

3. Safe Vehicular Access.

3.1. It is questioned whether the access arrangements afford those exiting the site with appropriate visibility when exiting the driveway. The access is close to a bus stop and visibility is reduced by the established hedge and lighting column immediately east of the entranceway. The placement of the bins on collection day will also impinge access to the new dwelling and No.72.

3.2. Emergency access to the dwelling would require a wide road for appropriate vehicles (fire tender) and it is queried whether this is being provided by the proposals.

4. Stability of adjacent garage.

4.1. The new driveway access runs immediately alongside the garage of No.72 Hykeham Road and it concerns the residents that the use of the driveway for construction traffic and heavy deliveries or emergency vehicles may compromise the integrity of the garage structure.

Separate Further Comment:

On review of the application form, soakaway drainage is proposed. It does not appear that there is adequate space on the site to accommodate soakaways with the necessary offsets from the buildings and boundaries

Mr. K. Dunn (20 Somersby Grove)

I do not outright object to the proposed plans other than on the grounds of existing privacy making a stipulation the boundary trees at the rear of the garden between 20 Somersby Close In68af and the proposed development remain intact and in particular at their current height of approx. six meters tall. Should this not be the case then my stance would be changed from neutral to objection.

Mr. P. Bedson (22 Somersby Close)

The details of any boundary treatments are not mentioned and the existing fencing is largely missing, the boundary at the edge of our land is, as far as we can see, just a wire and the plan for the boundary fencing is not mentioned. We have no objections to a fence being built to the height of 7 foot also that the trees at the bottom of no 20 Somersby Close remain to enable the privacy on to both of our gardens being maintained.

Application Number:	2019/0044/FUL
Site Address:	241 - 247 Monks Road, Lincoln, Lincolnshire
Target Date:	20th April 2019
Agent Name:	Rachael Skillen Planning Ltd
Applicant Name:	Mr Paul Lynch
Proposal:	Conversion of building to form 4 units (A1 - Retail or A2 - Financial & Professional Services) and 10 apartments, including external alterations and associated works.

Background - Site Location and Description

241-247 Monks Road is located on the south side of Monks Road at its junction with Tempest Street to the east. Beyond Tempest Street is the bowling club and Monks Abbey recreation ground. To the south are residential properties fronting Tempest Street, to the west, residential properties fronting Monks Road and to the north further residential properties on the opposite side of Monks Road.

The building is currently vacant, however it was most recently in use as the Monks Road Working Mens Club which closed last year.

Permission is sought to convert the building to form 4 (A1 - Retail or A2 - Financial & Professional Services) units and 10 residential apartments.

The proposal would require some external alterations. The proposed commercial units would front onto Monks Road. The rear of the ground floor would accommodate 3 apartments. 7 apartments are located at the 1st floor level. There would be 8no. one bedroom apartment and 2no. two bedroom apartments.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 18th February 2019.

Policies Referred to

- National Planning Policy Framework
- Central Lincolnshire Local Plan Policy LP15
Policy LP26
Policy LP37

Issues

- Loss of a Community Facility
- Visual Amenity
- Residential Amenity
- 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
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Environment Agency	Comments Received
Anglian Water	No Response Received
Upper Witham, Witham First District & Witham Third District	Comments Received

Public Consultation Responses

Name	Address
Mrs R Wonnacott	120 Monks Road Lincoln LN2 5PQ
Mr Gordon Gillick	3 Tempest Street Lincoln LN2 5NB
Mr Darren Brien	74 Winn Street Lincoln LN2 5EX
Mrs Sally Brien	74 Winn Street Lincoln LN2 5EX
Mrs Tracey Lucas	14 Tower Flats Lincoln LN2 5QJ
Mr Robert Taylor	237 Monks Road Lincoln LN2 5JT

Consideration

Principle of Development

The property in question is located within a predominantly residential area with a number of properties having commercial uses which front onto Monks Road.

Policy LP37 of the Central Lincolnshire Local Plan relates to the change of use of existing buildings to self-contained flats. Such development is supported where the existing building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area. There also needs to be adequate provision made for external communal areas, bin storage and collection, and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre.

As well as this the development needs to accord with the criteria set out within Policy LP26 which protects the amenity of neighbours and the visual impacts of the development on the wider area.

The proposed development would result in the loss of the existing working men's club which is considered a community facility and is therefore subject to the requirements of Policy LP15. In most instances, the loss of an existing community facility will not be supported. However the working men's club on this site has already shut and the building has been empty for some time. Whilst it is regrettable that the facility has not been bought as a community facility it is considered that bringing the building back to a viable use, in keeping with the uses in the surrounding area would be of benefit to the local area. The site is in close proximity to the city centre which has a number of drinking establishments, with other public houses on the route into the city from this site.

Visual Amenity

The majority of the changes would be to the south elevation which forms the rear elevation of the site. The existing lift shaft would be removed and the window openings would be changed to reflect the internal layout of the property. These changes would be on the elevation facing into the car park and towards 1 Tempest Street.

To the north elevation the property would see changes to the ground floor to create the shop/unit fronts. These would form a series of four unit fronts of traditional proportions with space for signage above. The signage would be the subject of a separate consent. It would also be necessary to condition that the proposed materials for the shop fronts are submitted prior to installation so that appropriate materials are used for this location which respect the surrounding area. The east elevation would remain unchanged.

It is considered that these changes would be appropriate and in keeping with the surrounding area. The proposal therefore accords with Policy LP26.

Impact on Residential Amenity

An objection has been received from the occupants of 120 Monks Road with regards overlooking into their property. 120 Monks Road is located on the north side of Monks Road opposite the application site. Therefore Monks Road itself separates the properties

and this would be considered a normal separation distance for residential schemes. This is also a relationship found all along Monks Road with two and three storey properties found either side of the road.

Due to the changes to the south elevation of the property it is necessary to assess the impact of the development on 1 Tempest Street. A window opening to the south elevation would change as a result of the development. The windows on this elevation, to the first floor would serve both bedrooms and living rooms, these have the potential for a degree of overlooking with adjacent properties. The north elevation of 1 Tempest Street is blank and therefore there would be no direct window to window overlooking. Also, because the single storey off shoot of the property extends for the length of the garden any overlooking to the garden would be obscured.

The neighbours at 239 Monks Road have raised the issue of the boundary fencing and the privacy to their rear garden. Having carried out a site visit there is a boundary fence in place which is of the type expected along the boundary of a residential property. Given that the property is proposed for conversion to residential units it is considered that the fence is appropriate. It is considered that the residential use would be appropriate and would have no greater impact on the neighbours than the previous permitted use.

Due to the mixed use nature of the proposed development, there is the potential for future occupants of the residential accommodation, as well as existing residents, to be affected by noise from the proposed A1/A2 uses, particularly during the noise sensitive hours, if appropriate noise mitigation measures are not included in the design of the building. Therefore if the application is approved it is recommended that appropriate controls be placed on the permission. This would include details of a noise mitigation scheme as well as restrictions on the future hours of operation.

Although this is a relatively small development, due to the close proximity to neighbouring sensitive uses, there is potential for noise from the construction phase of the development, particularly during the noise sensitive hours, to have an impact on existing residents. Therefore if permission is granted the construction hours should be restricted.

Highways and Parking

The proposed development has off street parking for 7 vehicles. Whilst this doesn't provide one space per apartment it is unusual for residential properties in this area to have any off street parking and therefore this is still seen as a positive addition to the scheme which would reduce the impacts of this development on on-street parking. As well as this the site is within close proximity to the city centre and on a local bus route with a bus stop outside the site on Monks Road. It is therefore considered to be in a sustainable location for this type of development.

An objection has been received from a neighbour asking that a barrier be placed across the car park to stop other people using the car park, however this could present other issues of cars waiting on Tempest Street to enter the site and the barriers taking up space within the site for parking space.

The Highways Authority has raised no objections to the proposed scheme.

When considered in isolation, is unlikely to have any significant impact on air quality, however the numerous minor and medium scale developments within the city will have a

significant cumulative impact if reasonable mitigation measures are not adopted. The NPPF seeks to promote and enable sustainable transport choices and, in doing so, aims to protect and enhance air quality. 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. This could be secured by condition.

Bin Storage

Space has been made available for bin storage to the rear of the site within the car parking area.

Conclusion

The proposed development would provide 10 self-contained flats in a sustainable location. The external alterations to the building would be in keeping with the surrounding area and would bring an empty building back into a viable use. Additional A1/A2 units fronting onto Monks Road in this area would be an appropriate use with sufficient controls in place on hours of operation.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

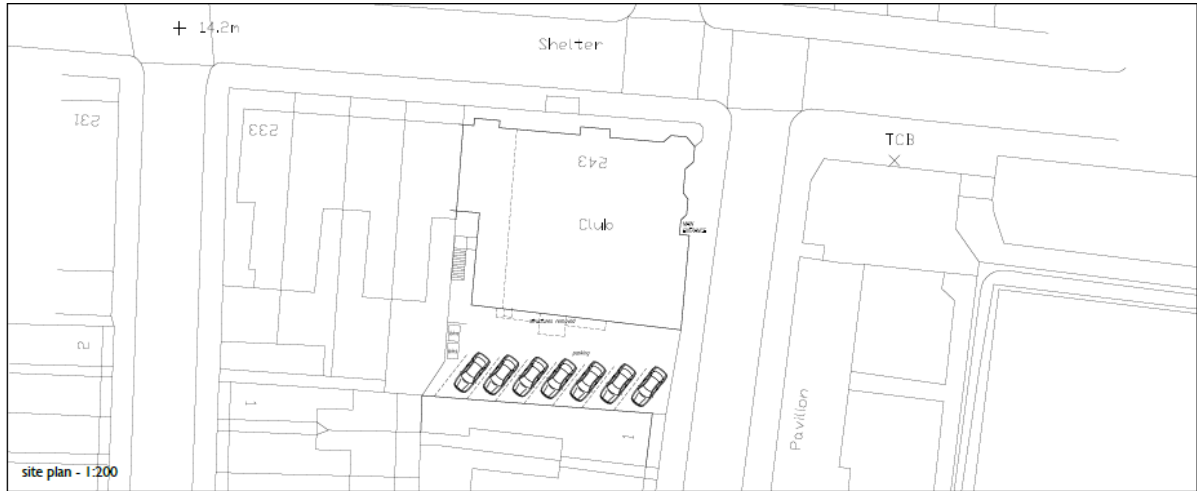
Conditions

- Works carried out within 3 years
- Construction hours
- Noise mitigation scheme
- Hours of operating (A1)
- Delivery times (A1)
- Waste collection times (A1)
- Electric vehicle charging points
- Proposed shop front materials.
- Highways Construction Management Plan
- Bin storage details

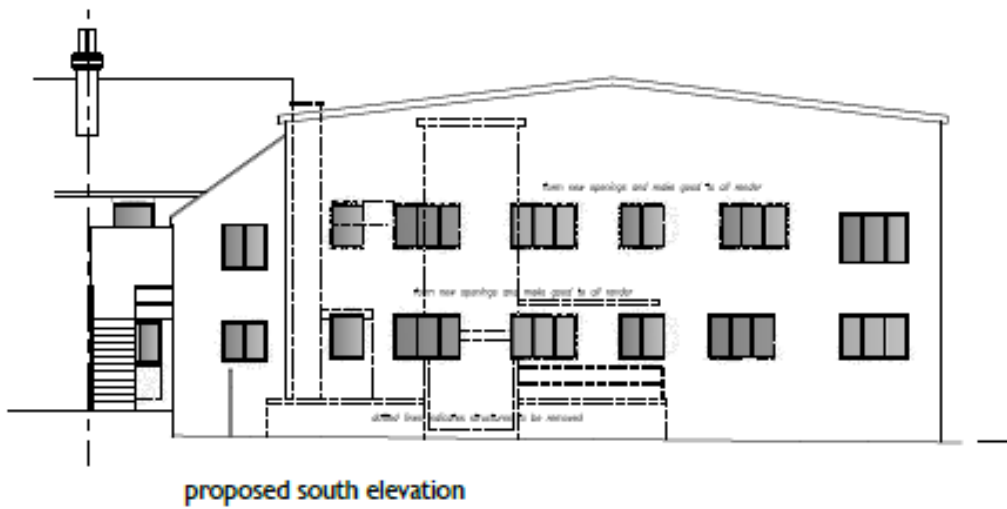
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Plans

