

PLANNING COMMITTEE

Wednesday, 30 June 2021

5.30 pm

**The Alive Church, Newland,
Lincoln**

Membership: Councillors Naomi Tweddle (Chair), Bob Bushell (Vice-Chair), Biff Bean, Chris Burke, Liz Bushell, Gary Hewson, Bill Mara, Rebecca Longbottom, Mark Storer, Edmund Strengiel and Calum Watt

Substitute members: Councillors Bill Bilton and Neil Murray

Officers attending: Democratic Services

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

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

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

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes - 24 March 2021	5 - 10
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Update Sheet	To Be Tabled
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5. Applications for Development

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(g)	21 Hawkshead Grove, Lincoln	221 - 246
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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 Bob Bushell (*in the Chair*),
Councillor Biff Bean, Councillor Bill Bilton, Councillor
Alan Briggs, Councillor Chris Burke, Councillor
Liz Bushell, Councillor Gary Hewson, Councillor
Jackie Kirk, Councillor Rebecca Longbottom and
Councillor Edmund Strengiel

Apologies for Absence: Councillor Naomi Tweddle, Councillor Kathleen Brothwell
and Councillor Bill Mara

126. Confirmation of Minutes - 24 February 2021

RESOLVED that the minutes of the meeting held on 24 February 2021 be confirmed.

127. Related Matters

It was noted that Councillor Bill Mara had attempted to join the virtual meeting but incurred some technical difficulties so was unable to do so before the start of the item to be debated. Therefore he was not permitted to take part in the deliberations or vote on the matter to be determined.

128. Declarations of Interest

No declarations of interest were received.

129. Work to Trees in City Council Ownership

Dave Walker, Arboricultural Officer:

- a. advised members of the reasons for proposed works to trees in City Council 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.

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

130. Application for Development: Land To Rear of Rookery Lane and Hainton Road, Lincoln

The Planning Team Leader:

- a. described the application site, a 1.3ha area of land located on the western side of Rookery Lane bounded on three sides by housing, with the western

boundary of the site being defined by dense woodland, an area defined as Important Open Space within the Local Plan

- b. further added that the site was to be accessed via a new access road following the demolition of No 89 and 93 Rookery Lane
- c. reported that the site was identified in the Central Lincolnshire Local Plan 2017 for housing (CL4394-Land North of Hainton Road, Lincoln), currently consisting mostly of undulating grassland and overgrown vegetation
- d. advised that the site was owned by the City of Lincoln Council who was also the applicant on the application
- e. reported that the site would be developed for 100% Affordable Housing consisting of 20 two bedroom houses, 10 three bedroom houses, 2 four bedroom houses, 4 two bedroom bungalows and 6 apartments; all for affordable rent
- f. confirmed that the application had been due to be considered by Planning Committee in January, although the application was removed from the agenda to allow ongoing conversations with the applicants regarding the detailed drainage arrangements for the site, which had now been submitted and were considered appropriate by the Lead Flood Authority, as detailed further within the officer's report
- g. highlighted that the Education Authority had confirmed that no contribution was required towards education in the local area due to there being sufficient current capacity in primary school places in the area of the proposed development, and NHS Lincolnshire had confirmed also that no contribution would be required towards health care in this instance
- h. explained that contributions would be required for Strategic Playing Field and Local Green Infrastructure (children's play space) which were to be collected upon issue of a decision notice, normally payable via an S106 legal agreement, however this was not possible due to the applicant being the City of Lincoln Council
- i. provided details of the policies pertaining to the application, as follows:
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP3: Level and Distribution of Growth
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land affected by Contamination
 - Policy LP23: Local Green Space and other Important Open Space
 - Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
 - Policy LP26: Design and Amenity
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP49: Residential Allocations- Lincoln
 - National Planning Policy Framework

- j. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
- The Principle of the Development
 - Visual Amenity
 - Residential Amenity
 - Ecology
 - Access and Highways
 - Flood Risk and Drainage
 - Other Matters- Contaminated Land, Air Quality and Sustainable Transport, Archaeology
- k. outlined the responses made to the consultation exercise
- l. referred to the Update Sheet which contained additional responses received in respect of the proposed development
- m. concluded that:
- The principle of developing this site for residential development was acceptable and was an allocated housing site within the Central Lincolnshire Local Plan.
 - The proposal was appropriately designed to sit well within its context whilst respecting the amenity of adjacent neighbours.
 - It was therefore considered that the proposed development was in accordance with national and local planning policy and subject to the conditions referenced within this report being applied would be in accordance with local and national planning policy.

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

- Question: Concerns had been raised regarding the fence which abutted the property at No 87 Rookery Lane. Would this be replaced when the new road was built?
- Comment: It was pleasing to note that consultations had taken place with relevant organisations in the interest of protecting wildlife.
- Comment: It was noted that access to the site incorporated a change in the nature of the road from a standard 5.5m tarmac road to a surface where pedestrians and vehicles would share the same route in the interests of traffic calming measures.
- Question: The Central Lincolnshire Joint Strategic Planning Committee at its meeting held on 16 November 2020 had encouraged environmental additions to buildings such as solar panelling. Would this be provided?
- Question: It was noted that boundary fencing was intended. Why did a tree retained in the garden of property No 11 appear on the plans to be fenced in?
- Comment: It was pleasing to see the inclusion of bird/bat boxes as part of the scheme. It would be beneficial to consider the movement and safety of small mammals e.g. hedgehogs from the wildlife area adjacent to the site.
- Comment: As could be viewed at Page 73 of the officer's report, not all responses received were in objection to the proposals. House purchasers were always advised that they did not buy the view on purchase of their property.

- Comment: The site was identified in the Local Plan allocation for housing. There would be a considerable distance between each property. Mitigation measures had been carried out by the applicant to address local residents' concerns.
- Question: Would there be a right of way next to the property at 95 Rookery Lane to the woodland at the rear?
- Question: Had the funds for associated children's playing fields been allocated?
- Question: Could clarification be given to the meaning of the recommended condition for installation of 'uncontrolled tactile cross' near 111 Rookery Lane to Boultham Park as described within the report?

Simon Cousins, Planning Team Leader offered the following points of clarification to members:

- Tactile paving which was 'bobbly' in appearance would be incorporated into the area to help visually impaired pedestrians to cross the road safely.
- The fence adjacent to the property at No 87 Rookery Lane would be 1.8m high and newly erected.
- Negotiations had taken place throughout the application process which had resulted in a revised layout to improve the relationship between the proposed development and existing properties to address concerns raised in relation to overlook.
- The Highways Authority had encouraged the alignment of the road and its dual use for pedestrians and vehicular access with no long stretches. This would prevent cars from being allowed to speed.
- The access to the development would be from Rookery Lane as there was no real alternative.
- The tree situated at the bottom end of the garden within property number 11 would be surrounded by a small wall to allow for raised levels to be retained halfway down the garden without risk of suffocation to the tree.
- The Ecology report had not highlighted concerns regarding hedgehogs in particular, however, there was opportunity should members be so inclined for a condition to be imposed on the grant of planning permission to incorporate hedgehog doors at the bottom of the boundary fencing.
- There was no established right of way to the rear of the properties adjacent to 95 Rookery Lane as far as officers were aware and this access would not be retained.
- Contributions of £32,000 for children's play space would be allocated at Boultham Park close by.

Kieron Manning, Assistant Director for Planning responded in relation to the potential for solar panels to be included in the scheme that climate implications in terms of the Local Plan were being investigated. However, this was not yet part of the Local Plan process as it currently stood. The Planning Authority remained alive to a 'fabric first' approach in terms of types of windows, cavity wall insulation etc. installed for efficient energy consumption in new housing. There were viability concerns to be addressed with regard to climate control implications, however, once it became planning policy, additions to builds such as solar energy would be mandated.

Members thanked officers for their advice regarding the provision of solar energy panels, requesting that until this becoming law, discussions held regarding climate implications for housing development be incorporated into future planning

reports to committee for information.

It was proposed, seconded and carried that an additional condition be imposed on the grant of planning permission requiring hedgehog doors to be incorporated within the boundary fencing to the proposed development.

RESOLVED that planning permission be granted subject to the receipt of contributions for Strategic Playing Field and Local Green Infrastructure and the following conditions:

- 3 year condition
- Accordance with plans
- Land levels to be as constructed as submitted
- Landscaping details to be submitted
- Boundary walls and fences including retaining walls to be submitted
- Materials – to be as submitted – including window reveal
- Arboricultural method statement – including tree protection measures to be submitted
- Mitigation measures for T13 and T27 from land raising to be submitted
- Details of affordable housing to be submitted
- Bat/bird boxes to be submitted
- Electric vehicle charging points to be submitted
- Highway construction management plan
- Construction/delivery hours restriction
- Contaminated land details to be submitted
- Installation of uncontrolled tactile cross near 111 Rookery Lane to Boutham park
- Estate roads and associated footways shall be laid out and constructed to finished surface levels before development of that part of the estate commences
- Development to proceed in accordance with a surface water drainage scheme.
- Hedgehog doors to be installed.

131. Update Sheet

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PLANNING COMMITTEE

30 JUNE 2021

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 4 / SCHEDULE DATE: 30/06/2021**

Item No	Status e.g. CAC	Specific Location	Tree Species and description / reasons for work / Ward.	Recommendation
1	N/A	Tower Crescent Play area	<u>Abbey ward</u> 1x Sorbus <u>Fell</u> This tree is in poor condition, with extensive damage to main stem.	Approve works, replace with a suitable native species; to be positioned in an appropriate location within the ward.
2	N/A	51 Cannon Street	<u>Abbey Ward</u> 1 x Pine <u>Fell</u> The tree is currently In contact with a brick wall and also causing pavement level issues.	Approve works, replace with a suitable native species; to be positioned in an appropriate location within the ward.
3	N/A	24 Sorrel Court	<u>Birchwood Ward</u> 1 x Pear <u>Fell</u> This tree is located in a brick built raised bed – the expanding root system is destabilising the external walls and causing them to collapse.	Approve works, replace with a suitable native species; to be positioned in an appropriate location within the ward.
4	N/A	26 Gaunt Street	<u>Boultham Ward</u> 2 x Sycamore 1 x Elderberry <u>Fell</u> These trees are causing direct damage to the adjacent brick wall and fence line.	Approve works, plant 3 native tree species at suitable locations within the ward.

5	N/A	West Common	<p><u>Carholme Ward</u> 1x Maple <u>Fell</u> This tree is located within a wooden tree shelter – approximately 90% of the canopy is retained as dead wood; the trunk having a significant degree of associated decay.</p>	Approve works and replant with a replacement Maple.
6	N/A	6 Riseholme Road	<p><u>Castle Ward</u> 3 x Beech <u>Fell</u> These trees are in direct contact with the adjoining property boundary, resulting in physical damage to the structure.</p>	Approve works, replace with 3 native tree species; to be positioned in appropriate locations within the ward.
7	N/A	132 Outer Circle drive- Housing site	<p><u>Glebe Ward</u> 1x Sycamore <u>Retrospective notice</u> The tree had caused damage to the property boundary which led to security issues; the trees removal was required to facilitate repairs.</p>	Replace with a suitable native species; to be positioned in an appropriate location within the ward.
8	N/A	24 Dryden Avenue	<p><u>Glebe Ward</u> 1 x Blue Spruce <u>Fell</u> The root plate of this tree shows signs of instability; the surface roots are also causing direct damage to adjacent hard surfacing.</p>	Approve works and replace with a suitable native species; to be positioned in an appropriate location within the ward.
9	TPO	1 Staffordshire Crescent	<p><u>Hartsholme Ward</u> 1 x Birch <u>Fell</u> This tree is currently causing direct damage to the property boundary at this address.</p>	Replace with a Birch tree; to be positioned in an appropriate location within the ward.

10	CAC	Waddingworth Grove - garage site	<p><u>Minster Ward</u> 1 x Sycamore <u>Fell</u> This work is required to prevent damage occurring to hard surfacing whilst also allowing unrestricted lighting of the immediate area.</p>	Approve works, replace with a suitable native species; to be positioned in an appropriate location within the ward.
11	N/A	22 Leighton Crescent	<p><u>Moorland Ward</u> 1x Rowan <u>Retrospective notice</u> This tree was felled due to the presence of considerable decay within the branch unions, combined with significant hollowing of the trunk.</p>	Replace with a suitable native species; to be positioned in an appropriate location within the ward.
12		2 Fleming House	<p><u>Park Ward</u> 1 x Leylandii <u>Fell</u> The incremental growth of this tree is causing substantial changes in foot path levels and is also likely to lead to significant damage occurring to brick-built outhouses.</p>	Approve works, replace with a suitable native species; to be positioned in an appropriate location within the ward.

Application Number:	2021/0256/FUL
Site Address:	Lincoln Central Market, Sincil Street, Lincoln
Target Date:	19th June 2021
Agent Name:	John Roberts Architects Ltd
Applicant Name:	City of Lincoln Council
Proposal:	Refurbishment of Grade II Listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial demolition and construction of new two-storey extension to south to accommodate new commercial unit (Class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street.

Background - Site Location and Description

Application is for planning permission for works of alteration/ refurbishment and extension of the Central Market building in order to reinterpret/ rejuvenate the market offering at the site.

The Central Market building is grade II listed.

The application is submitted by the City of Lincoln Council as owners of the building.

The proposal will include the opening up of the current blind arch windows to the north and east facing elevations and the demolition of the 'Butchers Corridor' extension to the South side of the market, and the erection of a replacement extension to house an A3 unit with new public toilets to the rear with access through the main market hall interior.

Internally a new mezzanine is to be installed at the eastern end with new stair and lift access. The damaged Terrazzo floor to the main Market Hall is to be replaced along with the existing single glazed lantern roof, with a new double glazed lantern, and new ventilation and extraction systems installed.

The application proposes a mix of uses at the site

The site is located within the Cathedral and City Centre Conservation Area no.1 and is part of the Primary Shopping Streets as identified in the CLLP.

An accompanying application for listed building consent has also been submitted (2021/0257/LBC).

Site History

Reference:	Description	Status	Decision Date:
2021/0257/LBC	Refurbishment of Grade II Listed market building including opening up of blind arches and the insertion of glazing to north and east elevations , replacement roofing and glazed	Pending Decision	

	lantern, insertion of mezzanine floor with new internal stair and access lift, demolition of existing single storey Butchers Corridor to the South and construction of new two-storey extension. (Listed Building Consent)		
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Case Officer Site Visit

Undertaken on 24th May 2021.

