

## PLANNING COMMITTEE

**Wednesday, 24 April 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, Louise Simpson and Paul Thompson

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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.

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## A G E N D A

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<b>SECTION A</b>	<b>Page(s)</b>
1. Confirmation of Minutes - 27 March 2019	<b>5 - 20</b>
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	<b>21 - 26</b>
4. Applications for Development	

(a)	431 - 434 High Street, Lincoln	<b>27 - 82</b>
(b)	Lord Tennyson House, 72 Rasen Lane, Lincoln	<b>83 - 102</b>
(c)	Tennis Courts, Boutham Park, Boutham Park Road, Lincoln	<b>103 - 116</b>
5.	Exclusion of Press and Public	<b>117 - 118</b>
	<p>RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972</p>	
6.	Part B Report: Exempt Information	<b>119 - 122</b>
	<b>[Exempt Para(s) 3]</b>	

## **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 Bill Bilton, Councillor Alan Briggs, Councillor  
Kathleen Brothwell, Councillor Chris Burke, Councillor  
Bob Bushell, Councillor Gary Hewson, Councillor  
Ronald Hills, Councillor Edmund Strengiel and Councillor  
Jackie Kirk

**Apologies for Absence:** Councillor Naomi Tweddle and Councillor Biff Bean

**76. Confirmation of Minutes - 27 February 2019**

RESOLVED that the minutes of the meeting held on 27 February 2019 be confirmed.

**77. Declarations of Interest**

No declarations of interest were received.

**78. 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 of his report
- b. explained that Ward Councillors had been notified of the proposed works
- c. stated that in some cases it was not possible to plant a tree in the exact location and in these cases a replacement would be replanted in the vicinity.

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

**79. Change to Order of Business**

RESOLVED that the order of business be amended to allow the following reports to be considered before the remaining agenda items:

- Application for Development: Lincoln University, Campus Way, Lincoln
- Application for Development: 21-22 Bailgate, Lincoln
- Application for Development: 26-28 Newport, Lincoln

**80. Application for Development: Lincoln University, Campus Way, Lincoln**

The Planning Manager:

- a. advised that planning permission was sought for the 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

- b. reported on the location of the proposed development to the South East corner of the Brayford Campus adjacent to the Ropewalk, with the Art, Architecture and Design buildings and the Delph Pond to the West
- c. highlighted that for some time, it had 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
- d. advised that permission was therefore sought to erect a five storey, zero carbon building to accommodate The Lincoln Medical School; the unique internal use of the building had dictated some of its external appearance as had the University's desire for a highly sustainable building
- e. reported on the relevant site history to the proposed development, as detailed within the officer's report
- f. provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Central Lincolnshire Local Plan
    - Policy LP26: Design and Amenity Standards
    - Policy LP32: Lincolns Universities and Colleges
- g. outlined the responses made to the consultation exercise
- h. referred to the update sheet which contained a further response received from Lincolnshire County Council Transport Planning in respect of the proposed development
- i. presented a video fly-through of the proposed finished scheme to give members an insight to the feel of the external/internal layout of the building
- j. advised members of the main issues to be considered as part of the application as follows:
  - National and Local Planning Policy
  - Design and Appearance
  - Environmental Credentials
  - Landscaping
  - Archaeology
  - Drainage
- k. concluded that:
  - Ongoing development of Universities within the City was supported by Policy LP32 of the Central Lincolnshire Local Plan.
  - Lincoln University had 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 was 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 an environmentally friendly 'Zero Carbon' building.
- The design integrated a number of environmental principles whilst achieving a high quality, unique design which would further enhance the University campus.

Professor Andrew Hunter, Deputy Vice Chancellor, University of Lincoln, addressed Planning Committee in support of the proposed development, covering the following main points:

- His position included responsibility for the medical school proposals.
- There was a pressing need for the medical school; the first 95 students would register from September 2019.
- By 2021 there would be a total of 250 students and staff.
- The proposed development would be a zero carbon scheme.
- The exact relationship/proportion of windows to light would be used to provide natural day light and natural ventilation to the building.
- Planting would be applied to the upper edges of the external building to soften the skyline.
- Use of materials had been revisited to provide detail and interest.
- An enclosure round the exhaust chimney would be illuminated at night.
- There would be ample public footpaths/cycle ways.
- Staffing numbers would start at 30 rising to 60 in the year of operation.
- Existing car parks already had capacity for staff car parking.
- Staff would be encouraged to walk/cycle; a fleet of E bikes would be provided for staff use.
- The University would continue to work with the Council to minimise any impact on the transport system.
- The proposed development focussed on sustainability as a key design driver.

Members discussed the content of the report in further detail.

Members commented/raised questions in relation to the proposed development as follows:

- The Mayor of London had promoted the banning of wood burners for environmental reasons. What impact would a biomass boiler powered by locally sourced wood have on pollution?
- The presentational video of the development looked very impressive.
- It would be good to see a Medical School in the city.
- The school would act as a catalyst to improve healthcare in Lincolnshire.
- Congratulations were offered to everyone involved in the project which offered a highly sustainable building with environmental benefits.

The Planning Manager offered the following points of clarification:

- Officers' understanding in terms of a biomass boiler was that it operated differently from domestic log burning stoves. The building as a whole focussed on carbon neutrality, and although it was not a requirement of the planning authority for it to be zero carbon, it was indeed a positive move for the city.

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

- Carried out within 3 years
- Carried out in accordance with the plans
- Foul water drainage works
- Archaeology
- Finished floor levels
- Contaminated land

**81. Application for Development: 21-22 Bailgate, Lincoln**

The Planning Manager:

- a. advised that planning permission was sought 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, Lincoln
- b. described the premises as a two storey end terrace building sited on the corner of Bailgate and Westgate formerly occupied by Lloyds TSB at ground level
- c. highlighted that the building was not listed but located within the Cathedral and City Centre Conservation Area
- d. provided details of the policies pertaining to the application, as follows:
  - 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
- e. outlined the responses made to the consultation exercise, which included a signed petition received against the proposed scheme
- f. referred to the update sheet which contained a further response received from Bailgate Guild requesting that the planning application be deferred, although officers were satisfied that all relevant information was before Planning Committee this evening, together with an additional proposed condition in relation to the planning application
- g. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
  - Accordance with National and Local Planning Policy
  - Impact on Neighbouring Uses
  - Impact on Visual Amenity and the Character and Appearance of the Conservation Area
  - Highway Safety
- h. concluded that 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.

The Chair requested clarification from officers that the correct consultation process had been carried out in light of concerns received within the consultee responses from local businesses.

The Planning Manager confirmed that the normal consultation process had been followed which included a notice displayed on site giving 21 days' notice according to the formal consultation process.

Mr Ben Barber, addressed Planning Committee in opposition to the proposed development, representing consultee responders', covering the following main points:

- He wanted to offer his considerations as to why the planning proposals should not go ahead.
- The takeaway was claimed to be secondary to the main business. However, it would become the main business being a fish and chip shop.
- The size of the building was not conducive to a takeaway being at the back of the property on a narrow, cobbled street.
- This planning application would set a precedent being the first takeaway in the area.
- Other planning applications not suitable for the area may occur.
- Issues of access/egress with very limited parking in the area.
- The proposed opening times until midnight were excessive. Most of the local area shut down at 11.00pm.
- Issues of littering.
- Noise issues from extraction fans.
- Issues of smell extracted metres from the Castle wall, adjacent to the site of St Paul in the Bail with viewing platform/seating for visitors overlooking the historic well.

Members accepted the petition received from local residents.

Members discussed the content of the report in further detail.

Individual members made comments in support of the proposed development as follows:

- The objections seemed to be against the premises being a fish and chip shop.
- A seafood/fish restaurant would have been viewed differently.
- The building could accommodate the proposed use.
- The fact that the business may have a financial effect on others in the area was not a valid reason for it to be refused planning permission.
- Any precedent would not be set as each planning application was judged on its individual merits.
- The ancillary takeaway was adjacent to ample public car parking facilities.
- To have more available eating choice in the area was a positive move.
- The building would not remain empty and would be improved.
- The Highways Authority had raised no objections to the proposals.

- Areas in the south of the city had takeaway outlets.

Other individual members commented as follows:

- A takeaway in the heart of the Cathedral Quarter was not ideal.
- Support was offered to the restaurant to widen the scope for eating choices in the area but not the takeaway.
- A variation to restrict the hours of the takeaway as a licensed premises until 11.00pm was suggested.

The Planning Manager offered the following points of clarification:

- Environmental Protection colleagues had no objection to the premises remaining open until midnight, considering that the opening hours of other premises in the immediate area were set to similar times.
- It was within the gift of Planning Committee to vary the opening hours of the premises, although it would not be achievable to have the takeaway component shutting earlier than the restaurant and would need to be applied to the whole premises.
- Any change in closing time would need to take into account the rationale of 'why here' whilst other businesses in the area stayed open later.

RESOLVED that:

1. The petition submitted be received.
2. Planning permission be granted subject to the following conditions.
  - Time limit of the permission
  - Development in accordance with the approved plans
  - Fume extraction
  - Waste collections between 9am and 7pm Monday to Saturday
  - External lighting scheme.

## **82. Application for Development: 26-28 Newport, Lincoln**

The Planning Team Leader:

- a. described the application property, Newport Guest House, 26-28 Newport, Lincoln, formerly two three-storey mid terrace dwellings, converted to one property for use as a Guest House with a three storey extension to the rear of the property approved in December 2013 and implemented on site
- b. reported on the location of the premises adjoined by two other properties, 24 Newport, which was currently used as an Orthodontic Practice and 30 Newport in residential use
- c. stated that the site was situated within the Newport and Nettleham Road Conservation Area No. 9
- d. advised that planning permission was sought for the change of use of the property from Guest House (Use Class C1) to Student Accommodation (15 beds) (Use Class Sui Generis)

- e. provided details of the policies pertaining to the application, as follows:
- Policy LP26 Design and Amenity
  - Policy LP37 Sub-Division and Multi-Occupation of Dwellings within Lincoln
  - National Planning Policy Framework
- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained a map showing the location of Air B & B properties supplied by the agent to the application
- h. advised members of the main issues to be considered as part of the application 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
- i. concluded that:
- 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.

Mr James Rigby, Agent, addressed Planning Committee in support of the proposed development, covering the following main points:

- He represented the applicant as a director of Globe Consultants.
- The applicant couldn't be present but had provided additional information for tonight's meeting.
- He would not go over the content of the planning application which had already been satisfactorily covered by the planning officer this evening.
- The owner of the property was finding it difficult to operate the premises as a viable guest house business due to competition from local hotel chains in the city.
- There had been an explosion of Air B & B rooms available on the internet. There were currently 58 available in the city with 151 bedrooms.
- The owner could not sustain his guest house business and for this reason had submitted a planning application for a viable alternative in the form of student accommodation.
- The premises were close to the Bishop Grosseteste University.
- The applicant would control and manage the accommodation as a respectful property for mature students in its new form.
- Students would be encouraged not to bring their cars and travel on foot to the University and City Centre.

Members discussed the content of the report in further detail.

Individual members made comments in relation to the proposed development as follows:

- Trading conditions in the market place were not a planning consideration.
- The area was slightly above the 10% threshold for provision of student housing, however, it was not far away from Bishop Grosseteste University.
- The economic development of the city necessitated the need for student accommodation as long as areas did not become saturated.
- It would be helpful if the premises could be occupied by mature students although not conditioned as such.
- It was not right to put restrictions on the owner of the building, however, there must come a saturation point in the city in terms of student accommodation.
- Businesses paying rates should be encouraged in the city in the interests of entrepreneurialism.
- Purpose built student accommodation relieved the pressure on family homes.
- The property was already out of scope for use as a family house due to its size.
- Bishop Grosseteste University had a good reputation for student management.

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

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

**83. Application for Development: Land at Wolsey Way (Between Larkspur Road and Windermere Road), Lincoln**

The Planning Team Leader:

- a. advised that outline planning permission was sought for the erection of 14 bungalows with access only fixed for the development; all other details, including the layout and landscaping of the site and size of the bungalows being indicative at this stage along with the appearance of the dwellings to be agreed through subsequent application(s) for Reserved Matters
- b. described the application site roughly rectangular in shape located to the west of Wolsey Way, adjoining the King George V Playing Field to the west, residential development in Westholm Close, Hurstwood Close and Wolsey Way to the north and Larkspur Road to the south, with a larger residential site being developed on land (lying in West Lindsey) opposite by the applicant
- c. reported that the applicant still retained ownership of fingers of green space projecting into Westholm Close and Hurstwood Close
- d. highlighted that the site was shown without notation within the Local Plan so it was not specifically allocated for housing



- e. provided details of the policies pertaining to the application, as follows:
- Central Lincolnshire Local Plan
    - 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 and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (Adopted June 2016)
    - Policy M11: Safeguarding of Mineral Resources
  - National Planning Policy Framework
- f. outlined the responses made to the consultation exercise, which included petitions received from residents of Hurstwood Close and Westholm Close
- g. referred to the update sheet which contained a revised officer recommendation in respect of the proposed development, to include provision for successful negotiation with the applicant to secure the signing of an S106 agreement to cover education, local green infrastructure and playing fields
- h. advised members of the main issues to be considered as part of the application as follows:
- The Principle of the Development
  - Application of Central Lincolnshire Local Plan Policy
  - Provision of Affordable Housing and Contributions to Services
  - The Design of the Proposals and their Visual Impact
  - The Implications of the Proposals upon Amenity
  - Sustainable Access, Highway Safety and Traffic Capacity
  - Biodiversity and Arboriculture
  - Drainage
  - Land Contamination and Air Quality
  - The Planning Balance
- i. concluded that:
- The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the

proposals as there would not be conflict with 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 was the recommendation of officers that the application should benefit from planning permission for the reasons identified by planning officers and subject to the planning conditions outlined within the report.

Members discussed the content of the report in further detail.

Members made comments in relation to the proposed development as follows:

- It would be helpful when the indicative plans were before us.
- This land was formerly part of the green wedge, although it now had no protection.
- There was an urgent need for additional housing in the city and a strong imperative to build for this reason.
- This land had been identified as suitable for development of housing under the Local Plan
- This was an overgrown piece of land better used for housing.
- Lincoln Civic Trust stated in their consultation response that the land was designated as important open space on the Central Lincolnshire Plan.