Site Location Plan

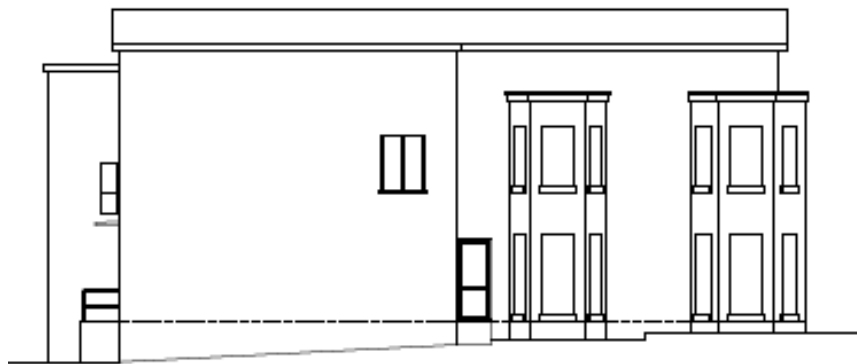


Elevations





proposed east elevation



existing east elevation

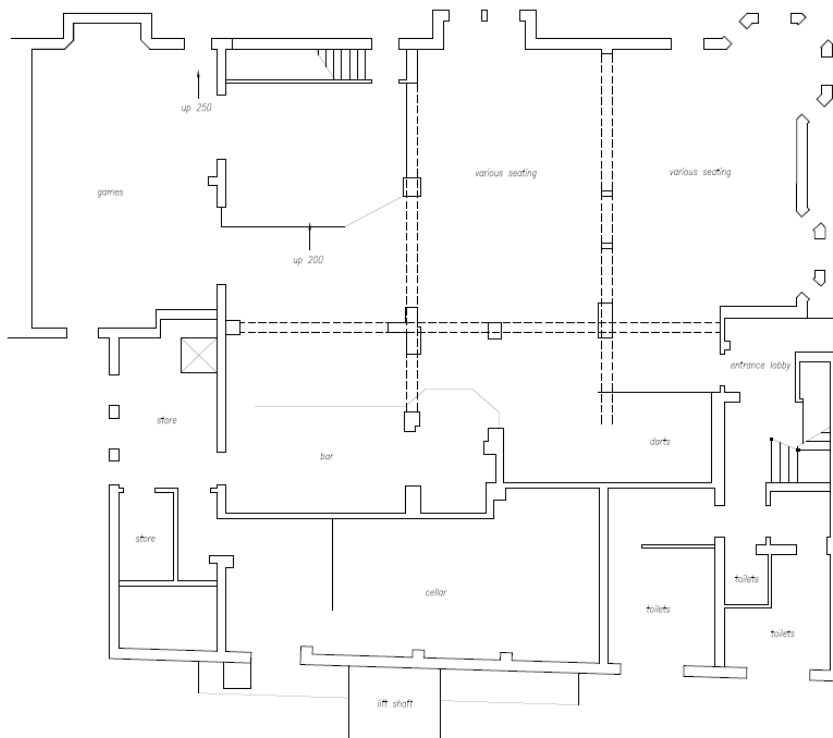


proposed north elevation - mixed use of shop units and flats

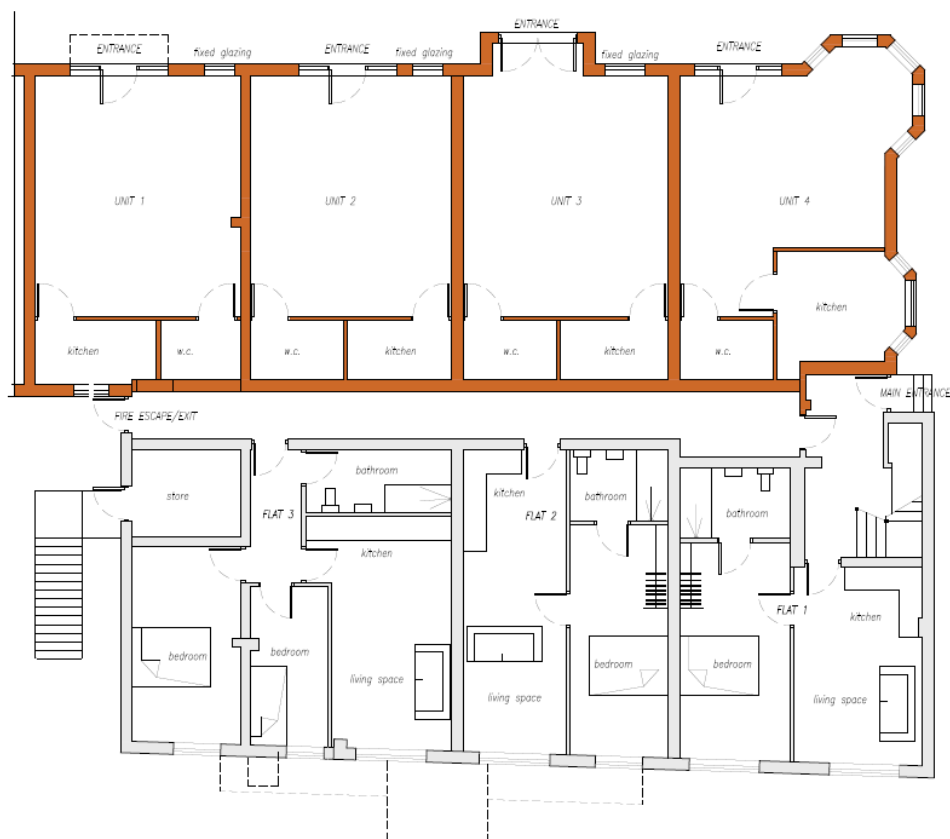


existing north elevation

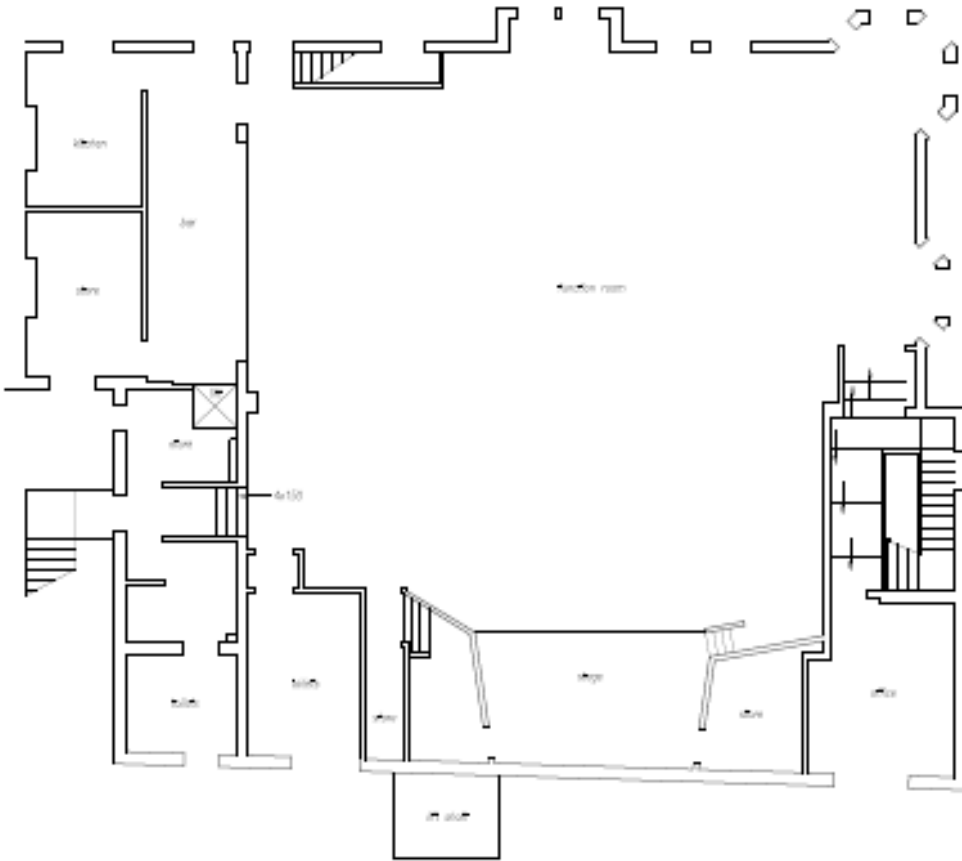
Floor Plans



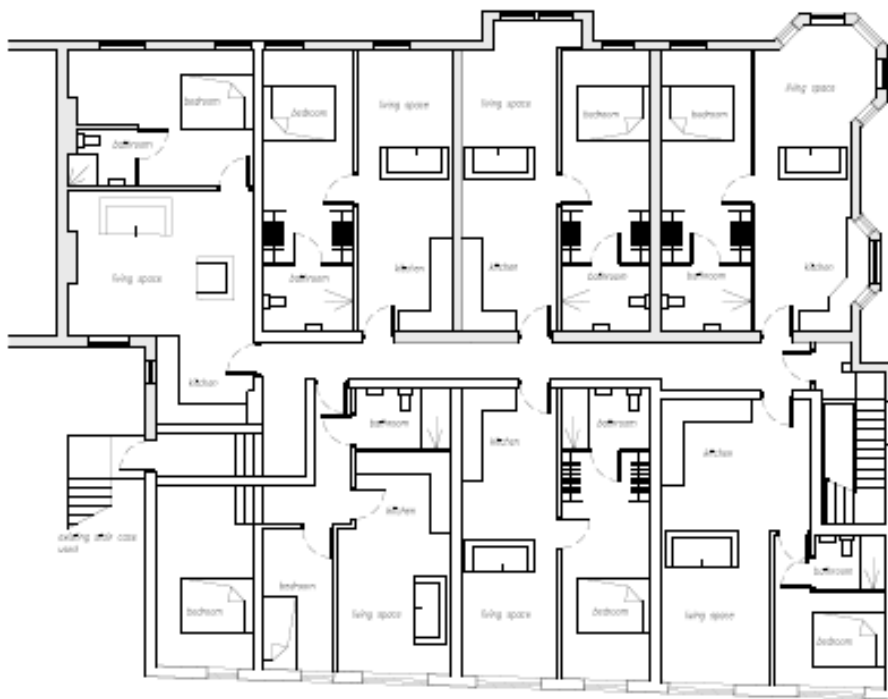
existing ground floor plan



proposed ground floor plan - mixed use of shop



existing first floor plan



proposed first floor plan

Site Photos











Consultee Comments

The Environment Agency does not wish to make any comments on this application. It does not appear to match any of the criteria on our consultation checklist. However, if you believe you do need our advice, please call me on the number below.

Kind regards

Keri Monger

Sustainable Places – Planning Adviser | Lincolnshire & Northamptonshire

Environment Agency | Nene House, Pytchley Road Industrial Estate, Pytchley Lodge Road, Kettering, NN15 6JQ

keri.monger@environment-agency.gov.uk

Direct Dial: 020 847 48545 | Team Dial: 020 302 53536 | Mobile: 07468 701818

Working days: Monday to Friday

Consultee Comments for Planning Application

2019/0044/FUL

Application Summary

Application Number: 2019/0044/FUL

Address: 241 - 247 Monks Road Lincoln Lincolnshire LN2 5JT

Proposal: Conversion of building to form 4 units (A1 - Retail or A2 - Financial & Professional Services) and 10 apartments, including external alterations and associated works.

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

OBJECTION: We feel that whilst it is good to see a vacant property put back into use, we are concerned that proposed development and usage will lead to a number of problems.

1. The proposed commercial use of the Monks Road side of the property with no car parking at all in the area and no provision for deliveries has to be considered.
2. With the current state of the retail industry, we have difficulty seeing how more provision of commercial and retail is going to work.
3. It is accepted that more residential provision is required but the number of apartments proposed is too great and with the lack of car parking, is set to cause more problems in the area.
4. The rear first floor flats will be overlooking the houses on Tennyson Street and Coleby Street and hence the loss of privacy should be considered.



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. 2019/0044/FUL

4th February 2019

Our Ref: PG//

Development & Environmental Services
City Hall, Beaumont Fee
Lincoln, LN1 1DF

241-24, Monks Road, Lincoln, Lincolnshire, LN2 5JT,

Thank you for your correspondence and opportunity to comment on the proposed development. I would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the development.

Lincolnshire Police has no formal objections to the planning application in principle but would recommend that the initial advisory 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 2016 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 or equivalent approved standard.

External doors and windows

The potential for unwanted guests will be a consideration at this location and therefore robust measures should be installed to ensure the security and safety of residents. Access may be gained via the shown entrances and the risk of 'follow through' entry gained. I would recommend that an air-lock style entrance vestibule is incorporated into the design (to help prevent unauthorised follow through access) commensurate with 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. Under no circumstances should a trade person release button or similar uncontrolled access method be used.

An Industry standard approved CCTV system should be installed covering all communal points of entry and lobby areas. This system must be able to capture and record all persons using the entry system.

Should it be considered appropriate a police response monitored system to with installation to EN 50131-1, (PD6662 Scheme for the implementation of European Standards), or BS 8418 for a detector activated CCTV system.

The secured by design requirement for all dwelling external doors is PAS 24:2016 or Bespoke equivalent (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. **All ground floor windows should have window restrainers and effective locking systems.**

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.

Under no circumstances would I recommend the use of a 'Trade-man's Button' or other form of security override.

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.

Cycle Storage Structure (if to be included)

Generally pedestrian access doors-sets to commercial units should be certified to LPS 1175 security rating 2. The access controlled door should be designed in such a way that the hinges and door-sets are of a non-lift nature and non-tamper proof. The door locks must be operable by way of a thumb screw turn to avoid any person being accidentally locked in the cycle storage area.