Policies Referred to

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP27 Main Town Centre Uses - Frontages and Advertisements
- Policy LP31 Lincoln's Economy
- National Planning Policy Framework

Issues

- National and Local Planning Policy
- Proposed Uses and the Effect on the Vitality and Viability of the Central Area
- Effect on the Character and Appearance of the Conservation Area
- Hard and Soft Landscaping of the Public Space.
- Effect on the Setting of the Listed Building
- Highway Safety
- Fume Extraction
- Bin Storage
- Archaeology
- Land Contamination
- Surface Water Drainage

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Lincolnshire Police	Comments Received
Councillor Chris Burke	No Response Received

Councillor Sue Burke	No Response Received
Councillor Helena Mair	No Response Received
Lincoln Civic Trust	Comments Received
Anglian Water	No Response Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Environment Agency	Comments Received
Historic England	Comments Received
Highways & Planning	Comments Received
Lincs Bat Group	No Response Received

Public Consultation Responses

Name	Address
Mrs Nikki Goldblatt	Camden House 42 Colegrave Street Lincoln Lincolnshire LN5 8DR

Consideration

The Proposal

The Design and Access Statement indicates that the market in its current form is not sustainable and that greater footfall is required to make the market viable.

The application property has not seen any significant investment for a number of years and the fabric has as a result, deteriorated and that the current market offer is undesirable to shoppers and visitors,

The Design and Access Statement indicates that *"Taking into account the declining popularity of the market as a commercial enterprise and the limited viability in its current*

form, it will be necessary to "Re-invent" the market to bring greater opportunity for a greater variety of traders in order to maximise the potential and recover some of the costs of the works to refurbish and maintain the building"

The refurbishment scheme to the market building will provide:

- 14 No. perimeter market stalls each approx.7sqm
- 22 No. freestanding centrally located market stalls each approx.7sqm
- A dedicated Butcher/Fishmonger sales area totalling 92.5sqm
- A centrally located "Food court".
- Additional seating areas supporting the food court.
- Access stair and lift to the new mezzanine
- 4 No. perimeter market stalls at mezzanine level
- Further dedicated café/restaurant seating at mezzanine level

The new extension will accommodate at ground floor level:

- Unisex and accessible public toilets
- A Baby Changing facility
- Ancillary accommodation to support the market and public toilets.
- Restaurant/Bar with dedicated entrance off Sincil Street left bare for tenant fit-out

At First Floor level further accommodation is provided comprising:

- Additional restaurant/bar accommodation accessed directly from ground floor.
- External balcony/terrace serving the first-floor restaurant area.
- Market manager's office
- Ancillary storage area

Policy and Justification

LP25 of the CLLP is relevant and states that;

"Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that 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.

Permission that results in substantial harm to or loss of a Listed Building will only be granted in exceptional or, for grade I and II Listed Buildings, wholly exceptional circumstances.*

Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

With regard to Conservation Areas, LP25 states *"Development within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce it, as appropriate) features that contribute positively to the area's character,*

appearance and setting."

Policy LP26 Design and Amenity is also relevant stating *"All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all."*

LP27 Main Town Centre Uses and Frontages is again relevant stating;

"In respect of uses defined as a main town centre use, proposals for frontages or alterations to existing frontages will be permitted provided the proposal:

- a. Is of a high quality design and is sympathetic in scale, proportion and appearance to the building of which it forms part, and to the character of the surrounding street scene; and*
- b. Protects, and where possible enhances, traditional or original frontage or features that are of architectural or historic interest, particularly if the building is listed or within a conservation area; and*
- c. Is designed to allow equal access for all users"*

LP31 states *"Development proposals for Lincoln should support the strengthening of Lincoln's economy" and that, "In principle, development proposals will be supported where they:*

- a. Seek to enhance the overall offer that Lincoln provides in terms of the range and quality of employment uses, including skills and innovation;*
- b. Support and enhance Lincoln's role as a key destination for tourism and leisure;*
- c. Maintain and enhance Lincoln's status as a significant provider of retail services;*
- d. Protect and enhance the quality, attractiveness, character and assets of Lincoln, and the City Centre in particular, as a place to visit, work and live;"*

The Design and Access Statement refers to Policy LP31 Lincoln's Economy and states that *"The proposals seek to enhance the overall offer that Lincoln provides in terms of the range and quality of employment uses, including skills and innovation. It will support and enhance Lincoln's role as a key destination for tourism and leisure and maintain and enhance Lincoln's status as a significant provider of retail services through protecting and enhancing the quality, attractiveness, character and assets of Lincoln, and the City Centre in particular, as a place to visit, work and live;"*

With regard to policies LP25, LP26 and LP29, the design proposal has been developed pre application with input from both Officers and Historic England through a series of Design Development Workshops to seek that the quality of the design and selection of materials meets the criteria of these policies. The Design and Access Statement *indicates "The proposal aims to ensure that the proposals respect Lincoln's unique character and setting to preserve and enhance the character, setting, appearance and historic and architectural context. The proposal seeks to protect, conserve and, enhance the heritage asset and its setting through improvements in the public realm."*

"The proposals involve the partial demolition of a designated heritage asset and the construction of a new extension occupying the site of the portion of the existing building to be removed which will form an Enabling Development for the refurbishment of the heritage asset."

"The proposal seeks to protect the significance of the designated heritage asset including its setting by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;"

The primary objective of the proposals is to rejuvenate the existing building and ensure the sustainability as a market. In order to achieve this objective, the wholesale refurbishment of the existing main market hall will be necessary together with the re-use of the site area to the south occupied by the Butcher's corridor and toilets.

Historic England has been consulted on the proposals both pre application and providing formal comments in response to the planning application;

"Historic England welcomes this exciting strategic initiative for heritage led regeneration in Lincoln which will add greatly to the successful regeneration in the Cornhill Quarter including Sincil Street. We are pleased to see that the grade II listed building will be completely repaired as part of the project and will once more be at the heart of life of the city. "

The proposals seek to enhance the market offer by bringing all traders into the main market hall. A dedicated area for butcher and fishmonger of 153 Sq.m is created to the western end of the market hall with food-court and retail stalls occupying the remaining 876 sqm footprint.

In addition, a new mezzanine floor is proposed above the new butcher/fishmonger's area creating a further 135 sqm,

The applicant identifies that similar schemes for this type of change from traditional market traders to a more specialised and food orientated market offer are evident elsewhere including Altrincham Market House, Doncaster Wool Market, Duke Street Market, Liverpool and Scarborough Market Hall and Vaults.

Opening Up of Blind Arches

The existing blind arches to the North and eastern elevations are to be opened up and glazing inserted within a simple aluminium frame.

No objections are raised by Historic England which welcomes the principle of the proposed works stating *"we are satisfied that there is sufficient justification for opening up the blind arches in this case because of the unsustainability of an inward facing market building in the modern retail environment in Lincoln. We consider that the proposed glazing which opens up the full extent of the arches is appropriate as it better reflects both the existing arches in the 18th century frontage and the clean lines of the classical architectural style of the building. It also better relates to the original intent of the architect to provide a better relationship to the surrounding public realm."*

The impact of the proposed works on the special architectural and historic interest of the listed building, is considered in more detail under the accompanying application for listed building consent.

Historically however, archived drawings of the plans for the original 1934 Market Building showed a much larger two storey building at the site with an open colonnade to the northern elevation. Plans were then scaled down to the building in existence today.

The proposal to open up the blind arches is therefore intended to enable the execution of the original proposals.

The D&A statement indicates that *"The idea behind this intervention is to open up the "eyes" of the building in order to create greater visual connectivity to the building's interior to help sustain the viability of the businesses housed within."*

The recent works to the nearby Corn Exchange building has shown the success of opening up blind arches and how the resulting effect is beneficial both visually and in terms of the viability of the building.

The proposed works will open up the currently blank façade to both public elevations of the building and enable views through to the Market. The proposal therefore creates visual interest and vitality within the street scene and is considered to the benefit of the visual amenity of the area, in accordance with policy LP25 of the CLLP.

The profile details and colour finish of the new windows to the blind arches is to be conditioned.

Replacement of Roof Lantern

The existing single glazed aluminium lantern is not original having been replaced in 1999. The details of the replacement of the lantern is considered further under the accompanying application for listed building consent.

The proposal is to replace the current lantern with a new thermally efficient double glazed, steel framed system. The agent has confirmed that the lantern will be replaced on a like for like basis with the exception of the introduction of double glazing in place of the previous single glazed lantern.

The proposal does not therefore involve the loss of original historic fabric and will have a neutral effect on visual amenity given that it's a like for like replacement and as such is considered to be in accordance with policy LP25 of the CLLP.

Proposed Extension to Replace Butcher's Corridor

The application proposes the demolition of the existing Butchers Corridor, a later extension to the South side of the Central Market building. The acceptability of the demolition of the Butchers Corridor is considered in more detail under the accompanying application for listed building consent.

The demolition and replacement of this area offers the opportunity to create a dedicated commercial unit fronting Sincil Street which would act as "enabling development" for the repair and refurbishment of the main market to ensure the sustainability of use as a public market.

The loss of this later addition will not be detrimental to the visual amenity of the area. The existing building is poor in both appearance and condition and has less architectural

significance than the main market hall and is very much an ancillary building in terms of materials, design, scale and historic features. It is considered that the replacement extension proposed as part of this scheme will be to the benefit of the wider visual amenity of the area and the character and appearance of the conservation area in accordance with policy LP25 of the CLLP.

The scale and massing of the existing market building remains unchanged as a consequence of the proposals. The scale and massing of this new addition remains sub-servient to the host building. The building frontage at ground floor level is positioned on the existing building line of the existing butcher's corridor which itself is set back from the main market frontage and the adjacent Spec-savers building to the immediate south.

The first-floor area is set further back in order that the frontage can be "read" at street level as single storey. This set-back at first floor enables a roof terrace to be incorporated giving vitality to the upper storey. The visual impact of the mass of the building is reduced by the articulation of the façade.

The ground floor frontage is broken into a principal façade split into three equal bays of glazing to reflect the adjacent arched bays of the market building façade onto Sincil Street.

The D&A Statement identifies that *"The form of the new extension reflects the formality of the adjacent market building but represents this in a simplified and stripped back interpretation of massing."*

"The overall composition of the new extension is intended to act as a transitional form between the formal Palladian gravitas of the market building to the north and the more domestic architecture of the adjacent Spec-savers unit on Sincil Street."

Historic England has stated that it has no objection to the demolition of the existing Butcher Corridor *"We have no objection to the demolition of the southern extension given the justification provided. We consider that the design and materials of the proposed east elevation are appropriate, including the set back of the extension and mansard roof, and reflect the architectural hierarchy on the site."*

It is therefore considered that the design of the proposed extension will enable the successful assimilation of the new development into the existing established street scene, to the benefit of the visual amenity of the area and will preserve and enhance the character and appearance of the conservation area. As part of the design process a number of options were considered in relation to massing and external appearance,

Three equal glazed bays, vertical in emphasis reflect the arched bays seen on the east façade of the market. Simple bronze aluminium framed shopfront glazing is to be installed to the bays.

With regard to the proposed palette of materials, the primary material used at ground floor level is to be a buff multi stock brick which refer to the original materials used on the butcher's corridor and adds to the transitional effect between the large format ashlar stone of the market and the small format of the adjacent red brick Spec-savers building.

Buff brickwork is was traditionally commonly used in Lincoln on public/municipal buildings. The brickwork façade is completed with an ashlar stone coping of Ancaster stone to reflect

that used on the market building. A mounted a simple steel and glass balustrade is to be installed on the first-floor roof terrace. The steelwork to the balustrade is to be powder coated in bronze to match the glazing to the shopfront.

The first floor walling material is to be bronze zinc cladding again reflecting materials used on both the refurbishment/ extension of the Corn Exchange and also the new Everyman cinema.

The D&A statement indicates that

"The overall intention is that the new extension is a simple unfussy addition which remains subservient to the market building, but which can add vitality to the street scene and reflects the contemporary additions which have been recently constructed within the Cornhill Quarter."

Fume Extraction and External Ductwork

The scheme proposes new internal ductwork for heating/ ventilation purposes. The ducting will exit the building on the South side with external flues and plant being located in a dedicated plant area to the new flat roof to the rear of the new extension. Views of the plant/ external flues will therefore be limited, with no views available from Sincil Street itself.

The proposal includes café and hot food take away uses for which additional extraction flues may be required. As not all occupiers of the refurbished Central Market are yet confirmed, Environmental Health has therefore requested a standard condition is applied to the permission which requires the submission of details of all future fume extraction including details of fumes and noise to be submitted prior to installation.

The impact of the ductwork on the special architectural interest of the interior of the listed building is considered in greater detail under the accompanying application for listed building consent,

Bin Store

A new bin store is to be located at the rear of the market building to the west facing elevation. Constructed with a brick base with a steel louvered outer frame, the store was originally proposed in a grey finish. Further to a request by Officers, the proposal has been revised proposing a powder coated bronze finish to the cladding in order to tie in with the general palette of materials used in the regeneration of the wider Cornhill quarter and on the nearby Corn Exchange building, to the benefit of the visual amenity of the area.

The existing steel shipping container at this location is to be removed as part of the works, again to the benefit of the amenity of the area.

Redesign of Public Realm

The Design and Access Statement indicates

"The design development process also enabled the consideration of the importance of the public spaces which tie all of the proposed and existing buildings together with emphasis on creating a positive contribution towards the city centre for both visitors and residents. A

major objective of the proposals is to enhance the spatial connectivity of the city. The recent developments on Sincil Street and Cornhill Quarter leading from the new Transport Hub will be continued northwards into City Square with the aim of re-vitalising the area in connection with the market."

"The proposals seek to enhance an important public building bring it into sustainable use and to create public open spaces for people and reduce the dominance of the vehicle within this area of the city centre and respect and preserve existing important views and provide opportunities to create new or enhance existing views within the city context."

A Landscape Design and Access Statement has been submitted with the application produced by Re Form Landscape Architects. The Landscape Design and Access Statement incorporates the proposals established by the Lincoln Public Realm Strategy produced in 2017 which identified Cornhill and City Square as key project areas.

The proposals identify that the opening up of the existing "blind" arches will enable greater visual connectivity between the internal and external spaces. The proposals seek to make the interior of the market work with the external space of City Square. Currently the two spaces operate independently of one another due to the blank façade that the building presents to the south side of City Square

Improvements are to be made to the soft landscaping in City Square. Discussions have been on going between the City Councils Arboriculturalist and the landscape designers for the site; Re Form Landscape Architects.

The existing trees are to be removed as part of the proposals. The City Arboricultural Officer has assessed the trees and considers that the trees on site have suffered considerable damage during their time in-situ and have a limited life expectancy as a result of the dysfunctional tissue and dieback they now exhibit.

It has been agreed that two tree species will be used in the area. 6no. Gleditsia triacanthos 'Skyline' and 4no. Liquidamber styraciflua 'Moraine' are to be planted within the periphery of the re-landscaped City Square; which it is considered will provide a considerable increase in tree cover within the immediate area.

