

PLANNING COMMITTEE

**Wednesday, 4 November
2020**

5.30 pm

Virtual Meeting Via Zoom

Membership: Councillors Naomi Tweddle (Chair), Bob Bushell (Vice-Chair), Biff Bean, Bill Bilton, Alan Briggs, Kathleen Brothwell, Chris Burke, Gary Hewson, Rebecca Longbottom, Bill Mara and Edmund Strengiel

Substitute members: Councillors Jackie Kirk and Neil Murray

Officers attending: Simon Cousins, Democratic Services, Kieron Manning, Louise Simpson and Dave Walker

VIRTUAL MEETING VIA ZOOM

Join from a PC, Mac, iPad, iPhone or Android device:

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Passcode: 144894

Or join by phone:

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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 speak at the relevant time.

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes - 7 October 2020	5 - 12
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.	
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THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor
Bill Bilton, Councillor Alan Briggs, Councillor Chris Burke,
Councillor Liz Bushell, Councillor Gary Hewson,
Councillor Rebecca Longbottom, Councillor Bill Mara and
Councillor Edmund Strengiel

Apologies for Absence: Councillor Kathleen Brothwell

91. Confirmation of Minutes - 12 August 2020

RESOLVED that the minutes of the meeting held on 12 August 2020 be confirmed.

92. Declarations of Interest

No declarations of interest were received.

93. Work to Trees in City Council Ownership

Simon Cousins, Planning Team Leader, on behalf of the Arboricultural Officer:

- a. advised members of the reasons for proposed works to trees in the City Council's ownership and sought consent to progress the works identified, as detailed at Appendix A of his report
- b. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required
- c. explained that Ward Councillors had been notified of the proposed works.

Members discussed the content of the report in further detail.

Members requested:

- Further clarification behind the need to fell a Sycamore tree in Abbey Ward described as the current form of the tree preventing effective future management.
- Why the felling of two trees in Minster Ward was a retrospective application.

Simon Cousins, Planning Team Leader, on behalf of the Arboricultural Officer offered the following points of clarification to members:

- The felling of a Sycamore tree in Abbey Ward to the rear of Greetwell Close was necessary as it severely overhung the property boundary to the rear. The tree would need to be taken back to the boundary to make it safe, and in terms of its worth this action would make it unable to regenerate. It was considered appropriate therefore to replace it with a more suitable specimen in a suitable position within the Ward.

- Access to the property at 25 Thurlby Crescent in Minster Ward was through the house only. The property became vacant and it was felt wise to carry out the felling of two trees in the back garden whilst it was empty. Both trees had stem defects with the potential to cause unpredictable collapse. It wasn't practically possible to bring the request to Planning Committee before the works were undertaken, hence a retrospective notice for work undertaken was presented this evening.

RESOLVED that tree works set out in the schedules appended to the report be approved.

94. Applications for Development
95. Byron Place, 19 The Colosseum, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for two dwellings within a previously developed site at Byron Place, 19 The Colosseum, Lincoln
- b. referred to additional paperwork circulated to members further to the previously issued Planning Committee agenda, containing site location plans, visuals of the proposed dwellings and photographs in relation to this planning application
- c. described the location of the previously built site known as the Colosseum consisting of a crescent of 14 terraced houses with basements and then two full floors of accommodation and a further third floor of accommodation within the roofspace, originally built in 2015 under application (2012/1433/F)
- d. reported that the specific site subject to the current application was granted planning permission for a 'sunken garden' under application 2014/0550/F, the area currently used as garden land by the occupants of No. 19 The Colosseum
- e. confirmed that the two additional dwellings proposed would be attached to the side of No. 19, continuing the crescent shape of the previous development in form and design
- f. described the development accessed from Newport by way of a private road within the ownership of the applicant, following the original scheme of 14 dwellings, a further 4 dwellings and an apartment were constructed directly off the access road and a further 3 dwellings fronting Newport following the demolition of a pair of semi-detached houses under application (2016/0191/CXN)
- g. 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 LP11: Affordable Housing
 - Policy LP13: Accessibility and Transport
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework

- h. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
- Planning Policy
 - Visual Amenity
 - Residential Amenity
 - Highways, Access and Parking
 - Other Matters
- i. outlined the responses made to the consultation exercise
- j. concluded that :
- The principle of the use of the site for residential purposes was considered to be acceptable in this location.
 - The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design.
 - The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
 - The application would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies, as well as guidance within the National Planning Policy Framework.

Members highlighted that the current development for two dwellings was clearly linked to the previous scheme for 14 dwellings on site, which had been below the threshold for an element of affordable housing at the time, however over the threshold with the two additional proposed dwellings now applied for. Members referred to the original scheme having been completed for more than 5 years and therefore an affordable housing contribution could not be sought under Policy LP11 of the Central Lincolnshire Plan. They commented on the reality that the two extra dwellings overcame the affordable housing clause

Members further commented as follows:

- There were no planning reasons to refuse the development although there was some element that suggested the sunken garden was to be used as a play area.
- It was important to take note that 10 objections had been received to the proposed scheme out of the 14 residents in total.
- Additional housing stock was badly needed, although pressure should be imposed on Central Government to rethink the nature of planning law in these circumstances.
- It was suggested that planning rules were being manipulated by the developer.
- Objections had been received from local residents in terms of parking issues however, there had been no objection from the Highways Authority in this respect as statutory consultee.

The Planning Team Leader offered the following points of clarification to members:

- Officers had rigorously checked the completion date for the original development and it was not within the last 5 years.

- The developer had retained ownership of No 19 the Colosseum and rented out the property.
- Open space was provided in the centre of the crescent for local residents use.
- He accepted the views of members of Planning Committee.

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

- To begin within 3 years
- In accordance with drawings
- Contaminated land conditions
- Materials to be those specified on the application, to match existing development
- Boundary treatments to be those specified on the application, to match existing development
- Construction and delivery hours restrictions

96. **Planning White Paper Consultation**

Kieron Manning, Assistant Director – Planning:

- a. presented a report to update Planning Committee on the content of the recent White Paper consultation from Central Government on reforming the planning system
- b. referred to paragraph 2 of the report and outlined the two consultations published by the Government on 6 August 2020 relating to the Planning System, one being a fairly straightforward consultation on proposed changes to the current planning system, the second proposing major changes to the planning system as part of an overhaul by the Government calling our 'outdated and ineffective planning system'
- c. advised that the 'Planning for the Future' White Paper published in early August saw significant changes at both Policy and Development Management stages, the Government had stated that it had the potential to alter the planning system more than any previous reforms since the inception of the planning system in 1947
- d. advised that in the forward to the White Paper, the Prime Minister stated that the government's ambition was to create a planning system which was "simpler, clearer and quicker to navigate, delivering results in weeks and months rather than years and decades"
- e. advised that since 1947 planning applications in England had been assessed on a case-by-case basis against a long-term local plan, with permission ultimately decided by committee
- f. reported that the new system proposed to diminish this, with land instead classified into three zones within a new Local Plan, with outline planning permission awarded automatically if proposals met specific criteria within specific zones

- g. explained that the White paper proposed that the following three categories would apply to all land within a district boundary as part of the local plan allocation process:
- i. Growth
 - ii. Renewal
 - iii. Protection
- h. referred to paragraph 4 of the report and summarised the key proposals covering the following main areas:
- Local Plan Proposals
 - The Role of Councillors and Development Management
 - Public Engagement
 - Section 106 Agreements and Community Infrastructure Levy (CIL)
 - Housing Targets
 - Design
 - Enforcement
 - Delivering Changes
- i. explained the implications of the proposed changes at paragraph 5 of the report
- j. advised that the consultation was open until 29 October 2020 and that subject to the outcome of the consultation, the government “would seek to bring forward legislation and policy changes” to implement its reforms acknowledging that “we have not comprehensively covered every aspect of the system, and the detail of the proposals would need further development pending the outcome of the consultation”
- k. highlighted that the proposals would require primary legislation followed by secondary legislation and an updating of the National Planning Policy Framework
- l. reported that at the time of drafting this report none of the key organisations within the sector had issued their formal response to the White Paper but the Assistant Director – Planning had been part of a number of webinar discussions attended by LGA, DCN, CCN, POS, MHCLG and a range of Council representatives from across the country where many of his concerns had been echoed
- m. added that members of the Central Lincolnshire Joint Strategic Planning Committee had endorsed an officer report highlighting the same planning policy concerns of the White Paper and whilst as a Planning Policy body they would be submitting a formal response to the consultation it had also been agreed that each district would also submit their own response
- n. requested that Members endorse the conclusions of the report together with the suggested response to each question as detailed at Appendix A to the report, and to further recommend to Executive for approval.

Members discussed the content of the report in further detail. The following comments emerged:

Comment: Planning Committee was not seen as a scrutiny body although it scrutinised the reasons why there was agreement or disagreement in relation to particular developments. These new proposals would lose sight of a great deal of this deliberation which was of great concern. Planning Inspectors should have a role to play in new development. There were a lot of concerns should the reforms go ahead

Comment: The proposed reforms would require local people to take a much greater part in the local plan consultation process if they didn't want development in 'their own back yard' as once the Local Plan was decided this would form the basis of what type of houses would be built.

Comment/Question: There was much talk about three zones including a zone of protection. A lot of these areas were already protected. Would these protected areas be extended and how? Would the idea of green protective areas through cities also be extended?

Comment by Chair: The Central Lincolnshire Joint Strategic Planning Committee had voted unanimously not to support the proposed reforms within the Government White Paper as it agreed that local residents should be involved in consultations on local plans. Once that opportunity was gone it would not be available again.

The proposed reforms removed the safety net provided by Planning Committee and development authorities. Residents would lose the ability to have their say. People would feel powerless in their communities'. The Planning Manager had stated that should applications be refused but approved at appeal stage then applicants would also receive an automatic refund of the planning fee which could be quite substantial she believed.

Comment/Question: In terms of street design and facilities for cars, cyclists and pedestrians, how would the proposed reforms affect our relationship with our current statutory consultees e.g. The Highways Authority, Environment Agency Anglian Water Authority?

The Planning Manager offered the following points of clarification:

- Planning fees were calculated on an 'area per dwelling' basis. Significant developments attracted much bigger fees involving thousands of pounds and would make Planning Committee nervous to reflect over potential loss of fees if won at appeal.
- The role of the Planning Inspectorate would still exist under the proposed reforms. One of the ideas was that local planning authorities may be able to adopt their own local plans using inspectors as 'mystery shoppers' to check the plans were being operated correctly.
- In terms of protection zones, the proposed reforms appeared open ended and vague in respect of the 3 proposed zones. All zoning would appear at Local Plan stage with bearing/weight given as to whether or not areas were rolled forward as protection zones.
- The virtue of direction of proposed developments would be a significant requirement for consultees to be involved in at the local plan stage more than they had ever previously been before. Local plan allocation sites were at a high level at the moment subject to finer detail at the time of planning consent. The local authority would have to rely on consultees engaging as part of the local planning process instead of at development stage. Once in

the Local Plan proposed developments would in effect have draft planning permission.

(Councillor B Bushell left the meeting early during the discussion of this item at 6.25pm having a prior engagement to attend.)

RESOLVED that the conclusions of the report be endorsed by Planning Committee together with the suggested response to each question and be recommended to Executive for approval.

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SUBJECT: WORK TO TREES IN CITY COUNCIL OWNERSHIP

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: STEVE BIRD – ASSISTANT DIRECTOR (COMMUNITIES & STREET SCENE)

1. Purpose of Report

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

2. Background

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

3. Tree Assessment

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

4. Consultation and Communication

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

5. Strategic Priorities

5.1 Let's Enhance our Remarkable Place

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

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

I. Finance

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

II. Staffing N/A

III. Property/Land/ Accommodation Implications N/A

IV. Procurement

All works arising from this report are undertaken by the City Council's grounds maintenance contractor. The Street Cleansing and Grounds Maintenance contract ends August 2026. 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 11 / SCHEDULE DATE: 04/11/2020**

Item No	Status e.g. CAC	Specific Location	Tree Species and description / reasons for work / Ward.	Recommendation
1	CAC	Waterside North – Adjacent to the Witch and Wardrobe public house and the entrance to the Waterside Shopping Centre.	<u>Abbey Ward</u> 2 x Willow <u>Pollard</u> These trees are technically classified as lapsed pollards and as such will benefit from rejuvenation brought about by works. Their prominent position being the reason why these trees are included for the committees attention.	Approve works
2	TPO	1 Staffordshire Crescent	<u>Hartsholme Ward</u> 1 x Birch <u>Reduce canopy overhang</u> This tree currently overhangs a private property boundary and is causing a nuisance to the owner.	Approve works
3	N/A	Hartsholme Country Park Adjacent to play area Willow walk	<u>Hartsholme Ward</u> 1 x Birch <u>Fell</u> This tree is in heavy decline, work is intended to prevent the tree posing a safety risk to the play area. 1 x Birch <u>Fell</u> This tree is in heavy decline, work is	Approve works and replace felled trees with the following; to be located at suitable positions within the park. 4 x Beech 1 x Sorbus aria

		<p>Picnic area close to White Lodge</p> <p>Willow walk</p> <p>Site of previous Tennis court</p> <p>Cycle path</p>	<p>intended to prevent the tree from falling into the lake. 1 x Aspen <u>Fell</u> This tree is a heavily suppressed specimen which forms part of a group of three – work is intended to enhance the habit of the two remaining specimens.</p> <p>10 x Willow/Sallow <u>Coppice</u> Work is intended to rejuvenate these trees whilst preventing their potential failure into the adjacent watercourse.</p> <p>1 x Horse Chestnut. <u>Fell</u> This tree is in heavy decline and has shed a number of significant limbs over the past few years.</p> <p>1 x Ash <u>Fell</u>, This tree has significant dieback and is located over the cycle path, it therefore causes a significant health and safety issue.</p>	
4	N/A	7 Edlington Close	<p><u>Minster Ward</u> 1 x Rowan <u>Fell</u> This tree is in heavy decline, approximately 50% of the canopy is retained as deadwood. The lower section of trunk shows significant signs of dysfunction.</p>	Approve works and replant with a replacement Rowan; to be located in the immediate vicinity.
5	N/A	19 Reynolds Drive	<p><u>Moorland Ward</u> 1 x Silver Maple <u>Pollard</u> This tree is poorly sited due to its size; pollarding will create a</p>	Approve works

			smaller tree which will be better suited to this location.	
6	N/A	133 Walford Drive	<p><u>Moorland Ward</u></p> <p>1 x multistemmed Sycamore</p> <p><u>Fell</u></p> <p>This is a self-set tree which is located within one metre of the outbuilding wall, if left to grow the tree has the potential to cause structural damage to the property.</p>	Approve works and replace the tree with a Cockspur Thorn; to be located at suitable position within the ward

Application Number:	2020/0363/FUL
Site Address:	18-20 Kingsway, Lincoln, Lincolnshire
Target Date:	6th November 2020
Agent Name:	None
Applicant Name:	Mr David Irons
Proposal:	Erection of 9no. Dwellinghouses (Resubmission) (Revised plans).

Background - Site Location and Description

The application site is 18-20 Kingsway, located to the north west of the road. When the frontage of the site is viewed from Kingsway there is a two storey brick warehouse to the left, which has extensions to the side and rear. A single storey steel clad building is located more centrally on the site with a fenced enclosure to the right housing a number of shipping containers, operated by Cathedral Self Storage Ltd. The rear boundary is defined by an approximately 1.8m high fence and the rear gable of the brick warehouse, forming the side boundaries of 15 St. Andrews Close and 38 Hope Street to the north west. Adjacent to the side, north east boundary is a narrow strip of land, which appears to be being used for the storage of materials, with the side boundary of 12 Kingsway beyond. Adjacent to the opposite side, south west boundary are allotments. The site is located within Flood Zone 2.