*(Councillor Strengiel left the room at this stage in proceedings for the remainder of the meeting in order to attend a further engagement.)*

The Planning Team Leader offered the following points of clarification:

- Green wedges were still part of the new Local Plan.
- The Local Plan included designations for protecting green and open spaces.
- This land had been identified as playing field land in the previous Local Plan.
- The Planning Inspector had taken the view that the land had never operated as a playing field and for this reason should not attract protection.
- Lincoln Civic Trust was not quite correct on what it proposed for the Local Plan.

RESOLVED that:

1. Petitions submitted be received by Planning Committee
2. Planning permission be granted, subject to the following conditions:
  - Timeframe for Permission (Inclusive of Reserved Matters).
  - The Reserved Matters.
  - Approved Plans.
  - Trees to be Retained and their Protection.
  - Existing and Proposed Land Levels.

### **Conditions to be Discharged before Commencement of Works**

- Scheme for Affordable Housing.

- Construction Management Plan (Inclusive of Working and Deliveries).
- Arrangements for Management and Maintenance of Streets.
- Engineering, Drainage, Street lighting and Constructional Details of the Streets.
- 30% of the Properties to Compliant with Part M4 (2) of the Building Regulations in accordance with Policy LP10.
- Electric Vehicle Recharge Points.
- Boundary Walls and Fences.

#### **Conditions to be Discharged Before Use is Implemented**

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

#### **Conditions to be Adhered to at All Times**

- Unexpected Contamination.
- No Removal of Vegetation during Breeding Season.

*(Councillor Hills requested that his vote against this planning application be recorded.)*

#### **84. Application for Development: Land To The Rear Of 78 Hykeham Road, Lincoln**

The Planning Manager:

- a. advised that planning permission was sought for the erection of a single storey dwelling and integral garage
- b. described the application site served by a long access track situated between Nos. 72 and 78 Hykeham Road, adjoining dwellings within Somersby Close and Hykeham Road, currently laid to grass along the entirety of the access and the main site area
- c. reported that the proposals had been revised to a single storey dwelling with a lower conventional roof height/no rooms in the roof space as a result of officer concerns in respect of the scale of the development, its relationship with the gardens of neighbouring properties, and potential overlook from dormer windows
- d. advised that planning permission granted in the early 1990s (under reference LH11/0527/93) for the erection of a bungalow and garage within this site had since expired
- e. provided details of the policies pertaining to the application, as follows:
  - Policy LP1 A Presumption in Favour of Sustainable Development
  - Policy LP2 The Spatial Strategy and Settlement Hierarchy
  - Policy LP3 Level and Distribution of Growth
  - Policy LP13 Accessibility and Transport
  - Policy 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
- 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:
- The Principle of the Development;
  - The Impact of the Design of the Proposals;
  - The Implications of the Proposals upon Amenity;
  - Sustainable Access, Highway Safety and Traffic Capacity;
  - Other Matters; and
  - The Planning Balance.
- h. concluded that:
- The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with the three strands of sustainability that would apply to development as set out in the planning balance.
  - Therefore, there would not be harm caused by approving the development.
  - As such, it was considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions outlined within the planning officer's report.

Members discussed the content of the report in further detail.

Members queried whether:

- It was possible to impose a condition on the grant of planning permission for removal of development rights in order that the premises remained as a bungalow.
- The trees to be protected were outside the boundary of the application land.
- The pavement access to the site was likely to become muddy, although the Highways Authority had raised no concerns.
- The access to the site was wide enough for emergency vehicles

The Planning Manager offered the following points of clarification:

- It was possible for a condition to be imposed on the grant of planning permission for removal of development rights.
- The trees to be protected were in Somersby Close and therefore outside the control of the applicant, however the Arboricultural Officer had endorsed the content of the tree survey submitted.
- Condition 11 in relation to hard landscaping addressed the requirement to keep the public highway clean.
- An assessment had indicated that an ambulance would be able to access the site, and that the driveway would be sufficiently wide enough for the

first ten metres to enable access to bring the dwelling within firefighting distance.

RESOLVED that:

Planning permission be granted, subject to the following conditions:

**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.
- 18) Removal of Permitted Development Rights.

**85. Application for Development: 241 - 247 Monks Road, Lincoln**

The Planning Team Leader:

- a. described the application site located on the south side of Monks Road at its junction with Tempest Street, currently vacant, however, most recently in use as the Monks Road Working Men's Club which closed last year
- b. advised that planning permission was sought for conversion of the building to form 4 units fronting Monks Road (A1-Retail or A2-Financial & Professional Services) and 10 residential apartments, including external alterations and associated works
- c. provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Central Lincolnshire Local Plan:
    - Policy LP15

- Policy LP26
- Policy LP37

- d. outlined the responses made to the consultation exercise
- e. referred members to the update sheet which contained a further response received from a member of the public in respect of the proposed development
- f. advised members of the main issues to be considered as part of the application as follows:
  - Loss of a Community Facility
  - Visual Amenity
  - Residential Amenity
  - Highways
- g. concluded that:
  - 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.

Members discussed the content of the report in further detail.

Members commented in relation to the proposals as follows:

- It was sad to see the disappearance of another drinking establishment.
- The proposals would bring life into an empty building.
- There was a danger that the development would add to an already dense area.
- The new use would cut down on the number of delivery vehicles visiting the neighbourhood.
- The city was in need of further housing stock.
- There would be an issue with people pulling up to park to use the shopping units.

RESOLVED that planning permission be granted subject to the following 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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<b>SUBJECT:</b>	<b>WORK TO TREES IN CITY COUNCIL OWNERSHIP</b>
<b>DIRECTORATE:</b>	<b>COMMUNITIES AND ENVIRONMENT</b>
<b>REPORT AUTHOR:</b>	<b>STEVE BIRD – ASSISTANT DIRECTOR, (COMMUNITIES &amp; STREET SCENE)</b>

## **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 4 / SCHEDULE DATE: 24/04/19**

<b><i>Item No</i></b>	<b><i>Status e.g. CAC</i></b>	<b><i>Specific Location</i></b>	<b><i>Tree Species and description / reasons for work / Ward.</i></b>	<b><i>Recommendation</i></b>
1	N/A	Link path to rear of 16 Lydd Close.	<b><u>Birchwood Ward</u></b> 1 Rowan. Fell, the tree has a helical crack in the stem	Approve and replant with a Rowan in a suitable location.
2	N/A	Land to rear of 3 Rochester Drive	<b><u>Birchwood Ward</u></b> 1 Birch. Fell, the tree has a cavity and the crown is suffering dieback.  1 Oak. Fell, the tree is suppressed, has poor form and its removal would be beneficial to the development of a tree growing adjacent to it.	Approve and replant with a Silver Birch.  Approve and replant with an Oak in a suitable location.
3	N/A	Garden of 12 Glynn View.	<b><u>Castle Ward</u></b> 1 Cherry Fell, the tree is suppressed, of poor form and as part of garden improvements.	Approve and replant with a Cherry in a suitable location.
4	TPO	Link path to rear of 53 Finningley Road.	<b><u>Hartsholme Ward</u></b> 3 Silver Birch. Fell, as one birch is leaning, one has a weak fork union and one has a cavity in the main stem at height.	Approve and replant with 3 Silver Birch in a suitable location.
5	N/A	Link path to rear of 13 Elsham Close.	<b><u>Hartsholme Ward</u></b> 1 Sorbus. Fell, the tree is leaning against a boundary	Approve and replant with a Rowan in a suitable location.

			fence and to prevent damage to property.	
6	N/A	Rear garden of 9 Welton Gardens.	<b><u>Minster Ward</u></b> 2 Rhus. Fell to prevent damage to property.	Approve and replant with 2 Rowans in a suitable location.
7	N/A	Malandry Close	<b><u>Park Ward</u></b> 1 Rowan. Fell, the tree is heavily decayed. 1 Whitebeam. Fell, the tree has a compressed fork and a hollow limb. 1 Laburnum. Fell, the tree is dead	Approve and replant with one Rowan and two Whitebeams.
8	N/A	Land to rear of 28/30 Brant Road	<b><u>Witham Ward</u></b> 1 Willow, Coppice, as the tree has split.	Approve.

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<b>Application Number:</b>	2019/0035/OUT
<b>Site Address:</b>	431 - 434 High Street, Lincoln, Lincolnshire
<b>Target Date:</b>	17th April 2019
<b>Agent Name:</b>	Lomas Architecture Design And Developments Ltd
<b>Applicant Name:</b>	Mr Charlie Creane
<b>Proposal:</b>	Demolition of existing Public House and the erection of a three storey building to accommodate 47 Bedrooms with En Suite Bathrooms for use as student accommodation with associated access, car parking and landscaping (REVISED PLANS).

### **Background - Site Location and Description**

#### *Site Location*

The application site is roughly square in shape and occupied by the two-storey Golden Cross Public House, which was built in 1959. The site is located to the eastern side of High Street at the junction with Queen Street. There are commercial properties in all directions and residential development close by, to the north, south and east. The access to the site is taken from Queen Street, along most of this frontage between the public house and the funeral directors to the east.

The site is prominent in its locality, is within the Gowts Bridge Conservation Area but is shown without notation within the Local Plan, so is not allocated for a specific use.

#### *Description of Development*

The proposals are for outline planning permission for a development incorporating 47 bedrooms for students, across three floors. Each floor is served by a common room / kitchen and there are two laundry rooms proposed at first and second floor.

Only the access is fixed for the development, i.e. the position access is taken from Queen Street. All other details, including the layout of the site; and scale of the buildings are indicative at this stage. Along with the appearance of the buildings and any landscaping, these details would be agreed through subsequent application(s) for Reserved Matters.

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 11 March 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 LP9 Health and Wellbeing
- 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 LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- Policy LP35 Lincoln's Regeneration and Opportunity Areas
- 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 and Service Provision;
2. The Design of the Proposals and their Visual Impact;
3. The Implications of the Proposals upon Amenity;
4. Sustainable Access, Highway Safety and Traffic Capacity;
5. Archaeology;
6. Drainage;
7. Land Contamination and Air Quality; and
8. The Planning Balance.

## **Consultations**

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



## **Statutory Consultation Responses**

Consultee	Comment
Education Planning Manager, Lincolnshire County Council	Comments Received
Highways & Planning	Comments Received
Lincoln Civic Trust	Object
Lincolnshire Police	Comments Received
Councillor Helena Mair	Comments Received

## **Public Consultation Responses**

Name	Address
Mr Sam Harrison	18 Rosbery Avenue, Lincoln, LN1 1ND
Mr Jan L. Bogucki	12 Sidney Terrace, Lincoln, LN5 8BZ
Guy Hird	Internal Drainage Board
Mr Mathew McGinlay	4 Queen Street, Lincoln, LN5 8LB
Derek Broughton	38 Clive Avenue, Lincoln, LN6 7UH
Mr Jonathan Bellshaw	7 Queen Street, Lincoln, LN5 8LB
Jonathan Whiting	1-5 Queen Street, Lincoln, LN5 8LB
Mr Ralph Spencer	1 High Street, Scampton, LN1 2SE
Mr Calum Watt	77 Canwick Road, Lincoln, LN5 8HE

## **Consideration**

### **1) The Principle of the Development and Service Provision**

#### **a) *Relevant Planning Policies***

##### **i) *Policy in Relation to the Proposed Use***

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 2012. Whilst the Framework has been revised twice since, including this year (2019), officers remain confident that the Plan remains consistent 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.

Policy LP33 refers to Lincoln’s Primary Shopping Area and Central Mixed Use Area. This encourages residential uses and student accommodation in the Central Mixed Use Area but also requires that active uses prevail at ground floor (Use Classes A1 to A5) within Secondary Shopping Frontages. This is also required through Policy LP35 which prioritises housing above ground floor.

#### *ii) Policy in Relation to Health Infrastructure Provision*

Policies LP9 and LP12 of the Local Plan refer to the impact of development upon health infrastructure and developments must contribute towards health provision where there is evidence that a development will impact upon current provision.

### **b) The Principle of the Proposed Use**

#### *i) Comments Received*

Residents are concerned that the public house and its space are a valuable community asset. However, in the context of national policy, the public house is not designated and no evidence has been provided to the Council to substantiate this claim. Consequently, whilst it is regrettable that the public house would be lost to the community, it would be difficult to oppose the proposals when there is no case to support its retention. Similarly, it would also not be possible for officers to insist that the applicant changes the proposals to accommodate alternative uses in line with community aspirations for a community use or social housing.

The proposals are for a scheme of student accommodation incorporating 47 en suite

bedrooms, across all three floors, and the community has suggested that there are already other options for students in the Southern High Street area and there are a number of vacancies. Furthermore, it is also suggested that too many students will lead to an imbalance in the area.

*ii) Nature of the Proposals*

Whilst the proposals would result in the loss of a public house to a residential use, this would not necessarily mean that the area loses its mixed use character; that the frontage would not maintain interest; or that the High Street would not remain active. In particular, there are a number of non-residential uses within the High Street that are separated from one another by residential uses so this proposal would not in itself be harmful in principle. Nonetheless, the visual implications of the proposals upon the activity of the High Street are referred to elsewhere in this report.

*iii) Need for the Development*

As alluded to in the relevant policies and permitted by the outline planning application, the incorporation of student housing within the redevelopment of the site is considered to be appropriate, regardless of its proximity to the University. Unlike previous applications within the city, there is now not a requirement for developers to evidence a need for student accommodation linked to the demand for students. However, Members have received numerous presentations from the University regarding their planned expansion over the coming years. This development should help to make a reasonable contribution to addressing those needs, whether this would be directly or indirectly related to the University.

Nonetheless, in the context of Policy LP26 and the evidence base to Policy LP37, the proposals could make a positive impact upon the social imbalance of the community residing within the West End of the city and other communities. In particular, there could be a reduction in the overall demand for student housing accommodated within new houses in multiple occupation and therefore a lesser impact upon those communities.

*iv) Contribution to Housing Delivery*

Members may be aware that the Council, as Local Planning Authority, is duty bound to provide housing delivery information to the government in order to demonstrate that the Central Lincolnshire Authorities are making good on projected housing delivery (the Housing Delivery Test). Moreover, the delivery in the past three years (and going forward) of student accommodation will be important when completing returns to government on housing delivery, as required by the Housing Delivery Test. As such, the development has potential to make an important and positive impact upon delivery throughout this period.