Detailed tree pit design is ongoing between the landscape architects and the City Arboriculturalist and therefore should be conditioned. Further to ongoing discussions, it has also been agreed that a Green Blu Urban Arbour System is to be incorporated which will provide an adequate rooting environment to help ensure the long term sustainability of the trees to be utilised in the scheme.

Hard Landscaping

There is a variety of adhoc street furniture within the existing City Square area including benches, bike racks, bollards, bins all of which add to a cluttered and incoherent appearance within the street scene.

Street furniture is to be replaced and rationalised with a comprehensive package of seating, lighting and bins.

A comprehensive renewal of the hard landscaping is to be undertaken to the public realm to the North of the Central Market. The existing public realm hard landscaping is

considered to be of low quality and lacking in rationale having being altered on an adhoc basis over the years.

A mix palette of materials is proposed reflecting the landscaping works already undertaken along Sincil Street and Cornhill.

Drainage

No objections are raised to the proposal by Lincolnshire County Council as Highway and Lead Flood Authority. A response has been received from the Witham Drainage Board stating that a surface water drainage scheme is required for the proposal, however discussions with the County Council has concluded that no changes are proposed to the current situation with regards to surface water drainage. There's no increase in impermeable area, with the run off entering the mains sewer unchanged. A highway pipe system along the riverside is to be realigned as part of the scheme, which is considered a betterment to the existing situation.

Archaeology

The proposal has been considered by the City Archaeologist. Whilst there has been very little investigation to the application site, previous nearby excavations on adjacent site has revealed significant archaeological deposits from both the Roman and Medieval period. Discussions are therefore ongoing regarding the design of the piling works to ensure that historic archaeology remain are suitably addressed in a sensitive manner and that the proposed extension will have minimal damage on any remains that are present.

Archaeology conditions will therefore be attached to any permission.

External Lighting and Signage

As with other recent developments within the Cornhill Quarter area, the external signage and lighting scheme on the development is important with regard to the overall effect on the visual amenity of the wider area and the character and appearance of the Conservation Area

A good external lighting scheme can positively highlight the special architectural features of a listed building in a heritage led scheme, such as with this application.

External lighting proposals should therefore be conditioned to be considered in detail at the Reserved Detailed stage.

No objections have been received to the application. Lincolnshire Police, Historic England and the County Council as Highway and Lead Flood Authority has no objections. The Civic Trust raises no objection to the overall principle of the development and offers comments on certain areas discussed above.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed scheme of refurbishment and extension will ensure much needed investment into the property and secure the continued use of the listed Central Market in its optimum viable use. The proposed works will be to the benefit of visual amenity and the wider character and appearance of the conservation area. The proposal is therefore considered to be in accordance with both Local and National planning policy.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Standard Conditions

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

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

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

Conditions to be Discharged before Commencement of Works

- 03) Prior to the Class E restaurant use commencing, a scheme for the extraction, filtration and abatement of cooking odours shall be submitted to the planning authority for approval. The submitted scheme shall include details of the methods to be employed to control noise and odour from the system. The approved scheme shall be implemented prior to commencement of the use and the system shall be

operated and maintained thereafter in accordance with the manufacturer's instructions.

Reason: To ensure the satisfactory discharge of fumes/ odours associated with the production of hot food.

- 04) Samples of all materials to be used in the development, including for the new extension and a sample panel on site of the proposed brick, brick bond and mortar shall be submitted to and approved by the City of Lincoln Council as LPA prior to works commencing on site. The development shall proceed in accordance with the approved details.

Reason: In the interests of visual amenity.

- 05) Prior to the planting of the new trees within the public realm area, details of the new tree pits, including the incorporation of the GreenBlu system, shall be submitted to and approved by the City of Lincoln Council as Local Planning Authority. The tree pits shall be constructed in accordance with the approved details.

Reason: To ensure an appropriate design of tree pit, in the interests of the longevity of the newly planted trees.

- 06) Prior to works commencing on site to install any exterior lighting to the Central Market, details of the proposed lighting scheme, including light fittings, lux levels and lighting cable runs shall be submitted to and approved by the City of Lincoln Council as LPA. The lighting scheme shall proceed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building and visual amenity of the Conservation Area.

Conditions to be Discharged Before Use is Implemented

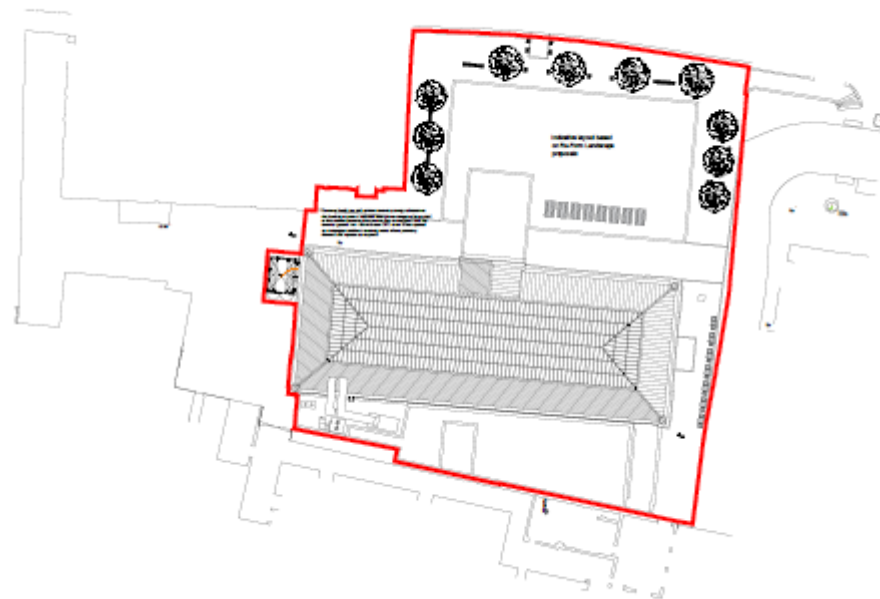
Conditions to be Adhered to at All Times

- 07) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval, in writing, of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the Local Planning Authority.

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

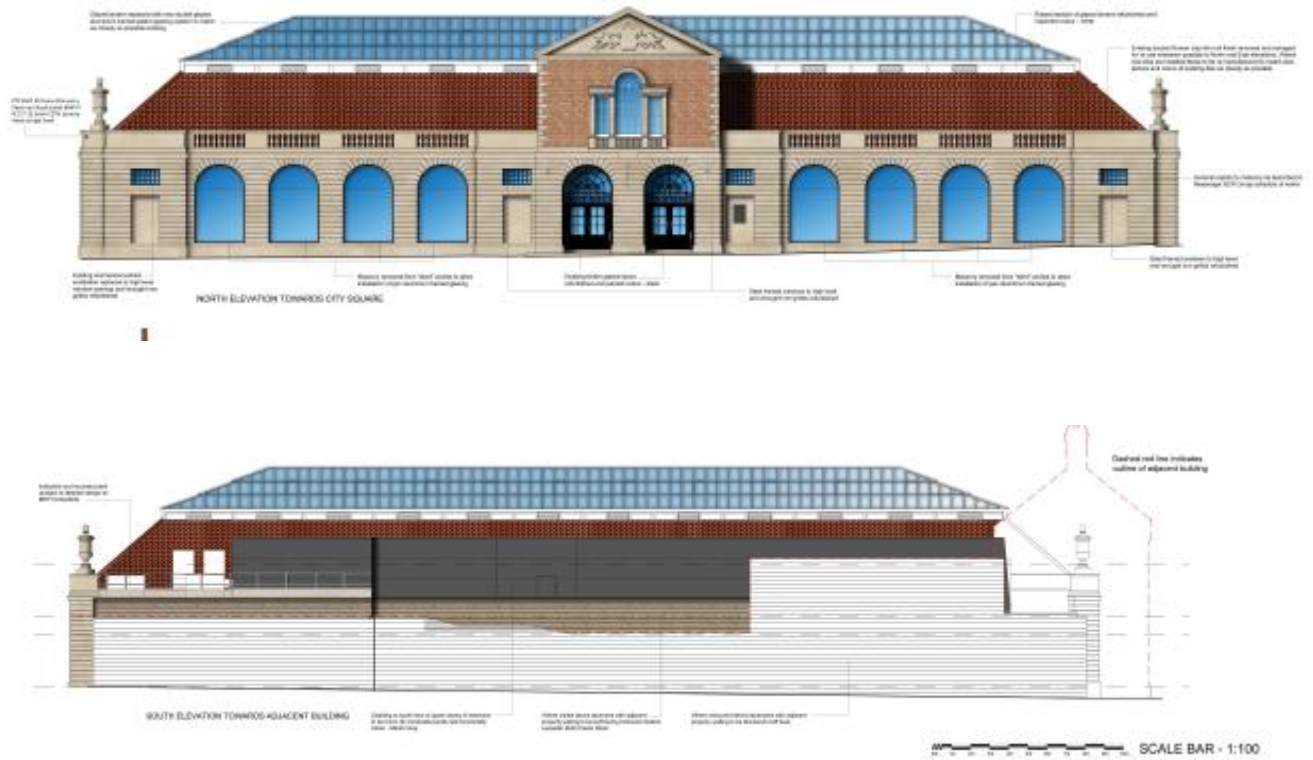
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Central Market Proposed Plans 2021/0257/LBC and 2021/0256/FUL

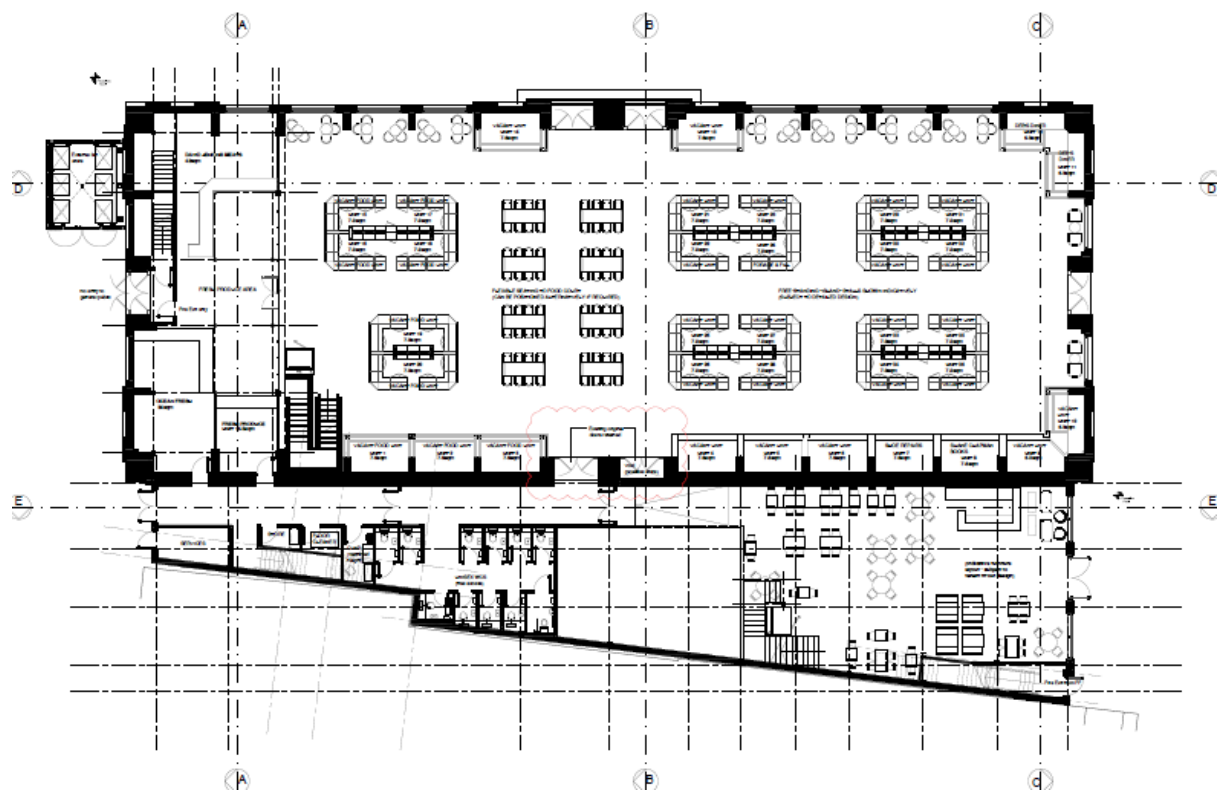


Proposed site layout plan

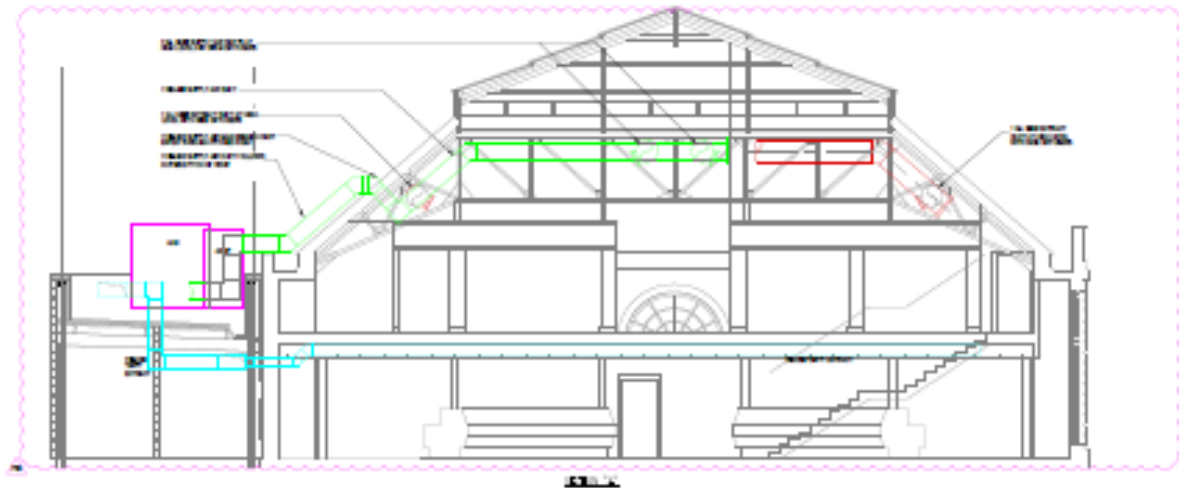




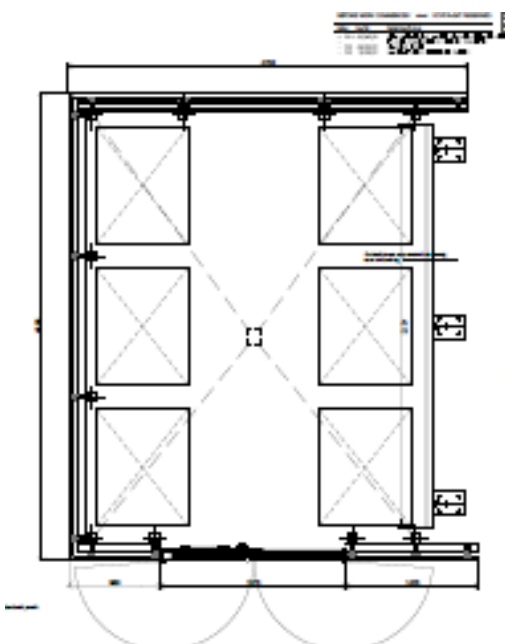
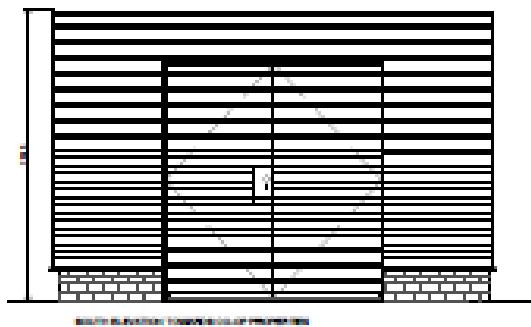
Proposed ground floor plan