The wider area is predominantly characterised by a mix of two storey semis and terraces with the rear of the Ducati Showroom directly opposite the site. Kingsway provides access to Bishop King Primary School, located at the end of the street to the west.

The application is a resubmission for the erection of nine, three bedroom dwellinghouses. The development would provide 19 car parking spaces located within a parking area to the rear of the site.

The application has been revised during the process; re-configuring the car parking layout and altering the design of the roof and rear elevation. All neighbours have been re-consulted on these changes.

Planning History

The site has been subject to a recent planning application (2019/0007/FUL) which was considered and determined by members of the committee on 9th October 2019. The application was for the erection of six, two bedroom dwellinghouses and a three storey building to accommodate eight, two bedroom apartments and four, one bedroom apartments. Associated external works included the provision of 18 car parking spaces and a communal garden.

Central Lincolnshire Local Plan (CLLP) Policies LP11 and LP12 and the Central Lincolnshire Developer Contributions Supplementary Planning Document (SPD) state that affordable housing provision as well as education, health and open space and green infrastructure contributions will be sought on all qualifying development sites of 11 dwellings or more, or on development sites less than 11 units if the total floorspace exceeds 1,000 sqm. The previous development exceeded this threshold, being for 18 residential units, and was therefore expected to provide contributions towards affordable housing as well as playing fields and local green infrastructure. The development was also Community Infrastructure Levy (CIL) liable, which is a mandatory payment.

The applicant made a case that the requirement for these contributions and the CIL payment would make the scheme unviable, and a viability report was submitted to support this position. The SPD advises that development viability is not only relevant but critical to determining planning applications.

The applicant's report was assessed on behalf of the authority by an independent third party. The independent assessment concurred with the appraisal testing within the report, which showed that the scheme would be unviable even before any planning policies are applied. It was concluded that the scheme could not provide any contributions.

Members of the committee considered the application and concluded that, notwithstanding the findings of the viability report and independent assessment, the lack of affordable housing provision was unacceptable. Members accordingly refused planning permission for the following reason:

1. The development would neither provide on-site affordable housing nor a financial contribution towards an off-site provision. While a viability assessment has demonstrated that this requirement cannot be met in full it also illustrates that the development is not viable even with no on-site provision or financial contribution, which does not provide the opportunity for the Local Planning Authority to negotiate a reduced provision. The development would therefore not be policy compliant or sustainable and would fail to meet the needs of residents unable to compete on the open market, contrary to Central Lincolnshire Local Plan Policies LP1 and LP11, the Central Lincolnshire Developer Contributions Supplementary Planning Document and para. 59 of the National Planning Policy Framework.

Members also raised concern regarding the level of parking. The scheme provided a total of 18 off-street parking spaces, one per dwelling. Objections were received from local residents considering that this would be insufficient and would result in on-street parking on Kingsway. Lincolnshire County Council as Local Highway Authority (HA) raised no objection to the level of parking or the access arrangements. However, members concurred with the objectors and the application was also refused for the following reason:

2. Notwithstanding the details provided with the application the development would lead to an increased demand for on street parking which would exacerbate the current parking issues causing harm to the amenities which existing residents in the vicinity of the site may reasonably expect to enjoy, contrary to Central Lincolnshire Local Plan Policy LP26.

The applicant appealed the council's decision to refuse planning permission. The Planning Inspector considered both grounds for refusal. With regard to the lack of affordable housing the Inspector considered that:

"... the scheme in neither delivering on any contribution towards affordable housing or demonstrating how the scheme could actually be delivered is in conflict with policies LP1 and LP11 which amongst other things aim to deliver development which is sustainable and can contribute towards the provision of affordable housing which a new development of this scale necessitates".

With regard to the level of parking the Inspector considered:

“At the time of my visit I could see there was limited space available to park cars on the street. I acknowledge this is only a snapshot in time and recognise being on a street serving a school there may well be additional pressure at particular times of the day. However, taking into account the accessibility of the site to local services and facilities, the provision of 18 parking places on site which exceeds the council standard and the range of transport modes available in close proximity, the scheme does not conflict with policy LP26 of the LP which encourages good design and respect for the amenity of residents”.

Therefore, while the Inspector did not have an issue in terms of the level of parking, the benefit that would come from the scheme in the provision of 18 dwellings did not outweigh the harm in terms of the lack of affordable housing provision. The appeal was dismissed on these grounds.

Case Officer Site Visit

Undertaken on 9th July 2019.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- 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
- Supplementary Planning Document Central Lincolnshire Developer Contributions
- National Planning Policy Framework

Issues

- Principle of Use
- Developer Contributions
- Visual Amenity
- Residential Amenity
- Access and Highways
- Flood Risk and Drainage

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

Statutory Consultation Responses

Consultee	Comment
Environment Agency	Comments Received

Lincolnshire Police	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Miss Jenny-May Kershaw	11 Kingsway Lincoln Lincolnshire LN5 8EU
Ms Julie Porter	12 Kingsway Lincoln Lincolnshire LN5 8EU
Mr Adam Titley	9 Kingsway Lincoln Lincolnshire LN5 8EU
Ms Maxine Grant	5 Kingsway Lincoln Lincolnshire LN5 8EU

Consideration

Principle of Use

CLLP Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Officers are therefore satisfied that the principle of the residential use is wholly appropriate in this location. Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

Developer Contributions

The proposed development is for nine dwellings, with a total floorspace falling below 1,000spm. This is therefore below the thresholds set out by policies within the CLLP and the SPD (i.e. developments of 11 dwellings or more, or on development sites less than 11 units if the total floorspace exceeds 1,000sqm). Accordingly this development would not trigger the requirement for affordable housing or financial contributions towards education, health or open space and green infrastructure.

The dwellings within the proposed development would be CIL liable, which is a mandatory payment.

Visual Amenity

The development comprises two terraces of dwellings, both fronting Kingsway, with the vehicular access point in between. Each dwelling has a small, walled forecourt and garden land to the rear. A car park accommodating 19 spaces is also located to the rear. Officers consider that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated access, parking and garden areas. The development represents a good use of land and would have a strong presence in the street, which would visually be an improvement on the current arrangement. The occupant of 12 Kingsway supports the application in this respect.

The roof design of the dwellings has been amended at the request of officers during the application process, to ensure that the pitch and height was appropriate. The roof now appears as a more traditional pitch with a dormer to the rear. Therefore, despite an additional floor of accommodation within the roof, the dwellings would be of a traditional two storey scale from the front. The submitted streetscene illustrates the overall ridge height of the dwellings is comparable with the neighbouring properties fronting Kingsway. Officers are therefore satisfied that the proposal would relate well to the site and surroundings in relation to siting, height, scale and massing.

It is also considered that the design of the proposal is acceptable; which is traditional in its appearance to the front and more modern to the rear. The dwellings would be constructed with red brick, a slate roof and grey powder coated aluminium windows. To the rear the elevation would incorporate non-reflective standing seam zinc cladding, with the bay to the front also clad in zinc. The extent of the zinc to rear elevation has been reduced at the request of officers; and instead of this relating to the whole rear elevation it is now limited to the modern, curved single storey projection and the dormer and balconies. The traditional proportions of the frontage of the dwellings reflects the terraces in the vicinity with details including the bay, corbelling to the eaves, stone heads and cills reinforcing the traditional character. The approach to the frontage is therefore considered to be appropriate and would sit comfortably in the context. Officers also have no issue with the modern approach to the rear, and consider that the palette of materials and design will add interest. Conditions would require samples of the proposed materials for approval and the setting of windows and doors within reveal to ensure the overall finish and quality of the development is to a high standard.

With regard to boundary treatments officers welcome the low level wall to the front boundary and consider that this, along with the proposed areas of hard and soft landscaping within the site, would improve the overall character of the development and its surroundings. Further details of these will be conditioned on any grant of consent.

The proposal would therefore be in accordance with CLLP Policy LP26 and also paragraph 127 of the NPPF, which requires that developments should add to the overall quality of the area and be sympathetic to local character.

Residential Amenity

The side elevation of the terrace, towards the right hand side of the site, would be located on the side, north east boundary. The rear gardens of the properties would extend behind with the car park beyond. Adjacent to this site boundary is the neighbouring strip of land, which measures approximately 3-4m wide, with the side boundary of 12 Kingsway beyond. Officers are satisfied that the position of the proposed terrace and the sufficient separation from no. 12 would ensure that it would not appear unduly overbearing or result in an unacceptable degree of loss of light. With regard to overlooking the two storey side elevation of the terrace is blank and any overlooking from the first floor windows or dormers to the rear elevations would be at an oblique angle only. The first and second floor balconies are set into the rear elevation so, again, any overlooking from these would be at an oblique angle only. The side elevation of the single storey rear off-shoot would be of a solid brick construction.

The rear, north west boundary forms the side boundaries with 15 St. Andrews Close and 38 Hope Street. The majority of the boundary with 15 St. Andrews Close, a bungalow, is currently defined by the rear elevation of the existing warehouse. No objections have been received from the neighbouring occupants of no. 15. At its closest point the three storey elevation of the proposed terrace would be located approximately 21m from the boundary, with the closest separation to the side elevation of no. 15 being approximately 24m. Given this, and considering the existing relationship of the two storey warehouse on the boundary, officers are satisfied that the proposal would not appear overbearing or result in an unacceptable degree of loss of light. The rear facing elevation of the proposal includes first and second floor windows and balconies. While this appears on the elevation as a large amount of glazing the separation is more than sufficient and, on balance, officers do not consider that the impact from overlooking would be significantly harmful.

In terms of the relationship with 38 Hope Street the three storey rear elevation of the proposal would be located approximately 16m from the boundary with this property, and approximately 19m from the neighbour's side elevation. The neighbour's side elevation is blank and it is therefore not considered that the proposal would cause undue harm through the creation of an overbearing structure or result in an unacceptable degree of loss of light. Similarly to the consideration of the overlooking impact towards 15 St. Andrews Close, the separation is also sufficient towards no. 38 and will ensure the level of overlooking from the proposed windows and balconies would not be to an unduly harmful degree. No objection has been received from the neighbouring occupants.

Parking spaces are proposed along the rear boundary with 15 St. Andrews Close and 38 Hope Street as well as to a small section of the side boundary with 12 Kingsway. The plans indicate a substantial boundary wall/fence to these boundaries which will limit the potential impact from associated vehicle movements. This will be conditioned on any grant of consent to be installed prior to the occupation of the development. To further protect the amenities of neighbours the City Council's Pollution Control Officer has requested that details of any external lighting be conditioned for approval to ensure that this is appropriately designed to avoid glare or any off-site impacts.

An objection from the occupants of 11 Kingsway raises concern regarding overlooking to this property's front bedroom window from the development. The separation is over 12m and is a typical across the street relationship, which is not considered by officers to be unduly harmful.

There are no other residential properties directly abutting the site. Officers are satisfied that the amenities which neighbouring occupants and those within the wider area may reasonably expect to enjoy would not be unduly harmed by or as a result of the development through either loss of light, overlooking or the creation of an overbearing structure. It is also considered that the level of amenity for future occupants of the development would be acceptable. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

Access and Highways

Vehicular access to the site would be from Kingsway between the two terraces. The application initially proposed 10 parking spaces. Objection to the level of parking was received from the occupants of 5, 9 and 11 Kingsway. The objectors considered that one space per dwelling is inadequate, which will lead to on-street parking from residents and their visitors, adding to the existing issues on the street. Additional concerns raised relate to the increased volume of traffic, the narrow access, highway safety and issues associated construction vehicles. The location of school at the end of the road would exacerbate these issues at drop off and pick up times.

Lincolnshire County Council as Highway Authority (HA) also did not consider that the level of parking was sufficient. They advised that three bedroom dwellings should have a mix of one or two spaces, and suggested the provision of a further three or four spaces (a total of 13 or 14) would be acceptable.

The application has been accordingly amended and the car park now provides a total of 19 off street parking spaces; two per dwelling with one extra visitor space. Neighbours were re-consulted on these plans and an additional response was received from the occupants of 11 Kingsway, confirming the revisions do not address their concerns.

Further to the submission of the revised plans the HA has raised no objection to the level of parking or the access arrangements. The suggested conditions requiring the reinstatement of sections of dropped kerbs that are no longer required to full height kerbs and the submission of a construction management plan will be applied to any grant of consent.

Flood Risk and Drainage

The site is located within Flood Zone 2 and the application is accompanied by a Flood Risk Assessment (FRA). The Environment Agency (EA) has considered this and has raised no objections subject to a condition requiring the development to be constructed in accordance with the submitted FRA.

Officers have been copied into an email from the Upper Witham Drainage Board to the Lincolnshire County Council in their capacity as Lead Local Flood Authority in respect of surface water drainage. The County Council has raised no objection to the application with regard to surface water drainage. The EA has requested that there shall be no infiltration of surface water drainage without prior consent, which will be conditioned.

Other Matters

Contaminated Land

The City Council's Pollution Control Officer has advised that, due to past uses on and in the vicinity of the site, there is the potential for significant contamination to be present. Conditions have been requested which will be attached to the grant of any permission.

Comments have also been received from the EA in this respect, also noting that the previous use of the site presents a potential risk of contamination to controlled waters. The specific requirements of the suggested conditions will be incorporated with those suggested above.

Air Quality and Sustainable Transport

The City Council's Pollution Control Officer has advised that, whilst it is acknowledged that the proposed development, when considered in isolation, may not have a significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted. Accordingly a condition will require details of charging points to be submitted for approval and for the units to be installed before development is first occupied.

Trees

There are no trees within the site although there are four highway trees to the front, all of which are to be retained. At the time of the previous application officers sought the advice of the City and County Council's Arboricultural Officers regarding the potential impact on these as a result of the construction phase and the necessity to adjust the position of the existing dropped kerb. The officers had no issues with the proposals subject to a condition requiring details of tree protection measures. This will duly be applied to any grant of consent.

Archaeology

At the time of the previous application the City Archaeologist recommended the standard archaeological conditions be attached to any grant of permission to ensure that this matter is considered and dealt with as necessary. These will be applied to any grant of consent.

Bin Storage

Bins can be accommodated within the rear gardens of the proposed dwellings with the site layout indicating an area within the car park for bin collection. An email outlining the requirements for bins from the City Council's Community Contracts Manager has been sent to the applicant for their information.

Construction

Comments have been received from the neighbouring objectors with concerns regarding congestion, safety and noise during construction. While issues relating to the construction phase are not a material planning consideration the HA has requested that a Construction Management Plan be conditioned. This would mitigate against traffic generation during the

construction stage, controlling aspects such as parking of construction vehicles, storage of plant and materials and the routes of construction traffic. The City Council's Pollution Control Officer has also recommended a condition restricting the hours of construction and delivery.

Design and Crime

Lincolnshire Police has raised no objections to the application in this respect.