Lighting within cycle storage area; automatically activated passive infra-red lighting should be considered rather than permanent lighting to which other users become accustomed and therefore activation would not draw any attention. Lighting units should be vandal resistant energy efficient light fittings.

Bin Storage

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

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

Please refer to *Commercial Guide 2015 & 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 PGCPD Dip Bus.
Force Designing Out Crime Officer (DOCO)

2019/0044/FUL

Witham 3rd Extended Area – the board has no comments on this application.

Abi Gilbert

Technical and Operations Assistant

Witham First District Internal Drainage Board

Witham Third District Internal Drainage Board

Upper Witham Internal Drainage Board

North East Lindsey Drainage Board

J1 The Point

Weaver Road

Lincoln

LN6 3QN

Place Directorate
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: highwayssudssupport@lincolnshire.gov.uk



To: Lincoln City Council

Application Ref: 2019/0044/FUL

With reference to this application dated 18 January 2019 relating to the following proposed development:

Address or location

241 - 247 Monks Road, Lincoln, Lincolnshire, LN2 5JT

Date application referred by the LPA
29 January 2019

Type of application: Outline/Full/RM/
FUL

Description of development

Conversion of building to form 4 units (A1 - Retail or A2 - Financial & Professional Services) and 10 apartments, including external alterations and associated works

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

Requests that any permission given by the Local Planning Authority shall include the conditions below.

CONDITIONS (INCLUDING REASONS)

HI08

Please contact 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.

HP00

No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development.

The Construction Management Plan and Method Statement shall include;

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;

- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction, including drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

Case Officer:

Becky Melhuish

for Warren Peppard

Flood Risk & Development Manager

Date: 12 March 2019

Neighbour Comments



Mrs R Wonnacott
120 Monks Rd
Lincoln
LN2 5PQ
14.2.2019

Dear Sir

I am writing to object to the development of 241 - 247 Monks Rd. My biggest concern is if you allow 10 apartments what is going to happen about parking due to the council allowing so many family homes to be turned into HMOs, we live across the road from the proposed development and we some times have to park at least 4 street away from where we live, when we do manage to park our cars are being damaged. My husband has had to replace 2 wing mirrors my son has had to replace a front bumper which was ripped off by someone trying to reverse down the road.

I am also concerned that if you allow them to put shops + offices across the road there is no parking as it is a bus stop.

I would also object as the appartements would look straight into our bedrooms and living room

Yours Faithfully

Comments for Planning Application 2019/0044/FUL

Application Summary

Application Number: 2019/0044/FUL

Address: 241 - 247 Monks Road Lincoln Lincolnshire LN2 5JT

Proposal: Conversion of building to form 4 units (A1 - Retail or A2 - Financial & Professional Services) and 10 apartments, including external alterations and associated works.

Case Officer: Lana Meddings

Customer Details

Name: Mr Robert Taylor

Address: 237 Monks Road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This area is at saturation point with far too many multi-lets and HMO properties with a consequential problem with car parking, litter in the streets, fly tipping and loss of community identity. This proposal should as a minimum requirement provide off street parking for each apartment i.e. 10 parking spaces for 10 apartments. I note that the rear of the property is to be altered with extension and loading dock demolition which should afford some additional parking to that shown.

The previous occupiers of the property removed 'screening' fencing to the boundary fence adjoining 239 Monks Road. This also led to a loss of privacy to the rear of our property and should be reinstated. Access to the car park and rear of the property should be gated from Tempest Street to avoid nuisance trespass with some form of tenant only lock/key pad control Adequate and secure waste bin/recycling should be provided so as not to cause nuisance to neighbouring properties.

The possible retail units will cause problems with parking on Monks Road as there is a bus stop and no parking or waiting extending from Tempest Street to our front gate. This will result in vehicles stopping in front of our property with consequential noise and further problems for us in accessing the front of our property with our own deliveries etc. We cannot therefore support this aspect of the proposal.

Tel: 01522 525268



GORDON GILICK

3 Tempest Street
Lincoln
Lincs.
LN2 5NB

Mr K. Manning,
Directorate of Communities & Environment,
City Hall,
Beaumont Fee,
Lincoln
LN1 1DF

Your Ref: **2019/0044/FUL**

26th February 2019

Dear Sir,

Re: 241-247 Monks Road, Lincoln LN2 5JT

I write with reference to the application for Planning Permission to develop the above-named property into either 10 apartments, or several apartments plus 4 commercial businesses; ***and to ask the Council to refuse Permission for this development as it currently stands.***

But first of all I wish to point out that the Plans made available for public scrutiny were confusing and wholly inadequate, i.e. they labelled 7 flats on the 'Ground' rather than the FIRST Floor. Neither were there any internal measurements for each of the 10 apartments that would allow a judgement as to whether or not they were commensurate with acceptable standards of living.

My attempt to obtain clarification of these details from staff at City Hall met with no success: there were no other plans or details to inspect; and as there had been no site inspection, there was no further information available either.

However, the Plans that do exist have given me sufficient cause for concern on the following grounds: (A) Highway safety and congestion (B) Overcrowding

(A) Highway safety & congestion

Tempest Street / Monks Road and neighbouring streets.

The proposed development makes provision in its courtyard facing Tempest Street for just **seven** parked vehicles. This is a wholly unrealistic number for the tenancies of 10 apartments and 4 commercial businesses. The overspill will therefore be obliged to seek parking spaces elsewhere. There are, however, no car parks in the neighbourhood. Moreover Tempest Street is already overcrowded, with residents, visitors and tradespeople competing on a daily basis for scarce on-street parking along one side of the road, and frequently having to resort to parking half way across the pavement on the other side.

Therefore the already existing shortage of parking space in this area will become intolerable, and even dangerous, by the introduction of such a large number of additional residents and vehicles.

(continued.....)

(A) Highway safety & congestion (cont...)

During the morning and afternoon rush hours, both Monks Road and Tempest Street are extremely busy with two-way traffic. In the case of Tempest Street, however, its two-way traffic is further congested by being restricted to only one lane, due to its on-street parking. This already poses something of a daily hazard to all the adults and children crossing the top end of Tempest Street along Monks Road, going to and from Monks Abbey Primary School and the shops/post office nearby.

The proposed development, with its vehicular access on to Tempest Street, has minimal turning space within its courtyard. Therefore some of the cars may have to exit BACKWARDS on to Tempest Street, a highly dangerous manoeuvre, especially at peak times, which will most certainly exacerbate the current traffic congestion and hazard.

The Monks Abbey Recreation Ground runs alongside Tempest Street. It is a very popular play area, much used by children and adults throughout the year, especially after school, at weekends and during the holidays. To enter its Tempest Street gate, children who live in the street have to cross the road between parked cars, which is always highly risky for them.

The proposed development will increase the volume of two-way traffic in Tempest Street, and therefore increase the hazard to younger residents in particular.

B) Overcrowding

There is a need for rented accommodation in Lincoln, and property developers have not been slow in providing it. Some landlords, however, have sought to increase profits from their investment by minimizing each individual living space so as to maximize the number of tenants. Rented accommodation in Tempest Street and all the other nearby streets, including Monks Road, consists of a high proportion of multiple-occupancy tenancies for migratory workers, as well as some families and older people. Too many of these properties, including those surrounding the proposed development, demean the tenants' quality of life in cramped, overcrowded, unsanitary and uncared for accommodation, as even a cursory observation of over-filled bins and the squalor of uncollected rubbish in back yards and front gardens and on the pavements beyond, will confirm.

The proposed high-density development of 10 apartments and 4 commercial businesses, in the midst of this already sadly neglected area of the city, will undoubtedly depress it still further, to the absolute detriment of all who live hereabouts.

The proposed development is for multiple single-tenant occupancy on a significant scale. Indeed, it has much in common with a students' halls of residence, or even a bail hostel.

In short, its scale and nature is wholly inappropriate in this residential area.....and would certainly not be deemed acceptable in the wealthier areas of the city.

Had the developer proposed only 4 or 5 apartments within the entire property, each of generous and humane proportions, suitable perhaps for couples and young families, then I would have had no objections. As it is, the present proposal reeks of profiteering at the expense of decent, civilised living and social harmony.

Mrs Sally Brien 74 Winn Street Lincoln Lincolnshire LN2 5EX (Objects)

Comment submitted date: Mon 18 Feb 2019

Wrong place for further apartments parking is terrible around this area anyway and issues with drug users etc that are reported and not followed up

Mr Darren Brien 74 Winn Street Lincoln Lincolnshire LN2 5EX (Objects)

Comment submitted date: Mon 18 Feb 2019

Already a very over populated area this will only add to problems for the area specially with a school nearby

**Mrs Tracey Lucas 14 Tower Flats Lincoln Lincolnshire LN2 5QJ
(Objects)**

Comment submitted date: Mon 18 Feb 2019

I believe that there are already too many flats on Monks Road, the parking is extremely difficult at the moment anyway. This property should be used for its current purpose as a public house / community centre for all the surrounding houses. I know many people who wish the place to be re-instated as a club for the benefit of all the community, to provide events , a place to meet, drink and get together. It is a shame that this building being as old as it is, will be turned into properties who's tenant will have no knowledge of its history and what the building provided to the community over the last 100 years. Councillors should be proposing to keep this club open not change it!

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Application Number:	2019/0080/FUL
Site Address:	21-22 Bailgate, Lincoln, Lincolnshire
Target Date:	29th March 2019
Agent Name:	None
Applicant Name:	Mr Matt Gull
Proposal:	Change of use from financial and professional services (use class A2) to restaurant/cafe (use class A3) with ancillary takeaway (use class A5) with associated external alterations

Background - Site Location and Description

Application is for the change of use from financial and professional services (use class A2) to restaurant/cafe (use class A3) with ancillary takeaway (use class A5) and associated external alterations at 21-22 Bailgate. The premises is a two storey end terrace sited on the corner of Bailgate and Westgate formerly occupied by Lloyds TSB at ground level. The building is not listed but is located within the Cathedral and City Centre Conservation Area No 1.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 28th February 2019.

Policies Referred to

- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

To assess the proposal with regard to:

1. Accordance with National and Local Planning Policy
2. Impact on neighbouring uses
3. Impact on visual amenity and the character and appearance of the conservation area
4. Highway Safety

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
Environmental Health	Comments Received
Lincolnshire Police	Comments Received

Public Consultation Responses

Name	Address
Mr Roderick Moore	17 Dorrton Court Stonefield Avenue Lincoln LN2 1QL
Mr Anastasios Anastasiou	169 Burton Road Lincoln Lincolnshire
Ms Emma Melville	23 Turner Street Lincoln Lincolnshire LN1 3JL
Mrs Jane Hill	29 Outer Circle Drive Lincoln Lincolnshire LN2 4JF
Miss Kylie Hinch	8 Waddingworth Grove Lincoln Lincolnshire LN2 2BH
Mr Kypros Andreas	Union Road Lincoln LN1 3BU
Miss Hollie Tysoe	15 Arras Close Lincoln Lincolnshire LN1 3UE
Mr Mark Webster	66 Mons Road Lincoln Lincolnshire

	LN1 3UG
Mr Mike Cancedda	45 West Parade Lincoln Lincolnshire LN1 1PF
Michelle Vincent	55 Westgate Lincoln LN1 3BG
Mr Joe Vincent	3 Gayton Close Lincoln Lincolnshire LN2 2HF

Consideration

The application proposes the change of use from a Bank (Use Class A2) to a Restaurant (Use Class A3) at ground and first floor with ancillary takeaway (Use Class A5) on the ground floor. The application property is the former Lloyds TSB bank at 21-22 Bailgate, a two storey property which has been empty for some time.

Accordance with National and Local Planning Policy

The site is allocated within the Central Mixed Use Area as a Secondary Shopping Frontage within the Central Lincolnshire Local Plan (CLLP).

LP33 of the CLLP outlines the uses considered appropriate within the Central Mixed Use Area. Restaurant/Cafe Use Class A3 and Takeaway A5 uses are considered acceptable in principle within the area provided:-

- a. The development not detracting from the vitality and viability of the Primary Shopping Area as shown on the Policies Map;
- b. The development not resulting in the area in which it is located losing its mixed use character;
- c. Major developments including, or contributing to, a mixture of uses sufficient to add to the overall vitality of the area and to create a purpose and presence extending beyond normal shopping hours. Opportunities to include significant elements of housing should be taken wherever reasonable and possible;
- d. The development not harming the local environment or the amenities which occupiers of nearby properties may reasonably expect to enjoy, such as causing unacceptable levels of disturbance, noise, smell, fumes, dust, grit or other pollution, or reducing daylight, outlook
Or privacy to an unacceptable degree;
- e. The development not resulting in levels of traffic or on-street parking which would cause either road safety or amenity problems; and
- f. Dwelling houses or other homes not being lost to non-residential uses unless:

The level of amenity available in any particular instance is already so poor that continued residential use is not desirable and there is no realistic prospect of the problem(s) being remedied; or

The overall development will maintain or produce a net numerical gain in the number of dwellings on the site.