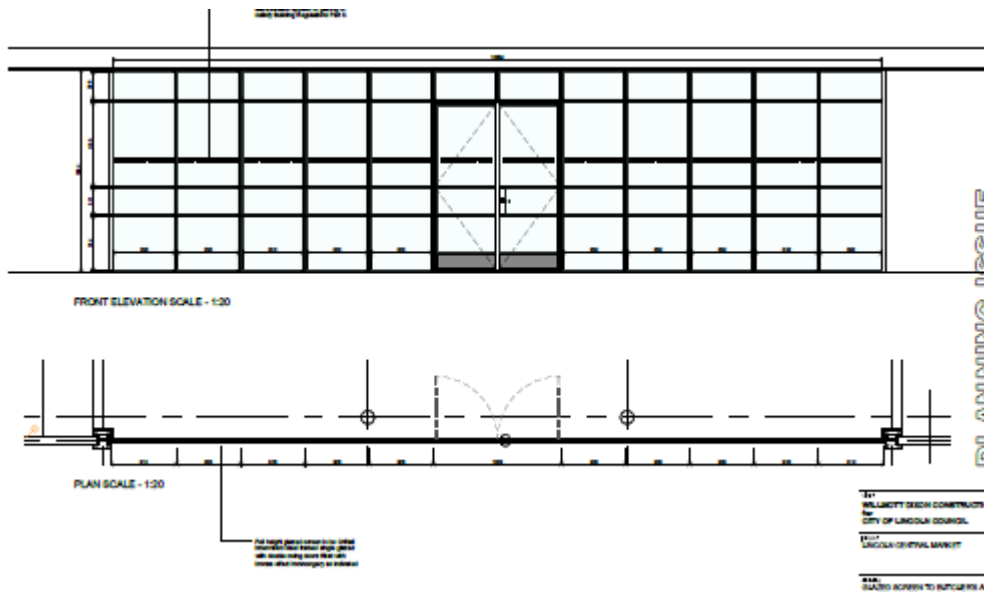




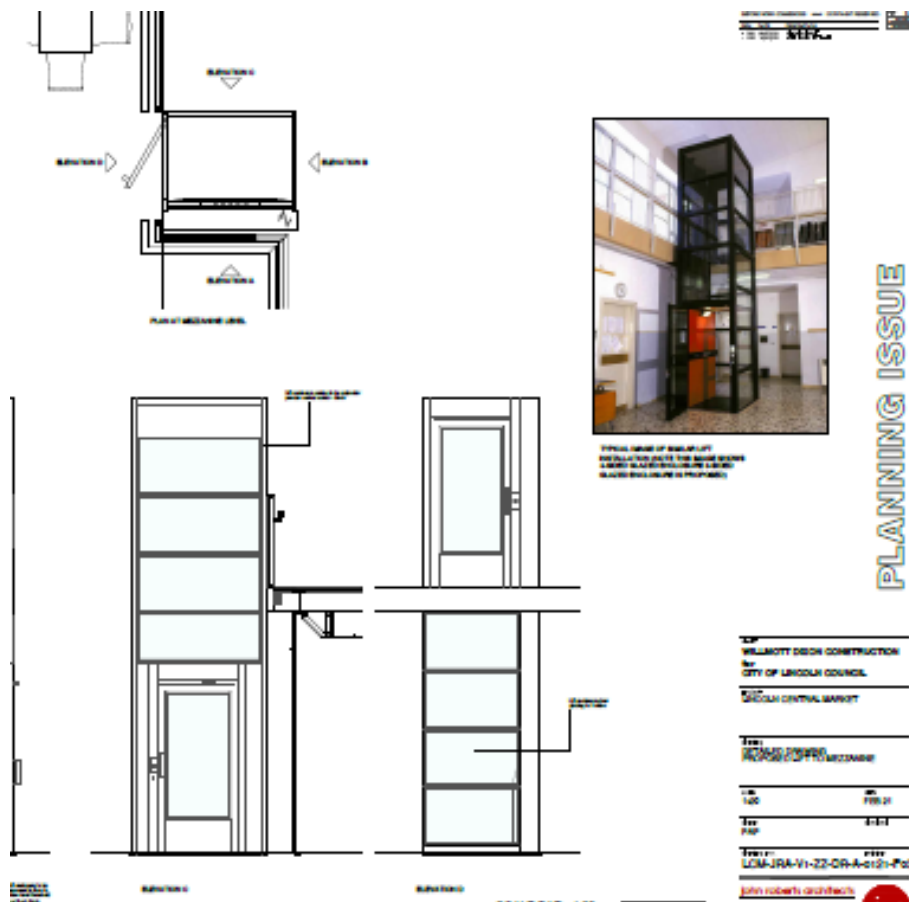
Section to show example of proposed new ventilation ductwork.



Proposed bin store



Proposed glazed screen to western end of the Main Market hall to create new enclosed butchers area.



Proposed lift to new mezzanine area, including photo to show similar lift construction installed elsewhere.

Central Market Photographs



Existing east facing elevation to Sincil Street



Existing North facing elevations to City Square. Blind arcade evident



Top-West facing elevation to show existing container to be removed and replaced by new bin store.
Bottom- interior of existing Butchers Corridor







Existing doors through to Butcher's Corridor. Lobby's to be removed but timber framed doors and fan lights now to remain, with new extension constructed behind.



Existing single glazed lantern to be replaced with double glazed lantern



Existing Terrazzo floor within the main Central Market building



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: 2021/0256/FUL

29th March 2021

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

Town and Country Planning Act 1990
Consultation on Planning Permission

Address of the proposed development:
Lincoln Central Market, Sincil Street, Lincoln, Lincolnshire,

Description of the proposed development:

Refurbishment of Grade II Listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial demolition and construction of new two-storey extension to south to accommodate new commercial unit (Class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street.

Thank you for your correspondence and the opportunity to comment on the proposed scheme. Lincolnshire Police do not have any objections to this development, but I would like to make the following general recommendations in relation to the safety and security of this development.

CCTV

There is a requirement that CCTV systems provide an effective deterrent and when necessary obtain identification images to improve the chance of an offender being identified and convicted.

The range and scope of any CCTV system on this site may be directly related to the proposed minimum staffing levels (i.e. reception and/or security staff)

Such a scheme should be designed to monitor all vulnerable areas and be fit for purpose. Any system should be to a minimum of BS EN 50132-7:2012 *CCTV surveillance systems for use in security applications*. Police Response: BS8418:2010

A useful reference to help achieve this goal is the *CCTV Operational Requirements Manual* 2009 ISBN 978-1-84726-902-7 Published April 2009 by the Home Office Scientific Development Branch available at this link [CCTV OR Manual](#)

Intruder / Attack alarms systems

A suitably designed, fit for purpose, monitored intruder alarm system must be installed. For police response, the system must comply with the requirements of the ACPO Security Systems policy, which can be at the following link: [Security Systems Policy PD 6662:2010](#)

Lighting

Lighting should be designed to provide a uniform spread of light with clear colour rendition. Lighting incorporated within the perimeter protection should be designed including its use with CCTV. Security lighting, such as metal halide units, should be installed in all areas where surveillance is considered important, such as entrances, main pedestrian access routes and parking facilities. All fittings shall be vandal resistant and positioned out of reach.

Where there is no surveillance, informal or formal, lighting can only assist an offender, in such circumstances, appropriate 'switching off' of lighting should be considered after staff have left designated areas.

Windows

All ground floor windows and those that are easily accessible from the ground must either conform to PAS24:2012 'Specification for enhanced security performance of casement and tilt and turn windows for domestic applications.

All ground floor and easily accessible glazing should incorporate one pane of laminated glass to a minimum thickness of 6.8mm (*See Glossary of terms*) or glass successfully tested to BS EN 356:2000 *Glass in building. Security glazing - resistance to manual attack* to category P2A unless it is protected by a roller shutter or grille as described in paragraphs 52 above. With effect from January 1st, 2011 all laminated glass must be certificated to BS EN 356 2000 rating P3A unless it is protected by a roller shutter or grille.

Hostile Vehicle Mitigation

Where the potential for unrestricted and hostile vehicle access is possible it is recommended by Counter Terrorist Security Advisors (CTSAs) that vehicle mitigation measures are incorporated into the external design by way of either dedicated HVM bollards or use of other street furniture that can also provide a limited deterrent. The general open external piazza and community areas indicated should be protected and benefit from measures that would provide practical security and reassurance to users.

The comments made in The Design and Access Statement 6.2.6 *Public Safety & Security* are noted.

I have noted the installation system being employed and would ask that clarification is provided to ensure that the glazing system employed has been tested and accredited to recommended standards and specifications in relation to ensure it will be resistant to manual attack and the impact of blast.

Shop fronts

Glazed shop fronts should remain unobscured by graphic displays and/or posters allowing for a clear line of sight (natural surveillance) both from within and into the various stores. The recent trend to obscure shop fronts increases the risk of shop theft and can create an environment where staff feel vulnerable.

Main Door Requirements

Additional to any roller shutter specification as outlined below the main door should be to PAS24:2012 or equivalent standard – glazing must incorporate one pane of laminated glass to a minimum thickness of 6.8mm (*See Glossary of terms*) or glass successfully tested to BS EN 356:2000 *Glass in building. Security glazing - resistance to manual attack* to category P2A unless it is protected by a roller shutter or grille as described in paragraphs 52 above. With effect from January 1st, 2011 all laminated glass must be certificated to BS EN 356 2000 rating P3A unless it is protected by a roller shutter or grille.

Recessed Doorways

Recessed doorways and points of access that are not overlooked should be avoided.

External furniture and litterbins

External litter bins and furniture such as benches and planters should be of a robust vandal and graffiti resistant design. Litter bins should NOT be wall mounted beneath windows.

Roller Shutters and Grilles

Grilles and shutters can provide additional protection to both internal and external doors and windows. The minimum standard for such products, when required, is certification to

- LPS 1175 Security Rating 1 or
- WCL 2 Burglary Rating 1

For roller shutters, the above minimum security ratings are generally sufficient where:

- a shutter is required to prevent minor criminal damage and glass breakage or
- the shutter is alarmed and the building is located within a secure development with access control and security patrols or
- the shutter or grille is intended to prevent access into a recess or
- the door or window to be protected is of a high security standard in its own right.

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

Please see the Secured by Design *Commercial Guide 2014* which can be accessed via www.securedbydesign.com.

Yours sincerely

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.
Designing Out Crime Officer (DOCO)
john.manuel@lincs.pnn.police.uk



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

Our ref: AN/2021/131657/01-L01
Your ref: 2021/0256/FUL

Date: 07 April 2021

Dear Sir/Madam

**Refurbishment of Grade II listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial demolition and construction of new two-storey extension to south to accommodate new commercial unit (class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street
Lincoln Central Market, Sincil Street, Lincoln**

Thank you for consulting us on the above application, on 24 March 2021.

Environment Agency position

Whilst we have no objections to this application, we would like to draw the applicant's attention to the following informative comments:

The site lies adjacent to the River Witham, a 'main river'. Any development within 8m of the river may be subject to permitting under the Environmental Permitting Regulations 2016, and it is therefore recommended that any proposals are discussed with the Environment Agency prior to commencement. For further details please contact PSOLincs@environment-agency.gov.uk or view the information at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

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 faithfully

Nicola Farr
Sustainable Places - Planning Advisor

Direct dial 02030 255023
Direct e-mail nicola.farr@environment-agency.gov.uk

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

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.



Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
HighwaysSUDsSupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2021/0256/FUL

Proposal: **Refurbishment of Grade II Listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial demolition and construction of new two-storey extension to south to accommodate new commercial unit (Class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street**

Location: **Lincoln Central Market, Sincil Street, Lincoln**

With reference to the above application received 24 March 2021

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.

The applicant engaged with the Highway and Lead Local Flood Authority on their proposals in advance of this planning application and our comments have been considered in the submitted design. We welcome the public realm improvements to City Square and Sincil Street. Following granting of planning permission, the applicant will be required to enter into a Section 278 Agreement (Highways Act 1980) to technically assess the detailed design and construction specification for the works within the public highway, including on-site inspections and testing during construction.

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:
Becky Melhuish
for Warren Peppard
Head of Development Management

Date: 13 April 2021



Mr K Manning
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Direct Dial: 0121 625 6870

Our ref: L01409770

16 April 2021

Dear Mr Manning,

**Arrangements for Handling Heritage Applications Direction 2015
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LINCOLN CENTRAL MARKET, SINCIL STREET, LINCOLN, LN5 7DU
Application Nos 2021/0257/LBC & 2021/0256/FUL**

Thank you for your letters of 24 March 2021 regarding the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the applications.

Summary

The Central Market is listed grade II as a building of special architectural and historic interest. It was built in 1937 to the design of the architect Robert Atkinson and incorporates the relocated front of the 1737 butter market in Lincoln. The proposed scheme is for a major regeneration of the Central Market, including opening up the blind arches on the north and east elevations. Historic England welcomes this exciting strategic initiative as part of heritage led regeneration in Lincoln. We are pleased to see that the grade II listed building will be completely repaired as part of the project and will once more be at the heart of life of the city. More detailed comments on the proposed scheme are provided below.

Our advice also reflects policy and guidance provided in the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guidance and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment*. Historic England supports the proposed scheme on heritage grounds.