Site Visit Note

There has been no site visit undertaken in person due to the restrictions in place as a result of the Covid 19 pandemic. The proposals have instead been assessed using various online tools together with photographs taken at the time of the site visit for the previous application. Officers are satisfied that there is sufficient information consequently available to assess any potential impact and to make a robust decision on the proposals.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the use of the site for residential purposes is considered to be acceptable and the development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design. The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Technical matters relating to access and parking, contamination, flood risk, trees and archaeology are to the satisfaction of the relevant consultees and can be dealt with appropriately by condition. The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP14, LP16, LP25 and LP26 and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

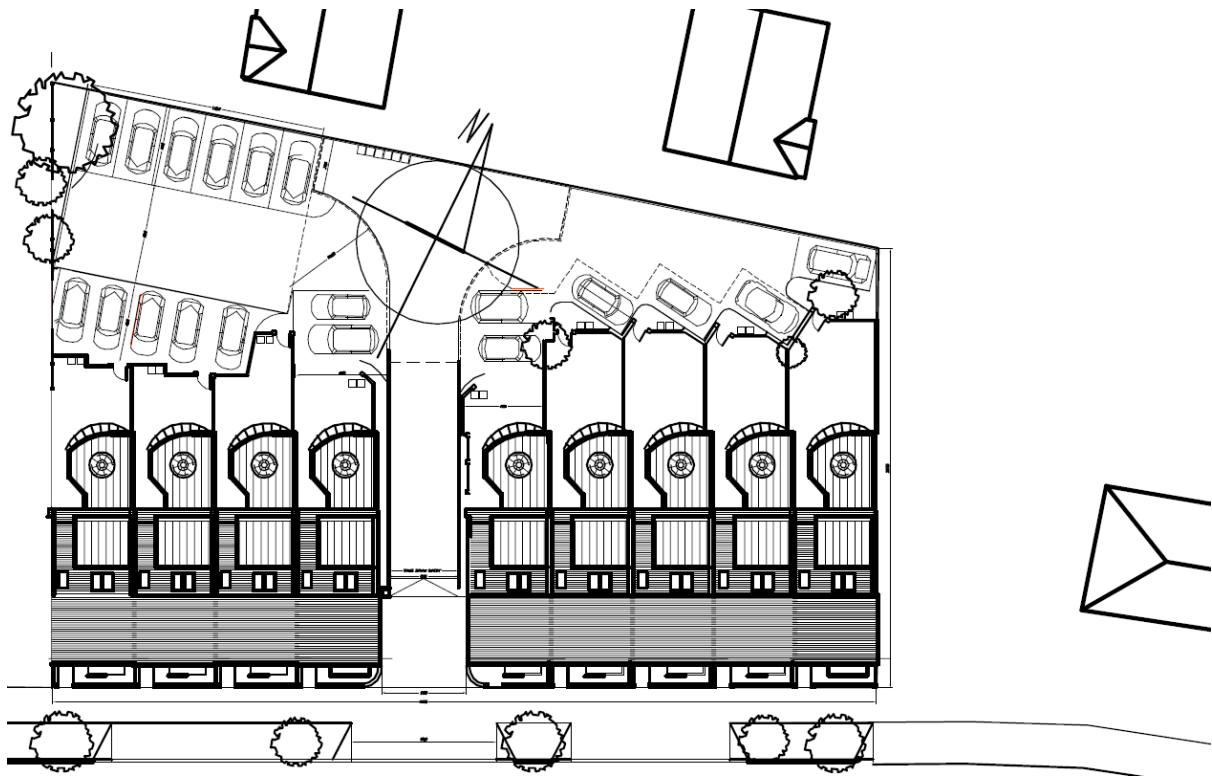
That the application is Granted Conditionally subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Contamination
- Archaeology
- Land levels
- Samples of materials
- Implementation of landscaping
- Tree protection measures
- Implementation of boundary treatments
- Assessment of off-site impact of external lighting
- Electric vehicle recharge points
- Development in accordance with Flood Risk Assessment
- No surface water infiltration without consent
- Reinstatement of full height kerbs
- Construction Management Plan (traffic generation and drainage)
- Construction of the development (delivery times and working hours)
- Windows and doors set in reveal

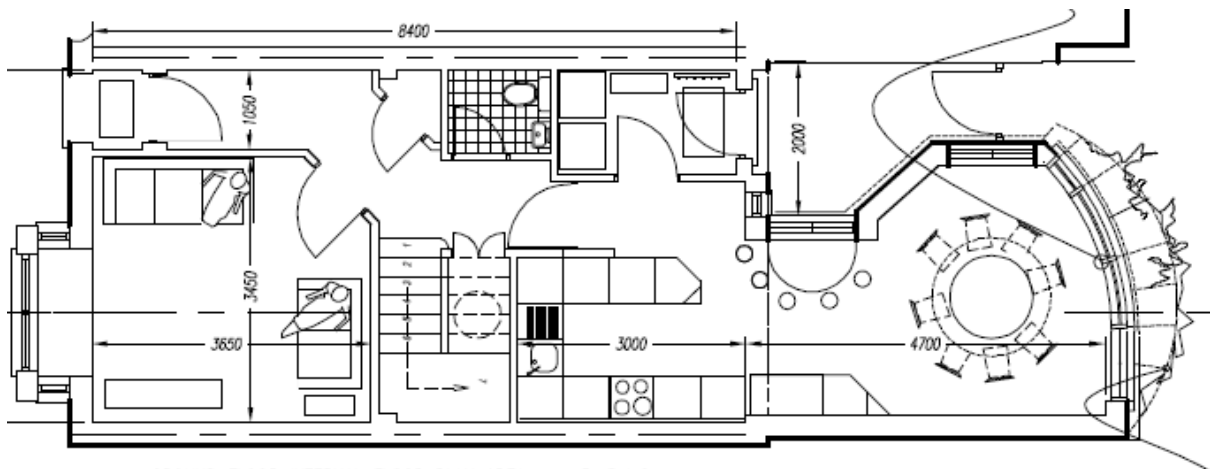
18-20 Kingsway: plans and site photographs



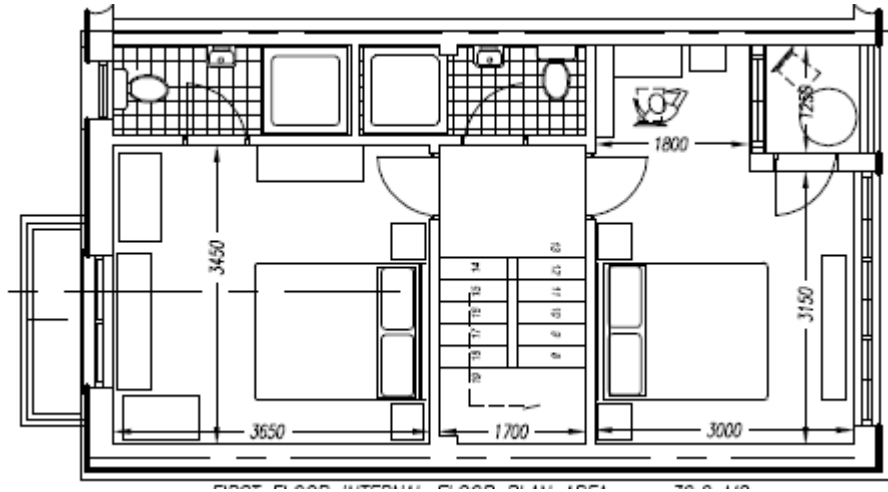
Site location plan



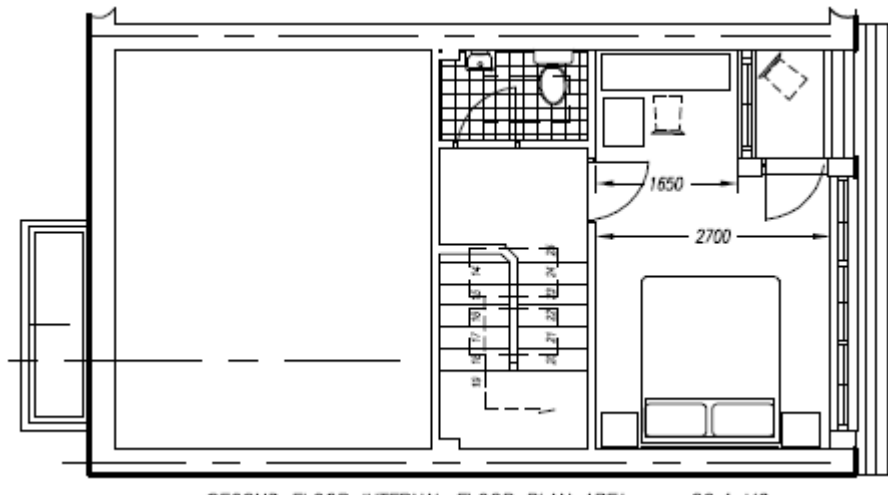
Proposed site layout



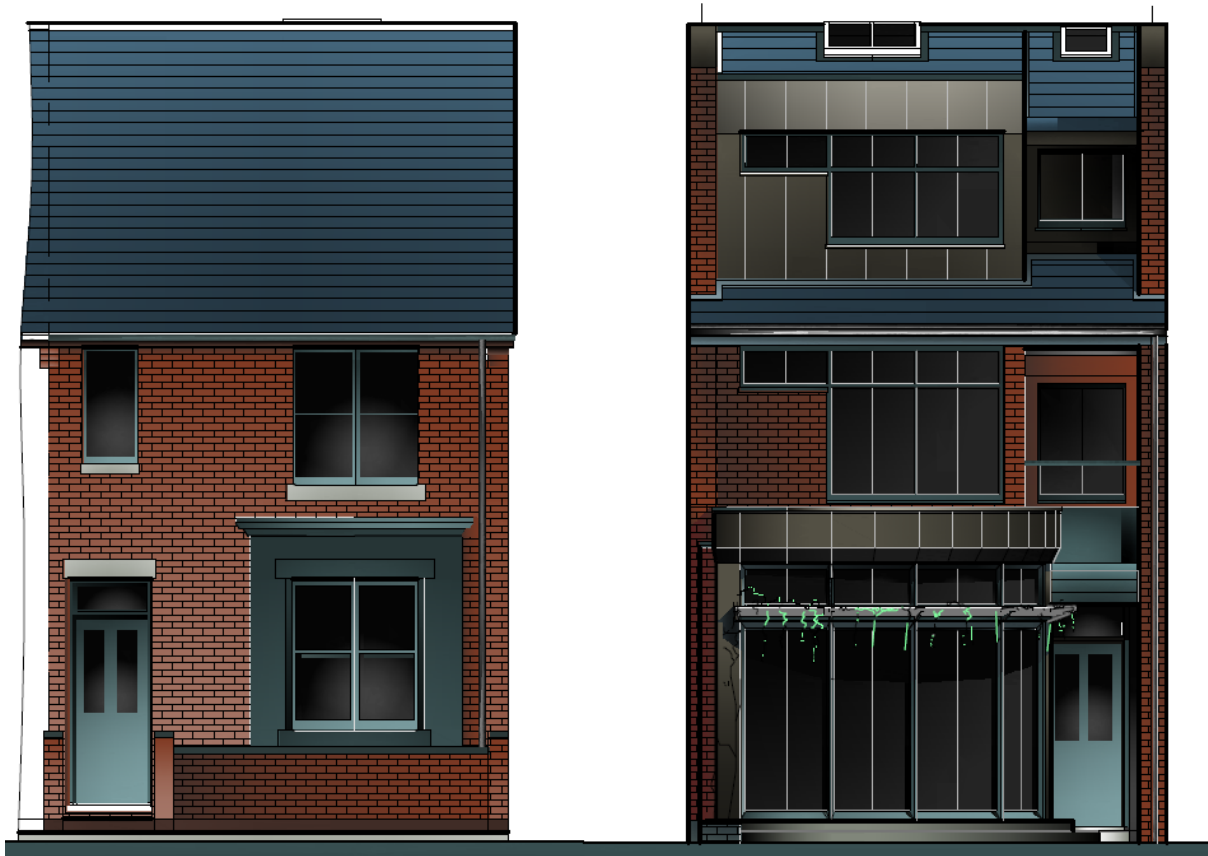
Ground floor plan



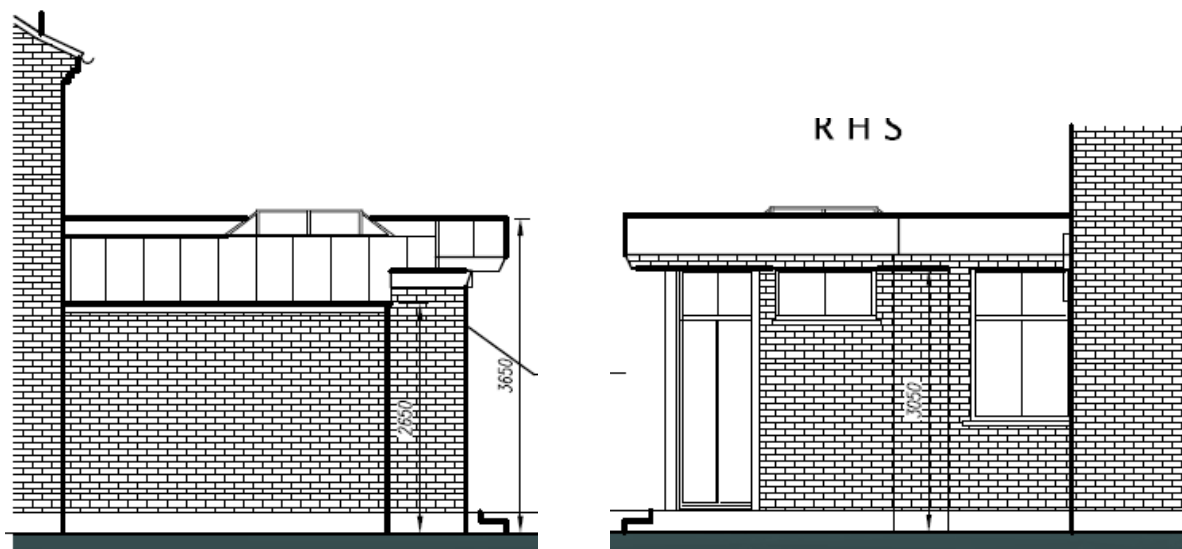
First floor plan



Second floor plan (rooms in roof)



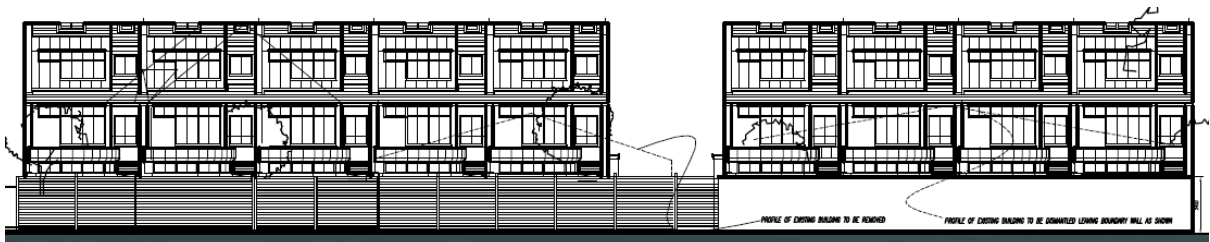
Front and rear elevations



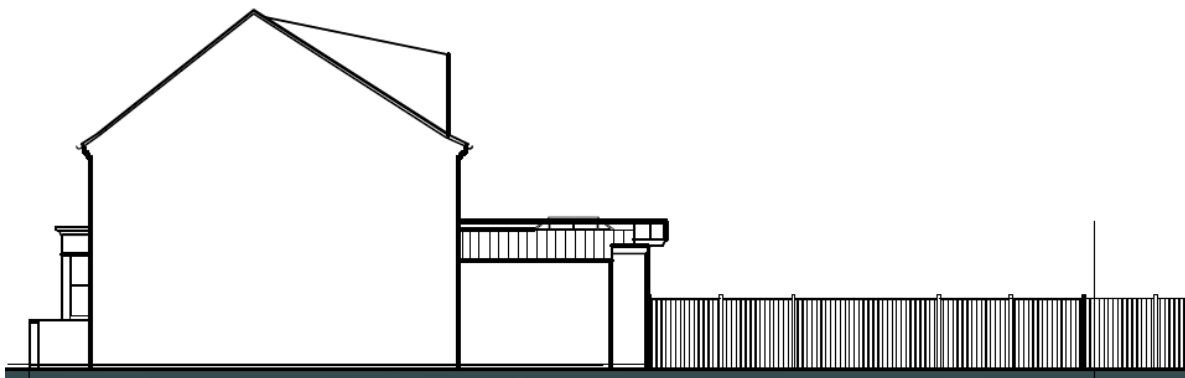
Side elevations of rear off-shoot (north east and south west)