*v) Summary*

Officers recognise that the development would deliver economic and social sustainability directly through the construction of the development and indirectly through its occupation, spend in the city and retention/creation of other jobs due to the

location of the development within the city. The provision of student accommodation would also improve the social sustainability of the development due to its proximity to the High Street and the diversion of need away from family homes elsewhere within the city. In addition, the erection of development in this location would not in itself undermine sustainable principles of development, subject to other matters. However, it is important to consider the wider sustainability of the development.

***c) Mitigating the Impact of the Development upon Health Infrastructure***

The application has been referred to the NHS for consideration and their response is awaited, this would be based upon a need for the development to contribute towards a direct impact upon NHS services. The NHS have calculated a formula to address any identified impacts so should a contribution be required this can be utilised to determine whether the development would need to contribute towards infrastructure. Officers will provide Members with an update regarding this matter at the Planning Committee.

**2) 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.

In terms of the wider impacts upon built heritage, Policy LP29 also requires that "proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context"; and "protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their settings and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements". Similarly, Policy LP35 requires that proposals should respect the historic street pattern, as well as its townscape.

Section 16 of the Framework refers to the impacts of development upon designated heritage assets and is supported by Policy LP25 also applies as it specifically refers to the impacts of developments upon these assets. In terms of conservation areas, the policy requires that development should either enhance or reinforce features that contribute positively to the area's character, appearance and setting. Meanwhile, proposals also need to have regard to the setting of other designated assets, including listed buildings.

## ***b) Assessment of the Implications of the Proposals***

The application site is situated within the Gowt's Bridge Conservation Area and demolition of a building within a Conservation Area requires planning permission. As such, the design of proposed replacement building(s) within a Conservation Area is key to the assimilation of development 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, the scale of the building(s) and their appearance are yet to be finalised and are currently indicative. These details would therefore need to be considered with further application(s).

Nonetheless, officers (including the Principal Conservation Officer) have worked with the applicant to amend the indicative scheme to give Members confidence that a development of student accommodation can be designed in a manner that would be appropriate for this sensitive site, anticipating changes will be made.

It is important to note that the site does not contain any other nationally designated (protected) heritage assets, such as scheduled monuments, listed buildings or registered parks and gardens.

### ***i) Layout***

The particular position of the public house building set back from the street line respects an earlier market place. With a building in the same position, development would undoubtedly maintain variety within the street line. Whilst the loss of the building and this legibility would be unfortunate, the new development will align with the rest of the street and achieve a strong building line. This is to be welcomed, as it will reinforce the valued strong sense of enclosure and contribute positively to the character and appearance of the Conservation Area. Moreover, as the majority of buildings within the High Street and Queen Street are to the back edge of the footpath, it would be difficult to insist that this building should remain set back within the street.

In addition, the existing building has little heritage value and therefore its demolition is not considered to have an adverse impact on the character and appearance of the conservation area.

### ***ii) Scale and Height***

In the initial comments received from the public, it was suggested that the building will be significantly more substantial than others in the immediate vicinity and be overwhelming. Officers were acutely aware of this point and have worked with the applicant to reduce the height of the building and to incorporate more locally defining characteristics, such as dormer windows set into the eaves and chimneys on the roof.

The comments received in relation to the height of the building also suggested that three storeys is not common within the vicinity of the site. However, this is misleading as there are many buildings that incorporate three floors, whether in three conventional storeys or with a top storey in the roof as now shown with this scheme.

The building will be taller than that immediately to the south but the change in height is comparable to other situations within the street. The uniform height of the building to High Street is also a common characteristic of other sites where larger buildings have been erected over time. The roof form of the Queen Street frontage is also broken down to be lower at the eastern extent of the site to address the more domestic scale of Queen Street.

### *iii) Appearance*

The comments received in relation to the design of the originally submitted development suggest that it is not in-keeping with the Conservation Area and the design should be reviewed, including use of materials.

In seeking amendments to the application, officers have also attended to the design of the development and the openings to the High Street frontage of the building have been broken down into different types, including normal and projecting windows (boxed oriel and dormer windows). The façades therefore incorporate a balance between the horizontal and vertical, in particular, the applicant has amended the indicative visuals to provide greater emphasis to the verticality of most of the openings. At ground floor, faux shopfronts are included to provide further visual interest and activity at ground floor.

Meanwhile, in terms of the arrangement of openings to Queen Street, this is a simpler façade with traditional vertically proportioned openings and dormers above. However, the entrances to the car park and the building itself are framed. In addition, the materials that are common to the locality are proposed to be used to better integrate the new building into the Conservation Area, i.e. red bricks and natural slates.

### **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 the articulation of the elevations and roof line to High Street and Queen Street and the perceived mass of the buildings.

Consequently, officers would advise Members that the development would not be harmful to the character and appearance of the Conservation Area or to 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. Notwithstanding this, it would be necessary to control the final appearance of the development through the Reserved Matters application to ensure that the proposal satisfies the duty contained within section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990. Moreover, 'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

In addition, as the loss of the public house building is necessitated by the proposed development, it is considered that it would be appropriate to also impose a planning condition that would prevent its demolition until there is reasonable certainty that the

proposed development will follow. This would accord with the requirements of Paragraph 198 of the Framework. A suitably worded planning condition would, therefore, prevent the prospect of there being a long gap between works of demolition and redevelopment, or potentially, the site being cleared and no further development taking place, as well as the creation of an unsightly gap within the Conservation Area.

### **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. Policy LP33(d) also applies to the development given its location.

#### **b) *Assessment of the Implications of the Proposals***

##### **i) *Comments Received***

A number of responses have been made in relation to the application, copies of which are included with the application. However, the main points made are as follows:-

- the area is predominantly occupied by families and young professionals, noise from students could be an issue, particularly late at night due to the number of occupants;
- the development would overlook the yard area of the adjacent funeral directors (the site boundary should be a suitably high wall);
- movements from the adjacent funeral directors are 24hrs so would impact upon neighbouring occupancy;
- there would be significant loss of light to parts of the adjacent funeral directors which were designed to be light and inviting to bereaved;
- demolition and construction would cause disturbance;
- accommodation at ground floor is not good for occupants;
- there are far too many rooms per kitchen;
- the large number of students results in concerns in respect of waste blowing from the site to neighbouring land;
- the development would narrow the street for the first part, to the detriment of

- the safety of residents;
- times the building is not occupied will increase the risk of crime;
- students will not show respect to the sensitive use next door; and
- the developer needs to have regard to the comments by the Police.

#### *ii) Impacts of Overlooking and Loss of Privacy*

The indicative layout of the development shows the location of windows and their relationship with neighbouring uses, given the separation distances involved within the street and to the rear it is considered that the relationships presented would be appropriate in an urban context. However, the precise window to window relationships can be addressed through a further application for Reserved Matters, along with boundary treatments to provide privacy to the neighbouring use. In addition, whilst the indicative scheme indicates that there would be ground floor habitable windows adjacent to High Street and Queen Street, this will not be an uncommon relationship. Nonetheless, with screening or other internal privacy screens, it would be possible to protect the amenities of the occupants of the development.

#### *iii) Impacts of Scale and Height*

From the application it is clear that part of the proposed development would extend closer to the adjacent commercial building above the ground floor than the existing public house currently does. However, the majority of the building will actually be further away as it will abut the frontage to High Street. Consequently, whilst there may be some changes to the impacts of shading to the internal spaces of that property, a balance needs to be struck between the benefits of the larger portion of the building being sited further away. Whilst the design is still indicative, it is therefore considered that this impact would not be sufficiently harmful in a future application for officers to be concerned with the potential development of the site.

Similarly, the relationship of the building to the properties opposite on Queen Street would not be significantly different from the established relationship in that street to suggest that the proposals could not be accommodated in this manner in the future.

#### *iv) Noise and Disturbance*

Residents have also raised concerns regarding the impact of noise from additional residents (particularly students). In addition, the construction of the development has also attracted concerns due to the potential for disturbance from works on site.

- Noise from the Development

The existing noise and disturbance associated with the public house is unlikely to be comparable with the occupation of a residential use. However, the application suggests that there would be two entry points for pedestrians to the building (indicatively shown to the northern side of the building onto Queen Street and from the car park). With this in mind, due to the large number of occupants that the proposed development could house, there is potential for comings and goings associated with student accommodation to be harmful to residents of the adjacent apartments, particularly at unsociable hours. However, as with other similar applications for student



accommodation, this potential issue could be mitigated by implementing an appropriate level building management plan. This could be controlled by a suitable condition requiring that details of a management plan be submitted at the reserved matters stage to demonstrate how noise will be mitigated.

Whilst the layout within the site is not fixed, the access into the site is, so the proposed development would require vehicular movements from Queen Street into the car park serving the development. However, the number of spaces proposed would be unlikely to generate sufficient levels of traffic to lead to harm to neighbouring properties from the noise associated with comings and goings from the car park or cars idling.

At this time, it is not possible to determine precisely where refuse will be stored or collected. However, the indicative details show the former will be in the car park and the latter in the undercroft of the access to the car park. Nonetheless, as this would be close to neighbouring properties, it would be appropriate to control the final details through a planning condition, including the collection hours for refuse.

- Noise to the Development

Due to the location of surrounding uses in relation to the proposed development, there is the potential for future occupants of the building to also be harmed by noise levels if appropriate noise mitigation measures are not included in the design of the building. The application does not contain any comment on this potential issue but the Council's Pollution Control Officer has advised that this matter be addressed at the reserved matters stage, if outline consent is granted.

- Impacts of Construction

Given the proximity of the site to neighbouring properties, there is potential for the impacts of construction to disturb residents. As such, officers agree with the Council's Pollution Control Officer that it would be appropriate to ensure that adequate control measures are put in place. As such, it is recommended that construction working and delivery hours are agreed to ensure that disturbance is kept to a minimum at unsociable hours.

v) *External Lighting*

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

vi) *Crime and Anti-Social Behaviour*

Concerns have been expressed in relation to the impacts of the development, particularly security of surrounding properties and the impacts specifically of student occupiers. It is difficult to tar every student with the same brush but the use of CCTV and other management functions associated with the use should help to avoid directly associated issues with occupiers of the building. In addition, officers would suggest that it could also be argued that a greater level of surveillance from occupation of the

site would actually improve security of the area.

Nonetheless, the consultation response received from Lincolnshire Police contains pertinent advice in relation to the proposed building including designing-in crime reduction measures within the site and building. Much of the advice can be dealt with through other planning conditions, including effective site lighting but the applicant should be made aware of these recommendations if Members are minded to grant permission for the application.

### ***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 the future in a manner that would not cause unacceptable harm in respect of most matters relevant to the protection of amenity. Moreover, with satisfactory controls over the design and layout of development at Reserved Matters and controls over the mitigation employed in relation to noise, construction working, refuse storage / collection and lighting, the proposals would be socially and environmentally sustainable in the context of the Framework and would accord with the policies in the Local Plan.

## **4) Sustainable Access, Highway Safety and 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, LP33(e) 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) Comments Received***

Residents have indicated as part of the consultation exercises that they are concerned that:

- Queen Street is too narrow and there is a requirement to mount the pavement to gain access to existing properties;
- the development would lead to an increase in parking, including during

construction and at start/end of terms, which would need to park in neighbouring streets;

- similarly, despite efforts to restrict access, unrelated vehicles will park on neighbouring private land; and
- the traffic data is not to be relied upon, it is out of date and does not reflect current travel patterns.

### **c) *Assessment of the Implications of the Proposals***

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 and this is shown from Queen Street. It would serve four parking spaces. There is therefore no intention to access the site from High Street. The indicative site layout also suggests that pedestrian access would be from Queen Street.

The application is supported by a Transport Statement and the Highway Authority does not object to the application, particularly in terms of the nature of the access and its relationship with Queen Street, the level of parking provided and the traffic data presented. Notwithstanding this, the site is also available for other means of transport, including bus travel. In light of this, the Highway Authority has requested details of cycle parking provision are agreed by planning condition. However, the concerns raised by residents in relation to construction parking have been echoed by the Highway Authority, as they request a condition to deal with construction management and its impacts upon the highway. This is reasonable given the constraints that will inevitably affect the construction of a development within the site.

Subject to the above matters being controlled by condition, the proposals would be in accordance with the abovementioned policies.

## **5) Archaeology**

### **a) *Relevant Planning Policies***

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

### **b) *Assessment of the Implications of the Proposals***

The applicant has provided a *Heritage Impact Assessment*, this is a desk-based study which has considered the Historic Environment Record. Whilst this recommends that there should not be a requirement for further pre-determination archaeological evaluation, it is recommended that a Written Scheme of Investigation (WSI) for the site is controlled by planning conditions.

## **6) 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) *Assessment of the Implications of the Proposals***

The application is supported by a *Flood Risk Assessment and Drainage Strategy*, which has been considered by the Lead Local Flood Authority (LLFA). The LLFA have not raised any concerns regarding the proposals but have requested that the final drainage scheme is agreed by planning condition. Similarly, whilst a foul water drainage connection to the mains sewer may be appropriate, officers consider that it would be important to agree the final details for foul water disposal as there would be a significant uplift in outflows from the site associated with the occupation by a significant number of people.

Subject to these matters being controlled by planning condition, there would not appear to be grounds to resist the application in relation to drainage.

## **7) 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 a scheme for Electric Vehicle Recharging should be secured by planning condition.

## **8) 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.

A conclusion whether a development is sustainable is a decision that has to be taken in the round having regard to all of the dimensions that go to constitute sustainable development. In this case, officers consider that the development would deliver economic and social sustainability directly through the construction of the development and the uses proposed therein; and indirectly through the occupation of the student accommodation, spend in the city and retention/creation of other jobs due to the location of the development within the city.

The location of additional accommodation in a sustainable location would not undermine this position, rather it would serve the University that continues to grow. In addition, 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 directed towards a specific sector (student accommodation).

Furthermore, with a suitably designed development, the implications upon the character and appearance 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 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, the applicant has amended the indicative scheme upon the advice of officers.

#### **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.

#### **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 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 an extension of time.

#### **Recommendation**

That the application is Granted Conditionally, with Planning Conditions covering the following matters:-

- Timeframe for Permission (Inclusive of Reserved Matters);
- Reserved Matters;
- Approved Plans;
- Archaeology;
- No Demolition of Existing Building Before a Scheme has been Approved and

- a Contract Agreed for its Development;
- Noise Assessment for Construction of Building;
- Contaminated Land;
- Closure of Existing Access;
- Cycle Storage;
- Highways Construction Management Plan;
- Working and Delivery Hours;
- Arrangements for Management of the Occupation of the Building;
- External lighting scheme;
- Refuse Storage / Collection;
- Electric Vehicle Recharge Points;
- Boundary Walls and Fences; and
- Drainage Works (Surface and Foul Water).