Historic England Advice

Significance

The Central Market is listed grade II as a building of special architectural and historic interest. It was built in 1937 to the design of the architect Robert Atkinson. The single



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storey market incorporates the relocated front of the 1737 butter market in Lincoln. The two bay, 18th century entrance has two round headed arched doorways with decorative wrought iron overthrows and modern part-glazed doors. The design of the building is in an accomplished classical style to reflect the 18th century front, including a rusticated ground floor and other classical details. On the main north elevation the projecting former butter market entrance provides the central focus with two rusticated ashlar wings of four blind, round headed arches, each with a suggested corner pavilion at the end which projects forward slightly. The east elevation is of three bays of round headed arches and corner pavilions, the central bay providing an additional entrance to the market with blind arch on either side. The three bay west elevation historically, and currently, faces a secondary space. To the south of the main market space is an extension to provide ancillary market space, which is again of lesser status and in brick. The roof of the market is in Roman tiles with a large lantern which is a modern replacement.

The architectural style and detailing of the market is an important part of the significance and special interest of the listed building. The fact that the 8 arches on the north elevation are blind does detract to an extent from the aesthetic value of the building. This is in part due to their number and size meaning they create a somewhat lifeless character in the street scene. The plan dated October 1934 of an earlier design for the market by Atkinson (provided as part of the application) explains this apparent 'lifelessness', to an extent, as originally the intent was to have an open arcade of round headed arches on the north side of the building with a glazed arcade behind with an entrance to the market. The aspiration for the building was clearly reduced which meant that the arcade was lost and the arches became blind, presumably to create appropriate conditions and capacity for an internal market: although Atkinson kept the classical style and rustication on the ground floor. Despite the architectural disadvantages of the blind arches, they do contribute to the significance of the listed building by demonstrating the inward facing nature of the market.

Internally the floor and internal fixtures make an important contribution to the character and significance of the listed building. The design patterns of the floor itself illustrate the original circulation spaces within the market. As noted above, the extension to the south makes a limited contribution to the building's significance.

The proposed scheme

The proposed scheme is for a major regeneration of the Central Market, including opening up the blind arches on the north and east elevations, a new mezzanine floor, replacement roofing and glazed lantern, demolition of the extension to the south and the construction of a new two storey extension to accommodate a new commercial unit with a roof terrace. It is also proposed to repave external areas in City Square and Sincil Street.

Historic England welcomes this exciting strategic initiative for heritage led regeneration



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in Lincoln which will add greatly to the successful regeneration in the Cornhill Quarter including Sincil Street. We are pleased to see that the grade II listed building will be completely repaired as part of the project and will once more be at the heart of life of the city.

Opening up the blind arches would be harmful to the significance of the listed building due to the loss of the original inward facing character and loss of historic fabric. However, we are satisfied that there is sufficient justification for opening up the blind arches in this case because of the unsustainability of an inward facing market building in the modern retail environment in Lincoln. The greater sustainability of the building, gained, in part, through much greater visibility of the internal spaces, would be a benefit in heritage terms. We consider that the proposed glazing which opens up the full extent of the arches is appropriate as it better reflects both the existing arches in the 18th century frontage and the clean lines of the classical architectural style of the building. It also better relates to the original intent of the architect to provide a better relationship to the surrounding public realm.

We support the repair and reinstatement of internal features of Central Market, including surviving stalls, and we defer to your expert conservation adviser for detailed advice. We are pleased to see that the wrought-iron overthrows are to be refurbished as required. We recommend that as much as possible of the early floor tiles and pattern are retained and reused, and advise that this is considered further: we would be content that this can be dealt with through a planning condition.

We have no objection to the demolition of the southern extension given the justification provided. We consider that the design and materials of the proposed east elevation are appropriate, including the set back of the extension and mansard roof, and reflect the architectural hierarchy on the site.

We consider that the mezzanine and lift are justified and of an appropriate scale to minimise the impact on the significance of the listed building. The design and material will help differentiate it from the historic fabric.

We are pleased to see that the roof tiles would be reused where possible and new replacement tiles will be made to match the existing ones where necessary.

We recommend that only natural paving materials are used to for the public realm works to match both the quality of the proposed refurbishment of the listed building and the ongoing public realm scheme on Sincil Street. To function correctly City Square should be a 'high point' in the public realm in this quarter of Lincoln and we advise that Paving Type 02 (concrete pavers) would not meet the standard required, especially compared to the excellent public realm works immediately to the south.

We recommend that you consult your expert archaeological adviser with regard to the



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impact of the proposed scheme on archaeological remains.

Legislation, policy and guidance

As you are aware, the statutory requirement to have **special regard** to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must be taken into account by your authority in determining these planning applications. The statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Cathedral and City Centre conservation area (s.72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must also be taken into account by your authority in determining these planning applications.

Our advice also reflects policy and guidance provided in the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guidance and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment*. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, **great weight** should be given to its conservation (paragraph 193, NPPF). Any harm or loss to significance 'should require clear and convincing justification' (paragraph 194, NPPF).

Position

Historic England supports the proposed scheme for the Central Market which will clearly deliver a strategic uplift for the city and significant public benefits. It would represent high quality heritage-led regeneration for Lincoln.

Recommendation

Historic England supports the applications on heritage grounds. Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

Yours sincerely

David Walsh

David Walsh

Principal Inspector of Historic Buildings and Areas

E-mail: david.walsh@HistoricEngland.org.uk

cc: Sarah Harrison, City of Lincoln Council
Maria Clayton, City of Lincoln Council
Paul Ponwaye, john roberts architects



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Consultee Comments for Planning Application 2021/0256/FUL

Application Summary

Application Number: 2021/0256/FUL

Address: Lincoln Central Market Sincil Street Lincoln Lincolnshire

Proposal: Refurbishment of Grade II Listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial demolition and construction of new two-storey extension to south to accommodate new commercial unit (Class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street.

Case Officer: Alex Leatherland

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

We do not wish to Object to the overall plan.

COMMENTS:

1. We very much welcome the plans and in particular the glazing of the blind arches which will add light to the inside and character to the outside.
2. Vehicle access across the revamped square will have to remain but are concerned firstly about the safety of pedestrians and suggest some sort of controls will be necessary and secondly whether the chosen York Stone will be strong enough to withstand the heavy goods vehicles which will use the route.
3. We would endorse Historic Englands comments and suggest that the Buff Concrete Pavers should instead be natural Stone.
4. We share the concern over the relocation of the traders during the development phase and furthermore, what the level of rents that the revamped market will be charging the traders.

Upper Witham Internal Drainage Board

TD-5591-2021-PLN

Dear Sir/Madam,

REFERENCE: 2021/0256/FUL

DEVELOPMENT: REFURBISHMENT OF GRADE II LISTED MARKET BUILDING INCLUDING OPENING UP OF ARCHES TO NORTH AND EAST ELEVATIONS, NEW MEZZANINE FLOOR, REPLACEMENT ROOFING AND GLAZED LANTERN, PARTIAL DEMOLITION AND CONSTRUCTION OF NEW TWO-STORY EXTENSION TO SOUTH TO ACCOMMODATE NEW COMMERCIAL UNIT (CLASS E RESTAURANT) WITH ROOF TERRACE, TOGETHER WITH THE RE-PAVING OF THE EXTERNAL AREAS OF PUBLIC REALM; CITY SQUARE AND SINCIL STREET

LOCATION: LINCOLN CENTRAL MARKET, SINCIL STREET, LINCOLN

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

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water.

Regards,

Richard Wright

Operations Engineer

Witham First District Internal Drainage Board

Witham Third District Internal Drainage Board

Upper Witham Internal Drainage Board

North East Lindsey Drainage Board

Comments for Planning Application 2021/0256/FUL

Application Summary

Application Number: 2021/0256/FUL

Address: Lincoln Central Market Sincil Street Lincoln Lincolnshire

Proposal: Refurbishment of Grade II Listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial demolition and construction of new two-storey extension to south to accommodate new commercial unit (Class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street.

Case Officer: Alex Leatherland

Customer Details

Name: Mrs Nikki Goldblatt

Address: Camden House 42 Colegrave St Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: As a current stallholder, I am concerned with a couple of issues on viewing the plans. Having spent a very cold winter in there with the doors open & inadequate heating, will the new doors be automatic closing (thus not needing to be kept open to stop public touching them), or will the proposed heating system keep stall holders sitting all day warm enough with open doors all winter?

Will there be adequate storage available for those of us with food & other fast turnover products to keep stocks to refill from during the day?

And most importantly, having spent the last several months in a mask, but with no areas for us to safely remove our masks to eat or even drink water without exposing us & the public to danger, that and the communal toilets are a particular worry. Not only that, but at the moment, if you do want a moment's break, you can go to the staff toilets to be alone, or to the space outside there, but there will be no such private space to decompress from being with the public, or challenging situations, and in fact you'd have to mix with customers of both sexes & children in the same space, some of whom will have been drinking in the proposed restaurant/bar. Where will we safely be able to eat & drink during the day?

Application Number:	2021/0257/LBC
Site Address:	Central Market, Sincil Street, Lincoln (LBC)
Target Date:	15th May 2021
Agent Name:	John Roberts Architects Ltd
Applicant Name:	Maria Clayton
Proposal:	Refurbishment of Grade II Listed market building including opening up of blind arches and the insertion of glazing to north and east elevations , replacement roofing and glazed lantern, insertion of mezzanine floor with new internal stair and access lift, demolition of existing single storey Butchers Corridor to the South and construction of new two-storey extension. (Listed Building Consent)

Background - Site Location and Description

Application is for listed building consent for permission for works of part demolition, alteration/ refurbishment and extension of the Central Market building, in order to reinterpret/ rejuvenate the market offering at the site.

The Central Market building is grade II listed.

The application is submitted by the City of Lincoln Council as owners of the building.

The proposal will include the opening up of the current blind arch windows to the north and east facing elevations and the demolition of the 'Butchers Corridor' extension to the South side of the market and the erection of a replacement extension to house an A3 unit with new public toilets to the rear, with access through the main market hall interior.

Internally a new mezzanine is to be installed at the eastern end with new stair and lift access. The damaged Terrazzo floor to the main Market Hall is to be replaced along with the existing single glazed lantern roof, to be replaced with a new double glazed lantern and new ventilation and extraction systems installed.

The application proposes a mix of uses at the site

The site is located within the Cathedral and City Centre Conservation Area no 1 and is part of the Primary Shopping Streets as identified in the CLLP.

An accompanying application for planning permission has also been submitted (2021/0256/FUL).

Site History

Reference:	Description	Status	Decision Date:
2021/0256/FUL	Refurbishment of Grade II Listed market building including opening up of arches to north and east elevations, new mezzanine floor, replacement roofing and glazed lantern, partial	Pending Decision	

	demolition and construction of new two-storey extension to south to accommodate new commercial unit (Class E restaurant) with roof terrace, together with the re-paving of the external areas of public realm; City Square and Sincil Street.		
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Case Officer Site Visit

Undertaken on 24th May 2021.

Policies Referred to

- Policy LP25 The Historic Environment
- National Planning Policy Framework

Issues

- Local and National Planning Policy.
- Effect on the Special Architectural and Historic Interest of the Listed Building

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Lincoln Civic Trust	Comments Received
National Amenity Societies And Theatres Trust	No Response Received
Historic England	Comments Received

Public Consultation Responses

Name	Address
Mrs Nikki Goldblatt	Camden House 42 Colegrave St Lincoln LN58DR

Consideration

Policy and Legislation

The statutory requirement to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must be taken into account by the City of Lincoln Council as the Local Planning authority in determining these planning applications.

The statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Cathedral and City Centre conservation area (s.72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must also be taken into account by the Authority in determining this and the accompanying application for planning permission.

The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation (paragraph 193, NPPF). 'Any harm or loss to significance should require clear and convincing justification' (paragraph 194, NPPF).

With regard to local planning policy, LP25 of the CLLP is relevant stating that

"Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that 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.

Permission that results in substantial harm to or loss of a Listed Building will only be granted in exceptional or, for grade I and II Listed Buildings, wholly exceptional circumstances.*

Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Principle of Development

Built 1938, the Central Market is still operational, but is significantly underutilised and has declined year on year. The 2014 review by the National Association of British Market Authorities, commissioned by the City of Lincoln Council and partners, identified that change is necessary, recognising that Lincoln still has the potential to develop a very

strong indoor and outdoor market provided that it is supported by investment, and that there was a need to improve the market's appearance and enhance access to the market hall.

Demolition of Butcher's Corridor and Proposed Extension

The application proposes the demolition of the 'Butchers Corridor' extension to the South side of the market and the erection of a replacement extension to house an A3 unit with new public toilets to the rear with access through the main market hall interior.

As a separate unit to the main single space market hall, the butcher's passageway is experienced in a distinctly different way to the rest of the listed building. It has less architectural significance than the hall and is very much an ancillary building in terms of materials, design, scale and internal historic features. Its loss therefore constitutes a less than substantial level of harm.

The new unit has been carefully considered in order to ensure a successful assimilation into the streetscene and especially as a neighbouring building to the listed market hall. The proposed design whilst contemporary has correctly referenced the existing mass to void ratios and rhythm of openings with an appropriate vertical emphasis. Buff brick as the main material choice is supported as it will have a tonal relationship with the listed market building but preserve a subservient relationship in contrast to the more dominant stone ashlar

Historic England has stated it has no objections to the principle of the demolition of the Butcher Corridor as part of the proposal.

"We have no objection to the demolition of the southern extension given the justification provided. We consider that the design and materials of the proposed east elevation are appropriate, including the set back of the extension and mansard roof, and reflect the architectural hierarchy on the site."

Opening up of the Blind Arches.

The proposal seeks to convert the existing blind arcades into a glazed ones with the aspiration to allow more light into the building and promote a better visual relationship and connectivity between the building and the adjacent public square 'City Square'. This is considered to be an essential relationship in terms of securing a sustainable future for the building.

Inevitably this will create a different experience of the building and there will be some harm due to change to an element of the original architectural scheme and loss of fabric. However, the strong visual impact of the repetitive motif of arches is retained, reinforced by the deliberate simplicity of the frameless glazing.

Historic England is supportive of the proposed opening up of the presently blind arches stating

"Opening up the blind arches would be harmful to the significance of the listed building due to the loss of the original inward facing character and loss of historic fabric. However, we are satisfied that there is sufficient justification for opening up the blind arches in this case because of the unsustainability of an inward facing market building in the modern retail

environment in Lincoln. The greater sustainability of the building, gained, in part, through much greater visibility of the internal spaces, would be a benefit in heritage terms. We consider that the proposed glazing which opens up the full extent of the arches is appropriate as it better reflects both the existing arches in the 18th century frontage and the clean lines of the classical architectural style of the building. It also better relates to the original intent of the architect to provide a better relationship to the surrounding public realm."