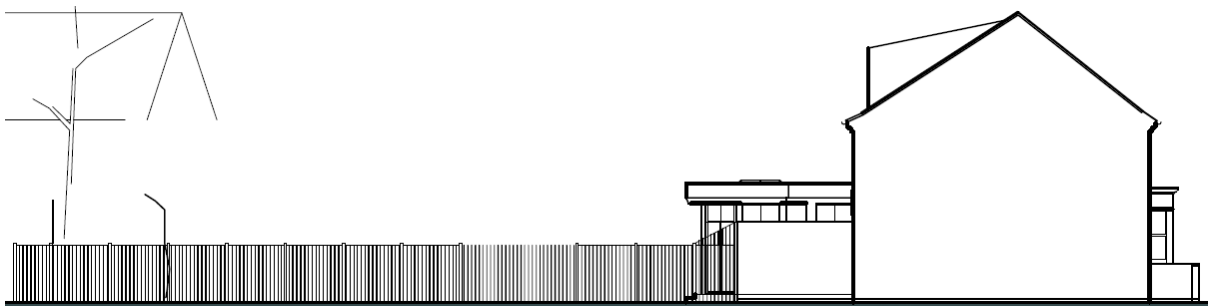
Site frontage from Kingsway



Rear elevations from St. Andrews Close and Hope Street



Side, north east elevation to 12 Kingsway



Side, south west elevation to allotments



Site from Kingsway looking west



Site from Kingsway looking east across allotment gardens



Existing warehouse



Existing Cathedral Self Storage business



Parcel of land adjacent to site (behind green palisade fence) and 12 Kingsway beyond



View of 15 St. Andrews Close and rear elevation of warehouse/site boundary

18-20 Kingsway: consultation responses

Customer Details

Name: Mr Adam Titley

Address: 9 Kingsway Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are 9 dwellings proposed, each with 3 bedrooms and only 1 parking space per dwelling. This is clearly inadequate parking for the potential number of motor vehicles that this many dwellings will bring to the street of Kingsway. Parking is already an issue on the street and this development will only add to the issue.

Access to Kingsway is troublesome and an area of high danger for public safety, this has been highlighted earlier this year when a vehicle left the road and crashed through the back wall of my property resulting in thousands of pounds of repair work, inconvenience and the potential threat to life this may have caused if there was anybody in that area of my property at the time, this severe risk zone is not appropriate for construction vehicle access for an extended period that will essentially be required for the erection of the proposed dwellings.

There is also a school at the end of Kingsway, this adds a heavy traffic load to the street, that being said a construction site next to a school on an extremely narrow cul-de-sac is a recipe for disaster.

The introduction of the proposed dwellings adds no value to the street of Kingsway and only brings problems that could bring serious consequences.

Customer Details

Name: Ms Julie Porter

Address: 12 Kingsway Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: better than our view now

Customer Details

Name: Miss Jenny-May Kershaw

Address: 11 Kingsway Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Based on the plans of these dwellings, they will be 3 storey. As I live opposite these proposed dwellings I am concerned my property, particularly the front bedroom will be completely overlooked.

I am also concerned about the parking situation. Parking is already very limited on Kingsway with most residence having more than 1 car. I very much doubt each of these dwellings are only going to have 1 car per property, plus visitors putting even more of a strain on parking with no alternative to park down another street. We also have the situation of school pick ups and drop offs along with match days restricting parking further and causing danger to residence. Emergency vehicles would find it very difficult navigating this street with the additional cars. Adding to this all vehicles required for the demolition and building of these properties.

With the current climate I am being required to work from home and I am also concerned of the noise pollution which will be created by the building works. How will this be minimised?

Customer Details

Name: Miss Jenny-May Kershaw

Address: 11 Kingsway Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I would also like to add to my previous comment the following points:

Access to kingsway is very narrow already limited by people parking on the entrance road due to parking already being restricted. This would make access for construction vehicles very difficult.

There has already been multiple accidents happen at the entrance to kingsway and feel the added traffic will pose a bigger danger. If emergency services are required this can sometimes prevent access to the street (I have already experienced this and was unable to go anywhere whilst stuck on a main road) and the more cars parked on the street the harder it is to get large vehicles down there.

A large construction site on a very narrow cul-de-sac with a school at the end is an accident waiting to happen.

Customer Details

Name: Miss Jenny-May Kershaw

Address: 11 Kingsway Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The reasons behind the objection are no different to my previous comment.

Parking - we struggle on a daily basis for parking in the area, made even more difficult during school runs and match days. People parking on the street because it is free and not permit. Not all houses have only 1 car, some have 2/3 and then visitors on top of that. How will you overcome this? I suggest visiting the area between 2:30 and 3:30 Mon-Fri.

Construction - Street entrance is too narrow for construction vehicles and the street is too busy for vehicles to be going up and down especially during the week when children will be at school, this is an accident waiting to happen.

Noise pollution - in light of the current situation with more and more people working from home, how will you reduce noise pollution?? I currently work from home and would not appreciate my working day being disturbed due to this construction.

Over looking - I feel my property would be entirely overlooked if 3 storey buildings were erected.

Customer Details

Name: Ms Maxine Grant

Address: 5 Kingsway Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My main concern is the fact that there is only 1 parking space proposed per dwelling. As each of the proposed developments is 3 bedrooms it is more than likely that each will have more than 1 car and alongside visitors, the houses will definitely require additional parking, that the street simply doesn't have to spare. This will put additional stress on an already limited area, with most residents already owning 2 or more cars. Combined with drop offs and pick ups at the local school and match-day visitors the street would become needlessly dangerous and inaccessible for emergency vehicles.

Similarly, I have concerns about the increase in traffic volume when exiting the road. We have already had 2 accidents where cars have crashed into back gardens and have had multiple accidents at the junction generally. As a street with many young families the risk to life, particularly to children, if anyone had been in the area at the time was high. Therefore, the junction is unsuitable for long term access required by heavy-duty construction vehicles and the additional traffic from the proposed dwellings would add unnecessary danger to a high-risk area.

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



To: Lincoln City Council

Application Ref: 2020/0363/FUL

With reference to this application dated 29 June 2020 relating to the following proposed development:

Address or location

18-20 Kingsway, Lincoln, Lincolnshire, LN5 8EU

Date application referred:
2 July 2020

Type of application: Outline/Full/RM/
FUL

Description of development

Erection of 9no. dwellinghouses (Resubmission)

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

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

ADDITIONAL INFORMATION REQUIRED

At pre-application stage where a mix of 2 and 3 bed dwellings were proposed we advised that 1 car parking space for 2 bed dwellings and a mix of 1 and 2 spaces for 3 bed dwellings would be acceptable given the location. This application proposes 9 x 3 bed dwellings with 10 spaces provided within the site. This will likely increase on-street parking on Kingsway which is already limited. Could the applicant please consider providing a further 3 or 4 spaces within the site to achieve the overall mix we discussed at pre-application stage.

Could the applicant please submit a Construction Management Plan and SuDS Method Statement, or alternately this can be recommended as a pre-commencement condition if preferred. Guidance on the production of CMPs can be provided on request.

The existing sections of dropped kerb at the site frontage that are no longer required must be stopped up and returned to footway with full height kerbs.

Case Officer:
Becky Melhuish
for Warren Peppard
Head of Development

Date: 13 July 2020

Place Directorate
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070



To: Lincoln City Council

Application Ref: 2020/0363/FUL

Description of development

Erection of 9no. dwellinghouses (Resubmission)

Address or location

18-20 Kingsway, Lincoln, Lincolnshire, LN5 8EU

With reference to the above application received 2 July 2020

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

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

CONDITIONS (INCLUDING REASONS)

Highway Informative 04

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Highway Informative 08

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.

Highway Condition 00

Within seven days of first occupation, the existing sections of dropped kerb onto Kingsway that are no longer required for vehicular access shall be 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.

Highway Condition 01

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

The Construction Management Plan and Method Statement shall include;

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities and;
- strategy stating how surface water run off on and from the development will be managed during construction, including drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

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

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

Case Officer:

Becky Melhuish
for Warren Peppard
Head of Development

Date: 30 July 2020



City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
LN1 1DF

Our ref: AN/2020/130615/01-L01
Your ref: 2020/0363/FUL
Date: 06 July 2020

FAO Marie Smyth

Dear Marie

**Erection of 9no. dwellinghouses (resubmission)
18-20 Kingsway, Lincoln, LN5 EU**

Thank you for consulting us on the above application, on 2 July 2020.

The site is partly within Flood Zone 2 of our Flood Map for Planning; we have therefore reviewed the flood risk assessment included with the application.

It is our understanding that the previous use of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary A aquifer.

Environment Agency position

We have **no objection** to the proposed development, as submitted, subject to the imposition of the following conditions on any subsequent planning permission granted.

Condition 1

The development shall be carried out in accordance with the submitted flood risk assessment (ref: RLC/0345/FRA02) dated June 2020 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 6 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Ceres House, Searby Road, Lincoln, LN2 4DW
Customer services line: 03708 506 506
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency
Cont/d..

Calls to 03 numbers cost no more than national rate calls to 01 or 02 numbers and count towards any inclusive minutes in the same way. This applies to calls from any type of line including mobile.

Reason

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

Condition 2

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors; and
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework (NPPF).

Notes on condition 2 (above)

We consider that the first phase in assessing the potential risks to controlled waters from the site should be a preliminary risk assessment.

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land

Cont/d..

2

- contamination risks are appropriately managed.
4. Refer to the contaminated land pages on GOV.UK for more information.

Condition 3

Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the NPPF.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the NPPF.

Condition 5

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the NPPF.

Notes on condition 5 (above)

Further detailed information should be provided on the potential for contamination to be present at the site to demonstrate whether the use of infiltration SuDS is appropriate in this location. Infiltration systems, such as soakaways, should not be installed in ground that is potentially contaminated as they may increase the potential for contaminant migration.

As you are aware the discharge and enforcement of planning conditions rests with your authority. It is, therefore, essential that you are satisfied that the proposed draft conditions meet the requirements of paragraph 4 of the National Planning Practice Guidance (NPPG) (Use of Planning Conditions, section 2). Please notify us immediately if you are unable to apply our suggested conditions, as we may need to tailor our advice accordingly.

Cont/d..

3

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

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

Yours sincerely

Nicola Farr
Sustainable Places - Planning Advisor

Dear Sir/Madam

REFERENCE: 2020/0363/FUL
DEVELOPMENT: ERECTION OF 9NO. DWELLINGHOUSES (RESUBMISSION)
LOCATION: 18-20 KINGSWAY, LINCOLN, LINCOLNSHIRE, LN5 8EU

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

The site is in Zone 2 on the Environment Agency Flood Maps and potentially at flood risk. It is noted a Flood Risk Assessment is included in the Application that contains appropriate mitigation, including a proposed FFL of 6.0m.

Comment and information to Lincolnshire CC Highway SUDs Support

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. The submitted application form indicates surface water discharge to soakaway but this has been ruled out by the EA. The Flood Risk Assessment indicates attenuated discharge to the Anglian Water SWS at 5l/s.

- 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.

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

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

Regards

Guy Hird
Engineering Services Officer

Hi Marie

Many thanks for the below consultation. The County Council has no comments to make on this application in relation to education as this falls below the number of dwellings that would attract a request.

Kind regards

Simon

Simon Challis
Strategic Development Officer
Corporate Property

Lincolnshire County Council | County Offices | Newland | Lincoln | LN1 1YL



LINCOLNSHIRE POLICE

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

Your Ref: App. 2020/0363/FUL

3rd July 2020

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Town and Country Planning Act 1990 Consultation on Planning Permission

Address of the proposed development:
18-20 Kingsway, Lincoln, Lincolnshire, LN5 8EU

Erection of 9no. dwelling houses (Resubmission)

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

Lincolnshire Police has No objections to this (Resubmission) application.

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

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

Yours sincerely,

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

Application Number:	2020/0398/RM
Site Address:	128-130 Carholme Road, Lincoln, Lincolnshire
Target Date:	14th October 2020
Agent Name:	DesignSpace Architecture Ltd
Applicant Name:	Carholme Developments Ltd
Proposal:	Submission of reserved matters including access, appearance, landscaping, layout and scale for the erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces as require by outline planning permission 2017/0236/OUT.

Background - Site Location and Description

This application is the submission of the reserved matters following the granting of outline planning permission in 2017 for a building of 14 flats. The Council has considered a subsequent application for full planning permission on this site for a building of 15 flats which was refused planning permission earlier in the year.

The outline permission, in common with all extant permissions that are yet to be implemented has been extended by the Business and Planning Act 2020, in terms of the time by which reserved matters should be submitted, until 1st May 2021.

The application submits all of the reserved matters for consideration; access, appearance, landscaping, layout and scale and proposes that the 14 apartments will be arranged within a building of two and three floors with access provided to an off street parking court providing parking for 14 cars.

The site is located at the corner of Carholme Road and Derwent Street and was formerly occupied by Machins motorcycles within a large single storey building that faced the main road. The building has subsequently been demolished and the site is vacant. The surrounding area is overwhelmingly residential in use and character and is a well-used approach into the City from the west.

The building proposed would be of an L shape, following the road frontage of Carholme Road and Derwent Street. It would be of two storeys adjacent to the existing two storey houses on Derwent Street and the existing two storey houses on Carholme Road and then it would step up to three storeys on the prominent north west corner of the site. It is proposed that the building would be predominantly brick with pitched roofs over the various elements of the structure, in common with the prevailing character of the area.

Site History

Reference:	Description	Status	Decision Date:
2017/0236/OUT	Erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces (Outline including details of access to be	Granted Conditionally	25th August 2017

	considered) (Revised description).		
2019/0961/FUL	Erection of a three storey building to accommodate 15 apartments with parking and associated landscaping.	Refused	28 th May 2020

Case Officer Site Visit

Undertaken on 20th October 2020.

Policies Referred to

The relevant planning policies are as follows:

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

The development as it is now proposed raises the following issues:

- Compliance with National and Local Planning Policy
- Impact on the Character of the Area in Terms of Visual Amenity
- Impact on the Amenity of Adjacent Residents
- Highway Matters
- Flood Risk

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018. All representations are copied in full with your agenda.

Statutory Consultation Responses

Consultee	Comment
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received

Environment Agency	Comments Received
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mr Simon Wesley	138 Carholme Road Lincoln Lincolnshire LN1 1SH
Anglian Water	Comments received
Mr John Houtby	2a Derwent Street Lincoln LN1 11SL

In addition to the statutory consultations with neighbours and interested parties we have also held a design meeting with ward councillors, your chair and vice-chair to discuss the proposals and, following revisions to the proposals, further email discussion has taken place. Members taking part in the discussions who are also members of this Committee were careful not to determine a position on the proposals that would necessitate a declaration of interest.