**Report by Planning Manager**

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## Site Photographs















## Application Plans



Site Location Plan (Showing Existing Building)

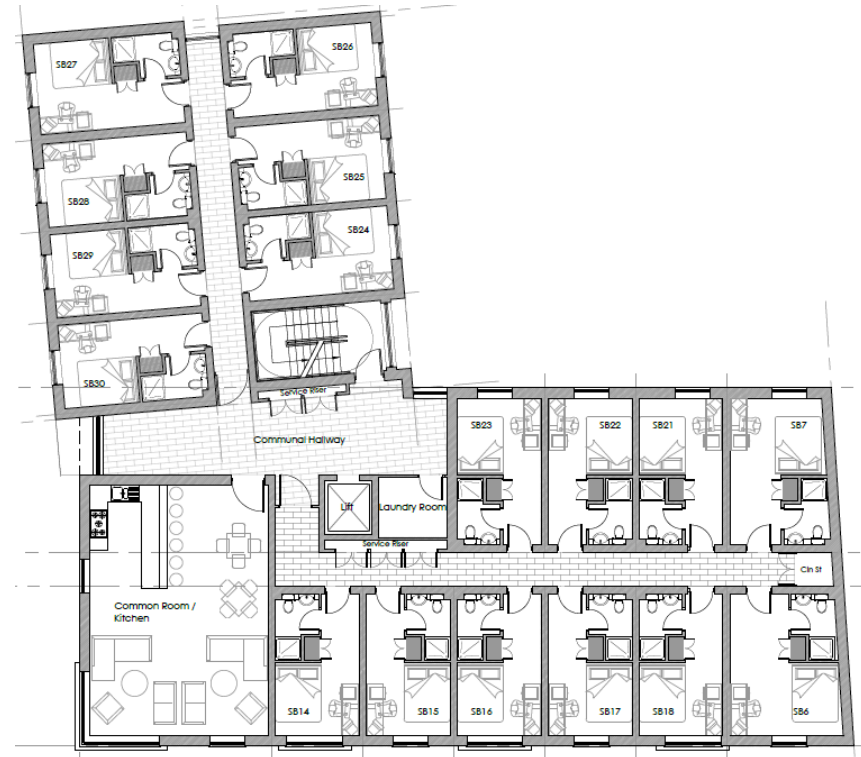


*Indicative Site Layout (Access Position is Fixed)*





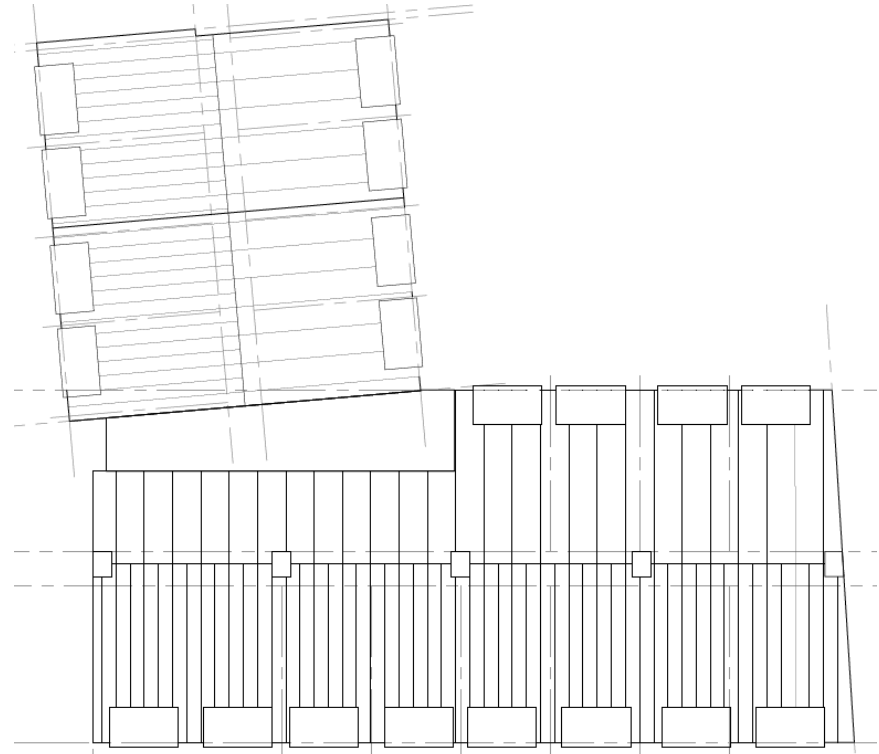
*Indicative Ground Floor Layout (13 Bedrooms)*



*Indicative First Floor Layout (17 Bedrooms)*



*Indicative Second Floor Layout (17 Bedrooms)*



*Indicative Roof Plan*





*Indicative High Street Façade*



*Indicative Queen Street Façade*

## **Consultee Comments**

### *Revised Consultation Response:*

From: Mair, Helena (City of Lincoln Council)  
Sent: 10 April 2019 21:44  
To: Manning, Kieron (City of Lincoln Council)  
Subject: Re: planning application 2019/0035/out

Dear Kieron,

A little late I'm aware but hopefully not too late.

I have had a look at the revised plans and I am pleased to see some changes that consider the local architecture and landscape with regards to design and materials. However my comments regarding 47 flats as an overdevelopment still stands in my option.

I am also disappointed to see a three story development on the side of Queen Street as I do not think that this sits well with the small building on opposite side and will create the dark small entrance to road.

I am not so concerned about the height on the High Street elevation even though there is a two story building to the south.

My concerns regarding parking issues still remain although I understand that this is not a material consideration. As I have already expressed there is a high concentration of HMO properties locally which will put pressure on local Parking for residents. Which ultimately creates unhappy communities.

I hope that my comments will be considered.

With thanks  
Helena Mair

### *Initial Consultation Response:*

**From:** Mair, Helena (City of Lincoln Council)  
**Sent:** 04 March 2019 22:08  
**To:** Manning, Kieron (City of Lincoln Council)  
**Subject:** planning application 2019/0035/out

Dear Kieron,

I have been contacted by local residents about the development which is proposed for the Golden Cross pub on the High Street reference number 2019/0035/out

I have looked carefully at the development and below are my comments. I would be grateful if you would add these to the other objections and I would also like to register

to speak at the planning committee when the decisions are being made. Please could you confirm that you have these comments and that I can speak at the meeting,

1 To me a development of 47 flats on the corner of Queen Street feels like an overdevelopment of the site.

2 I have concerns that the erection of a three story building on the corner of Queen Street will not be in character for Queen Street and not even for that part of the High Street. The application states that "the proposed development seeks to deliver a modern building on the site, which specifically responds to the identified character of the conservation area in terms of design, scale and urban form". I disagree with the statements of scale as the three storey building towers over anything in the local area and I have particular concerns about the corner of Queen Street being made tight, dark and overbearing. I would prefer to see the Queen Street part of the building reduced to two storeys which would be more in keeping with the rest of the street.

3 I understand that parking is not a consideration for planning but I do have concerns that 47 dwellings with 4 parking spaces is going to create even more pressure on street parking in an area where there is no residents parking and the High Street has double yellow lines. I would also ask if local HMO concentration is already adding to the pressure on parking.

Thank you for your help with this matter.

Kind regards

Cllr Helena Mair

### **Lincoln Civic Trust**

OBJECTION: Whilst it is unfortunate to lose another public house on High Street, we do understand the economics of the situation and understand the reasons behind the application.

However, the proposed structure is not in-keeping with the local environment in that its massing and height are far too prominent and would disturb the street scene.

Our 'Objections' are as follows

1. There are no three storey buildings on the eastern side of High Street for some distance in either direction. There are some on the western side but this is a totally different street scene to the eastern side.

2. The proposal is to build the new structure to the edge of the pavement which given its overall size will dominate the scene.

3. We do not consider providing 4 spaces for 47 apartments as adequate provision. It will lead to greater on-street parking which given the width of Queen Street and others in the vicinity, and the concentration of housing in the area, is totally unacceptable.

4. The design of the building particularly on the High Street elevation is very poor and nondescript.
5. The general suitability of providing large student accommodation given the distance from any educational facility.

**Lincolnshire County Council (as Education Authority)**

**From:** Capital\_Development <Capital\_Development@lincolnshire.gov.uk>

**Sent:** 29 March 2019 15:14

**To:** Technical Team (City of Lincoln Council)

**Subject:** RE: Reconsultation on Planning Application

Hi Paul

The County Council has no comments in relation to school based education on this student housing application.

Kind regards

Simon

Simon Challis  
Strategic Development Officer  
Corporate Property  
Lincolnshire County Council

**Lincolnshire 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)**

**HP00**

Within seven days of the new access being brought into use, the existing accesses onto Queen Street and High Street shall be permanently closed and returned to footway construction with full height kerbs in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To remove vehicle access points in the public highway that are not required and no longer serve their intended use.

**HP01**

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:

- phasing of the development to include access construction;
- 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.

#### HP02

When application is made for approval of the 'Reserved Matters', that application shall show details of an adequate amount of safe, secure and sheltered cycle parking provision.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

#### HP33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- 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;
- provide attenuation details and discharge rates which shall be restricted to 7.6 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- 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.

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.

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.

#### INFORMATIVES:

##### HI03

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

##### HI08

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

Case Officer:

*Becky Melhuish*

for Warren Peppard

Flood Risk & Development Manager

#### **Lincolnshire Police**

##### Latest Comments:

Please note attached re-submission of my original response, the comments remain valid particular in respect of vehicular and pedestrian access control to and through the under-croft parking area which is Likley to be a source and or location for unwanted ASB or criminal activity.

It is noted that the revised plans do not take cognisance of the contents of my report.

Regards,

John Manuel MA BA (Hons) PGCE PG CPR Dip Bus.  
Force Designing Out Crime Officer

##### Original Comments:

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.

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

The safety, security and general well being of student should be of paramount importance when considering the detail of this application. The site is centrally located and has an entrance that exits onto a busy area of Lincoln. The following aspects of security should be rigorously applied to this building.

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

### **Under-croft Parking and Access.**

Access to the proposed internal courtyard and vehicle parking must benefit from secure access control either by way of a full height secured gate and or bio-metric swipe or key fob system (that can be used by vehicles and pedestrians). Failure to ensure that this important element of security is addressed is likely to result in anti-social behaviour and other unwanted activity or behaviour and additional compromise the security and safety of residents.

### **External doors and windows**

The potential for unwanted guests will be considerable at this location and therefore robust measures should be installed to ensure the security and safety of student residents. Access may be gained via either of 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.

This development whilst within a busy area of Lincoln is away from the main area of student accommodation and does not appear to have any reception or security staff therefore secure access control is essential.

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.**

### **Access to Places of Height**

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

I would recommend that all ground floor and easily accessible windows have at least one pane of laminated glass.

### **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.

### **Student Accommodation – 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](http://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 PG CPR Dip Bus.  
Force Designing Out Crime Officer

### ***Witham Third District Internal Drainage Board***

Thank you for the opportunity to comment on the above application. The site is within the Witham Third District Internal Drainage Board area.

The Board has no objection to the proposed development provided it is constructed in accordance with the submitted details and Flood Risk Assessment. However should anything change in relation to the method of surface water disposal and/or in relation to the flood risk assessment etc then this Board would wish to be reconsulted.

### **Comment and information to Lincolnshire CC Highway SUDs Support**

Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water. It is noted the discharge is to combine sewer with an attenuated discharge.

Regards

Guy Hird  
Engineering Services Officer  
Witham Third District Internal Drainage Board

## **Neighbours and Other Consultation Responses**

***Jonathan Whiting, Director of Jonathan Whiting Independent Funeral Directors  
(1-5 Queen Street, Lincoln)***

We object to the proposed development of the above property to student accommodation on the following grounds;

### **Site and Surrounding Context**

We accept the comments in the Planning, Design and Access Statement, paras 2.6 - 2.12 but feel paras 3.24 and 3.25 are very relevant in that the proposed building is highly dominant in its position on the High Street, dwarfing existing buildings in the vicinity. The lower, southern, High Street is predominantly smaller, two storey, buildings.

With reference to the Heritage Statement, paragraph 3.1.13 states that the Golden Cross was built c.1863. The pub was actually built in the mid 1950s. Prior to that a small cottage occupied at least part of the site. It is thus unlikely that the siting of the pub was to acquire trade from the medieval market as implied in para 4.4 of the Planning, Design and Access Statement and para 3.2.2 of the Heritage Statement.

### **Need for Student Accommodation**

Para 3.3 Existing student accommodation in the immediate area. Along with development work in the immediate area of the university there are already a number of varying options for students wishing to live in the south High Street area;

Monson Street, 30 rooms

Travellers Rest, Canwick Road 27 rooms

Park View, St Botolph's Crescent, 52 rooms

Studenthousinglincoln.co.uk list 370 rooms in existing housing in the Sincil Bank and High Street areas (not including the above)



## National Planning Policy Framework

Para 3.23 states CLLP Policy LP32 “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.” We do not agree that this development will be well integrated and contribute positively to its surroundings or the local community.

## The Proposed Development

4.12 We understand the plans submitted at present for the proposed development are only indicative and acknowledge the attempt to be sympathetic to the existing environment, (para 4.2) however, we do believe the proposed building to be significantly more substantial than others in the immediate vicinity and will have an overwhelming impact.

4.16 The height of the proposed building abutting approximately half of our boundary with the development will cause an 80- 90% reduction in the natural light entering our reception area and the area leading to the chapel of rest, a section of our property which we designed to be light and inviting for the bereaved.

4.1.2 (and paras 3.6 and 8.5 Transport Assessment) Footways run along both sides of Queen Street but the left hand footway has to be used by cars when there are parked cars on the right hand side. The streetlighting in Queen Street is turned off at midnight. There are no bus stops on Queen Street, there are, however, bus stops for both directions approximately 40 metres along both Dixon Street and High Street.

4.1.4 We do not agree with the Transport Assessment conclusion that the development would generate almost no vehicular trips. There are many reports indicating a significant minority of students do use cars, the provision of student parking places at the university site and the existence of car insurers specialising in insuring students would support this. The number of student owned cars may not significantly impact traffic congestion on an already busy junction but would impact parking in the area with only four spaces available on site. There are a small number of, time restricted, parking spaces on the High Street, the limited parking on Queen Street (on one side of the road only) is unrestricted and under considerable pressure from existing residents, there being 19 houses in Queen Street (between High Street and Knight Street) and space for approximately 9 average size cars. Dixon Street allows parking after 6pm and on one side only, this is already extensively used by residents of Dixon Street.