Details of the proposed profiles and colour of the new aluminium frames for the glazed arches is to be subject to condition.

The approach is similar to that taken recently at the nearby listed Corn Exchange building, where the previously blind arches to the upper floors have been successfully opened up with glazing in bronze coloured aluminium frames.

Mezzanine and Lift

In order to consolidate the market offer within the main building, the operations in the existing butcher's passageway are proposed to be moved within the main hall to compliment the other food offers envisaged for the building.

In order to facilitate this, a screen is proposed to create a separate section for the raw meat and fish. This has been achieved by the introduction of a metal 'crittell' like screen which has the advantage of preserving the permeability of the open space whilst the materials and design are reminiscent of the art deco period of construction of the market hall.

It is considered that this will be a high quality and sympathetic introduction of a new build element. Above the glazed screen, the mezzanine is a relatively modest addition which whilst providing additional commercial space and also allows a better appreciation of the interesting roof construction whilst allowing the majority of the single void of the hall to be retained. The simple lifts and stairs have been carefully considered in terms of both design and materials to be legibly new additions sympathetic to but not competing with the parent architecture

Historic England has no objections to the proposed inclusion of these *elements* "*We consider that the mezzanine and lift are justified and of an appropriate scale to minimise the impact on the significance of the listed building. The design and material will help differentiate it from the historic fabric*"

Terrazzo Floor to Main Market Hall

The existing terrazzo floor is a design commensurate with the period of construction. It has particularly fared badly around high traffic routes and is in a much deteriorated state in many areas.

The proposal is to replace the floor in its entirety. Whilst its replacement is regrettable and there is the obvious loss of an element of significance represented by the original fabric, the significance derived from the choice of materials, colour and pattern will be preserved in the new floor.

The details of the replacement floor are to be conditioned with samples of tiles to be

submitted and details to show the proposed design and construction of the replacement floor.

Entrance Doors

On entering the market hall there is a strong axial relationship between all 4 entranceways, reinforced by twin large arched openings with substantial timber doors.

The application as submitted proposed the removal of all 4 entrance doors and attached lobby's. Negotiations has agreed that the later internal lobby's can be removed but that the timber framed doors with the arches over are to be retained. Dark film will be added to the interior of retained timber doors to the former Butcher's Corridor in order to obstruct the view of the new ceiling proposed at the rear as part of the new replacement extension to the South elevation.

The principal axis running north to south will be retained visually, due to the fact that the south doorway will be retained in-situ, albeit one door and the fanlight will become a plant against the wall. The east west axis is compromised by the installation of a glazed screen and mezzanine, however, this is currently a weaker visual relationship given the length of the room and the fact that the west door is little used as it exits onto a rear delivery area which is poorly landscaped. The loss of the draught lobby's is acceptable as they were a later addition and have less heritage significance

New Stalls

Whilst some original store locations will be lost as a result of the opening up arcade, the gain from the reintroduction of historically accurate stalls including shutters along the perimeter is an acceptable balance, particularly as the current mix of stalls and somewhat harmful haphazard approach to the visual integrity of the interior and the proposal will instead preserve and enhance the significance of the historic floorplan and aesthetic.

Detailed joinery drawings of the proposed new stalls to be conditioned.

New Internal Ductwork

The scheme of works includes the installation of new internal ductwork to improve ventilation and heating within the building. It is proposed that the new ductwork will be installed to the underside of the main market hall roof with associated plant being located externally on the flat roof of the new extension to the south elevation

The requirement for an improved heating and air conditioning is accepted as part of the future proofing of this building. Efforts have been made to ensure that this is as visibly unobtrusive as possible, however given the quasi -industrial design of the current roof the addition of the flues and ducts will be relatively easy to accommodate without harming the architectural significance of the building.

Details of the exact appearance, size, finish and location of the ductwork is to be considered by condition.

Lighting

Lighting will be an important element of the design and within the open Market Hall space.

A comprehensive lighting scheme should therefore be proposed and considered by condition.

Similarly the external illumination of the building is proposed, again similar to that recently undertaken at the refurbishment of the Corn Exchange Building. Details of a lighting package for the exterior of the building should also therefore be conditioned.

No objections have been received in response to the application, while Historic England is supportive.

To conclude Historic England *states "Historic England supports the proposed scheme for the Central Market which will clearly deliver a strategic uplift for the city and significant public benefits. It would represent high quality heritage-led regeneration for Lincoln".*

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

As a purpose built market hall, the proposal will sustain the building in its optimum viable use. Therefore, whilst the proposal requires a lower level of less than substantial harm, it is considered that this is outweighed by the public benefits and therefore, the proposal is 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'.

Also, paragraph 193 which requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and paragraph 196 - which states that where the development proposal will lead to less than substantial harm this harm should be weighed against the public benefit including, where appropriate, securing its optimum viable use.

The proposed works are therefore considered to be in accordance with both national and local planning policy.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally

Standard Conditions

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

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

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the approved drawings.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

Conditions to be Discharged before Commencement of Works

- 03) Samples of all materials to be used in the development, including for the new extension and the refurbishment works to the existing Central Market building shall be submitted to and approved by the City of Lincoln Council as LPA prior to works commencing on site. The details shall include new and replacement roof and ridge tiles, rainwater goods, and a sample panel on site of the proposed brick, brick bond and mortar. The development shall proceed in accordance with the approved materials.

Reason: In the interests of visual amenity.

- 04) Prior to works commencing on site to install the new Terrazzo floor to the main hall of the Central Market, detailed plans to show the proposed schedule of works, proposed tile pattern and samples of all tiles to be used, shall be submitted to and approved by the City of Lincoln Council as LPA. The floor shall be relaid in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building.

- 05) Prior to works commencing on site to install interior lighting to the Central Market, details of the proposed lighting scheme, including light fittings, lux levels and lighting cable runs shall be submitted to and approved by the City of Lincoln Council as LPA. The lighting works shall proceed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed

building.

- 06) Prior to work commencing on site for the internal redecoration of the interior of the Central Market, details of the proposed scheme of decoration including paint colours, shall be submitted to and approved by the City of Lincoln Council as LPA. The proposed decoration works shall proceed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building.

- 07) Prior to work commencing on site to install the internal duct work to the interior of the Central Market, details of the proposed duct works shall be submitted to and approved by the City of Lincoln Council as LPA. The details shall include the location of the duct work, method of attachment, visuals of the proposed duct work, materials, colour finish and dimensions. The ducting shall be installed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building.

- 08) Prior to work commencing on site to install the new windows to the blind arches, a sample of the proposed window frame shall be submitted to and approved by the City of Lincoln Council. The details shall show the proposed profile of the new window frame, the colour finish and the method of installation.

Reason: In the interests of the special architectural and historic interest of the listed building.

- 09) Prior to the installation of the new market stalls within the Central Market Building, detailed joinery drawings of the proposed appearance and construction of the new market stalls shall be submitted to and approved by the City of Lincoln Council as LPA. The proposed stalls shall be installed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building.

- 10) Prior to the installation of any signage within the Central Market, details of all signage including location, size and appearance of signage and method of attachment shall be submitted to and approved by the City of Lincoln Council as LPA. The proposed signage shall be installed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building.

- 11) Prior to works commencing on site to install lighting to the exterior of the Central Market, details of the proposed lighting scheme, including light fittings, lux levels and lighting cable runs shall be submitted to and approved by the City of Lincoln Council as LPA. The lighting works shall proceed in accordance with the approved details.

Reason: In the interests of the special architectural and historic interest of the listed building.

Conditions to be Discharged Before Use is Implemented

None.

Conditions to be Adhered to at All Times

None.



Warren Peppard
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County Offices
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HighwaysSUDsSupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2021/0257/LBC

Proposal: **Refurbishment of Grade II Listed market building including opening up of blind arches and the insertion of glazing to north and east elevations , replacement roofing and glazed lantern, insertion of mezzanine floor with new internal stair and access lift, demolition of existing single storey Butchers Corridor to the South and construction of new two-storey extension. (Listed Building Consent)**

Location: **Central Market, Sincil Street, Lincoln, Lincolnshire**

With reference to the above application received 25 March 2021

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.

The applicant engaged with the Highway and Lead Local Flood Authority on their proposals in advance of this planning application and our comments have been considered in the submitted design. We welcome the public realm improvements to City Square and Sincil Street. Following granting of planning permission, the applicant will be required to enter into a Section 278 Agreement (Highways Act 1980) to technically assess the detailed design and construction specification for the works within the public highway, including on-site inspections and testing during construction.

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:
Becky Melhuish
for Warren Peppard
Head of Development Management

Date: 13 April 2021



Mr K Manning
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Direct Dial: 0121 625 6870

Our ref: L01409770

16 April 2021

Dear Mr Manning,

**Arrangements for Handling Heritage Applications Direction 2015
& T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LINCOLN CENTRAL MARKET, SINCIL STREET, LINCOLN, LN5 7DU
Application Nos 2021/0257/LBC & 2021/0256/FUL**

Thank you for your letters of 24 March 2021 regarding the above applications for listed building consent and planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the applications.

Summary

The Central Market is listed grade II as a building of special architectural and historic interest. It was built in 1937 to the design of the architect Robert Atkinson and incorporates the relocated front of the 1737 butter market in Lincoln. The proposed scheme is for a major regeneration of the Central Market, including opening up the blind arches on the north and east elevations. Historic England welcomes this exciting strategic initiative as part of heritage led regeneration in Lincoln. We are pleased to see that the grade II listed building will be completely repaired as part of the project and will once more be at the heart of life of the city. More detailed comments on the proposed scheme are provided below.

Our advice also reflects policy and guidance provided in the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guidance and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment*. Historic England supports the proposed scheme on heritage grounds.

Historic England Advice

Significance

The Central Market is listed grade II as a building of special architectural and historic interest. It was built in 1937 to the design of the architect Robert Atkinson. The single



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storey market incorporates the relocated front of the 1737 butter market in Lincoln. The two bay, 18th century entrance has two round headed arched doorways with decorative wrought iron overthrows and modern part-glazed doors. The design of the building is in an accomplished classical style to reflect the 18th century front, including a rusticated ground floor and other classical details. On the main north elevation the projecting former butter market entrance provides the central focus with two rusticated ashlar wings of four blind, round headed arches, each with a suggested corner pavilion at the end which projects forward slightly. The east elevation is of three bays of round headed arches and corner pavilions, the central bay providing an additional entrance to the market with blind arch on either side. The three bay west elevation historically, and currently, faces a secondary space. To the south of the main market space is an extension to provide ancillary market space, which is again of lesser status and in brick. The roof of the market is in Roman tiles with a large lantern which is a modern replacement.

The architectural style and detailing of the market is an important part of the significance and special interest of the listed building. The fact that the 8 arches on the north elevation are blind does detract to an extent from the aesthetic value of the building. This is in part due to their number and size meaning they create a somewhat lifeless character in the street scene. The plan dated October 1934 of an earlier design for the market by Atkinson (provided as part of the application) explains this apparent 'lifelessness', to an extent, as originally the intent was to have an open arcade of round headed arches on the north side of the building with a glazed arcade behind with an entrance to the market. The aspiration for the building was clearly reduced which meant that the arcade was lost and the arches became blind, presumably to create appropriate conditions and capacity for an internal market: although Atkinson kept the classical style and rustication on the ground floor. Despite the architectural disadvantages of the blind arches, they do contribute to the significance of the listed building by demonstrating the inward facing nature of the market.

Internally the floor and internal fixtures make an important contribution to the character and significance of the listed building. The design patterns of the floor itself illustrate the original circulation spaces within the market. As noted above, the extension to the south makes a limited contribution to the building's significance.

The proposed scheme

The proposed scheme is for a major regeneration of the Central Market, including opening up the blind arches on the north and east elevations, a new mezzanine floor, replacement roofing and glazed lantern, demolition of the extension to the south and the construction of a new two storey extension to accommodate a new commercial unit with a roof terrace. It is also proposed to repave external areas in City Square and Sincil Street.

Historic England welcomes this exciting strategic initiative for heritage led regeneration



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in Lincoln which will add greatly to the successful regeneration in the Cornhill Quarter including Sincil Street. We are pleased to see that the grade II listed building will be completely repaired as part of the project and will once more be at the heart of life of the city.

Opening up the blind arches would be harmful to the significance of the listed building due to the loss of the original inward facing character and loss of historic fabric. However, we are satisfied that there is sufficient justification for opening up the blind arches in this case because of the unsustainability of an inward facing market building in the modern retail environment in Lincoln. The greater sustainability of the building, gained, in part, through much greater visibility of the internal spaces, would be a benefit in heritage terms. We consider that the proposed glazing which opens up the full extent of the arches is appropriate as it better reflects both the existing arches in the 18th century frontage and the clean lines of the classical architectural style of the building. It also better relates to the original intent of the architect to provide a better relationship to the surrounding public realm.

We support the repair and reinstatement of internal features of Central Market, including surviving stalls, and we defer to your expert conservation adviser for detailed advice. We are pleased to see that the wrought-iron overthrows are to be refurbished as required. We recommend that as much as possible of the early floor tiles and pattern are retained and reused, and advise that this is considered further: we would be content that this can be dealt with through a planning condition.

We have no objection to the demolition of the southern extension given the justification provided. We consider that the design and materials of the proposed east elevation are appropriate, including the set back of the extension and mansard roof, and reflect the architectural hierarchy on the site.

We consider that the mezzanine and lift are justified and of an appropriate scale to minimise the impact on the significance of the listed building. The design and material will help differentiate it from the historic fabric.

We are pleased to see that the roof tiles would be reused where possible and new replacement tiles will be made to match the existing ones where necessary.

We recommend that only natural paving materials are used to for the public realm works to match both the quality of the proposed refurbishment of the listed building and the ongoing public realm scheme on Sincil Street. To function correctly City Square should be a 'high point' in the public realm in this quarter of Lincoln and we advise that Paving Type 02 (concrete pavers) would not meet the standard required, especially compared to the excellent public realm works immediately to the south.

We recommend that you consult your expert archaeological adviser with regard to the



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impact of the proposed scheme on archaeological remains.

Legislation, policy and guidance

As you are aware, the statutory requirement to have **special regard** to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must be taken into account by your authority in determining these planning applications. The statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Cathedral and City Centre conservation area (s.72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must also be taken into account by your authority in determining these planning applications.

Our advice also reflects policy and guidance provided in the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guidance and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment*. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, **great weight** should be given to its conservation (paragraph 193, NPPF). Any harm or loss to significance 'should require clear and convincing justification' (paragraph 194, NPPF).

Position

Historic England supports the proposed scheme for the Central Market which will clearly deliver a strategic uplift for the city and significant public benefits. It would represent high quality heritage-led regeneration for Lincoln.