Consideration

Compliance with National and Local Planning Policy

The Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. We are therefore satisfied that the principle of the residential use is appropriate in this location. The application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

The proposal is located within a predominately residential area with an extant outline permission. Development of the site would be acceptable in principle subject to other material planning considerations which will be discussed throughout this report.

Impact on the Character of the Area in Terms of Visual Amenity

The proposals before the Council at this time are the result of significant work by the applicants to address the issues raised by the previously refused application. The applicant has worked within the parameters of the extant outline planning permission and has sought to recognise and respect the context whilst providing a design that delivers the

14 apartments.

The building as proposed fronts Carholme Road and Derwent Street and steps up from two storeys adjacent to existing houses to three storeys as it approaches the corner of the street. The mass of the building is handled carefully with variation in the overall height and most importantly, variation in the elevations, reducing the elements to a similar grain to that of the dwellings in the surrounding area; the architect has avoided the long flat façade that was apparent on the previous proposal.

The building has a variety of pitched roofs and the architect has responded to comments prior to and during the course of the application process and has revised the design to a point where it is now working well with the surrounding houses but still provides interest and quality on this main approach road.

The position that the building occupies on the site has also been considered and in much the same way as the elevations recognise the two storey elements of the adjacent houses, so the siting of the building recognises and lines up with the frontage of the houses on Derwent Street and is close to the frontage of the adjacent houses to the east on Roman Wharf. The building does then step out towards the north-west corner of the site but does so in a way that is not over-dominant or overbearing in its effect on nearby houses or to the character of the surrounding area.

It is proposed to use red brick for the main elements of the elevations, with a grey natural slate roof, reflecting the predominant tones of the local materials. The windows are proposed with black frames and the areas of projection and dormers will also be clad in black metal. In this way the applicant is blending contemporary elements with traditional materials and form and we would recommend that the applicant has done this successfully.

Impact on the Amenity of Adjacent Residents

The houses that directly adjoin the site, 2 Derwent Street and 2 Roman Wharf on Carholme Road, have blank gables which will be faced with blank gables in the proposed new development. The positioning of the building on the plot means that these gables closely align and this, together with the two storey nature of the proposal where it meets the neighbours means that the proposal is not overbearing and it does not overshadow. The car parking court for the new development would directly adjoin the car parking court that serves part of Roman Wharf to the east which means any disruption and noise from vehicles is kept to a minimum and the applicant has repositioned the entrance/exit to the parking court on Derwent Street so that it does not now directly face 2a Derwent Street, improving the amenity for the residents of that property.

The proposal has been carefully considered and as a consequence the impact on the amenity of adjacent residents as a consequence of the development will be minimal.

Highway Matters

The application provides 14 off street parking spaces for 14 apartments. The site is well located in relation to the City Centre with a pleasant walk available alongside the Fosdyke, accessible for pedestrians and cyclists through Roman Wharf to the east, so as well as the provision of parking there is good access to alternative means of travel.

The position of the building on the site has been assessed by the Highway Authority alongside the general assessment of highway issues and they are satisfied that it is acceptable in terms of highway visibility and safety.

Flood Risk

The application site falls within flood zone 2 and the extant outline planning permission has a condition that requires the finished floor level of the new development to be no lower than 5.80m above ODN. This is only slightly above the finished floor level of the former garage on the site, which was at 5.54 – 5.66m above ODN and so the slight increase will not be noticeable and will not impact on visual or residential amenity.

Legal Agreements

The application before the Committee is for the approval of the reserved matters set out at the beginning of this report. The overarching outline planning permission was granted at a time when the affordable housing threshold was 15 and was granted for 14 apartments. There was therefore no requirement to provide affordable housing and this is not proposed as part of the reserved matters approval. There are no other requirements for contributions attached to the outline planning permission. The County Council as Education Authority has acknowledged this and has no comment to make on the application.

Conclusion

The application proposal that is before the Council has been carefully considered and revised taking account of the previous refusal and taking account of the input of ward members and comments from neighbours in respect of the design changes. The design is of a high quality and would deliver 14 new apartments in this important location without causing harm to amenity.

Application Determined within Target Date

Yes.

Recommendation

That the application is GRANTED.

The following conditions are attached to the extant outline planning permission and will need to be complied with as part of the development of the site:

- Finished Floor Levels – as set out on the Flood Risk Assessment
- Archaeology;
- Contaminated Land;
- Delivery times and working hours – 7.00am to 6.00pm and 7.00am to 1.00pm on a Saturday; and
- Electric Vehicle Recharging points

The following condition should be added to the reserved matters approval:

- Sample of facing materials

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2020/0398/RM

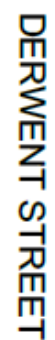
128 – 130 Carholme Road – drawings, photographs and representations.



Site Plan.





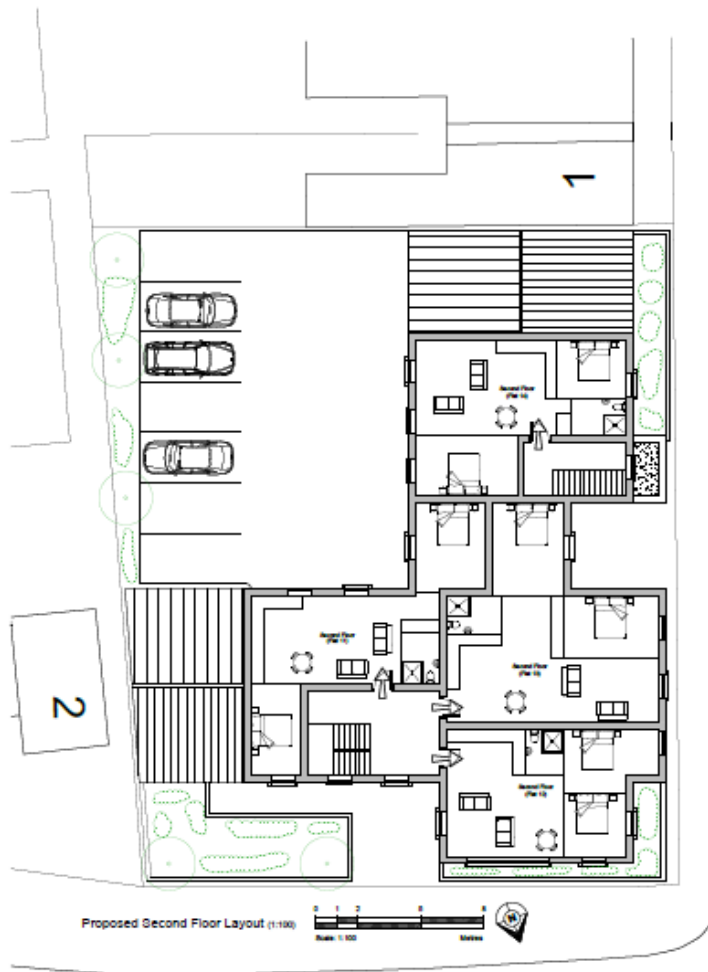


Proposed Ground Floor Layout (1:100)



CARHOLME ROAD

[illegible]



DATE	20/03/20	DRAWN BY	DATE	20/03/20
PROJECT	PLANNING	PROJECT NO.	50	
		TOWN HOUSE, 125 TOWN HOUSE ROAD, LONDON, SE10 2JF TEL: 020 7461 1000 E: info@designspace.co.uk W: www.designspace.co.uk		
CLIENT: CARHOLME DEVELOPMENTS LTD				
PROJECT: 125-125 Carholme Road				
DRAWING: Proposed First & Second Floor Layouts				
DATE	20/03	DESIGN	DATE	20/03/20
SCALE	As Shown	PROJECT NO.	50	
DRAWING NO. DISA20-021		DRAWING NO. FL004		



Carholme Road - East view



Derwent Street view



Carholme Road - West view



Vehicle access off Derwent Street

Comments for Planning Application 2020/0398/RM

Application Summary

Application Number: 2020/0398/RM

Address: 128-130 Carholme Road Lincoln Lincolnshire LN1 1SH

Proposal: Submission of reserved matters including access, appearance, landscaping, layout and scale for the erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces as require by outline planning permission 2017/0236/OUT.

Case Officer: Simon Cousins

Customer Details

Name: Mr John Houtby

Address: 2a Derwent Street Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Your reference: 2020/0398/RM

Hi

I live at 2a Derwent Street and have done so for over 45 years.

After receiving the new planning application for the above location, we are very pleased to see that our worries about the property opposite our house has been reduced from 3 storey's to 2.

The colour of the building materials and the roof tiles blend in a lot more now with the properties surrounding the proposed development.

Our main concern now is the fact that the front of the building is still proposed to be to the edge of the path on Carholme Road. This protrudes several meters further forward than the line of 132 Carholme Road and also 2 Roman Wharf, which is also on Carholme Road. When this development is completed there will be at least 14 + more vehicles trying to leave Derwent Street.

Carholme Road at this point is one of the busiest roads in and out of Lincoln and we feel with the building protruding that far forward, it can only add to the dangers of getting out onto Carholme Road.

We feel if the front of the building was brought back a few meters, it would help resolve this situation and would help with the viewing down Carholme Road before making a decision to pull

out.

I look forward to receiving your reply.

Kind regards

John & Lynn Houtby

Comments for Planning Application 2020/0398/RM

Application Summary

Application Number: 2020/0398/RM

Address: 128-130 Carholme Road Lincoln Lincolnshire LN1 1SH

Proposal: Submission of reserved matters including access, appearance, landscaping, layout and scale for the erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces as require by outline planning permission 2017/0236/OUT.

Case Officer: Simon Cousins

Customer Details

Name: Mr Simon Wesley

Address: 138 Carholme Road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My main concerns as local resident with a young family is in the following areas:

Scale and height: there are no other 3 storey residential blocks directly along Carholme Road and why are these now being permitted?

Light: concerns are with the amount of light they may block

Overlooking: the overlooking into gardens along Carholme Road.

Noise and disturbance: mainly during the construction phase as during demolition there was a lot of diesel fumes omitted in the locality which lingered in the gardens. I appreciate the demolition was relatively quick and reasonable but the construction may be over a considerable time and omit dust, noise and fumes into the local neighbouring residences.

Please seriously consider this along with the ongoing issue of drainage along Carholme Road which already has a long term problem with significant surface water during heavy rainfall which is a nuisance to neighbours, pedestrians and traffic travelling through flooded areas.

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



To: Lincoln City Council

Application Ref: 2020/0398/RM

With reference to this application dated 14 July 2020 relating to the following proposed development:

Address or location

128-130 Carholme Road, Lincoln, Lincolnshire, LN1 1SH

Date application referred:
16 July 2020

Type of application: Outline/Full/RM/
RMM

Description of development

Submission of reserved matters including access, appearance, landscaping, layout and scale for the erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces as required by outline planning permission 2017/0236/OUT.

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

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

ADDITIONAL INFORMATION REQUIRED

Can the applicant please confirm that the attenuation proposed on site has been designed for a 1:100 year critical storm event with allowance for climate change and a 5l/s restricted discharge rate to the mains sewer, as required by Condition 10 of the outline permission?

Case Officer:
Becky Melhuish
for Warren Peppard
Head of Development

Date: 27 July 2020



LINCOLNSHIRE POLICE

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

Your Ref: App. 2020/0398/RM

17th July 2020

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

Town and Country Planning Act 1990
Consultation on Approval of Reserved Matters

128-130 Carholme Road, Lincoln, Lincolnshire, LN1 1SH

Submission of reserved matters including access, appearance, landscaping, layout and scale for the erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces as require by outline planning permission 2017/0236/OUT.

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

Lincolnshire Police has No objection to this RM application..

Please refer to *Homes 2019* which can be located on www.securedbydesign.com

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

Yours sincerely,

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

Coucom, Milly (City of Lincoln Council)

From: Property Strategy <Property_Strategy@lincolnshire.gov.uk>
Sent: 14 August 2020 10:51
To: Technical Team (City of Lincoln Council)
Subject: RE: Consultation on Planning Application

Hi

Many thanks for the below consultation. The County Council has no comments in relation to education on this reserved matters application as any matters arising should have been resolved at the outline stage.

Kind regards

Simon

Simon Challis
Strategic Development Officer
Corporate Property

Lincolnshire County Council | County Offices | Newland | Lincoln | LN1 1YL

Tel: 01522 553391 | Mob: 07920 182302 | email: simon.challis@lincolnshire.gov.uk

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If your email is a request under the Freedom of Information Act then please send this to CustomerInformationService@lincolnshire.gov.uk. This is the email account that is used to process Freedom of Information requests.

-----Original Message-----

From: developmentteam@lincoln.gov.uk [mailto:developmentteam@lincoln.gov.uk]
Sent: 18 July 2020 15:07
To: Property Strategy
Subject: Consultation on Planning Application

Dear Mr Simon Challis

Please find attached consultation for Planning application reference 2020/0398/RM

Regards

Development Team
City of Lincoln Council
City of Lincoln Council is a socially responsible employer, and is a signee to the Lincoln Social Responsibility Charter. If you would like to know more about the Charter and to sign up, please visit www.lincoln.gov.uk/socialresponsibility

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The City of Lincoln Council reserves the right to monitor both sent and received emails.

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Application Number:	2020/0589/FUL
Site Address:	Land To The Rear Of 1C Boultham Park Road, Lincoln, Lincolnshire
Target Date:	5th November 2020
Agent Name:	Heronswood Design Ltd
Applicant Name:	Mr Alex Holdsworth
Proposal:	Erection of 5no. two-storey dwellings with access from Boultham Park Road.

Background - Site Location and Description

The application proposes five dwellings, which would include a row of three and a pair of semi-detached dwellings. All of the dwellings would be two main storeys each with a bedroom above in the roof space.

The land is positioned to the rear of 1A, 1B and 1C Boultham Park Road and access into the site would be through an existing access road between 1 and 1C Boultham Park Road. The site is surrounded by residential properties with four properties to the north within the site of the Naval Club. To the east is Gresley Drive and the eastern end of the site is positioned between No. 8 and 18 Gresley Drive.

There is a difference in level from the application site to the site to the north, as there is from the south and east, meaning that the land sits lower than neighbouring sites in terms of land levels.

Outline consent was granted in 2018 for three dwellings (2018/1221/OUT) although the current scheme seeks full planning permission for the five dwellings proposed.

The site is located within Flood Zone 3.

Site History

Reference:	Description	Status	Decision Date:
2018/1221/OUT	Erection of 3 dwellings with access from Boultham Park Road (Outline all matters reserved)	Granted Conditionally	4th December 2018

Case Officer Site Visit

Undertaken on 19th October 2020.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

The issues raised by the application are as follows:

- Planning policy
- Residential Amenity
- Visual Amenity
- Flood Risk
- Highways, access and parking
- Other Matters

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

Statutory Consultation Responses

Consultee	Comment
Environment Agency	Comments Received
Lincolnshire Police	Comments Received
Lee George	No Response Received
Highways & Planning	Comments Received
Environmental Health	Comments Received
Upper Witham Internal Drainage Board	Comments Received

Public Consultation Responses

Name	Address
Mr P Jennings	2 Boultham Park Road Lincoln Lincolnshire LN6 7AY
Mrs Carol and Steven Nicholson	1C Boultham Park Road Lincoln Lincolnshire LN6 7BE

Mr Simon Barrows	4 Gresley Drive Lincoln Lincolnshire LN6 7EJ
Miss Eloise Tate	2 Naval Court Lincoln Lincolnshire LN6 7GX

Consideration

Neighbour Comments

Four objections have been submitted in relation to the proposed development. In summary, the concerns raised relate to loss of light and overlooking from the buildings, flood risk, loss of wildlife, air quality, noise during construction and access for emergency vehicles. These issues will be discussed throughout the report and the letters are copied in full with your agenda.