Within the Central Mixed Use Area:

- g. The Primary Shopping Area as shown on the Policies Map will remain the main focus of "comparison" shopping in Lincoln;
- h. Development will be supported for the following uses at ground floor level in the Primary Shopping Frontages and Secondary Shopping Frontages (both as identified on the policies map):
 - shops and food and drink outlets (A1, A3, A4 & A5);
 - financial and professional services (A2); and
 - other uses to which pedestrians may be expected to visit in the course of a shopping, leisure or tourist trip;

provided that;

- within the Primary Shopping Frontage a minimum of 80% of the frontage remains in use class A1; and
- uses other than those falling within Use Class A1 are not concentrated or located in ways that would undermine the vitality and viability of the shopping frontages or undermine wider pedestrian circulation between the Primary Shopping Area and the Uphill/ Bailgate and the St Marks/ Brayford Pool areas.

The site has a two storey property occupied by Curtis to the south at 20 Bailgate and to the north is the site of St Paul-in-the-Bail. To the rear of the site is St Paul's Lane, direct access to the rear of the property is available from this street. It is proposed that takeaway customers will take access from St Pauls Lane to the rear of the property.

A number of objections have been received to the application. The objections relate mainly to the ancillary takeaway element of the proposal and the subsequent issues arising from the end user of the premises such as parking problems and litter. The application does not identify an end user nor does legislation state that the operator of the premises is required to be identified on submission of the application.

Both A3 and A5 uses are identified as acceptable uses within the central mixed use area, therefore it is considered that the proposal would not be contrary to planning policy. The premises sits on the corner of Bailgate and Westgate, which has a mix of uses in the vicinity. Given the range of uses in the wider area officers are satisfied that the principle of the proposed use, as well as being supported in principle by Policy LP33, would be appropriate to the building and location. It is not considered that the use would detract from the vitality or viability of the primary shopping area or result in the area losing its mixed use character. The first floor of the premises has previously been used as a residential flat, however this has not been in use for some time due to security issues associated with the bank use. Officers are therefore satisfied that the use of the first floor in association with the restaurant would also be acceptable in principle and in accordance with CLLP Policy LP33.

Officers consider that the mix of use as a restaurant and takeaway would add to the offer of food premises within the Bailgate area. In the future if there are concerns regarding the operation of the ancillary nature of the takeaway the matter could be investigated by the

Planning Enforcement Team.

Impact on Neighbouring Uses

Policy LP26 'Design and Amenity' is permissive of alterations to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both construction and life of the development, the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

The proposed use is considered acceptable in a central mixed use area and would not give rise to an adverse impact on adjacent uses. Should further alterations to the building be required, such as the installation of an extraction system, this would be the subject of a separate application.

The City Council's Pollution Control Officer has also raised no objection in principle to any of the proposed uses. However, he has noted that the Use classes A3 and A5 are likely to require the installation of kitchen extract systems and these systems can cause significant disturbance when located close to other sensitive development due to both emissions of odour and noise. Therefore, it is recommended that a condition requires a scheme for extraction be submitted for approval prior to the installation of any such system on site. The collection of waste from commercial premises can also cause noise disturbance at nearby residential premises, particularly when undertaken during the noise sensitive hours. It is therefore recommended that waste collections are permitted between 7am and 7pm Monday to Saturday.

Officers would therefore conclude that subject to the proposed conditions being placed on an approval of planning permission the proposal would not cause harm to the local environment or the amenities which neighbouring occupiers may reasonably expect to enjoy, in accordance with Policies LP26 and LP33 of the Central Lincolnshire Local Plan.

Impact on Visual Amenity and the Character and Appearance of the Conservation Area

Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) requires development within, affecting the setting of, or affecting views into or out of, a Conservation Area to preserve (and enhance or reinforce it, as appropriate) features that contribute positively to the area's character, appearance and setting.

The application includes a number of minor external alterations which include the replacement of the outbuilding roof, a new window to the rear, removal of the redundant cash machines and replacement with new glazing and the general repair and renovation of the external of the building. All of the external alterations are considered by Officers to be acceptable and an improvement to the existing building. It is therefore considered that the conservation area would be enhanced and preserved and therefore the proposal complies with Central Lincolnshire Local Plan Policies LP25 and LP26 of the Central Lincolnshire Local Plan.

Highway Safety

There is no parking associated with the premises for customers although cars can park on Bailgate to the front of the premises. The site is in a highly accessible location, also benefitting from easy access to public transport and local car parks.

The Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. Therefore based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The change of use would be appropriate for the Central Mixed Use Area, would add to the mixture of uses in the vicinity and subject to conditions would not cause undue harm to neighbouring properties in accordance with Policies LP25, LP26 and LP33 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes

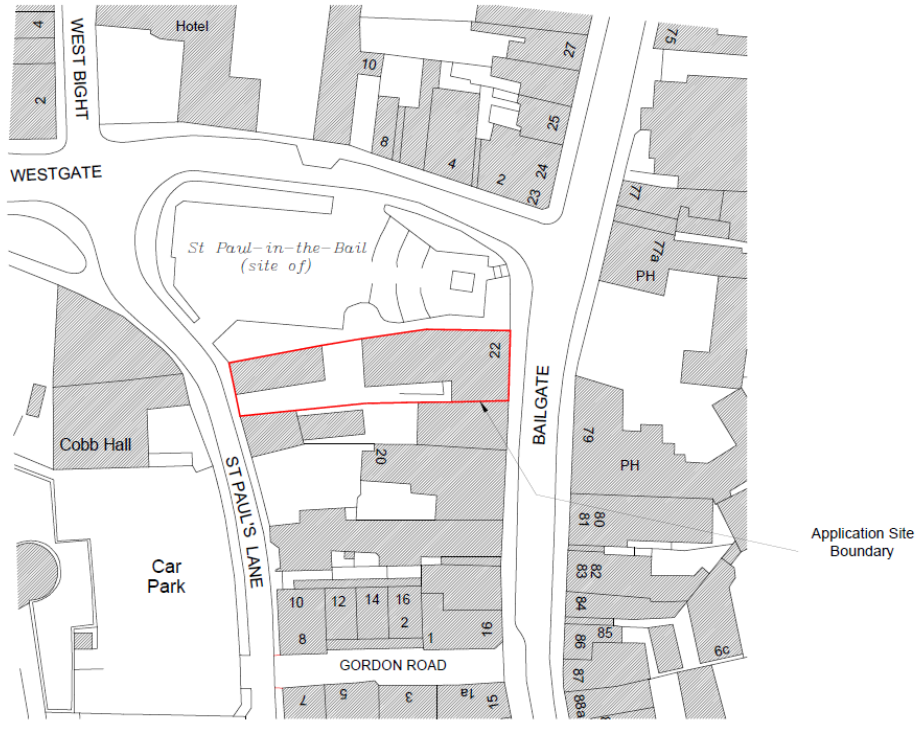
Recommendation

1. That the petition submitted be received.
2. That the application is granted conditionally.

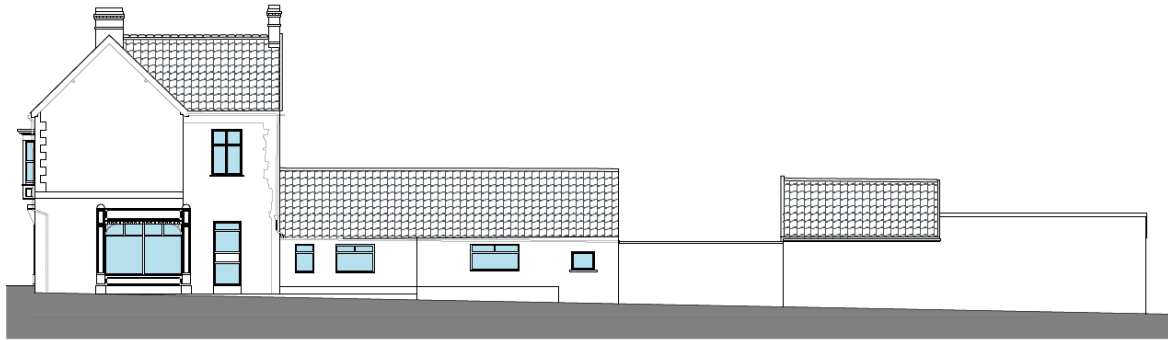
Proposed Conditions

- Time limit of the permission
- Development in accordance with the approved plans
- Fume Extraction
- Waste collections between 9am and 7pm Monday to Saturday

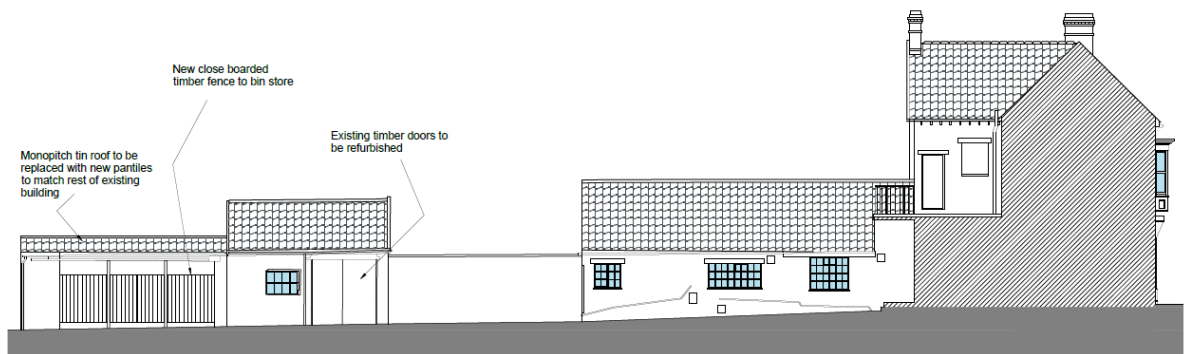
2019/0080/FUL – 21-22 Bailgate, Lincoln, LN1 3AN