Transport Assessment para 7.1, simply stating ‘This results in a low student car ownership, and hence a lack of demand for car parking.’ does not demonstrate that this is either true or what will happen at this development. We also note that planning application 2013/0045/F for 6 dwellings at the western end of Queen Street was withdrawn after Lincolnshire County Council Highways objected on the grounds that Queen Street was incapable of supporting the extra traffic that would be generated.

Start and end of term days when all students are arriving/departing over a short time period are of particular concern, whilst this is only six times a year, congestion will be considerable with demand for parking spaces far in excess of availability.



General notes from a resident's perspective.

A significant part of our boundary is shared with the site in question, we have a reasonable expectation to enjoy the use of our land and property without undue interference or disturbance from the development. In our case the primary use of our property is the pursuance of our business which we believe would be detrimentally affected by the proposed development but we also live on the premises and believe the presence of a large number of students will have a detrimental effect on personal life.

The transient nature of student life means the development would be unoccupied for several periods through the year, this could increase the potential for crime and anti-social behaviour, 'The potential for unwanted guests will be considerable at this location...', Lincolnshire Police Comments to the proposed development.

As residents of our property we are concerned about noise. As our business provides a 24 hour service, seven days a week, our 'down' time and especially sleep are very valuable to us. We are concerned that late night noise and disturbance on a regular basis will make life unpleasant and will affect our ability to work. There are currently regular occurrences of noisy groups of young adults, apparently drunk, making their way along the High Street and then into the side streets particularly during the early hours of Saturday and Sunday mornings. These incidents will only be increased by putting a high density of students in the area.

Press reports from other areas of the city indicate a potential problem with anti-social behaviour, students partying late into the night or gathering outside the property. There are a number of families with young children and other vulnerable people in the immediate area who will feel intimidated by such groups and the noise they generate. With the transient nature of students this will be a repetitive problem.

We also have concerns about litter and rubbish disposal. To a considerable degree our yard and drive act as a funnel for wind borne rubbish and we have to constantly pick up and dispose of this. We are worried that the quantity of litter will increase markedly with so many students in such close proximity. Also, young people have a reputation for not being organised in their rubbish disposal, uncollected household waste would quickly lead to problems with smell and vermin in the vicinity.

General notes from a neighbouring business perspective.

The size and position of the proposed development would completely block the view of our business premises from the High Street. The ability to see our premises from the High Street, from the point of view of pedestrians and car drivers waiting at the traffic lights, has been a major factor in establishing our presence here and building on that over the years. The loss of this facility will have a detrimental effect.

Car parking is a major concern to us as mentioned above. From a business point of view we anticipate the development causing a problem with students and their visitors parking on our



property. This has been an ongoing issue for us to date, the current landlord of the pub has been proactive in 'training' most of his customers not to park on our driveway but the issue still occurs. Even with the normally low level of custom at the pub this issue arises on average once or twice a week, but with the pubs operational hours this is usually in the evening, so although an issue it is slightly less disruptive and at least we can speak with the landlord to have the vehicles removed. We do not expect a group of students, here for a brief period of time, will reduce the problem but rather increase it.

All the work we carry out is a service to the local community, everything we do and our ability to do it in a timely manner, affects the bereaved. Our driveway is used by customers and some staff during the working day and for staff attending call-outs at night and weekends. A considerable percentage of our call-outs are on behalf of the coroner and police, under contract with Lincolnshire County Council. We are obliged to attend incidents within one hour, (this is monitored by the County Council) this will be impossible to do if access to our premises is blocked by parked vehicles. If a call-out is from a bereaved family considerable distress is likely to be caused if we are unable to attend when requested due to our access being blocked. Additionally, if such inconsiderate parking were carried out during the working day this could prevent a funeral taking place, this would have a devastating effect on a bereaved family and also on us as a business. In 17 years here we have had two instances when this has been close to happening, but this development would increase this risk, as they would be parking for more than an hour or two and would be uncontactable.

We believe the traffic analysis provided with the application to be flawed. On looking at the student accommodation traffic analysis provided by the TRICS database and used for the analysis/report, the surveys were dated 2011 and 2013. Transport Assessment para 6.4, Table 6.2 shows a predicted total of 14 trips per day, we think it reasonable to expect that car use among students has increased in the ensuing six years. Also, the data used for traffic generated by the pub is skewed to larger pub/restaurants, Wetherspoons, Harvester and similar. The Golden Cross does not serve food and is rarely busy except for football match days. On average we (as neighbours over the last 17 years) would estimate their traffic generation as never more than 10 vehicle movements per day, usually much less. The assertion, Transport Assessment, para 8.6, that as a result of the development 'the daily reduction of vehicular trips is expected to be -243 when compared against the existing public house use' appears, at the very least, disingenuous with the very low number of vehicle movements at present from the Golden Cross and given the fact that the university provide some parking for students, indicating the presence of a demand for such facilities.

Our other main concern is the potential for noise, disturbance and anti-social behaviour. One of the reasons we chose our premises is that whilst having easy access to the High Street, being 30 metres back and partially shielded from the main road, our site is surprisingly quiet and peaceful, providing an atmosphere of tranquillity and reflection. This is very important to our customers and thus to our business as a whole. We expect the majority of students to be reasonable neighbours but, given the nature of our business, we are concerned that a small minority could cause disproportionate harm to both our clients and our business. One incident of unruly behaviour or lack of consideration could cause significant distress to a bereaved family. Given that there is a predilection for drinking among some students, (Alcohol Change UK's report 'Student Choices and Alcohol Matters' November 2010 Researchers: Dr Gillian



N Penny and Sarah Armstrong-Jones, School of Social Sciences University of Northampton: Research indicates a pattern of 'binge drinking' or 'drinking to get drunk' and a greater risk of problematic drinking in young, especially single, adults generally (Goddard, 2006, Pincock, 2003, Engineer, Phillips, Thompson, and Nicholls, 2003). Students in particular seem to be at risk of harmful patterns of consumption. For example, Gill (2002) found that students who progress to higher education [HE] show an increase in consumption relative to their peers in the general population.), it is inevitable that an incident will occur, probably within a short timescale. We are similarly very concerned about the risk of 'pranks'. The Funeral Directors next door could prove to be an irresistible target, the consequences of any 'prank' would be devastating for everyone involved, most particularly the bereaved families caught up in it.

Another cause of concern for us is overlooking. Our yard area would be overlooked by up to 19 of the rooms in the proposed development. The yard is used for parking, vehicle washing and preparation and for access and egress to the building for the deceased. The deceased are always either on a stretcher, fully covered, or in a closed coffin and we always reverse vehicles into the yard to shield the view from passers-by in the street. We would expect the site boundary to be defined by a suitably high solid wall, this would prevent overlooking from the ground floor rooms but would still leave 14 rooms able to see into our yard and, more importantly, into the building where we work.

Our final concerns are with the demolition and construction phase which would have a massive impact on our business albeit for a defined period of time. We understand these issues would be dealt with at a later stage in the planning process.

## Conclusion

We feel our business is blighted by the proposed development, most particularly by the noise, anti-social behaviour and car parking issues we have raised as well as the other issues of overlooking and litter, all of which would combine to have a considerable effect on our clients and thus on our business.

## ***Mr Mathew McGinlay (4 Queen Street, Lincoln)***

Customer objects to the Planning Application

As a very close resident to the proposed development site I must object to this planning application.

Queen Street is an extremely narrow street which unfortunately people choose to drive down without taking proper care and attention to check for pedestrians, the street is so narrow that this frequently means that cars mount the pavement to proceed.

As the proposed development plot currently stands there is some visibility both to the high street and to Queen street. The proposed building would reduce that visibility to



near zero, making what is already an iffy street to walk down safely even more dangerous.

Queen street is a long way for students to be commuting when there are plenty of other opportune locations closer to the centre of town. The proposed building feels like an unfortunate case of landlord or developer greed and would actually be a great location for the local community rather than the more ephemeral student population.

I also have concerns about the noise such a building would generate especially with how many proposed rooms there would be. I wouldn't like to tar all students with the same brush but generally speaking they have a liking for loud music, drunkenness and partying and unlike the pub that currently fills the plot there is nothing in the law which says that they have to be quiet after a certain time.

The houses around this site are primarily families and young professionals, a sporadic but large increase in late night noise would be extremely detrimental.

***Mr Jonathan Bellshaw (7 Queen Street, Lincoln)***

Customer objects to the Planning Application

I must object to this most unsuitable planning application. A couple of years ago a planning application was turned down for housing on the site adjacent to this proposed development a lot of that was due to the increase of traffic. The site is not suitable for the proposed development as Queen Street is an extremely narrow street with the only way for vehicles to get down is by driving on the footpath. This will be worse not only during the building process but also with the number of cars that will be associated with the property.

I note that the documents state that there are over 200 movements a day with the pub associated with vehicles but they have clearly never visited the pub as at most there would be less than 20 a day.

The lack of car parking is a concern as there is already a lack of parking for local residents especially given the number of multiple occupancy homes in the immediate vicinity. The information used to back up that students don't have cars is based on historic data and not an accurate reflection.

I also do not believe that there is a need for this type of accommodation in the area for students.

The proposed plans does not appear to me to tie into the councils plan of building affordable homes nor does it link into the wider proposed regeneration of the Sincil Bank area.

We are also concerned over the amount of noise that will come form so many students in the area given the well publicised issues elsewhere with students.

The proposed development is not in keeping with a conservation area either.

We urge the council to reject this application as it will not benefit the community in the long term and does not address other issues such as loss of light by neighbouring properties. I would also say that it is disappointing that the developers have not sought to speak to local residents.

***Mr Calum Watt (77 Canwick Road, Lincoln)***

Customer objects to the Planning Application

As a local resident I feel it is a shame that this pub, which is a valuable community asset is to be demolished. Although I acknowledge that probably cannot be saved if the landowner is determined to change it's purpose, I nevertheless must make some comment on the impact of the current plans on the surrounding area and as well as some concerning features of the design itself, which has, I think, some serious flaws which need to be addressed.

Having read all of the supporting documents for this application, while I am pleased to see that there has been a thorough assessment of the impact of the proposed new building on the surrounding area. However, I am afraid I must disagree with some of the conclusions reached regarding it's compatibility with the local environment.

My principle objection is the buildings' height. It is noted in the Planning Design and Access statement the conclusions of the LPA suggesting that the rear of the development could be lowered to just two stories. I agree with this view and would go further and say that the front of the development should be lowered to a similar height to the surrounding buildings. I make this point because the present design seems quite overbearing and I would be concerned that the residential area would be negatively affected especially considering the already dense and confined nature of Queen Street; many of the dwellings along this street do not even have back gardens while the road is usually choked with parked cars. I feel that having a very imposing modern building at the end of the street would have a very negative impact on the feel of the area and on local residents.

The aesthetics of the building should also be reviewed. Fairly recently the Council has rejected applications on the basis of the designs being "bland" in nature. While it would be futile for a new building to be completely disguised convincingly as a Victorian one, the sudden appearance of a hideously obvious post-modern building, as depicted in the drawings surely cannot be described as staying in keeping with the Conservation Area. Part of this problem may be solved quite simply by removing the particularly ugly and unnecessary grey cladding on the ground floor and ensuring that the brickwork used is as close as possible to the dark tones of the surrounding buildings.

I would also like to make some comments in reference to those made in the statement by the Police with the regards to security. It would appear from the plans that any visitor to the building (or indeed resident seeking to access the upper floors) would be entering directly into what is effectively the ground floor flat. In order to comply with the Police recommendations this would imply that the doors to each corridor as well as presumably to the kitchen itself must be equipped with lockable security doors. I

would suggest that were this to be the case the residents would likely find the process of locking and un-locking the kitchen door in particular every time it is used tedious and inconvenient and are likely to simply leave or even prop it open. This would be a clear fire risk as well as a security one.

Further, the number of rooms that are planned per kitchen seems to me excessive. On the Ground floor, there are 13 rooms planned for one kitchen and on the First and Second Floors this number rises to 17. I do not know whether the one oven depicted in the drawing is merely an illustration of the use of the room but I find it inconceivable that anyone could look at these plans and think that living in those conditions would be desirable - surely in any dwelling there must be reasonable space for each resident to be able to comfortably cook and consume their own meals? The present plans would leave any individual competing for space in one kitchen amongst the equivalent of about 4 average sized families of adults, which hardly seems liveable.

I would suggest that both problems of security and space would be solved by re-configuring the plans slightly to allow for at least two kitchens per floor and the creation of two flats both with one security door that is separate from the communal hallway, the stairwell and the lift.

Thank you for taking the time to read my comment and I look forward to seeing the outcome.

**Mr. Derek Broughton (38 Clive Avenue, Lincoln)**

*Revised Consultation Response:*

I have subjected the revised plan for the above to visual inspection, and would wish to comment as follows

1 The overall overarching massing of the plan remains the same, with the revision of adding a group of purely faux chimneys to the roof line and increase number of first floor windows seeming to be a rather feeble attempt to soften the visual impact of the overall bulk of the building, and to correlate with the existing 19C roof chimneys and roof line.

2 As in the initial comment, in terms of quality of life, nothing has been done to redress the fact of ground floor doors opening direct onto the street.

3 There is still no mention whatever of the detrimental impact of the bulk of such a large building on the Whiting premises ,for the reasons as in the initial comments.

4 There is still no indication of a proposal for the fenestration, or indeed anything,, for the eastern elevation overlooking the Whiting premises

5 As in the initial comment , I would consider a matter of great concern that the proposal does still appear to lack any comprehension, understanding, or even mention, of the premises and the impact thereon, of the premises now to be very seriously overlooked to the eastern elevation.

## DECLARATION OF INTEREST 1

Undersigned is sitting member of Lincoln City Council Historical Environment Advisory Panel , and as such I wish to make comment on the above application which is situated in a Conservation Area.

### SUBMISSION 1

1.1 Comment is made in the application that the height (3 stories) is a positive architectural statement . but examination of the drawings in the proposal would suggest that the immediate impression suggests it would be overpowering in relation to its immediate surroundings , and indeed to the whole of the east side of the High Street south from this point-agreed there are buildings to three stories to the north of this point , but Smith Street gives an effective stop line to their progression south.