Principle of Use in Relation to Planning Policy

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Officers are therefore satisfied that the principle of the residential use is wholly appropriate in this location. Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

The proposal is located within a predominately residential area with an extant outline permission for dwellings on the land. Development of the land would be acceptable in principle subject to other material planning considerations which will be discussed throughout this report.

Impact on Residential Amenity

In terms of impact on residential amenity, the site is bounded on all sides by residential properties. The layout and design has been subject to pre-application discussions with officers to ensure distances from existing properties are maximised through the position of the buildings and overlooking is designed out where possible. The proposal includes a row of three properties within the eastern part of the site. The rear of the terraced dwellings would face Gresley Drive, as there is no access onto the street at this part of the site. The rear of the buildings would be set back from the eastern site boundary by 13 metres and 15 metres from Gresley Drive. The buildings would be positioned approximately 9 metres from the side elevation of No. 18 Gresley Drive to the south. The terraces would be angled slightly away from No.18 and would have no overlooking side windows facing No. 18. Given this relationship, it is considered that the development would have an appropriate relationship with No. 18 ensuring that overlooking and loss of light have been mitigated through the design and positioning of the buildings. It is not considered that the

development would be overbearing on this neighbouring property.

With regard to impact on No. 8 Gresley Drive, the corner of the proposed terrace would be 14 metres at its closest point and positioned almost at a 90 degree angle to this neighbouring property. Given the oblique angle, it is not considered overlooking would be an issue for the occupants of No. 8, nor would the new building appear unduly overbearing or reduce light to the rear garden of this neighbouring property to an unacceptable degree.

With regard to the proposed semi-detached properties, these would be positioned closest to 1A, B and C Boutham Park Road. The proposed properties are in a slightly canted position so the rear elevations do not directly face the neighbouring properties. In any case, there are no first floor overlooking windows within the rear of these proposed properties and it is considered that privacy will be maintained to No. 1A-C Boutham Park Road. The proposed pair of semis would be positioned approximately 18 metres from the rear of the existing properties on Boutham Park Road which exceeds accepted distances for a window to gable relationship. Given the proposal is to the east of the existing properties, there may be some early morning light lost to the rear but this is not considered to be unduly harmful nor would warrant refusal of the application.

Similarly, the development has taken account of the previously built properties within the Naval Club to the north, with no side windows proposed other than a WC at ground floor and two roof lights. Given the type of windows here, it is not considered these would impact on privacy. The separation between the proposals and the rear elevations of the existing buildings would be approximately 15 metres and is therefore acceptable. Given the distances, it is not considered the new buildings would be overbearing nor would they reduce light to the existing properties to an unacceptable degree. However, officers consider it would be prudent to include a condition which removes permitted development rights to the proposed dwellings. This will ensure that any future changes to the buildings, including the addition of any windows, would require planning permission.

Land Levels

As part of the proposals, there would be some changes to the existing land levels on site. The gardens of the proposed properties to the west of the site would be a proposed ground level of 4.00m AOD compared to an existing of 3.98-4.09 m AOD in that area. Given the negligible difference to land levels in this part of the site, it is not considered that overlooking from the proposed levels within the gardens of the development into the garden of the existing properties of Boutham Park Road would occur. The biggest land level change would be at the Gresley Drive (east) part of the site where levels would be raised from approximately 3.6m AOD to 5.00m AOD. Currently there is a substantial drop in levels from Gresley Drive to the site. Raising the land within this part of the site will ensure the development lines through to Gresley Drive and therefore should not impact on residential amenity. The land levels would then fall downwards from east to west to 4.00m AOD in the western corner of the site.

Officers would therefore conclude that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development through overlooking, loss of light or appearing as an overbearing structure. It is also considered that the level of amenity for future occupants of the development would be acceptable. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

Impact on Visual Amenity

In terms of the proposed layout, the development has successfully utilised the space on the site effectively to ensure appropriate relationships with neighbouring properties. Whilst the site is surrounded by residential properties, the layout has ensured that no neighbouring property is unduly impacted on by the proposed, whilst each proposed property has its own garden and parking space within the site. Whilst the original outline permission proposed three properties, it is considered that the proposal has successfully accommodated the addition dwellings without compromising the scheme or surrounding residential amenity.

In terms of scale and height, the proposal is set over three levels with a bedroom being located within the roof space on each dwelling. This scale is dictated somewhat by the restrictions imposed by the sites location within a flood zone, although this has been overcome by having the ground floors over two levels, the lower level of the ground floors do not contain habitable accommodation whilst the lounge and kitchen/dining rooms are located on a higher part of the ground floor with sleeping accommodation on the two floors above. This successfully mitigates the flood risk issue and uses changes in ground levels to ensure it does not impact on the design. The resultant scale of development does not appear harmful visually and responds to the established character of the area, whilst importantly overcoming the issue of flood risk.

In more general terms, the design of the properties are an appropriate addition in this back land setting, the modern townhouse and semi-detached approach assimilates effectively with the existing variations of architectural style which currently exist within the area. The chosen materials would be a mix of red brick and render with grey roof tiles and anthracite fenestration and rainwater goods.

The majority of the site has been recently cleared and there are no protected trees on the site. Landscaped areas are proposed within the site, namely adjacent to the passing place and three existing trees adjacent to Gresley Drive have been retained. Officers propose a condition for the submission of a landscaping scheme before commencement of the development.

Subject to a condition requiring samples of materials, officers are satisfied that the proposals reflect the original architectural style of the development and contribute positively to local character, in accordance with Central Lincolnshire Local Plan (CLLP) Policy LP26 and the National Planning Policy Framework.

Flood Risk and Drainage

The site is located within Flood Zone 3 and has therefore been submitted with a Flood Risk Assessment (FRA). The development would ensure that where habitable rooms are located on the ground floor; this is within areas which have a finished floor level of 5.2m AOD or above. Areas lower than this level contain utility/WC/store facilities only. The surface water runoff will be discharged to crate soakaways, whilst the access and parking areas will be laid as permeable paving.

The FRA has been assessed by the Environment Agency (EA) who consider that the requirements of the National Planning Policy Framework have been met in terms of Flood Risk. The EA require that the mitigation measures as detailed in the applicant's FRA are conditioned. These conditions include:

- Ground floor habitable accommodation to be raised to no lower than 5.2m above Ordnance Datum (AOD), equivalent to 1.6m above lowest site level
- Ground floor areas below 5.2mAOD to be restricted to non-habitable uses (utility, WC, store)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

The Environment Agency are satisfied, subject to the above measures being conditioned, that this is an acceptable solution and demonstrates that the flood risk can be mitigated and the site is safe. Whilst the Upper Witham Internal Drainage Board have objected to the proposal, this is on a matter of principle; however, the suitability of the site for development has been demonstrated in the FRA. Similarly, the Lead Local Flood Authority have also raised no objection in terms of drainage/flood risk. The proposal is therefore compliant with Policy LP14 of the Local Plan and the requirements of the NPPF.

Highways, Access and Parking

The development is accessed via a private driveway from Boultham Park Road between No.1 and 1C Boultham Park Road. The access would remain privately maintained and not adopted by the Highway Authority. The site layout plan shows two parking spaces for each dwelling and a passing place on the access road. Officers are satisfied that the provision for the dwellings would be acceptable in what is a relatively accessible location.

Concerns have been raised by some of the neighbouring properties with regard to access for emergency vehicles. The access is relatively narrow and will only allow 1 car at a time. It may not be wide enough for a fire engine. The development will need to comply with the Building Regulations in this regard and should the access not be wide enough for a fire engine to enter the site then there are other methods of meeting the functional requirements of the regulations in relation to a fire emergency.

The Highway Authority have raised no objections to the proposal.

Overall, officers are of the opinion that the proposed dwellings would not have an unacceptable impact on traffic capacity or highway safety and would be in accordance with Policy LP13 of the Central Lincolnshire Local Plan.

Other Matters

Contaminated Land

The City Council's Pollution Control Officer has advised that, due to past uses on the site, there is the potential for contamination to be present. Conditions have been requested which will be attached to the grant of any permission.

Construction

The City Council's Pollution Control Officer has also advised that while this is a relatively small development, due to the proximity to neighbouring sensitive uses, there is potential for problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. While issues relating to the construction phase are not a material planning consideration a condition restricting the construction and delivery hours will be applied to any grant of permission to help limit any potential impact.

Air Quality and Sustainable Transport

The City Council's Pollution Control Officer has advised that, whilst it is acknowledged that the proposed development, when considered in isolation, may not have a significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted. Accordingly, a condition will require details of charging points to be submitted for approval and for the units to be installed before development is first occupied.

Bin Storage

There is capacity within the site to store bins within each plot. The original layout indicated a bin collection point within the site although this was positioned more than 25 metres from the roadside and therefore further than the refuse company will walk for collection. Instead, future residents will need to present their bins to Boutham Park Road for collection. The site layout drawing has been amended to omit the collection point from the application.

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

Yes pre application and during application stage.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the use of the site for residential purposes is considered to be acceptable in this location. The development would relate well to the site and surroundings in relation to siting, height, scale, massing and design. The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy and meets the requirements NPPF in terms of Flood Risk. The application is therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies, as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

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

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials to be submitted
- Contamination land standard conditions
- Landscaping to be submitted
- Electric vehicle charging points to be submitted
- Construction and delivery hours to be controlled
- Permitted development to be removed
- Flood mitigation to be incorporated
- Land levels and finished floor levels to be as the drawings



Site location plan



Site Plan



Site section

- 01 - Black plastic rainwater goods
- 08 - Anthracite grey plastic fascias, bargeboards & soffits
- 09 - Velux or similar rooflight