Recommendation

Historic England supports the applications on heritage grounds. Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

Yours sincerely

David Walsh

David Walsh

Principal Inspector of Historic Buildings and Areas

E-mail: david.walsh@HistoricEngland.org.uk

cc: Sarah Harrison, City of Lincoln Council
Maria Clayton, City of Lincoln Council
Paul Ponwaye, john roberts architects



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Consultee Comments for Planning Application 2021/0257/LBC

Application Summary

Application Number: 2021/0257/LBC

Address: Central Market Sincil Street Lincoln Lincolnshire

Proposal: Refurbishment of Grade II Listed market building including opening up of blind arches and the insertion of glazing to north and east elevations , replacement roofing and glazed lantern, insertion of mezzanine floor with new internal stair and access lift, demolition of existing single storey Butchers Corridor to the South and construction of new two-storey extension. (Listed Building Consent)

Case Officer: Alex Leatherland

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

We do not wish to Object to the overall plan.

COMMENTS:

1. We very much welcome the plans and in particular the glazing of the blind arches which will add light to the inside and character to the outside.
2. Vehicle access across the revamped square will have to remain but are concerned firstly about the safety of pedestrians and suggest some sort of controls will be necessary and secondly whether the chosen York Stone will be strong enough to withstand the heavy goods vehicles which will use the route.
3. We would endorse Historic Englands comments and suggest that the Buff Concrete Pavers should instead be natural Stone.
4. We share the concern over the relocation of the traders during the development phase and furthermore, the level of rents that the revamped market will be charging the traders.

Comments from members of the public

Comments for Planning Application 2021/0257/LBC

Application Summary

Application Number: 2021/0257/LBC

Address: Central Market Sincil Street Lincoln Lincolnshire

Proposal: Refurbishment of Grade II Listed market building including opening up of blind arches and the insertion of glazing to north and east elevations , replacement roofing and glazed lantern, insertion of mezzanine floor with new internal stair and access lift, demolition of existing single storey Butchers Corridor to the South and construction of new two-storey extension. (Listed Building Consent)

Case Officer: Alex Leatherland

Customer Details

Name: Mrs Nikki Goldblatt

Address: Camden House 42 Colegrave St Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I'd love to hear that you will be reinstalling the original market clock, that customers still comment on & look to see the time on as they remember to from the past! Apparently it was taken away "for cleaning" and hasn't been seen since. Ditto the original wrought iron gates to the two original arched doors on the listed facade, which would also prevent urination into the doorways after dark & provide security.

It would be great for the heritage panel/branding to incorporate something from the folk tales of Havelock & Grim (of Grimsby fame), as there is a story specifically about Havelock throwing an immovable rock, and where it landed the Lincoln Market was founded, and fair principles of trading were sorted out from then on at that location. In more modern times, Snips the dog & wrestling taking place in the evenings could also get a mention!

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Application Number:	2021/0358/CXN
Site Address:	T A Centre O I C, Sobraon Barracks, Burton Road
Target Date:	23rd July 2021
Agent Name:	None
Applicant Name:	Patricia Akers
Proposal:	Variation of condition 2 (plans) of planning permission 2018/1416/FUL and 2020/0238/CXN to include relocation of bike store, gas cage and oil tank, pedestrian/cyclist pathway, alterations to road and footpath layouts, POL store, relocation of fire exit door and installation of 2 flues. (Revised Description)

Background - Site Location and Description

The application is made under Section 73 of the Town and Country Planning Act (as amended) to amend the approved plans conditions (condition 2) of planning permission reference 2018/1416/FUL and 2020/0238/CXN the application proposes the relocation of the approved bike store, gas cage and oil tank, pedestrian/cyclist pathway, road and footpath layouts and POL store, the relocation of a fire exit door and installation of 2 flues.

The application premises is the Sobraon Barracks Burton Road. Burton Road is a main approach road into the City. The site is located within a residential area with dwellings located opposite and to the side a playing field is located to the rear.

The application has been subject to discussions during the application process securing revisions to the proposal in particular the retention of trees proposed for removal and the further re-positioning of the gas cage.

Site History

Reference:	Description	Status	Decision Date:
2018/1416/FUL	Demolition of existing garages and erection of replacement garage, workshop and training centre. Relocation of main entrance to North West of site.	Granted Conditionally	19th March 2019
2020/0238/CXN	Variation of Condition 2 (Plans) of Planning Application 2018/1416/FUL - fencing and gates, cycle store, fire exit doors, bin stores, roof lights, air conditioning units and flues.	Granted Conditionally	5th June 2020
2020/0179/RD	Submission of details to approve Condition 3 (Investigation and Risk Assessment), Condition 4 (Remediation Scheme), Condition 6	Approved	30th April 2020

	(External Materials) and Condition 7 (Drainage Strategy Report) of planning permission 2018/1416/FUL.		
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Case Officer Site Visit

Undertaken on 11th February 2019.

Policies Referred to

- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

The application seeks to vary the approved drawings (condition 2) of planning permissions 2018/1416/FUL and 2020/0238/CXN to include the changes outlined below in this report. Under the terms of a Section 73 application, recognising that the approved development has lawfully commenced, it is only the impact of the proposed minor changes that are before Members for consideration. The consideration of the principle of the development, will not be revisited as it has already been approved. As such, it is considered that the key considerations are the effect the changes would have on:

- Design including Visual Impact; and
- Residential Amenity.

Consultations

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

All representations received on the application are copied in full at the end of this report and are available to view on the website:

<https://development.lincoln.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=QJA4LFJFISD00>

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Environmental Health	Comments Received
Lincoln Civic Trust	Comments Received

Lincolnshire Police	Comments Received
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Public Consultation Responses

Name	Address
L Thurgood	34 Mons Road Lincoln LN1 3UG
Sharon Wilson	16 Mons Road Lincoln Lincolnshire LN1 3UD
G Broderick	45 Dunkirk Road Lincoln Lincolnshire LN1 3UJ
William Yick	47 Dunkirk Road Lincoln Lincolnshire LN1 3UJ
Mr Owen Pickett	57 Outer Circle Drive Lincoln LN2 4JH
Mr Stephen Ablett	12 Sastangate House Rasen Lane Lincoln Lincolnshire LN1 3HE
Mrs Ania Hewis	2 Mons Road Lincoln Lincolnshire LN1 3UD
Ms Emilia Hewis	2 Mons Road Lincoln Lincolnshire LN1 3UD
Miss Michelle White	9 Mons Road Lincoln Lincolnshire LN1 3UD
Miss Jade Neate	Marne Garden Lincoln LN1 3UQ

Mrs Anna Hewis	2 Mons Road Lincoln Lincolnshire LN1 3UD
Mrs Pia Holden	24 Falklands Close Lincoln Lincolnshire LN1 3XH
Sharon Wilson	16 mons road Lincoln LN1 3UD

Consideration

The approved building measures approximately 53.5 metres deep x 19.1 metres wide x 10.6 metres high creating 485 m2 of additional floor space (1085m2 total) from the building demolished to accommodate this proposal. The finished building is clad in black steel cladding.

The following main amendments are proposed under this application:

- Bike store moved near the main entrance gate behind the existing electrical services building and main fence and gate.
- Dedicated pedestrian/cyclist pathway and pedestrian right of way between the new building and main entrance to other parts of the barracks that building users are likely to use to comply with the DREAM requirements (MOD equivalent to BREEAM).
- Road and Footpath Layouts
- Position of the gas cage and oil tank
- Lubricants store building substitute a new purpose made unit
- Re-location of fire exit door

Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it.

The Planning Practice Guidance (PPG) notes that there are instances where new issues may arise after planning permission has been granted, which require modification of the approved proposals. It advises where these modifications are fundamental or substantial, a new planning application will be required. Where less substantial changes are proposed a non-material amendment application can be submitted, or a minor material amendment (S73 application) where there is a relevant condition that can be varied. There is no statutory definition within the PPG of a 'minor material amendment' but paragraph 017 reference ID: 17a-017-20140306 states that it is likely to include any amendment where its scale and/or nature does not result in a development which is substantially different from the one which has been approved.

The PPG advises that where an application under section 73 of the Town and Country Planning Act (as amended) is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and un-amended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission unless they have already been discharged. As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.

The application proposes a 'Minor Material Amendment' to applications 2018/1416/FUL and 2020/0238/CXN which originally granted consent for 'Demolition of existing garages and erection of replacement garage, workshop and training centre. Relocation of main entrance to North West of site.' The original permission will continue to subsist whatever the outcome of this application and the authority can only consider the matter of the variation of the condition. However members should note that the approving of this application would in effect grant a new permission which would run in tandem with the original consent.

Effect on Residential Amenity

In total 13 objections have been received to this application. 6 relate only to the removal of trees on the site.

The further 7 objections relate to the proposed tree removal, height of the proposal, noise and disturbance, design and appearance and loss of natural light. One objection from a neighbour on Dunkirk Road raises concerns about the proposed location of the gas cage, this location has been revised during the application process which the neighbour has been consulted on and raised no further objection to.

The building is located approximately 21 metres from the rear elevation of the properties on Dunkirk Road. The fire exit would be located on the elevation facing Dunkirk Road, given the proposed use as a fire door and that the boundary treatment along the boundaries of Dunkirk Road the door would not introduce any new issues of overlooking.

The gas case cage location has been revised during the application process to ensure it is 5 metres from the boundary of the properties on Dunkirk Road as requested by the occupants on Dunkirk Road. The application proposes a purpose-built POL Hazardous Goods proprietary storage unit 1220mm high rather than the previously approved steel-clad building.

The application proposes the relocation of the bike store near the main entrance gate behind the existing electrical services building this is to comply with the DREAM requirements. The new location is central to the site but can be naturally supervised by all the building users on the site. It is also behind the electrical incoming services building so it is screened from the houses facing the entrance to the site.

The plans include the provision of dedicated safe routes for pedestrians and cyclists across the site to comply with the DREAM requirements. These routes are painted on the ground to show dedicated pedestrian/cyclist pathway between the new building and main entrance and to others parts of the barracks that building users are likely to use, to ensure that people have the opportunity to walk and cycle to the workplace/dining facilities and

other local amenities, and reduce dependence on individual motorised transport means. Officers do not consider that this would increase noise and disturbance to neighbouring residents.

It is considered that the current proposal would not result in any substantive additional impacts compared with the approved schemes, whilst third parties have raised concern about the building itself the scale has already been approved and it is considered refusal could not be justified on this basis. As such, the proposed amendments are not considered to result in harm to the amenities of the neighbouring properties, in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Effect on Visual Amenity

Given the minor amendments to the layout and alterations are well within the site, it is considered that there would be little impact on the character and overall design concept of the development. It is therefore considered the proposal complies with Central Lincolnshire Local Plan Policy LP26 and the guidance within the National Planning Policy Framework.

Effect on Highway Safety

Lincolnshire County Council as Highway Authority has assessed this 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.

Trees

Officers discussed the residents' concerns with the agent regarding the proposal for the removal of further trees on the site, the applicant has agreed to leave the small self-sets trees in place and to only cut their branches to facilitate the installation of the new fence. No further tree removal is proposed as part of this application. Accordingly, the description has been updated to remove this element of the proposal from the description. The City Council's Arboricultural Officer has inspected the site and can confirm that the trees identified for removal approved under the previous permissions have already been removed from the site. The trees located within the vicinity of the site office and storage containers are currently as described and have not been damaged as a result of the installation of these features. The area directly to the rear of 51 Dunkirk Road has been cleared of vegetation and is primed for the installation of replacement trees. These are proposed in addition to the 3 infill trees (2no Aesculus hippocastanum and 1no Aesculus x carnea) which have been added along the old main axis of the parade ground. It was concluded by Officers that there were no trees present on site that were currently in need of any additional physical protection. Officers are therefore satisfied that this matter has been suitably addressed.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

This Section 73 application is not considered to impact on the principle of the original consent while maintaining the character and appearance of the overall development. The proposed development is therefore in accordance with Policy 26 of the Central Lincolnshire Local Plan and the guidance contained within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