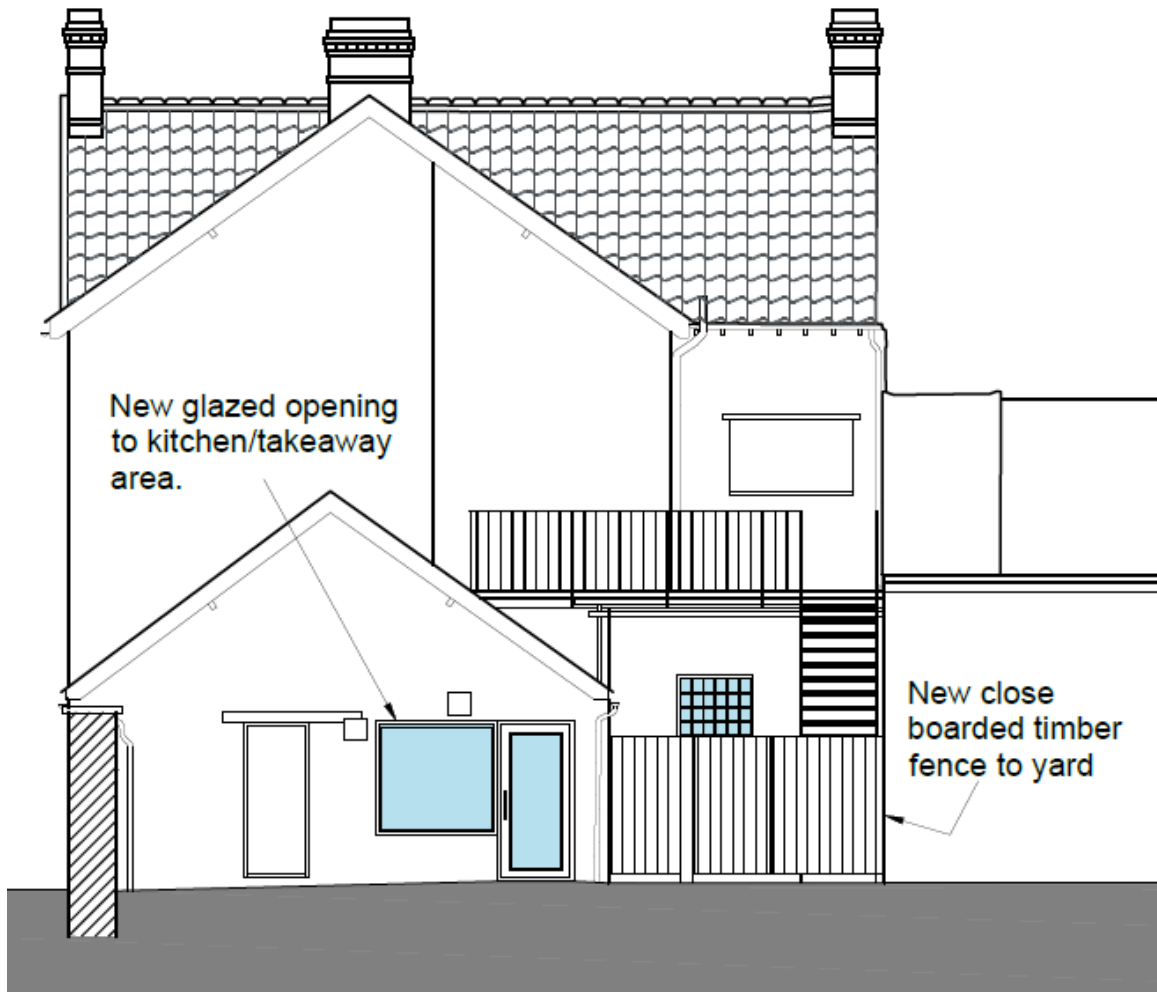
East Elevation



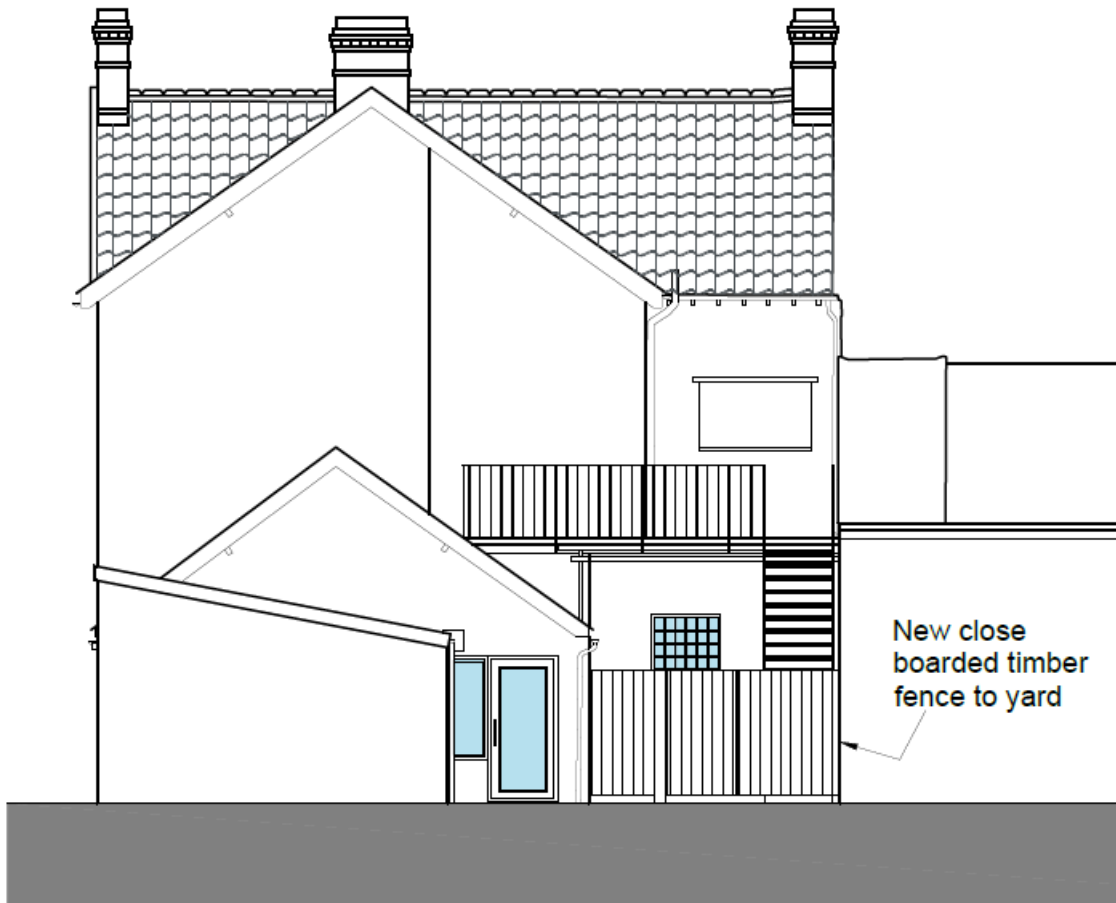
North Elevation



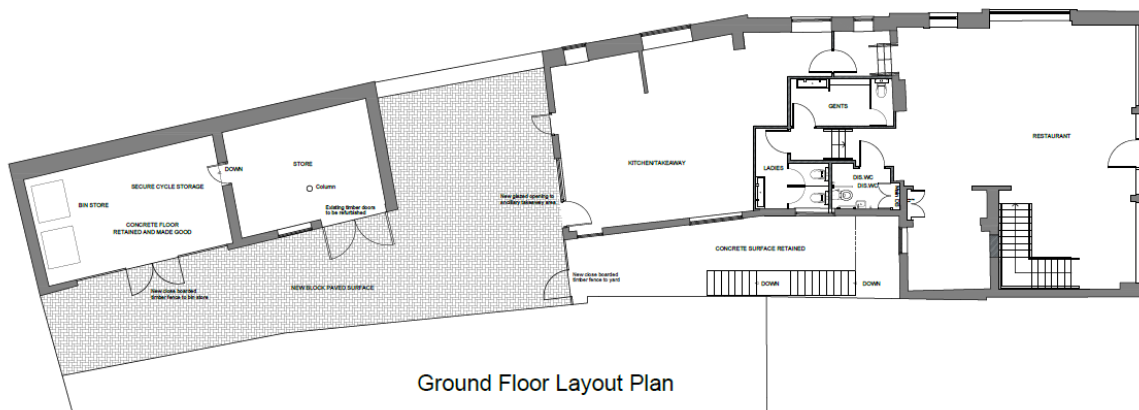
South Elevation



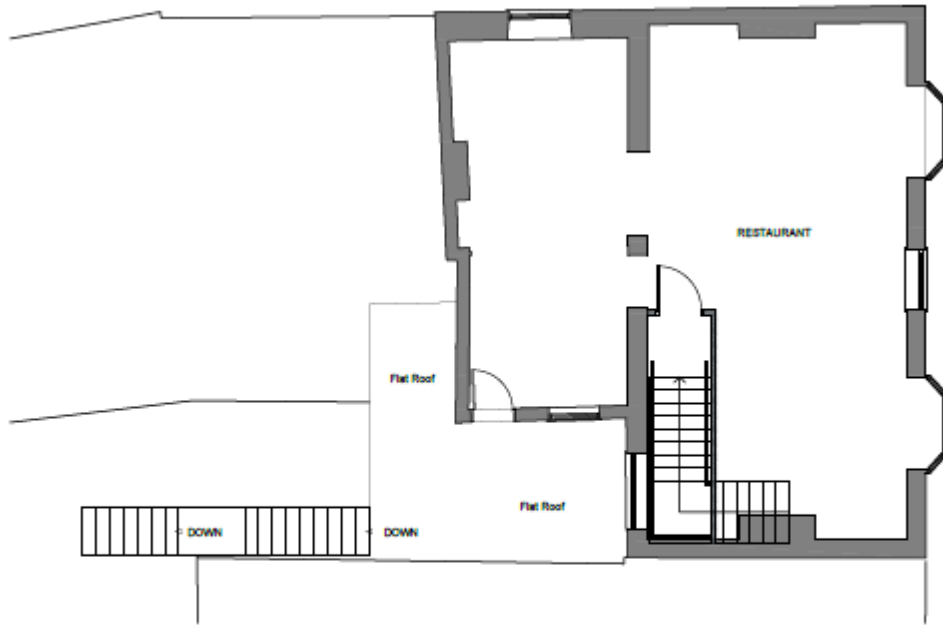
Sectional West Elevation



West Elevation



Ground Floor Layout Plan



First Floor Layout Plan

Photographs of site







Consultation Responses

Mr Roderick Moore

17 Dorrton Court, Stonefield Avenue, Lincoln, LN2 1QL

Although I do not object to the application for a Fish Restaurant, as there are many others in Bailgate. I do however object to the take away proposed for St Pauls Lane. It is very narrow and leads to a car park. We would also have Deliveroo personnel being used to make deliveries. There is a problem already with these in the Bailgate delivering from Thai 1. They have no regard for either other road users ie; Riding the wrong way down Bailgate against the flow of the traffic or on the footpath again expecting pedestrians to move out of their way. Also I am concerned about the litter problem that will without doubt arise, should the take away be allowed.

Mr Anastasios Anastasiou

169 Burton Road, Lincoln

Further to our meeting, I do not have concerns about a restaurant opening on the Bailgate as there are many restaurants there that enhance the area for locals and visitors alike, but I do have grave concerns it is a restaurant applying for an ancillary takeaway. As the planned development is for fish and chips, I feel the takeaway will not be ancillary, but the greater part of the business, therefore it stops being ancillary and becomes a fully fledged fish and chip takeaway.

The takeaway will be sited at the back of the property of 21-22 Bailgate (the old Lloyds bank) which backs on St Paul's Lane which is a narrow, one way cobbled street which already suffers with congestion and access issues. There is also the rapidly growing market of food deliveries from companies such as Deliveroo, Uber Eats and Just Eat etc. which account for a significant part of a takeaway's turnover but also bring logistical difficulties. Deliveries are made by cars, motorbikes and push bikes which will only add to congestion and access issues and added dangers to pedestrians.

The takeaway will only be meters from the Castle wall and adjacent to the site of St Paul in the bail that has huge archeological interest, a viewing platform for the well and seating for visitors. With an addition to the area of a takeaway I feel this site will lend itself to outdoor seating for the takeaway which will bring a litter issue for the whole area.

I am strongly opposed to this planning application, if granted it would result in an influx of various other takeaway cuisines into our beautiful, historic and much loved area, which is the jewel in Lincolnshire's crown.

Ms Emma Melville

23 Turner Street, Lincoln, LN1 3JL

I am objecting to this proposal on several grounds.

I feel a takeaway would be detrimental to this historic area, my concerns would be that this will open the floodgates to more takeaways such as McDonald's etc, and that it would spoil the feel of the castle/cathedral quarter.

It would also mean more traffic coming in to the area that is not fit for the traffic already using it. (Also a dead end)

The Bailgate area does not want to lose its uniqueness, this is what the local and tourists like about uphill.

Thank you for taking the time to read and hope you consider these issues when making your decision.

Mrs Jane Hill

29 Outer Circle Drive, Lincoln, LN2 4JF

I wish to strongly object to the proposed opening of a fish and chip restaurant and take away in Lincoln's historic bailgate. Tourists and visitors to this iconic area do not want to be greeted by people sat around eating chips and mushy peas and leaving litter everywhere. Also have you considered the effect on the local residents with the increase in traffic in an already congested area from customers and delivery drivers not to mention refuse collections on a daily basis. I hope you will consider my objections as I feel that if this application is granted other takeaways will follow and ruin our special famous area.

Miss Kylie Hinch

8 Waddingworth Grove, Lincoln, LN2 2BH

I object to this planning application because I believe that it will increase traffic congestions and litter around one of the most iconic areas of Lincoln.

I do believe that we have enough restaurant in the bail and we don't need anymore including a takeaway. I would hate to see the bail gate being spoiled with a further increase of restaurants and takeaways.

Mr Kypros Andreas

Union Road, Lincoln, LN1 3BU

Dear Gemma,

I have been told this is going to be a fish and chip shop by Elite fish and chips, why isn't this in the details. THIS IS A MAJOR DETAIL. Their other restaurant not only smells awful above the smell of mcdonalds, but their rubbish is everywhere.

Disgrace That you have not told everyone this important detail.

Miss Hollie Tysoe

15 Arras Close, Lincoln, LN1 3UE

I object too the planning of the takeaway being allowed due too the items listed below.

First one would be the rubbish around the bailgate area which will become higher than it already is, second there will be more traffic caused within the area. Thirdly takeaways shouldn't be allowed in the area as it will spoil the atomospher within the historic area itself.

Mr Mark Webster

66 Mons Road, Lincoln, LN1 3UG

I would like to Object to this planning application for a few reasons such as:

- Bailgate being an Historic part of Lincoln and would cause unnecessary influence for more restaurants/takeaways to be built when there is already a fair share still existing.
- Complications with local resident parking.
- The Bailgate image would be spoilt from unnecessary littering from the takeaway and will attract pests/rodents.
- The placement of a takeaway would not suit this historic part and will cause too much Noise pollution for surrounding residents and businesses that heavily contribute towards a nice and quiet atmosphere.

Mr Mike Cancedda

45 West Parade, Lincoln, LN1 1PF

I'm not really convinced that another takeaway would be good for the Bailgate. It's already bad enough with the overfilled bins on that stretch of road thanks to curtis and Greggs ,and that's without mentioning the ammont of times that you can see bits of food on the floor. I don't think we need to see even chips on the footpath now. Plus what kind of opening hours would it have a takeaway of that kind? Late night

opening with even more drunk people staggering about and being sick all over the place?!