Side Elevation
Proposed - 1: 100



Side Elevation
Proposed - 1: 100



Proposed semi-detached properties

Proposed semi-detached properties

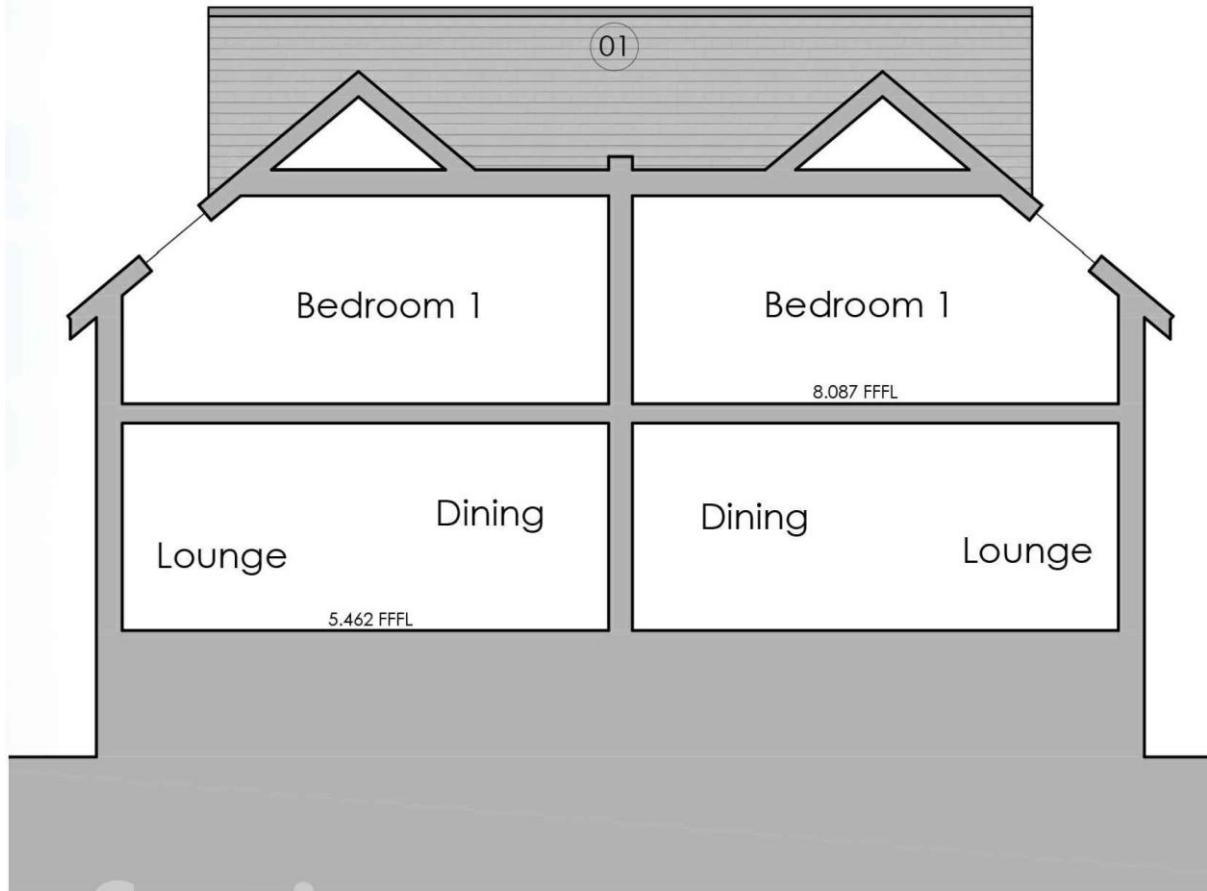


Front Elevation
Proposed - 1: 100



Rear Elevation
Proposed - 1: 100

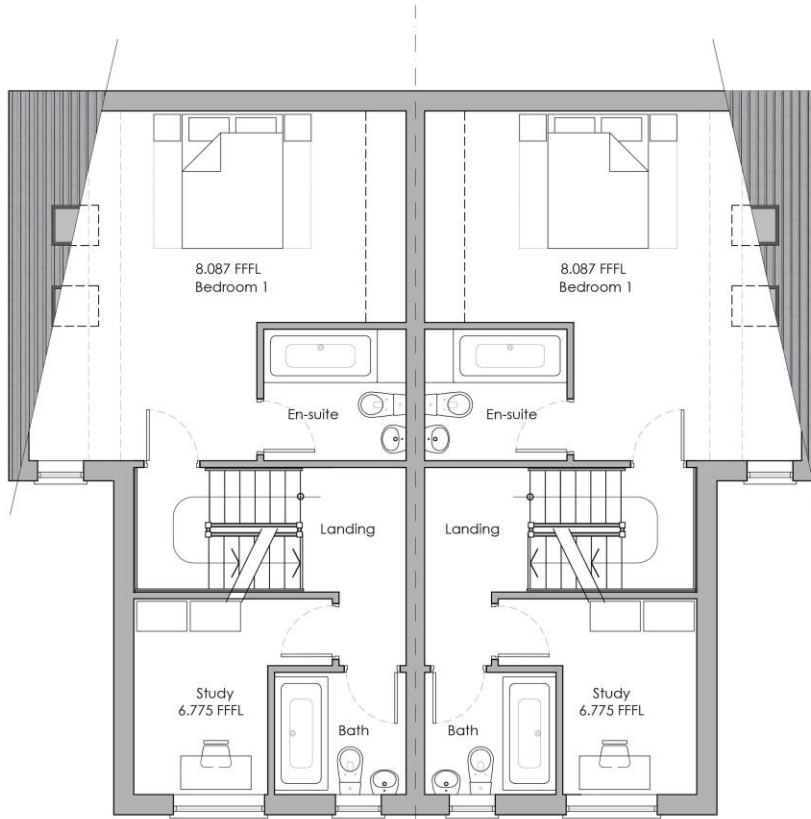
Proposed semi-detached properties



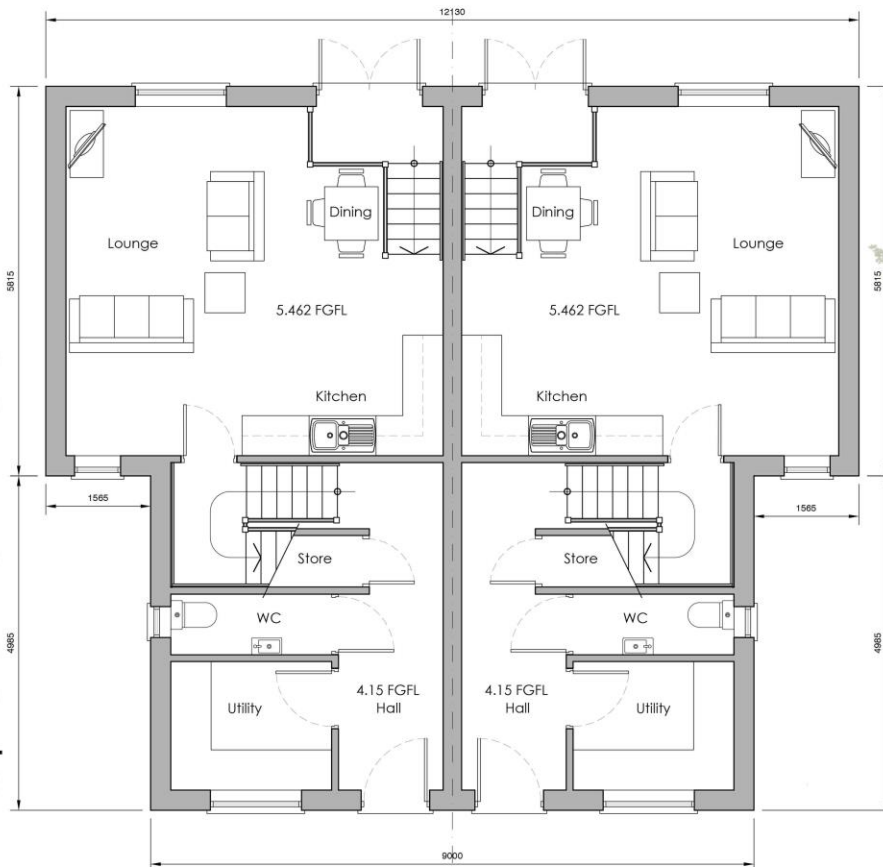
Section Proposed - 1: 100

Section of the proposed semi-detached properties

First Floor Proposed - 1: 50

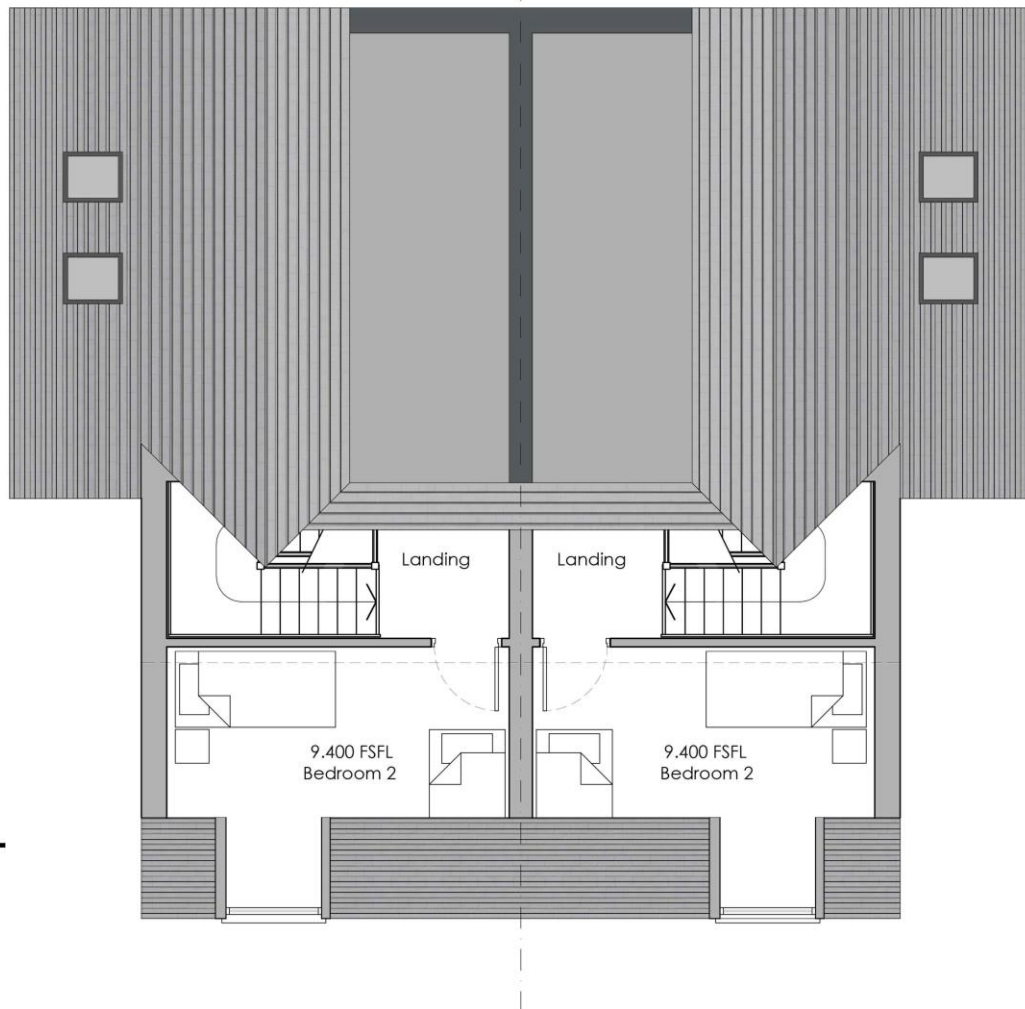


Ground Floor Proposed - 1: 50



Second Floor

Proposed - 1:50



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Floor plans of the proposed semi-detached properties



Front Elevation
Proposed - 1:100



Rear Elevation
Proposed - 1:100



Side Elevation
Proposed - 1: 100

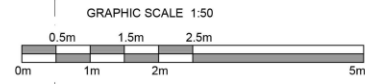
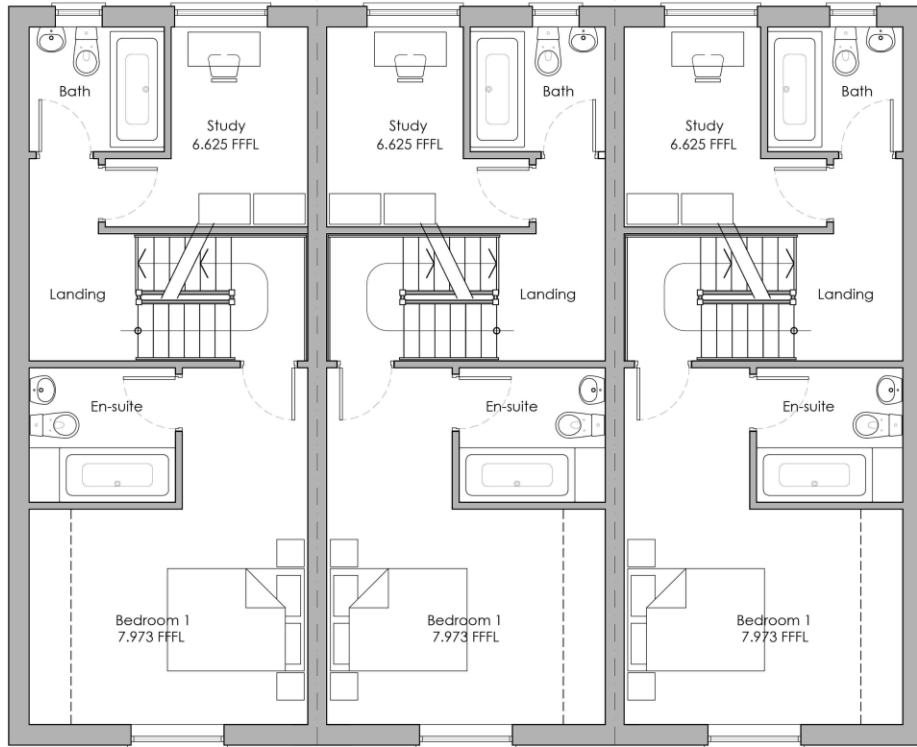


Side Elevation
Proposed - 1: 100

Elevations of the proposed terraced properties

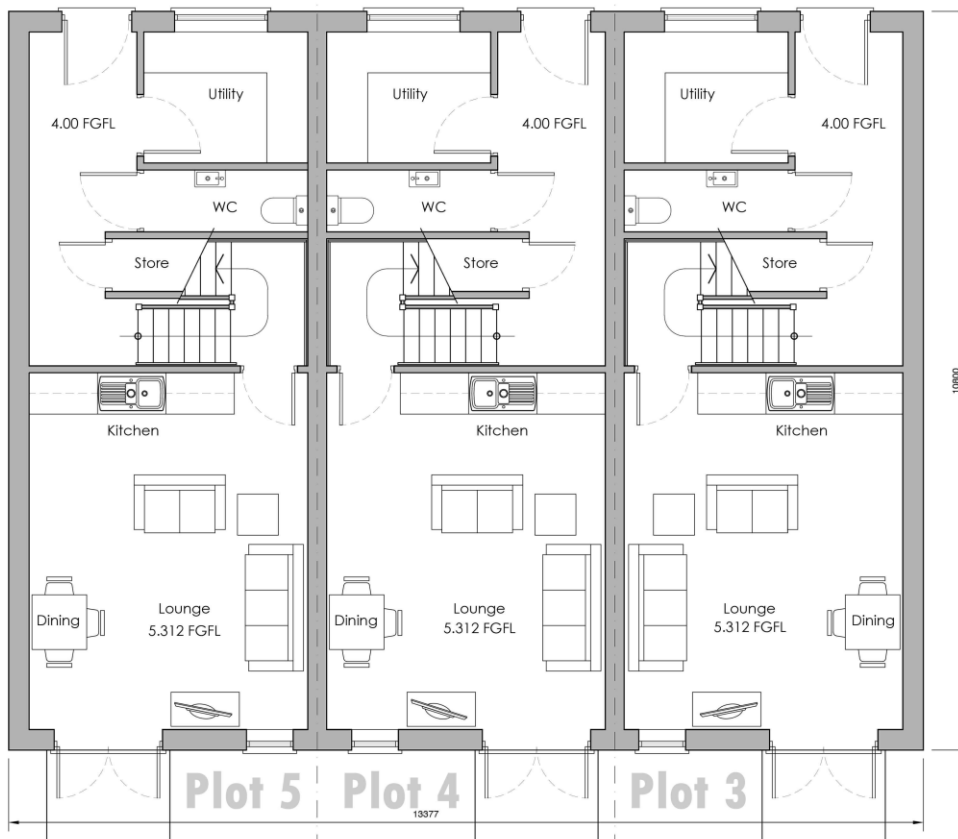
First Floor

Proposed - 1: 50

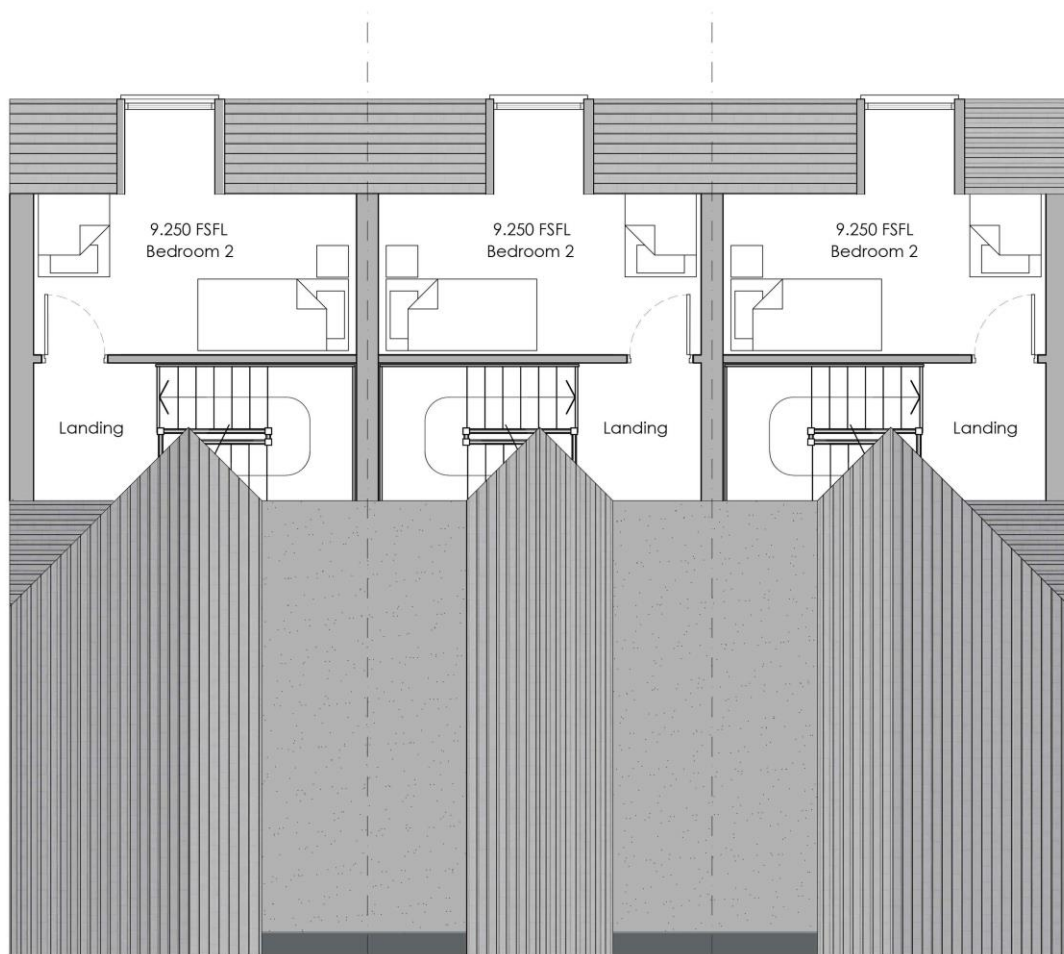


Ground Floor

Proposed - 1: 50



Proposed - 1:50



Floor plans of the proposed terraced properties



Access into the site from Boultham Park Road





View from Gresley Drive



View from Gresley Drive including the Naval Club development



View from east to west



Miss Eloise Tate 2 Naval Court Lincoln Lincolnshire LN6

7GX (Objects)

Comment submitted date: Fri 09 Oct 2020

I object the building of dwellings-

Loss of privacy, as they'll be overlooking my house and garden, and have a view into my house through living room, dining room and bedroom windows.

The loss of local wildlife as an avid birdwatchers I can provide lists of wildlife affected.

Unsightly views and noise during construction and onwards.

Potential loss of natural light.