1.2. If comparison is made with other new build student accomodation in the City the ground floor logically has been devoted to shopping,admin,meeting,or similar areas,whereas for this development it would appear also be used as living space, with fenestration immediately on to the street-this does raise the question what would be the effect on quality of life for the occupants if in the interests of privacy and an acceptable level of noise , the window could not be opened and always needed drawn blinds or similar.

1.3. It should be considered also that due to the location of the premises, for between 5%-10% of the days in any one year, the footfall is also vastly increased due to the site being on a major access route to the Lincoln City football stadium.

1.4 It may be a matter of concern that in the transport assessment section of the proposal there appears to be a lack of clarity or understanding of the availability of public bus and rail transport in the Lincoln area. Viz- Section 5.1 states Lincoln local bus services 6 and 9 (Birchwood Estate) have out of town destinations of Horncastle, Louth, Mablethorpe, and Skegness. Whilst Section 5.23 gives details of Rail services to the west of the City (and for some reason including one Village stop out of 3) on the Lincoln - Newark route, whilst ignoring completely all the routes East of Lincoln - Grimsby - Boston - Skegness - Peterborough.

## DECLARATION OF INTEREST 2

Daughter of undersigned is an employee of Jonathan Whiting, Funeral Director, Queen Street, and after various conversations, I would further wish to add comments:

## SUBMISSION 2

It is surely a matter of concern and question that the Desktop Study section 1 Envirocheck listing, whilst providing a very comprehensive listing of commercial/industrial premises within possibly a kilometer radius, after careful reading, and re-examination, provides no mention whatsoever of a much used commercial premises literally on the doorstep of the proposed development, Viz. Jonathan Whiting Undertakers, which in view of its context to the proposed development, and the impact the said development would have on those unmentioned premises, is surely disturbing and unexplainable in its omission.

On close examination of the application, there can only be found (and even then indirect and not mentioned by name), on one occasion any reference to the Whiting premises-in the section two desktop study, geo-environmental section, section 2.2.3, comment is made "Retail and industrial development is generally present immediately beyond the south and east boundaries of the site".

In view of the already stated reservations in vertical massing which exist concerning the height of the proposed structure with respect to the High Street elevation, and the partial nod to this in respect of the reduction to the Queen Street elevation, I do wish to make comment in respect of the impact of the proposal would have on the stated "industrial premises" to the east boundary, I.E. The premises of Jonathan Whiting.

It is a reasonable assumption that the nature of the Whiting business could be aptly described as "sensitive", and I feel that if the proposal were to go ahead, the effect on said business could only be described as detrimental for the following reasons:

2.1 Visual impact and daylight intrusion- a three story erection as proposed in relation to the hours of sunlight would materially affect the environment of the Whiting premises, which would now be in shade for a large proportion of the day.

2.2 Overlooking - It must be a matter of great concern that in the proposal as submitted, there is no east elevation provided, such that no estimation can be made in respect of the impact on the yard and working area of the Whiting premises.

2.3 The west elevation of the business would now be overlooked by windows to three stories high , which would enable a view not only of any vehicle movements in the yard area, daytime maintenance and preparation of vehicles for funerals , plus a 24 / 7 collection and movement service.

2.4 Overlooking- The main working 3 storey working and preparation building of the Whiting Premises would now be similarly overlooked, on all floors , which in view of the aforesaid sensitive nature of the business , and the interests of public decency, would necessitate the expense of the installation of some form of obscured glass or similar

2.5 By nature of the business , it is at times a 24 hour operation, and also one demanding great respect - unfortunately whilst the vast majority of any student population can be described as law abiding , regrettably the possibility could be said to exist that with the yard reception area now in full view, and movements possible at any time of day or night ,they may not be given the due respect they may deserve .

2.6 In the instance of Whittings , more than the average out of hours movements can be predicted as they hold the contract for any Movements and removals specified by the Lincoln Coroners Office.

2.7. Parking is an acknowledged problem in the area , and in spite of placing traffic cones across the Whiting yard entrance, the company is regularly inconvenienced by unauthorised parking on the premises, and is a matter of constant concern that the day may arise on one occasion that they are unable to meet a designated funeral time due to being unable to leave the premises.



1.3. It should be considered also that due to the location of the premises, for between 5%-10% of the days in any one year, the footfall is also vastly increased due to the site being on a major access route to the Lincoln City football stadium.

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***Mr Sam Harrison (18 Rosbery Avenue, Lincoln)***

Customer objects to the Planning Application

I would like to object to this proposal, as this pub, like the others in the area is a community space that will not be replaced if it's demolished. There are several pubs in the area, but they are surrounded by a large number of residential dwellings, and the different flavours and communities of people need somewhere to go.

I also think the renderings of the building shown in the picture are completely in keeping with the local area, in fact they are to my eyes, totally hideous. Lincoln's tourism is in a large part due to the historic nature of it's buildings, and as they are gradually demolished, the character of the city is being lost. This pub is beautiful, historic, and large space useful to the community. We've already lost lots of Lincoln pubs in the past few years, including the tragic destruction of the beautiful Burton Arms, once my local. We also lost the city vaults, another pub in this area, presumably due to economic reasons - it's now a restaurant. In a society where community is being heavily eroded in recent years, I think we will regret the repurposing of a community centre to service not students, but a housing bubble. Student lodgings are not in short supply in Lincoln, in fact as I understand they can't be filled.

As pubs are slowly being replaced by bars serving harder drinks and providing less entertainment and social space, casual drinking is turning into binge drinking and it's causing a problem. Once the Golden Cross is gone, it will be another fracture in the community we know and love.

Thankyou for your time :) x

***Jan. L. Bogucki (12 Sidney Terrace, Lincoln)***

I write this letter as an objection:

I object to the design, as it looks out of Charter for this area in the South of the City of Lincoln.

First part, of my objection is the design of the building, it looks like an ugly building, design, overbearing, as a three story, building on the High St, it feels, and looks out of charter, for this area! there seems to be any lack of any green issues - i.e solar panels, or bikes? etc .. and as it does not seem to match or fit in the two story building next to it? I would have an issue with the colour of the porposed brickwork? Permission should be, to refuse for development, - on the grounds of a very poor design, and fails, to back, the opportunities, available for improving the character and quality of the area, plus its negative - visual impact on the neighbourhood.

One Q with this building, so close to the city, why the need for parking, in this development, as it is Queen St one

waytraffic

in such a narrow street, such as parking already on over the pavements on Queen St, as all the streets in the area - are blocked by parked cars at peak times, on over the pavements

one point, the flats for students, would and are - so close to the city, one bus stop 5 min walk?

as all the local streets are already - blocked by parked cars at times.

One Q

This part of the High St,, a junction with Dixon St, at times, peak traffic piles, back as far as South Park roundabout or

the City centre, would you look at this?

cars parked on the pavement at times? queing traffic - noise air quality ?

this must have an impact on this development?

my second point: is Queen St - very narrow - just try to getting down a narrow St, like this on football days,?

the area is congested by people, by traffic... yet no mention- why

and there is loss of an local asset, yet no mention, there is nothing in this development for the local community?

Of any local housing, which is much more needed, than this development (student flats) - it seems,

this part of Lincoln, is heading for an unbalanced community. and lacking any family amenities

this starts to alter the demographics in the area,

yours sincerely

Mr Jan L. Bogucki Local resident

***Mr Ralph Spencer (1 High Street, Scampton)***

Customer objects to the Planning Application

1. This building although unappealing is an intrinsic part of high st community. It should not be demolished
2. there is enough student housing in Lincoln already
3. more consideration should be given to social housing
4. no parking facilities.
5. there is derelict land round the corner suitable for housing

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<b>Application Number:</b>	2019/0062/CXN
<b>Site Address:</b>	Lord Tennyson House, 72 Rasen Lane, Lincoln
<b>Target Date:</b>	27th April 2019
<b>Agent Name:</b>	Globe Consultants Ltd
<b>Applicant Name:</b>	Mill House Developments Lincoln Limited
<b>Proposal:</b>	Variation of Condition 13 (occupied by students only) of planning permission 2015/0530/F. (Revised description)

### **Background - Site Location, History and Description of Development**

Planning permission is sought to vary Condition 13 of planning permission reference 2015/0530/F, granted 18 September 2015. This permission was for the 'Demolition of existing Public House. Erection of part 2-storey, part 3-storey building to accommodate 12 apartments, including 12 car parking spaces, refuse area and new boundary wall to front and side elevations.'

Condition 13 prohibits the occupation of the building by anyone other than students.

*"Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent re-enactment or revocation thereof) the student accommodation hereby approved shall only be used by students and for no other residential use without the prior consent of the City Council as Local Planning Authority."* To this end the apartments have been occupied by students of Bishop Grosseteste University since opening.

The applicants have stated that the university have recently exercised their right to a clause which breaks their lease of these student accommodation blocks. As this has only just been received there is a reduced chance of securing its full occupation for the next academic year.

Therefore the applicants are now seeking the occupation of the apartments by people other than students. Permission is sought to vary condition 13 to:-

*"Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enactment or revocation thereof) the accommodation hereby approved shall only be used by students or those provided with supported living accommodation and for no other residential use without the prior consent of the City Council as Local Planning Authority".*

There is a detailed history to the site however the application prior to the most recent approval was refused and subsequently dismissed at appeal in March 2015 (2014/0366/F and 2014/0002/APRPP). This sought permission for 12 No. apartments (open market housing). The inspectors report stated; "Taking a precautionary approach, I am not persuaded that this situation would not give rise to additional difficulties for the occupiers of nearby dwellings in finding parking spaces with a commensurately adverse impact upon their living conditions." They went on to state "My attention was drawn to Crosstrend House near the appeal site, which, it was suggested, has considerably less than one space per residential unit. However, Crosstrend House appears to be student accommodation, controlled by Bishop Grossteste University, rather than an open market apartment development. As such, different parking requirements are applicable under Annex B(ii) of CLLP policy 34. Consequently, I give this little weight as a comparable example."

This gave rise to the submission of the student accommodation application, which by the inspectors own admission requires less parking. It is this subsequent build which is the subject of this planning application.

Lord Tennyson House is located on the north side of Rasen Lane on the corner of the entrance with Sastangate House. Cecil Street is located opposite with all other boundaries being residential terrace properties.

### **Case Officer Site Visit**

Undertaken on various dates.

### **Policies Referred to**

- National Planning Policy Framework
- Central Lincoln Local Plan – Policy LP26 Design and Amenity

### **Issues**

- Residential Amenity
- Visual Amenity
- Applicants Reasons for Varying Condition 13

### **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
Lincoln Civic Trust	Comments Received

### **Public Consultation Responses**

Name	Address
Celia McCauley	40 Rasen Lane Lincoln Lincolnshire LN1 3HF
Sandra Thompson	1 Harrison Place Lincoln Lincolnshire LN1 3HG



John And Roberta Fleming	3 Saxon Street Lincoln Lincolnshire LN1 3HQ
Phil And Linda Pompa	81 Rasen Lane Lincoln Lincolnshire LN1 3HA
Mr Jonathan Stockdale	80 Rasen Lane Lincoln Lincolnshire LN1 3HD

## **Consideration**

### **National and Local Planning Policy**

Since the approval of the previous planning application the Central Lincolnshire Local Plan has been adopted and as such new policies will be used for the consideration of this application.

### **Proposed Development and Relevant History**

In 2015 an appeal was dismissed for 12 market housing apartments. The reason for dismissal given by the inspector was that the impacts on street parking would have a detrimental impact on the living conditions of current residents.

“Although parking on Cecil Street, roughly opposite the appeal site, is permit controlled this is not the case in relation to many of the surrounding streets. Although parking demand may ebb and flow during the day, based on all that I have read and seen I have no reason to doubt the submissions of local residents that finding a parking space can be challenging. Any overspill parking from the proposed development would certainly exacerbate this situation.”

This was supported at the time by the Council’s adopted parking standards, set out in Annex B(ii) to policy 34 of the City of Lincoln Local Plan (CLLP). However this policy has subsequently been superseded by the Central Lincolnshire Local Plan and no prescribed parking standards are set out within this document.

The inspectors view was that the demand for student parking would be lower and therefore the scheme was subsequently permitted for 12 student flats to overcome the impact on neighbouring residents. It is this impact which needs to be assessed as part of the current application.

The applicants have been contacted by the YMCA. The YMCA operate Rasen House, located east of the application site on Rasen Lane, and have registered an interest in utilising the apartments in question on a ‘supported living’ basis. The applicants have described supported living as “the arrangement whereby someone who already has, or who wants their own tenancy or own home, also receives assistance from a “Care and Support” provider to help them to live as independently as possible. The assistance provided for the prospective tenants could include but is not limited to; help and advice in managing bills and finance, cooking and healthy eating, attaining a job, and learning new skills for independence.”

The YMCA have stated their intention for the application site to be used by their residents in a similar manner to those currently in Rasen House. This would involve a client group anticipated to require 'low support needs' occupying the application site.

The management would have control over car tenant parking on this site. Based on their current client groups, the YMCA has a total of 90 accommodation units across the city, with only 3 people living in these units owning a car. On this basis they are confident that the issue of on-street car parking would not arise as a consequence of YMCA occupation. Given that the restriction of the use of the property by students was to limit and control the need for car parking, it is considered that the use of the property by both students and tenants of the YMCA, would give rise to no greater demand for car parking.

### Residential Amenity

The proposed variation of condition would result in no changes to the approved scheme in terms of layout and design. Therefore there would be no increase in the numbers of people occupying the development as a whole and the type of occupancy would still fall within the C3 (residential) use class.

A number of objections have been received from local residents. The main issue raised relates to the impact on street parking. This has been discussed elsewhere within this report and it is considered that the proposed change of occupation would still have sufficient control over parking so as not to affect residential amenity.

The other issue relates to the demand for student accommodation in the city. Local residents feel there is sufficient demand in the city that this accommodation could be occupied by students. The proposed application does not prohibit the apartments being occupied by students, and should there be demand the whole site could continue to be occupied in the same way. However the variation allows some flexibility should the demand for student accommodation fluctuate.

### Visual Amenity, Design and the Character and Appearance of the Area

The proposed removal of Condition 13 would have no impact on the appearance of the building.

### Highways

The Highways Authority have raised no objections to the proposed variation of the condition.

### Conclusion

The variation to allow the occupation of the apartments by both students and as supported living accommodation would have no adverse impacts on neighbouring residents and nor would there be any visual impacts. The condition still allows control of car parking which was the reason for the condition being imposed on the original consent. Therefore it is acceptable to allow the variation and it accords with national and local planning policy.