What's going to be next up there?McDonald's? No thanks

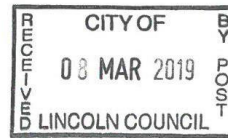
Mr Joe Vincent

3 Gayton Close, Lincoln, LN2 2HF

I object to this development due to the following reasons:

- I feel there is already enough restaurants in the area
- If this goes ahead it's only going to add to traffic congestion, more litter and only going to encourage more takeaways into this historic area

Keep this historic area free off takeaways!



Change of use from financial and professional services (use class A2) to restaurant/cafe (use class A3) with ancillary takeaway (use class A5) with associated external alterations

21-22 Bailgate Lincoln Lincolnshire LN1 3AN

Ref. No: 2019/0080/FUL | Received: Thu 31 Jan 2019 | Validated: Thu 31 Jan 2019 | Status: Pending Consideration

I object on the grounds of: This will mainly be a takeaway and not ancillary which will be situated at the rear of the site and the use of an adjoining historical site being used as an outdoor seating area for the takeaway. Littering in the area. Traffic congestion in an already congested area with a narrow cobbled, one way lane. Encouraging other takeaway cuisines to open in the area. Noise. Smell. Overall it will be detrimental to the historic quarter of the Castle and Cathedral area.

Lead petitioner	MICHELLE VINCENT
Signed	M.V. [Signature]
Address	55 WESTGATE, LINCOLN
Contact details	[Redacted]

Name (print)	Address (including postcode)	Signed
JACQUE OATES	16 WINDERNERE ROAD LINCOLN LN24UA	[Redacted]
Jim LAMMIN	16 WINDERMERE ROAD Lincoln LN24UA	[Redacted]
MRS PIGEON	WADDINAWORTH GROVE	[Redacted]
Megan Patterson	55 Westgate Lincoln.	[Redacted]
Theresa Bowler	66 Queen Mary Rd.	[Redacted]
F Bedford	53 WESTGATE	[Redacted]
John Davis	THE STRUGGLERS	[Redacted]
J Jessop	The Struggles	[Redacted]
B Linworth	Bellwood Grange	[Redacted]
J haws	Stables / Raisen Lane	[Redacted]
L. STEELS	39 CHAPEL LANE	[Redacted]
D. STEELS	" " "	[Redacted]
A Brown	52 Westgate	[Redacted]
L. Spencer	Cobb Hall	[Redacted]

Change of use from financial and professional services (use class A2) to restaurant/cafe (use class A3) with ancillary takeaway (use class A5) with associated external alterations

21-22 Bailgate Lincoln Lincolnshire LN1 3AN

Ref. No: 2019/0080/FUL | Received: Thu 31 Jan 2019 | Validated: Thu 31 Jan 2019 | Status: Pending Consideration

I object on the grounds of: This will mainly be a takeaway and not ancillary which will be situated at the rear of the site and the use of an adjoining historical site being used as an outdoor seating area for the takeaway. Littering in the area. Traffic congestion in an already congested area with a narrow cobbled, one way lane. Encouraging other takeaway cuisines to open in the area. Noise. Smell. Overall it will be detrimental to the historic quarter of the Castle and Cathedral area.

Lead petitioner	MICHELLE VINCENT
Signed	M Vincent
Address	55 WESTGATE . LINCOLN
Contact details	[REDACTED]

Name (print)	Address (including postcode)	Signed
P. J. VINCENT	Good Lane -	[REDACTED]
J. Clouston	St. Nicholas St.	[REDACTED]
M. Osborne (Mr)	West Gate	[REDACTED]
C. Gibbs	cb castle Hill club	[REDACTED]
M. Younger	Bailgate	[REDACTED]
O'HARRISON	NEWPORT	[REDACTED]
E. Stanton	Collingham (visitor)	[REDACTED]
J. Smyth	THE Venue - B.G.U.	[REDACTED]
MRS. Gullimore	59 WESTGATE LINCOLN	[REDACTED]
MR. K. TAYLOR	BURTON RD. LINCOLN	[REDACTED]
MRS. P. TAYLOR	" " "	[REDACTED]
A. Clayton	BRAINT ROAD.	[REDACTED]
L. Pierce	Edendale drive	[REDACTED]
		[REDACTED]

Application Number:	2019/0084/FUL
Site Address:	26-28 Newport, Lincoln, Lincolnshire
Target Date:	30th March 2019
Agent Name:	Globe Consultants Ltd
Applicant Name:	Mr Mike Clark
Proposal:	Change of use from Guest House (C1) to Student Accommodation (Sui Generis).

Background - Site Location and Description

The application proposes the change of use of the property from Guest House (Use Class C1) to Student Accommodation (15 beds) (Use Class Sui Generis). The application property is Newport Guest House, 26-28 Newport, formerly two three storey mid terrace dwellings, converted to one property for use as a guest house. A three storey extension to the rear of the property was approved in December 2013 and has been implemented on site.

The property is adjoined by two other properties 24 Newport which is currently used as an Orthodontic Practice and 30 Newport which is in residential use.

The site is located within the Newport and Nettleham Road Conservation Area No. 9.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 15th March 2019.

Policies Referred to

- Policy LP26 Design and Amenity
- Policy LP37 Sub-division and multi-occupation of dwellings within Lincoln 86
- National Planning Policy Framework

Issues

To assess the proposal with regard to:

- Policy Context
- Lack of Demand and Over Concentration
- Effect upon the Amenities of the Wider Area
- Traffic and Parking

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
Environmental Health	Comments Received

Public Consultation Responses

Name	Address
Mr Dan Beal	4 Ernest Terrace Lincoln LN1 3DJ
Naomi Maguire	7 Lillys Road Lincoln Lincolnshire LN1 3DH
C D Wilson	18 Newport Lincoln LN1 3DF
P Becton	18 Newport Lincoln LN1 3DF
K Bergens	24 Newport Lincoln Lincolnshire LN1 3DF

Consideration

Policy Context

Paragraph 61 of the National Planning Policy Framework (NPPF) refers to policy text relevant to the need for differing types of housing:

"Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)."

The issues raised by the application are those contained within Policy LP37 of the adopted local plan (the Central Lincolnshire Local Plan) and particularly those within the Supplementary Planning Document. The Local Plan and Supplementary Planning Document have been developed from a strong and robust evidence base and gives a clear direction for the consideration of applications that are submitted as a consequence of the

Article 4 Direction.

Policy LP37: Sub-division and multi-occupation of dwellings within Lincoln

The conversion or change of use of existing dwellings and buildings in other uses to self-contained flats or shared accommodation including houses in multiple occupation will be supported where:

- a. the existing dwelling or building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area;
- b. in the case of an existing dwelling, it can be demonstrated there is an established lack of demand for the single family use of the property concerned;
- c. the development will not lead to or increase an existing over-concentration of such uses in the area;
- d. adequate provision is made for external communal areas, bin storage and collection, and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre; and
- e. for student accommodation, university/college facilities are accessible by walking, cycling and public transport.

Purpose built shared accommodation will be granted within appropriate locations where the criteria set out in c to e above are satisfied.

The proposed application is slightly different to those HMO's requiring consent as a result of the implemented Article 4 Direction because Sui Generis (more than 6 bedrooms) HMO's have always required consent. However the same issues are pertinent to larger HMOs.

Lack of Demand and Over Concentration

The aim of this part of the Policy is to ensure that, particularly in areas where there is an existing concentration of HMOs, that those who wish to buy or rent a property as a C3 dwelling are able to do so, as, the Council is aware that often such properties are bought by landlords without formally reaching the market.

The applicant has submitted a letter from an Estate Agent which states that 'there is considered to be a surplus of small Hotels'/Guesthouses currently being offered for sale and demand for such premises is limited due to the availability of low-cost budget hotel rooms within the Lincoln area, which is having a detrimental impact on turnover and profitability of small Hotels and Guesthouses.'

Accordingly the policy tests that would usually be applied in the consideration of a HMO are not strictly relevant in this case. Firstly, it would be unreasonable to require evidence of marketing to demonstrate that there is an established lack of demand for the property as a family home due to the fact that the property has a historic use as a Guest House. The overall size of the property does not lend itself to use as a single family dwelling therefore other uses should be considered in light of the lack of demand for the current use.

The SPD also requires that the concentration of HMOs should not be over a 10% maximum concentration within a defined 100 metre radius. In this instance this threshold has been exceeded. Whilst exceeding this threshold is generally considered a good

indicator of an over development, and therefore inappropriate, there are times when exceptional circumstances may apply. It is considered that the issues relating to the lack of demand for the property for use as a guest house, the physical size of the property which does not lend itself to a single family dwelling and that the property would be managed student accommodation which can provide the opportunity for greater input into its operation, mitigating circumstances apply.

There is also a requirement to ensure that proposals do not result in three adjacent HMO's which would result in clusters of HMO's. Based on the information currently held by the planning authority this situation would not occur in this instance.

Effect upon the Amenities of the Wider Area

The City Council's Pollution Control (PC) Officer has confirmed that he has no observations to make regarding noise or other environmental impact over and above those contained in the Council's Article 4 Direction for HMOs and associated Supplementary Planning Document.

In terms of noise and disturbance, officers are mindful that the occupants of the rooms could result in independent adults living together with comings and goings, including at unsocial hours, by these occupants, their friends and other visitors. The proposed use by 15 people would be less intense than the current guest house use which has a maximum capacity of 32 residents. Each tenant would have a tenancy agreement reducing the turnover of resident. It could also be argued that it would be difficult to discriminate against future occupants of this property on these grounds when it is equally plausible that noise could be associated with other residents, particularly in light of the dense configuration and connected street pattern in the wider locality. Consequently, an element of general background noise would not be unexpected in this location.

Therefore, given the established use of the property and the opinion of the Pollution Control Officer, officers are satisfied that it would not be reasonable to resist the application upon the basis of the impact upon wider amenity.

The property itself has 15 large bedrooms 13 having an en-suite. There is a shared laundry, kitchen and lounge on the ground floor which would be available for all occupiers to use. The applicant has indicated an area for cycle storage. Due to the current use of the property facilities are already in place for services such as bin storage. The amenities for future occupants of the property is therefore considered acceptable.

Traffic and Parking

With multiple occupancy of the premises, there is potential for traffic generation and parking to also be intensified. No on-site parking is available for residents however the property has 4 parking spaces which would be use for maintenance vehicles visiting the premises. Ernest Terrace and Lilys Road are subject to residents parking which occupants would not be entitled to a parking permit therefore approval would not add to the on street parking numbers in this area. The site has good access to services, facilities and public transport. It is also within walking distance of Bishop Grosseteste University. As such, officers consider that it would be difficult to object to the application upon these grounds, especially in the context of there not being any concerns raised by the County Council, as Highway Authority.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposal as there would be no conflict with Local Plan Policies in respect of the principle of the development or in respect of any other implications associated with the nature of the use proposed. Moreover, the use would be similar in nature to the previous in terms of its potential impacts so it would not be harmful in respect of the matters of amenity and access. Similarly, there would not be harm to the immediate character of the area.

Application Determined within Target Date

Yes.

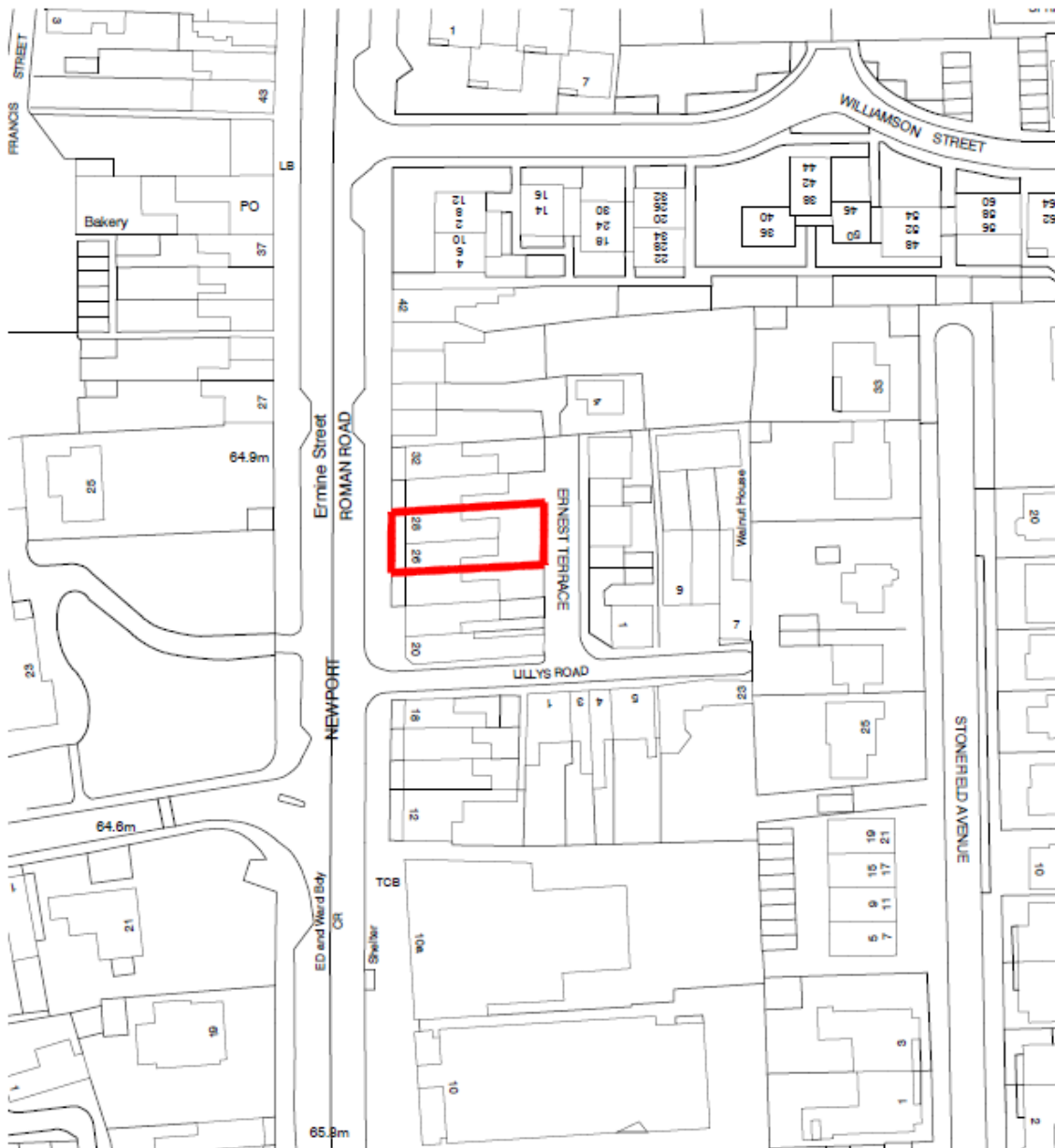
Recommendation

That the application is granted conditionally.