Lack of need of new housing and cramped, tall builds

And again loss of natural wildlife habitat, which has already been greatly reduced due to the area being cleared of old trees and shrubs, if the area is left alone or treated, it will eventually be able to return to its previous beauty.

Mr P Jennings 2 Boutham Park Road Lincoln Lincolnshire LN6

7AY (Objects)

Comment submitted date: Thu 08 Oct 2020

I am objecting to this application on the grounds that it poses a flood risk, impacts on air quality and the amenity of the residents in the vicinity of the development.

Flood risk

The proposed development proposes surface water run-off from the five properties will be dealt with by way of soakaways within the development. In the event this does not prove to be viable it proposes connection to the existing Anglian Water sewer that runs down the centre of Boutham Park Road. As pointed out by the Upper Witham Drainage Board in its comments on the proposed development there is no evidence in the flood risk assessment that the sewer has the capacity to deal with the additional run off from the development.

As it stands the stretch of Boutham Park Road which directly serves the proposed development is already prone to flooding during periods of heavy and or prolonged rainfall. The camber on the highway is sufficiently steeply graded that large pooling occurs at the edges that spills on to the footway and begins to encroach upon the adjacent properties, one of which is mine.

The National Planning Policy Framework requires the planning authority in determining applications to ensure that developments do not increase flood risk elsewhere.

In addition, LP14 provide that surface water connections to the combined or surface water system are only made in exceptional circumstances and where there is no detriment to existing users.

Five properties will increase the surface water run off which, if unable to be contained within the development, will need to be drained into the surface water main sewer for which there is no assessment as to its capacity to take such an increase such as not to be a detriment to existing users.

Air quality

The proposed development is accessed directly from the public highway by a narrow entrance that runs between existing properties. It is the only way to enter or leave the site. The development proposes parking for up to ten cars. Whilst the development proposes a passing place the flow of traffic in and out of the development will be truncated, cars having to be stationary and idling on entering or leaving the development. This is especially so on leaving, as Boultham Park Road is subject to relatively heavy traffic throughout the working week, and particularly at weekends when Lincoln City are playing at home, as it is a popular place to park.

The parking on Boultham Park Road around the entrance to the site is also prone to be heavy during weekdays and weekends. It requires at times, existing residents with driveways to edge on to the road due to the proximity parking on the road that obstructs a clear view of the highway in one direction or another. If cars or other vehicles accessing the development or leaving the development are required to queue whilst idling this will inevitably impact negatively on the air quality of the residents in the vicinity of the entrance to the site.

Whilst the developer proposes the installation of charging points on the development there is no guarantee that those who will occupy the development on its completion will be utilising low emission, hybrid or electric cars.

Moreover, during the construction phase there is a very real danger that the locality air quality will be adversely affected. This is due to the narrow entrance to the site which at best can take a large van. It is highly unlikely that anything larger than a large van could get onto the site to deliver its load. There is a very real risk that large lorries will not be able to access the site requiring them to remain on Boultham Park Road to offload materials. Lorries (which are predominately diesel) whilst doing this will be idling and adversely affecting air quality. This is quite apart from obstructing the highway in the process.

The NPPF requires local planning authorities to have regard to air quality in determining applications for developments by promoting healthy and safe communities; conserving and enhancing the natural environment, and in coming to decisions to consider the effects of pollution on the health of communities. This is also reflected in LP26 where proposals should demonstrate in relation to both the construction and life of the development mitigating adverse impact upon air quality from odour, fumes, smoke, dust and other sources.

This development has a real prospect of adversely affecting the air quality of the locality both during construction and on completion due to its limited accessibility from the public highway.

Amenity

The primary concern remains the narrow entrance to the site and how this will impact on neighbouring residents and their amenity during construction and on completion of the development. It is not suited to anything larger than a large van. Larger vehicles experience difficulty entering and leaving the site and are required to approach the entrance by arcing across the highway to avoid a brick pillar belonging to an adjacent

property.

As is often the case there are cars parked opposite the entrance to the site and quite often either side of the entrance itself. This would make it nigh on impossible to get any large vehicle onto the site due to the restricted turning circle. On two occasions I have been verbally abused by contractors for the developer who have had difficulty either entering or leaving the site with large trailers because they have considered my car to be an obstruction to their accessing the site even though it is lawfully parked. I struggle to see how a removals lorry, let alone a fire engine would be able to access the development particularly if the current parking on Boultham Park Road remains the same.

The NPPF provides that developments should function well. I do not believe the restricted access to this particular development would allow it to function well particularly if fire engines would experience difficulty attending an emergency on the development.

I would strongly suggest that the relevant committee members may wish to carry out a site visit prior to determination of this application to see for themselves the current access arrangements for the site and proposed development.

Mrs Carol and Steven Nicholson 1C Boultham Park Road Lincoln Lincolnshire LN6 7BE (Objects)

Comment submitted date: Tue 06 Oct 2020

I am very concerned about this new development as these new buildings will be overlooking my property in particular my garden. This will block light to my garden. The placement of the bin store at the back of my property is also a concern, with regular use bringing people to my back fence and possibly pests. I also do not think the road way is wide enough to accommodate such vehicles as bin lorry's or emergency services and the amount of traffic 5 houses will bring will be a constant disturbance to us as the road runs directly next to our property. The road leads onto a main road which is constantly busy, this added throughway will create a hazard entering and leaving the site. They have already ripped out all the trees that was behind our property, these trees were a great comfort to us and the wildlife they brought and we was not given the opportunity to dispute the removal of them.

Mr Simon Barrows 4 Gresley Drive Lincoln Lincolnshire LN6 7EJ (Objects)

Comment submitted date: Mon 28 Sep 2020

My wife & I have serious reservations regarding this proposed development. We purchased our property in the summer of 2018, primarily because the garden is not overlooked and gets mainly uninterrupted sunshine.

We are concerned that the construction of five 2-storey houses will only significantly reduce that sunlight, leaving our garden dark and in shadow.

Our garden is a much revered recreational space, and of huge benefit to our mental wellbeing, but which will only become a dark and unattractive one for much of the day if these dwellings are allowed to be built as proposed

Guy Hird Upper Witham Internal Drainage Board (Neutral)

Comment submitted date: Wed 30 Sep 2020

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

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However it is up to City of Lincoln Council as the planning Authority grant planning permission. It is noted that a Flood Risk Assessment is included in the Application that contains appropriate mitigation. Notably the FFL of the living accommodation is proposed to be above the breach Flood level and Flood resilience/resistance measures to be incorporated, but the general ground level not being raised.

Comment and information to Lincolnshire CC Highway SUDs Support

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

- o If soakaways are proposed the suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be reconsulted.

- o 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.

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

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

Regards

Guy Hird
Engineering Services Officer



City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
LN1 1DF

Our ref: AN/2020/130881/01-L01
Your ref: 2020/0589/FUL
Date: 28 September 2020

Dear Sir/Madam

**Erection of 5no. Two-storey dwellings with access from Boultham Park Road
Rear of 1C Boultham Park Road, Lincoln, LN6 7BE**

Thank you for your consultation of 10 September 2020 regarding the above application.

Environment Agency position - Accept

The proposed development will meet the requirements of the National Planning Policy Framework if the following measures, as detailed in the Flood Risk Assessment submitted with this application, are implemented and secured by way of a planning condition on any planning permission.

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), RM Associates ref 603957, and the following mitigation measures detailed within the FRA:

- Ground floor habitable accommodation to be raised to no lower than 5.2m above Ordnance Datum (AOD), equivalent to 1.6m above lowest site level
- Ground floor areas below 5.2mAOD to be restricted to non-habitable uses (utility, WC, store)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason

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

We support the recommendation in the FRA that the properties register with our Floodline Warnings Direct service.

As you are aware the discharge and enforcement of planning conditions rests with your Authority. It is, therefore, essential that you are satisfied that the proposed draft condition meets the requirements of the Planning Practice Guidance (Use of planning conditions section, paragraph 004). Please notify us immediately if you are unable to apply our suggested condition, as we may need to tailor our advice accordingly.

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

Yours sincerely

Nicola Farr
Sustainable Places - Planning Advisor

Direct dial 02030 255023

Direct e-mail nicola.farr@environment-agency.gov.uk

Place Directorate
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070



To: Lincoln City Council

Application Ref: 2020/0589/FUL

Description of development

Erection of 5no. two-storey dwellings with access from Boutham Park Road.

Address or location

1C Boutham Park Road, Lincoln, Lincolnshire, LN6 7BE

With reference to the above application received 10 September 2020

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.

Highway Informative 04

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Highway Informative 08

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.

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: 21 September 2020

Becky Melhuish
for Warren Peppard
Head of Development



LINCOLNSHIRE POLICE

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

Your Ref: App. 2020/0589/FUL

10th September 2020

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Town and Country Planning Act 1990 Consultation on Planning Permission

1C Boultham Park Road, Lincoln, Lincolnshire, LN6 7BE

Erection of 5no. two-storey dwellings with access from Boultham Park Road.

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

Lincolnshire Police has No objections to this application.

This development offers a secure gated environment that would offer excellent levels of security and safety for residents.

External Doors and Windows

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

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

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

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

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

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

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

Please refer to *Homes 2019* which can be located on www.securedbydesign.com

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

Yours sincerely,

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

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Application Number:	2020/0474/LBC
Site Address:	Arboretum Lodge, Arboretum, Monks Road
Target Date:	6th November 2020
Agent Name:	City Of Lincoln Council
Applicant Name:	Mrs Angela Andrews
Proposal:	Repairs to internal wall to remediate chronic damp issue (Listed Building Consent)

Background - Site Location and Description

The application is for Listed Building Consent and proposes repairs to an internal wall to remediate chronic damp issues. The application site is Arboretum Lodge. Arboretum Lodge sits within the Arboretum Park just inside the entrance on Monks Road.

The property is a Grade II Listed Building and is also located within the City of Lincoln Lindum and Arboretum Conservation Area No.3.

The application is to be considered by Planning Committee as the property is owned by the City of Lincoln Council.

Site History

No relevant site history.

Policies Referred to

- Policy LP25 The Historic Environment
- National Planning Policy Framework

Issues

To assess the proposal with regards to the impact on the building as a designated heritage asset.

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

Statutory Consultation Responses

Consultee	Comment
Lincoln Civic Trust	Comments Received

Public Consultation Responses

No responses received.

Consideration

National and Local Planning Policy

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the relevant policies within the National Planning Policy Framework (NPPF, 2019).

Paragraph 192 of the NPPF (2019) requires local planning authorities to take account of the following issues in determining applications which may affect heritage assets and their settings;

1. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
2. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
3. The desirability of new development making a positive contribution to local character and distinctiveness

Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) is permissive of alterations to Listed Buildings, provided the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

Internal works required are following the removal of damp plaster on one inner wall. The section required has already succumbed badly to water ingress, on removal of the damp plaster it was found the work had been previously completed using 70mm thick cement render, in order to bring the inner wall flush with the rest of the room. Suggestion is to build a frame on to the stone using tanalised timber, apply plaster boarding to the frame and finish in lime plaster. The intention being that the wall will then be able to 'breathe' as there will be a small cavity created between the boarding and the stone wall. This amounts to approximately 2 square meters, within the office space and below a window. Planning and conservation officers consider these essential minor works to the Listed Building that would not harm the historic significance of the walls and would be in the interests of their conservation.

It is, therefore, considered that the proposed works are in the interests of the building's preservation and would not be prejudicial to its special architectural or historic interest, in accordance with Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) and relevant guidance contained within the National Planning Policy Framework (2019). Consequently the proposed development is in accordance with the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highways

Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. Therefore based on this advice it is considered that

the proposal would not be detrimental to highway safety or traffic capacity.

The Civic Trust raise no objections to the application.

Site Visit Note

There has been no site visit undertaken in person due to the restrictions in place as a result of the Covid 19 pandemic. The proposals have instead been assessed using various online tools together with photographs taken by the applicant or their agent. I am satisfied that there is sufficient information consequently available to assess any potential impact and to make a robust decision on the proposals

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

Yes - pre-application advice.

Equality Implications

None.

Conclusion

The proposed works are in the interests of the building's preservation and would not be prejudicial to its special architectural or historic interest, in accordance with the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses', Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) and relevant guidance contained within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That Listed Building Consent is Granted Conditionally subject to the following conditions:

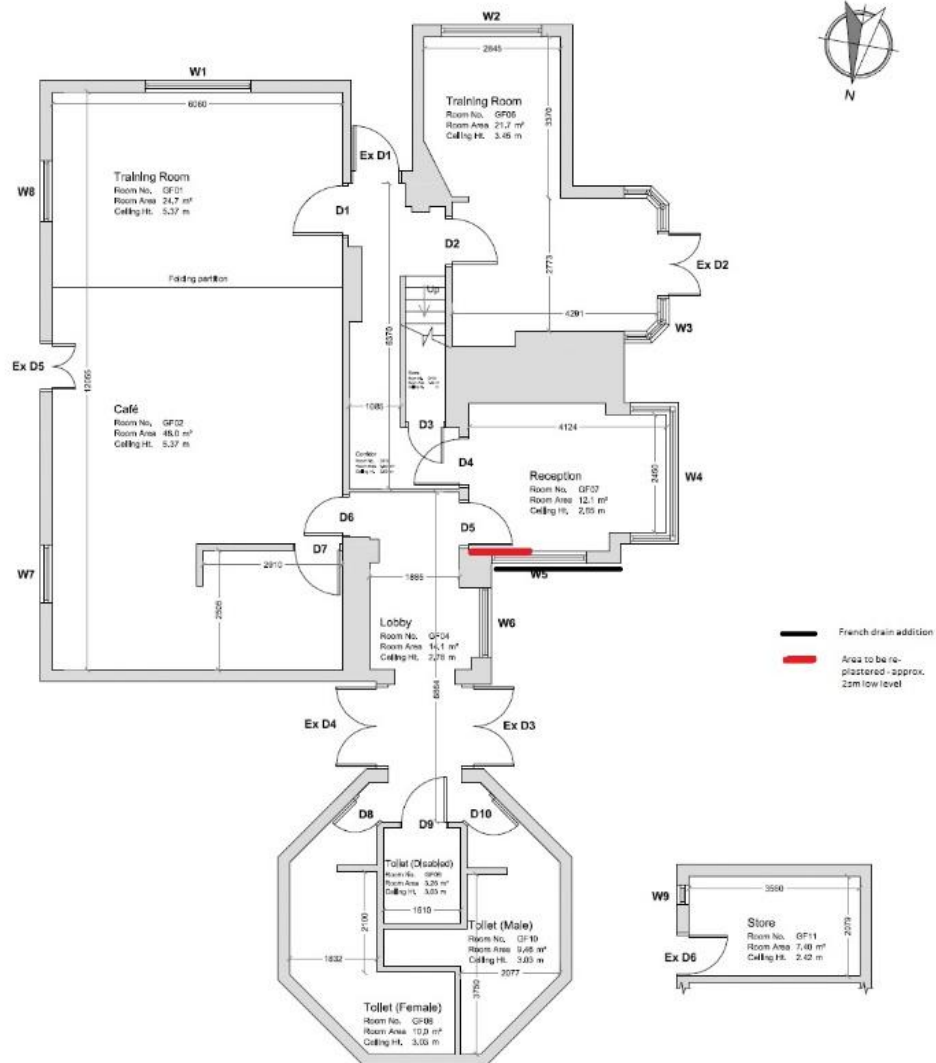
- Development to commence within 3 years
- Development to be carried out in accordance with the plans submitted with the application.

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Site Location Plan



Floor Plan



Internal Photographs