### **Application Determined within Target Date**

Yes.

### **Recommendation**

That the application is Granted Conditionally.

### **Conditions**

All those conditions on the previous application which are still valid:-

- Prior to the installation of any stationary external plant or machinery (including air source heat pumps), a noise impact assessment report shall be submitted to the planning authority for approval.
- The arrangements shown on the approved plan for the parking/turning/manoeuvring/loading/ unloading of vehicles shall be available at all times when the premises are in use.
- Any gates to the vehicular access shall be set back and shall not open over the highway.
- Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enactment or revocation thereof) the accommodation hereby approved shall only be used by students or those provided with supported living accommodation and for no other residential use without the prior consent of the City Council as Local Planning Authority.

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## Plans

### Site Location Plan



## Photos



## Consultee Responses

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



To: Lincoln City Council

Application Ref: 2019/0062/CXN

With reference to this revised application dated 22 March 2019 relating to the following proposed development:

Address or location

**Lord Tennyson House, 72 Rasen Lane, Lincoln, Lincolnshire**

Date application referred by the LPA  
30 January 2019

Type of application: Outline/Full/RM/  
CV

Description of development

**Variation of Condition 13 (occupied by students only) of planning permission  
2015/0530/F. (Revised description)**

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

**Does not wish to restrict the grant of permission.**

### CONDITIONS (INCLUDING REASONS)

Please be advised that LCC as Highways Authority have no objection to the variation of Condition 13 of the original decision 2015/0530/F.

Case Officer:  
*Becky Melhuish*  
for Warren Peppard  
Flood Risk & Development Manager

Date: 22 March 2019

## Neighbour Responses

**From:** Bobby Fleming  
**Sent:** 15 February 2019 17:30  
**To:** Meddings, Lana (City of Lincoln Council)  
**Subject:** 72 Rasen Lane ref.2019/0062/cxn

**Dear Sirs,**

**We wish to place on record our objection to the removal of condition 13 on the above property. We understood at the time that as this was for student accommodation only the requirement was for a parking space for each of the apartments plus a visitor space, and that residential use required two parking spaces per apartment and visitor spaces. where is the developer going to find the additional parking? The residents will be forced to park in the surrounding streets putting even more pressure on resident trying to park in the streets they live in. The universities in this city seem to be always expanding surely there are enough students looking for accommodation for this to be left as it is. We sincerely hope the permission will not be granted.**

**John & Roberta Fleming  
3 Saxon Street  
Lincoln  
LN1 3HQ**

---

My comments , submitted as a Ward Councillor, are as follows

The current permission has a limited amount of car parking space which at least in part was due to students being regarded as less likely to have cars. The lifting of the student-only condition again raises the issue of the number of car parking spaces on this site and this needs to be reviewed. The streets immediately around this site already have serious parking problems and any increase in street parking will only make this worse.

The proposal is to repurpose the building for supported living and therefore the condition 13 should be changed to use as student or supported living only rather than leave the situation so that there is no restriction on occupation of the building.

Cllr Donald Nannestad

---

### **Comments for Planning Application 2019/0062/CXN**

#### **Application Summary**

Application Number: 2019/0062/CXN  
Address: Lord Tennyson House 72 Rasen Lane Lincoln Lincolnshire  
Proposal: Removal of Condition 13 (occupied by students only) of planning permission 2015/0530/F.

Case Officer: Lana Meddings

#### **Customer Details**

Name: Mr Jonathan Stockdale  
Address: 80 Rasen Lane Lincoln

#### **Comment Details**

Commenter Type: Neighbour  
Stance: Customer objects to the Planning Application



Comment Reasons:

Comment: Dear Sir/Madam

RE: Planning Variation 2015/0530/F 72 Rasen Lane Lincoln - Removal of condition 13.

I wish to make you aware of concerns that I have relating to the removal of condition 13 on the above address. As a close neighbour to this property I have concerns that this change will affect ourselves and other residents in the Rasen Lane area detrimentally.

My objections are as follows:

1 At the outset of the development of 72 Rasen Lane I made representation to you concerning the inadequate parking arrangements if the development was to be divided into flats for domestic use. This has not changed.

The development as student accommodation put in place some control over the parking arrangements for the flats. Indeed this was a key factor in the development and was cited within the justification for the original planning permission. (The argument being put forward that students were dissuaded from bringing cars by the university and that the university would manage the car parking arrangements). This has worked well to date.

It is anticipated that if the condition 13 is lifted then the apartments could have a minimum of two occupants, both with cars and insufficient available parking spaces for those living in the flats. (Currently 13 spaces are available for 12 flats. The demand could foreseeably increase to 24 vehicles plus visitors). Obviously some car parking would then be dispersed onto the already saturated residential streets that local residents already struggle to park legitimately upon. In an evening cars are regularly parked on double yellow lines and bar marked spaces as well as on footways and verges in the surrounding streets making it difficult for legitimate users to access their garages and homes.

2 Further development

It is not inconceivable, as I suggested earlier that these apartments may not be just two person occupied. If, in future, the internal arrangements are re-configured, it is possible that the number of flats or rooms available within the flats for occupation could be increased, further exacerbating the parking issues in the area.

Planning Policy 8b (2) indicates that developers should make provision on site for parking and appendix B(ii) indicates that there should be one space per dwelling for those under 112m<sup>2</sup> and two per dwelling where it exceeds that figure, plus one additional parking space per dwelling for visitors in either case. Clearly there are insufficient spaces allocated for the size of the development and there should be no relaxation of this requirement for this development for the reasons highlighted above. The new Central Lincolnshire Local Plan indicates in LP13 (q) 'The number and nature of spaces provided, location and access should have regard to surrounding conditions and cumulative impact'. At present I do not think this development is considering those likely to be affected by the change.

3 Demand for student accommodation

I was somewhat surprised that the applicant feels that there is insufficient market for student accommodation in the area especially considering the representations made in 2015. While there is development of student accommodation in the lower part of the city, accommodation nearer to the Bishop Grosseteste University in the locality is needed to prevent unnecessary car journeys. This Rasen Lane student accommodation may be needed as the cost of car ownership increases and students wish to base themselves closer to their place of study.

As numbers of students are anticipated to grow in future years as part of the university growth, such accommodation is still likely to be needed.

It seems that this requirement to change the conditions may be a knee jerk reaction and the market for these student apartments should be considered over a longer period. Part occupancy must have been anticipated by the developer at the outset?

One could consider that this is a development by 'stealth'. The planning process should be robust enough to prevent developments being constructed then changed afterwards through tinkering with conditions to get what was originally wanted by the developer at the outset.

Yours Faithfully

Jonathan Stockdale

Page 1.

72, Raseen Lane -  
Application: Removal of Condition 13  
(occupied by students only) of planning  
permission 2015/0530/F

1, Harrison Place,  
Lincoln

LN1 3H9

24.2.19

To whom it may concern,

I am writing to express my concern over this proposed change. The original plans were passed in 2015 after three attempts and most concerns expressed at that time were about parking. The independent 'assessors' even remarked that there was a huge parking problem in the area. However, the development was eventually passed because the 13 parking spaces for the 24 residents were deemed adequate for student occupation only.

I have enclosed the relevant part of the summing up:-

Parking

The NPPF is clear in stating that developments should be located 'where the need to travel will be minimised and the use of sustainable transport methods can be maximised' (NPPF Chapter 4). The site is sustainably located in proximity to the goods and services of the City Centre, Burton Road and Newport. On the previously presented scheme, in the same location, the Highway Authority considered the development to be in a sustainable location with good pedestrian links to local facilities, services and bus routes.

As acknowledged by the Planning Inspector the site is located in a densely developed residential area, typically characterised by relatively small, terraced housing fronting onto the street with very limited off-street parking provision. It is not disputed that pressure for on-street parking spaces is an issue in the locality. There are some on-street parking restrictions in place in the surrounding area but similarly there are still areas which are unrestricted.

The parking standards set out in Annex B (ii) to policy 34 of the City of Lincoln Local Plan set out the requirements for parking provision for a number of different uses. Whilst it is recognised that these parking standards are out of date the planning inspector used them in coming to his decision on the scheme. As such it seems reasonable for the applicant to apply the same standards to this scheme. In fact the inspector specifically states that student accommodation would require different parking requirements "My attention was drawn to Crosslanes House near the appeal site, which, it was

suggested, has considerably less than one space per residential unit. However, Crosslanes House appears to be student accommodation, controlled by Bishop Grosseteste University, rather than an open market apartment development. As such, different parking requirements are applicable under Annex B(ii) of CLLP policy 34." As such a halls of residence would be required to provide one space per 2-6 students + one space per two non-resident members of staff normally present. This is between 4 and 12 spaces with no need for staff parking, as no staff would be on site.

Therefore the proposed 13 spaces would be adequate for the proposed student accommodation development. Two of the spaces would be dedicated disabled spaces. The level of provision would be comparable with other developments in nearby locations at Crosstrend House and the newer development, yet to be occupied on Nettleham Road.

\*

Given that the acceptability of the number of parking spaces is reliant on the use of the building being for student accommodation it is considered reasonable to restrict the use of the building to ensure that the building does not change to a standard C3 residential use as it has already been established that this would be an unacceptable use and could lead to an unreasonable increase in the amount of on street parking.

\*

I believe the number of parking spaces would not be sufficient for non-student occupancy. The spaces are often quite full even now. In theory, there are 24 beds and therefore there could be 24 car owners! One of our local councillors, Ms. Lorraine Woolley, listed parking issues as one of her priorities when she recently sought re-election, so I am sure she would also be concerned that any local development would further exacerbate the huge problem we have.

Yours faithfully,

81 RASEN LANE  
LINCOLN  
LN1-3HA  
TEL 01522 538501

CITY OF LINCOLN COUNCIL  
CITY HALL  
BEAUMONT FEE  
LINCOLN  
LN1-1DF

DEAR SIR / MADAM

APPLICATION REF 2019/0062/CXN  
LORD TENNYSON HOUSE (72 RASEN LN)

I would like to raise the following issues relating to this application.

- 1) PARKING, I understand if condition 13 is removed any future occupation is unrestricted, the possible number of people will lead to many more cars. The facilities only exist for 12 on site cars, the prospective increase in cars would lead to even more of a parking problem locally.
- 2) Future Occupation, The current layout of the dwelling if not modified is suited to singles in each room with a common kitchen's.

We have in our area two facilities for offenders plus the YMCA, problems are rare but an influx of many more may tip the balance.

For the above reasons we would like to object to the application.

Yours Faithfully

Please ask for: Celia McCauley  
Tel: Home [REDACTED]  
E-Mail address: [REDACTED]  
Mobile: [REDACTED]  
My Ref: Lord Tennyson, 72 Rasen Lane, Lincoln  
Your Ref: 2015/0530/F

Development & Environmental Services  
Mr K Manning (Planning Manager)  
City Hall, Beaumont Fee  
Lincoln, LN1 1DF

40 Rasen Lane  
Lincoln  
Lincolnshire  
LN1 3HF

Date: 26<sup>th</sup> March 2019

Dear Sir/Madam

**CONSULTATION OF PLANNING APPLICATION NO: 2015/0530/F**

**LOCATION:** Lord Tennyson, 72 Rasen Lane, Lincoln LN1 3HD

**PROPOSAL:** Variation of Condition 13 (occupied by students only) of planning permission  
2015/0530/F (Revised description)

Definitely a fourth refusal for Lincoln pub site redevelopment, refusal apartments had been refused for a third time by the City Council after receiving many formal objections, absolutely fourth refusal and should only be considered regarding the number of car parking spaces before you even consider removing the student only restriction.

I walk past this site several times a day and parking is a serious issue. At the time the application was approved on the condition based on the suggestion that students are less likely to possess cars than non-students then the parking arrangements certainly need to be reconsidered before the student only restriction.

The proposal which originally detailed 54 bedrooms with nine student apartments was dismissed twice in 2013 due to the lack of car parking. The revised plans included 11 two bed and 1 one bed apartments.

Once again fourth we have to put forward our comments with the same arguments regarding the development of the Lord Tennyson, 72 Rasen Lane, Lincoln. How long do we need to continue to stress our concerns before the planning department grant permission?

**Key points of objection:**

- 1) DETRIMENTAL IMPACT - Upon residential amenities
- 2) PARKING - 24 apartments but leaves a shortage of 12 parking spaces
- 3) FUTURE DEVELOPMENT - Communal students area extra apartments another planning application
- 4) HIGHWAY SAFETY - inadequate parking and access
- 5) DEMAND STUDENT ACCOMMODATION - New Medical School will deliver training to around 400 undergraduate students
- 6) NON-COMPLIANCE - With other council planning policies/government planning guidance (planning policy 8b (2) appendix B(ii))

I need you to confirm where you believe these cars are going to park? Parking in this area is already greatly affected and this development is going to be catastrophic and has already destroyed the area for all residents including their health.



Another resident addressed the issue of parking in the surrounding area: "The amount of dwellings has been reduced but there still may be more cars than the 12 parking spaces provided. The parking issue has got considerably worse since the first application was proposed."

I would therefore urge the planning officers and committee to refuse this application and please look at the pictures and parking issues we already have and significant impact on Police and Ambulance Services when considering this planning application.