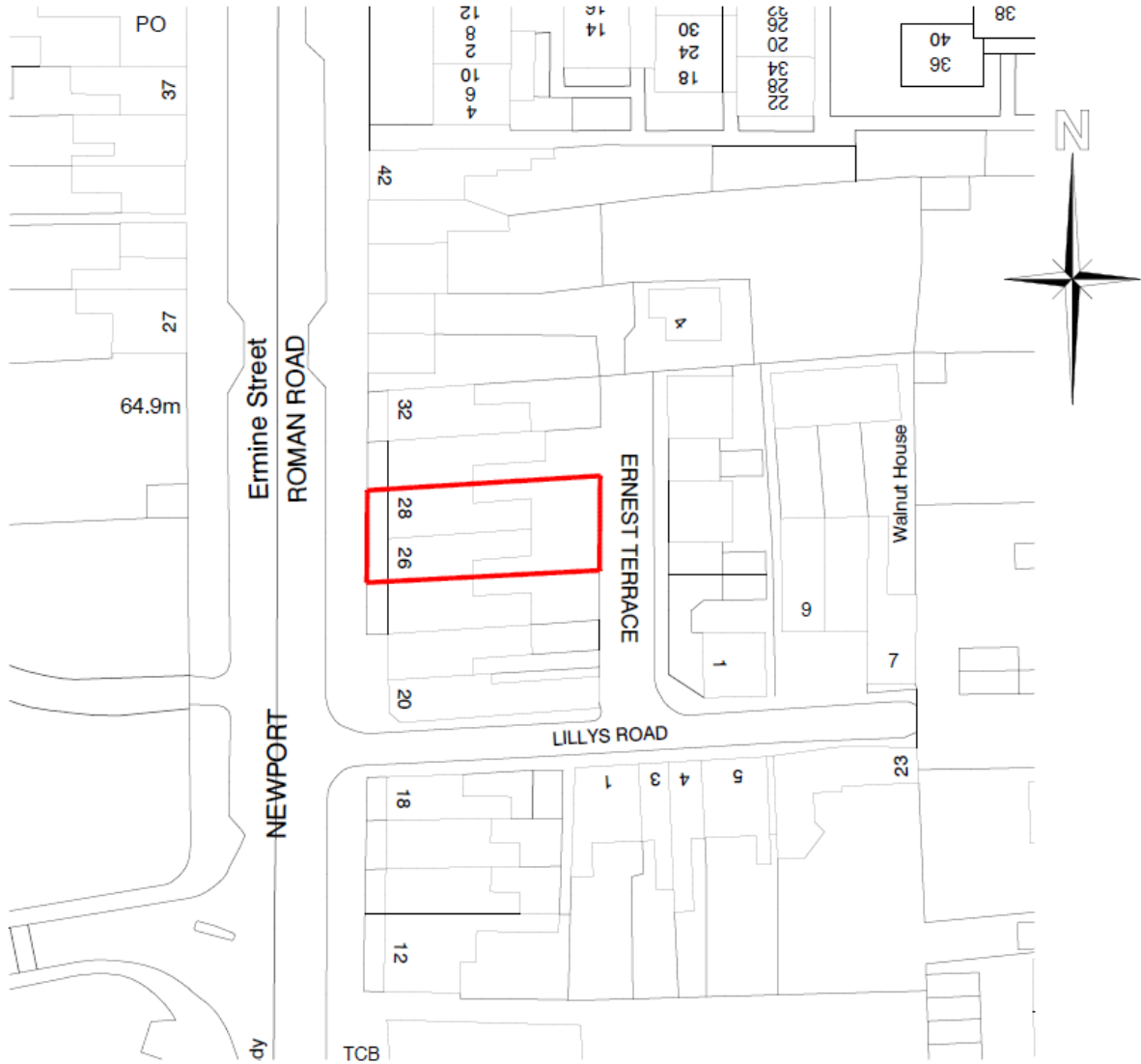
Proposed Conditions

- Development to commence within 3 years
- Development to be carried out in accordance with the plans

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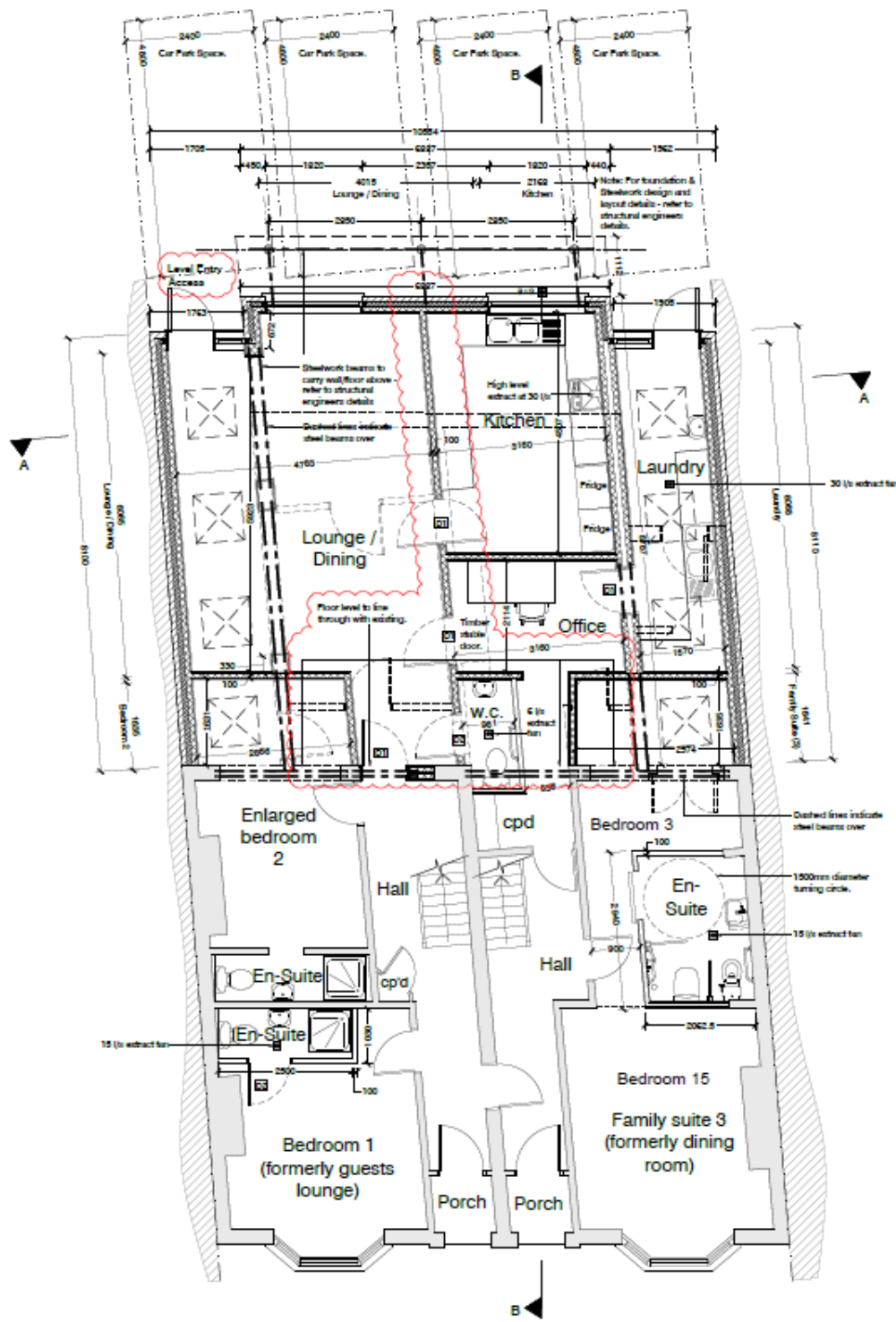


OS Plan (1:1250)



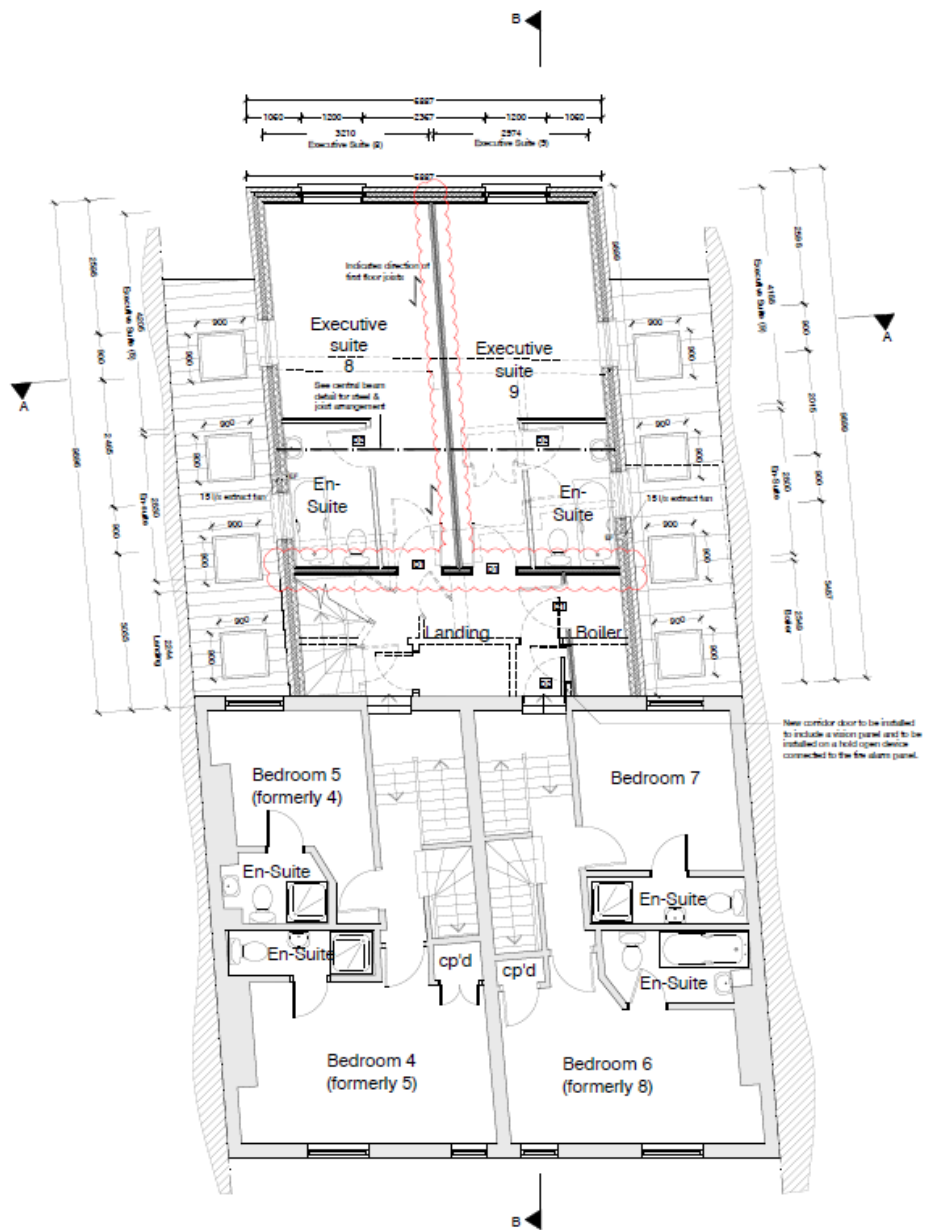
Block Plan Layout (1:500)