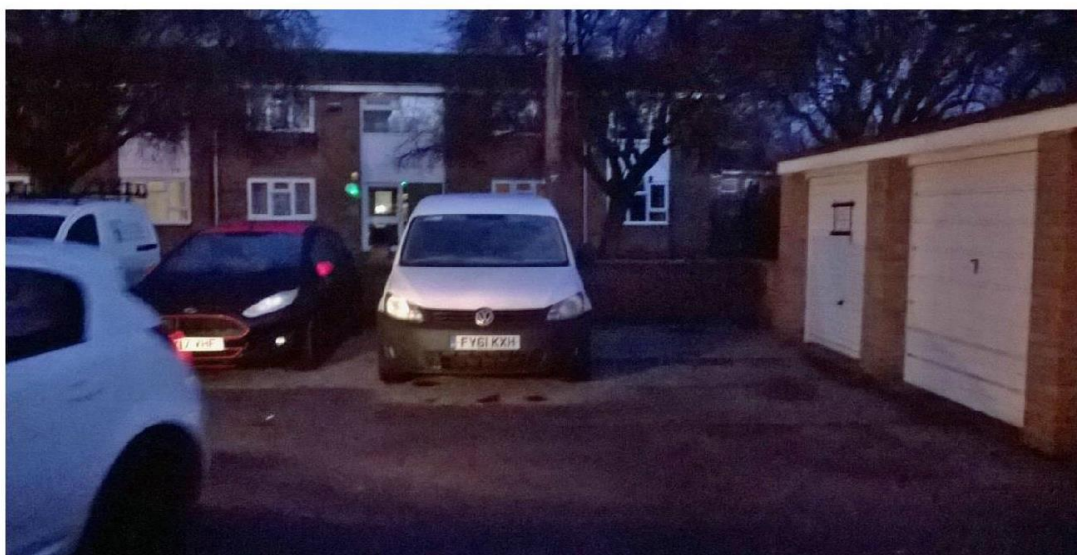
Sastangate House parking - This van (attached pictures) has been parked since Friday morning 22<sup>nd</sup> March 2019 and was still parked at Sastangate House Garages this morning blocking access to four garages (the owner returned Monday 25<sup>th</sup> March 2019)



Blocking Garage 21<sup>st</sup> March 2019



Blocking Garage 11<sup>th</sup> March 2019



Blocking Garages 14<sup>th</sup> January 2019





Blocking Garage 8<sup>th</sup> January 2019



Blocking Access into Garages 3<sup>rd</sup> December 2018

Every day on my way to work and return journey I have taken hundreds of photos of cars parked illegally on double yellow lines, bar marked spaces, on footways and grassed verges in the surrounding streets making it difficult for legitimate users to access their garages and homes.

Yours sincerely

[Redacted signature]

Celia McCauley



## Application Summary

**Address:** Lord Tennyson House 72 Rasen Lane Lincoln  
Lincolnshire

**Proposal:** Variation of Condition 13 (occupied by students only)  
of planning permission 2015/0530/F. (Revised  
description)

**Case Officer:** Lana Meddings

## Customer Details

**Name:** Mr Jonathan Stockdale

**Address:** 80 Rasen Lane, Lincoln, Lincolnshire LN1 3HD

## Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Planning Application

**Comments:** RE: Planning Variation 2015/0530/F 72 Rasen Lane Lincoln  
- Removal of condition 13.

Further to your letter of 21st March 2019 advising of the revised description in the variation of Condition 13 (occupied by students only) of planning permission 2015/0530/F, I have the following additional comments to add to my previous response of 24th February 2019, that still stands.

1 If this condition is removed, then it may easily be envisaged that if the arrangement with YMCA does not come to fruition, then the developer of 72 Rasen Lane shall easily be able to change their plans again, this time without returning to the planning authority. The condition being removed will allow them a free run at letting the flats out on independent leases, so getting what they initially wanted at the outset. This will have a wholly detrimental effect on the local residents who already suffer issues with parking/congestion as I have highlighted in my previous comments.

2 While it is possible that the residents of the YMCA accommodation currently do not have cars; that could easily change. I would expect, with the support that is anticipated for the residents, extra car parking will be required for those differing agencies that need to visit and support. Where are they all going to park?

3 I have no objection to supported living at the flats at 72 Rasen Lane, as I believe that the YMCA would wish to 'manage' the parking in a similar fashion to Bishop

Grottesse University. I would see a compromise solution here being that condition 13 remains (occupied by students) but modified to: (occupied by students or residents as part of a supported living project, through an official partner e.g. YMCA); where the partner manages parking thoughtfully.

4 It is noted in the local press this last week, that the new premium student accommodation being developed in Park Street is delayed, and students are now seeking accommodation for next university year; surely the need is there! What evidence is there of the accommodation being offered to university students being displaced from there? In summary, removal of this condition will cause residents of Rasen Lane and adjacent streets additional hardship and poorer quality of life.

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<b>Application Number:</b>	2019/0119/RG3
<b>Site Address:</b>	Tennis Courts, Boultham Park, Boultham Park Road, Lincoln
<b>Target Date:</b>	12th April 2019
<b>Agent Name:</b>	City Of Lincoln Council
<b>Applicant Name:</b>	City Of Lincoln Council
<b>Proposal:</b>	Erection of a 3 metre high fence and gates to replace existing.

### **Background - Site Location and Description**

The proposed development relates to Boultham Park Tennis Courts situated to the north of the Bowling Green and Pavilion and to the rear of residential properties along Western Avenue. To the west is the residential development known as Home Green, which is nearing completion.

The application site falls within the boundary of Boultham Park which is Grade II Listed Historic Park and Garden and the Witham Valley Green Wedge.

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 20th March 2019.

### **Policies Referred to**

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP22 Green Wedges
- Policy LP25 The Historic Environment
- National Planning Policy Framework

### **Issues**

Whether the proposal is in accordance with the provisions of Policy LP22 'Green Wedges' and Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) and relevant guidance contained within the National Planning Policy Framework (2019)

### **Consultations**

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

### **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	No Response Received
Environmental Health	Comments Received

Shane Harrison	No Response Received
Lee George	No Response Received
Lincolnshire Wildlife Trust	No Response Received

### **Public Consultation Responses**

Name	Address
Mrs Christine Bush	39 Western Avenue Lincoln Lincolnshire LN6 7SR

### **Consideration**

The application proposes to replace the existing 2.4 metre high chain-link perimeter fence and gates with 3.0 metre high VTECH(C) sports fence and gates. The system would be galvanised and polyester powder coated to Green (RAL 6005).

Boultham Park is a Grade II listed Historic Park and Garden and falls within the boundary of the Witham Valley Green Wedge. Green Wedges are open areas around and between parts of a settlement, or settlements, which maintain the distinction between the countryside and built up area, and which also provide recreational and wildlife protection and enhancement opportunities. Policy LP22 'Green Wedges' is permissive of development within Green Wedges provided it can be demonstrated that the development is not contrary or detrimental to the function and aims of Green Wedges; and it is essential for it to be located within the Green Wedge, and the benefits of which override the potential impact on the Green Wedge. Policy LP25 'Historic Environment' is supportive of development proposals provided they protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset.

Boultham Park provides formal and informal recreational opportunities set within a wider green space. The application proposes to replace the perimeter fence and gates to the existing tennis courts and would not therefore materially alter the function of that space within Boultham Park or the Witham Valley Green Wedge. Whilst the proposed fencing would appear more prominent than the existing chain-link fencing it would duly reflect the function of the space and its setting within the park. It is therefore considered the proposed development would preserve the character and appearance of Boultham Park and the function and aims of the Witham Valley Green Wedge, in accordance with the aforementioned policies.

The occupants of No. 39 Western Avenue have made comments in support of the application. The application confirms the existing gravel boards to the rear of the

properties along Western Avenue would remain in place, and the proposed fencing would provide a robust and secure perimeter to the tennis court which would maintain if not improve security to the rear of these properties.

**Application Negotiated Either at Pre-Application or During Process of Application**

No.

**Financial Implications**

None.

**Legal Implications**

None.

**Equality Implications**

None.

**Conclusion**

The proposed development would preserve the character and appearance of Boultham Park and the function and aims of the Witham Valley Green Wedge, in accordance with the provisions of Policy LP22 'Green Wedges' and LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) and relevant guidance contained within the National Planning Policy Framework (2019)

**Application Determined within Target Date**

Yes.

**Recommendation**

That the application is Granted Conditionally.

**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**

None.

**Conditions to be adhered to at all times**

None.

**Table A**

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

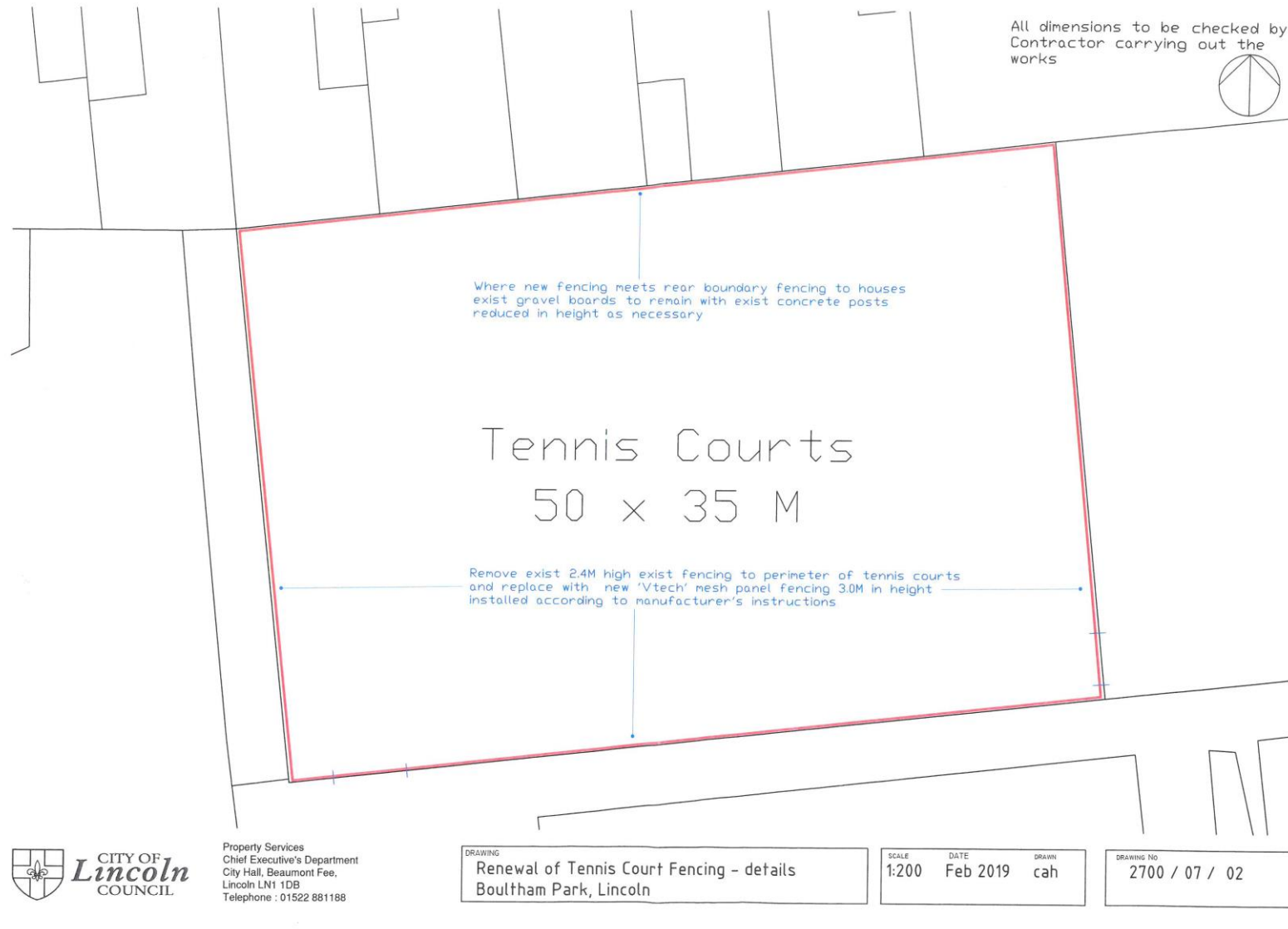
Drawing No.	Version	Drawing Type	Date Received
2700/07/01		Site plans	11th February 2019
2700/07/02		Plans - Proposed	11th February 2019

[illegible]



# Proposed plan

108

















## **Consultee Comments for Planning Application 2019/0119/RG3**

### **Application Summary**

Application Number: 2019/0119/RG3

Address: Tennis Courts Boultham Park Boultham Park Road Lincoln Lincolnshire

Proposal: Erection of a 3 metre high fence and gates to replace existing.

Case Officer: null

### **Consultee Details**

Name: Mr Ian Wicks

Address: Directorate Of Development And Environmental Services, City Hall, Beaumont Fee  
Lincoln, Lincolnshire LN1 1DF

Email: [ian.wicks@lincoln.gov.uk](mailto:ian.wicks@lincoln.gov.uk)

On Behalf Of: Environmental Health

### **Comments**

I confirm that I have no objections to this application.

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



To: Lincoln City Council

Application Ref: 2019/0119/RG3

With reference to this application dated 14 February 2019 relating to the following proposed development:

Address or location

**Tennis Courts, Boultham Park, Boultham Park Road, Lincoln, Lincolnshire**

Date application referred by the LPA  
20 February 2019

Type of application: Outline/Full/RM/  
FUL

Description of development

**Erection of a 3 metre high fence and gates to replace existing**

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

**Does not wish to restrict the grant of permission.**

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

Case Officer:

Date: 8 March 2019

*Polly Smith*

for Warren Peppard

Flood Risk & Development Manager

## Comments for Planning Application 2019/0119/RG3

### Application Summary

Application Number: 2019/0119/RG3

Address: Tennis Courts Boultham Park Boultham Park Road Lincoln Lincolnshire

Proposal: Erection of a 3 metre high fence and gates to replace existing.

Case Officer: null

### Customer Details

Name: Mrs Christine Bush

Address: 39 Western Avenue Lincoln

### Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Thank you for the notification of application to erect a 3 metre high fence and gates around the tennis courts as a replacement to what is already there, which is very welcome. I would comment on the following:-

1. Currently we have two fences one of 1.8 metres, the other 3 metres, therefore providing a double fence, both of which were provided by the council, both of which are currently very overgrown with ivy, the roots of which come from the tennis courts.
2. There is currently a concrete plinth in place.

We would not want the concrete plinth to be removed.

Reassurance that if both fences are removed, the replacement will offer a similar amount of security from intruders as the double fence does at present.

We would also welcome some re-assurance that the ivy issue will be dealt with.

Notification of when the work will commence and the duration of this so as suitable arrangements can be made regarding security for both us and your workforce as we have a dog.



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<b>SUBJECT:</b>	<b>EXCLUSION OF THE PRESS &amp; PUBLIC</b>
<b>DIRECTORATE:</b>	<b>CHIEF EXECUTIVE &amp; TOWN CLERK</b>
<b>REPORT AUTHOR:</b>	<b>CAROLYN WHEATER, MONITORING OFFICER</b>

**1. Purpose of Report**

- 1.1 To advise members that any agenda items following this report are considered to contain exempt or confidential information for the reasons specified on the front page of the agenda for this meeting.

**2. Recommendation**

- 2.1 It is recommended that the press and public be excluded from the meeting at this point as it is likely that if members of the press or public were present there would be disclosure to them of exempt or confidential information.

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