Scale Bar 1:50

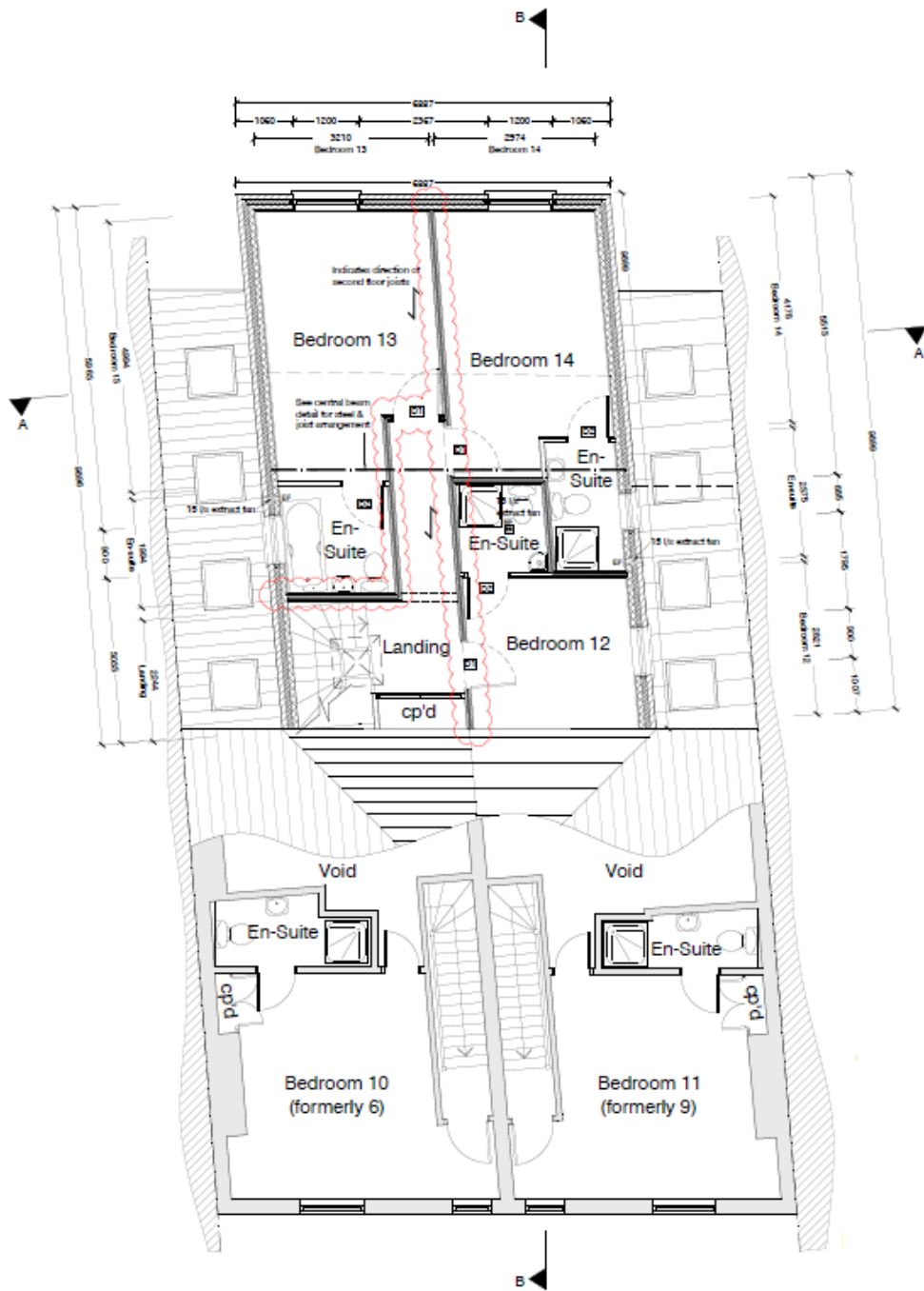


Ground Floor Plan Layout

Note:
All to accord with the Building Regulations requirements set out in table 0.1b of Part E.



First Floor Plan Layout



Second Floor Plan Layout

Photographs of site







Consultation Responses

18 Newport
Lincoln
LN1 3DF

28 February 2019

Development Team
Lincoln City Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Dear Sirs

Ref: 2019/0084/FUL
PROPOSED DEVELOPMENT
26/28 NEWPORT, LINCOLN. LN1 3DF

With reference to the above application submitted for the change of use from Guest House to Student Accommodation (Sui Generis) and having read through and given consideration to the supporting documentation, object on the following grounds:

The Application

The property currently Nos 26/28 Newport has been used as a Guest House for many years and within the Applicant's ownership since 1995. In 2013 was substantially altered with the building of a 3 storey extension to increase the number of rooms offered and become more commercially competitive. However Lincoln has seen major expansion within its leisure market and the building of chain hotels providing accommodation offering ensuite accommodation and parking at market value prices and being situated closer to the town centre and main attractions for family's to enjoy. Although being located in the Uphill area with historic moments including Castle, Cathedral, Bishops Palace family's have more choice of entertainment within the city centre, couple this with the lack of parking, smaller guest houses have suffered as has Newport Guest House. It would be easy to choose the next easy option with the City now benefitting from 2 Universities and Lincoln College all attracting large numbers of homegrown and foreign students for various academic years instead of trying to preserve the originality of a traditional bed and breakfast.

In the SPS the applicant states that the current situation has become financially untenable with the new competition to the market, when he extended the property at considerable expense did he not consider the implications on market trends. He has also stated that he has considered the option of selling the property, for any commercial property the "narrow" commercial need market will always affect the length of any prospective sale. It needs to be acknowledged by the applicant that it would be easier to sell as a going concern and with this in mind a more serious marketing campaign should be instigated with the aim of achieving a good return on his investment.

In the SPS the Applicant states that the tenants will be controlled by tenancies and will be managed by a suitable qualified agency who originally approached him. The Uphill area of Lincoln has always been a popular area to live with house prices reflecting this, however since the conversion to a University of Bishop Grosseteste College the area has become more popular for students making it more important for the Council to stand by the original concept of Article 4 and accept the needs of the City and protecting the City's residents and amenities.

Sustainability and the environment

In the SPS the applicant states that "it is more desirable to have 15 residents as opposed to 45 possible occupants", therein is the difference. The current proposal is for students to reside in the property for 10 months of any year, however as it has been stated the applicant has seen a sharp decline in the need for bed and breakfast. Therefore it can be assumed that any guests may stay for perhaps a couple of nights at the most and in view of his comments it seems unlikely that the property has hosted as many as a full house? With this in mind sustainability should be considered with the permanent residents in the property with more heating, electric and water being used – especially as the plans provide the majority of the rooms with their own showers, coupled with students preparing their perhaps 3 meals daily and studying in their own rooms, the property has changed from a bed and breakfast to a home for 15 residents with an average of 3 meals a day!

When the properties of Nos 26/28 Newport were originally built the Victorians used solid brick type of construction, and it is acknowledged in the applicant's SPS that every care has been taken in designing the accommodation not to interfere with the adjoining neighbours with noise, it is pointed out that one neighbour is currently being used as offices during the hours of 9 and 5, however this cannot be guaranteed for any future use so it should be given the same consideration as the residential property. The rooms have not been designed to buffer noise from residential students, who in some instances are away from home for the first time and have little or no empathy for neighbours and it may be that they have never experienced neighbours in such close proximity.

As there are parking spaces to the rear of the property and are to be ear marked as drop-off areas, it is likely that the students would use the area to congregate outside with associated noise and nuisance to neighbours.

Whilst the students who study at Bishop Grosseteste may indeed walk to class, it would be difficult to make the property exclusive to those students with exceptions to students of Lincoln University and Lincoln College especially when there are financial considerations to fill all rooms. Even with a bus stop outside the door and a regular bus service it is more than likely that they would have their own transport, and it is unlikely that it would be a pedal cycle or motor bike. The applicant states that the 4 parking spaces to the rear of the property will be designed as "drop off" spaces only and will this be policed by his managing agent? Since the inclusion of Lilly's Road/Ernest Terrace in the Council's residents parking scheme, parking has become more of a premium to local residents with households sometimes having 2 cars and whilst the Council can generate extra revenue from the sale of permits it will make for more parking congestion.

The current provision of refuse collection is not being reflected for the extra increase from permanent residents in the property.

In conclusion, whilst acknowledging the applicant's current financial situation, changing the use of the Guest House to student accommodation is unacceptable. The Council's policy states that it has the obligation to provide accommodation to various sizes, type and tenure of housing need for different types of the wider community, therefore consideration should be given to and including families with children and service families. The properties were originally built as family houses. Article 4 protects residential areas from the over subscription of student and HMO accommodation with Crosstrend House being only metres away with in excess of 77 rooms and the impending appeal on the overdevelopment of 34-36 Newport the Council has an obligation to protect current residents.

Yours faithfully

Signe [REDACTED]

Name [REDACTED] Address

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29, NEWPORT LINCOLN LN130F
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SPS: refers to the document submitted in support of the application by the Applicant's Architect

Mr Dan Beal

4 Ernest Terrace, Lincoln, LN1 3DJ

In brief, I object to the proposed change of use due to potential issues which may arise from the lack of parking at the property. I also have concerns around the amount of refuse which would be created by 15 permanent residents and would be stored at the rear of the property on Ernest Terrace.

Naomi Maguire
7 Lillys Road, Lincoln

Dear Sir/Madam,

Please could you consider my objection to the above planning proposal on the following grounds:

1. Noise/ antisocial behaviour - This proposal suggests in support of the case that there will be no noise disturbance to neighbours that the housing to the side of the proposed student accommodation will not be affected by noise as all the communal areas will be at the back. What it neglects to mention is that area directly behind the property is a small quiet residential area - Ernest Terrace/Lillys Road. The change of use will bring concentrated noise to that side of the building and, particularly on a warm day when windows are open, it will be anything but quiet.

Additionally, as this will be the only outside space for the property and the plans for this outside space are not well developed in the proposal, this could become an informal garden/bbq/party space for 15 students and their friends only a few metres away from the bungalows opposite.

There are already disturbance from the students already on Newport.

The landlord has tried to reassure local residents by saying that the rooms would only be rented to mature students guaranteeing best behaviour. I can't see at all that there would be any way that this 'assurance' could be enforced either now or in the future.

2. Parking - Accommodation in a residential area will attract students with cars, especially if they are mature students, despite what the proposal asserts. If parking spaces aren't allocated (I agree that 4 spaces for 15 adult occupants is not sufficient), they will either use the 'drop off area' anyway or will park on Lillys Road/Ernest Terrace. There are already several vehicles on Newport that use Ernest Terrace/Lillys Road for parking without any regard for the resident parking restrictions (even when they get tickets they continue) so there will be a real issue for residents with potentially 15 more cars wishing to park in a very limited area.

3. Loss of local character - the property is in a conservation area and permission to grant this change of use will irreversibly change the dynamics of the area. The application references the change of Radio Lincolnshire into student accommodation previously as a precedent but this is not a house of multiple occupation, it is a halls of residence owned by an educational establishment and not directly attached to residential accommodation. In the area there has already been last year an application to extend 34-36 Newport a few doors down (currently on appeal). Any decision should consider the impact of granting permission to either application, as approval of both would significantly increase the % of hmo housing against conservation area guidelines.

4. Lack of a valid reason - Aside from the impact detailed above, I question the rationale behind the proposal. The guest house was originally only 6 bedrooms and if it had stayed so, there would have been no issue with turning it back into residential use. The fact that the owner managed to secure permission for a massive extension a few years ago (absolutely no idea how in a conservation area) isn't a reason to say the property is too big to be a house now. It's hardly the fault of the local residents that the building is 'too big' or the guest house isn't as profitable as the owner would like. I don't think the evidence shows that there has been a thorough exploration of options (the reference to not being able to sell is vague and provides no substantial evidence) and I don't think the application provides a convincing enough argument that the change is at all necessary. Just because student housing is profitable doesn't mean it should be the default option. There doesn't seem any benefit to this application which would outweigh the issues raised above. It does not enhance the area, it does not provide a solution to a local housing need that isn't already being provided and it does not reflect the quiet residential area where the property sits.

Mrs Wendy Corbett

42 Newport Lincoln

As this is a residential/ conservation area leading onto Bailgate. Also since Bishop Grossteste became a university, I have noted a steady increase in student accommodation in this area. I just hope we will not end up like the West End of the city where in some streets the residents are a minority and complaints regarding noise/ behaviour is a regular occurrence
To lose a hotel to student accommodation in this area I feel is wrong