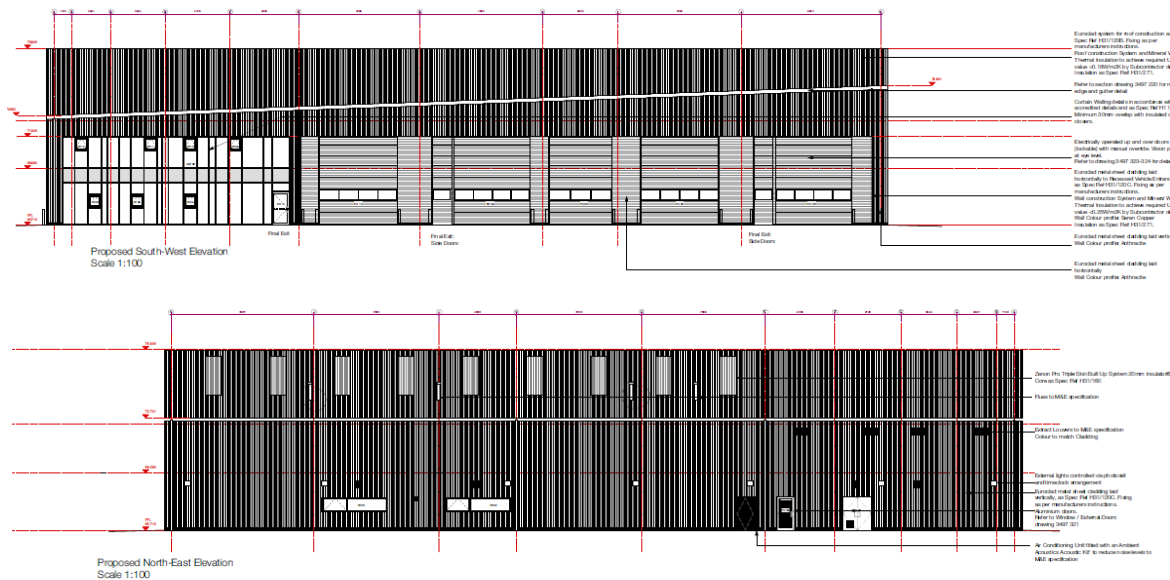
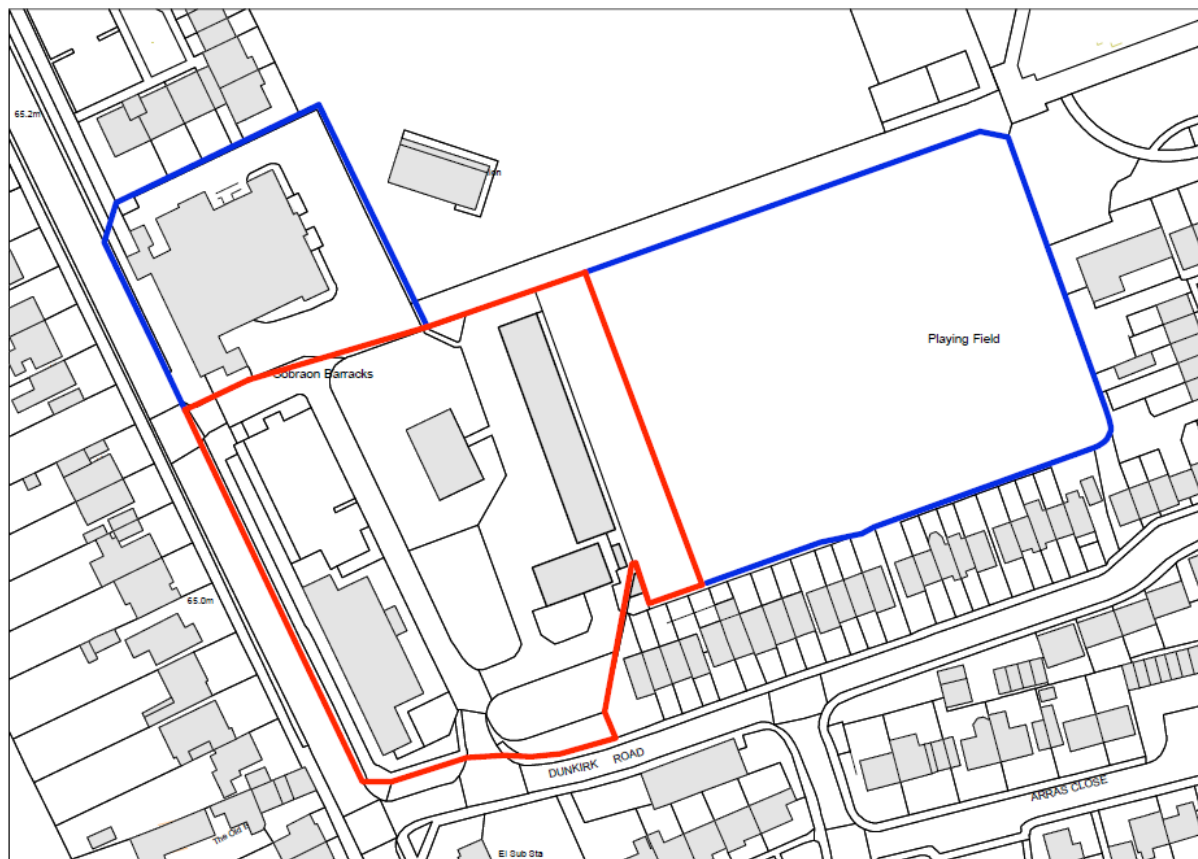
That the application is granted conditionally.

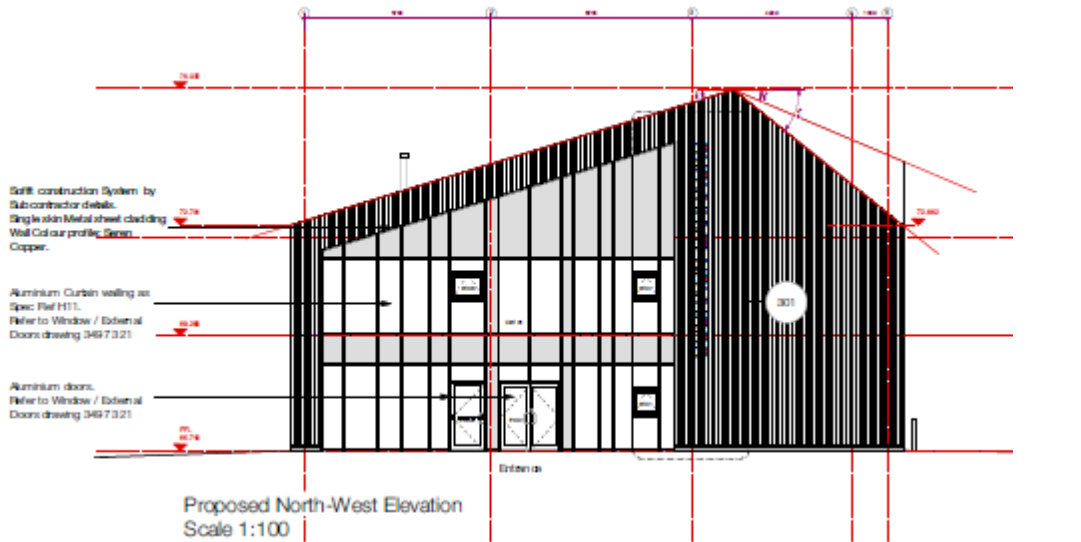
Conditions

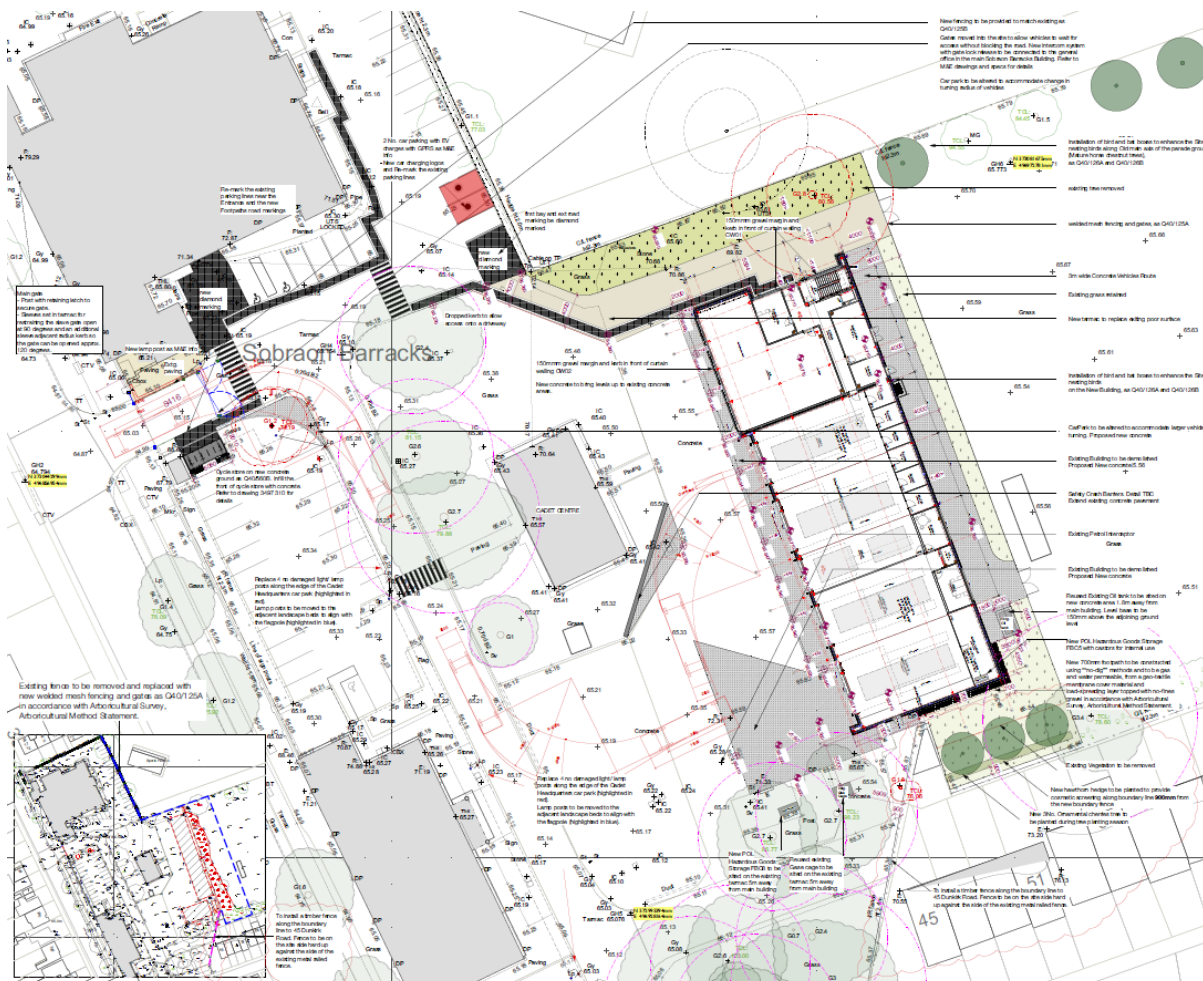
- Development to be commenced by 19th March 2022
- Development to be carried out in accordance with the plans.
- Submission of verification report for contaminated land
- Proceed in accordance with approved materials
- Construction hours
- Reporting of unexpected contamination
- Installation of air-conditioning units in accordance with approved details.
- Planting of trees and hedge in the appropriate planting season
- Implementation and retention of fence along Dunkirk Road boundary.

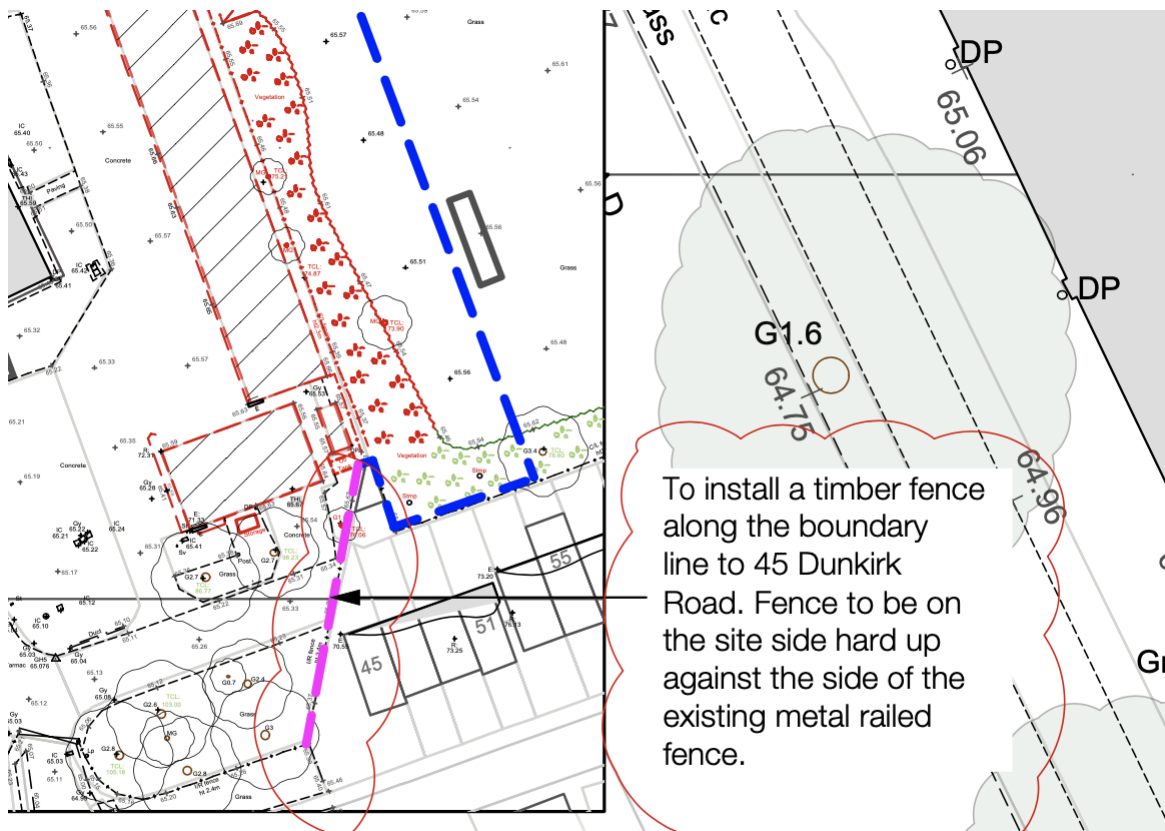
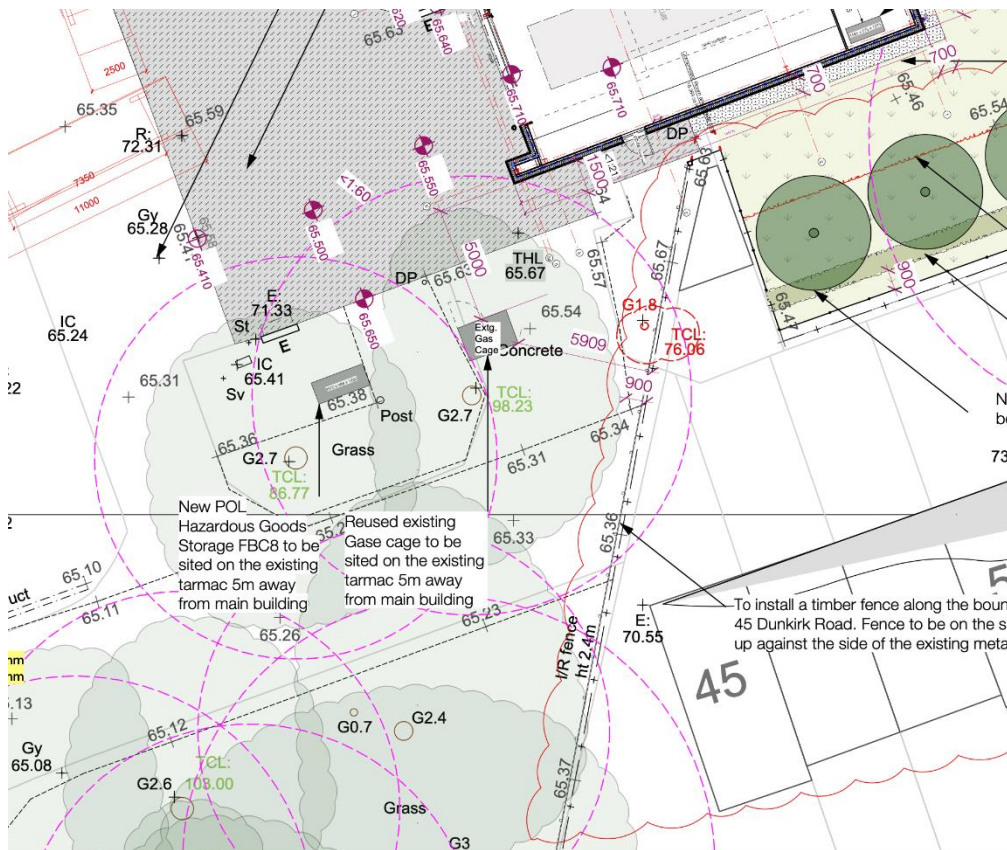
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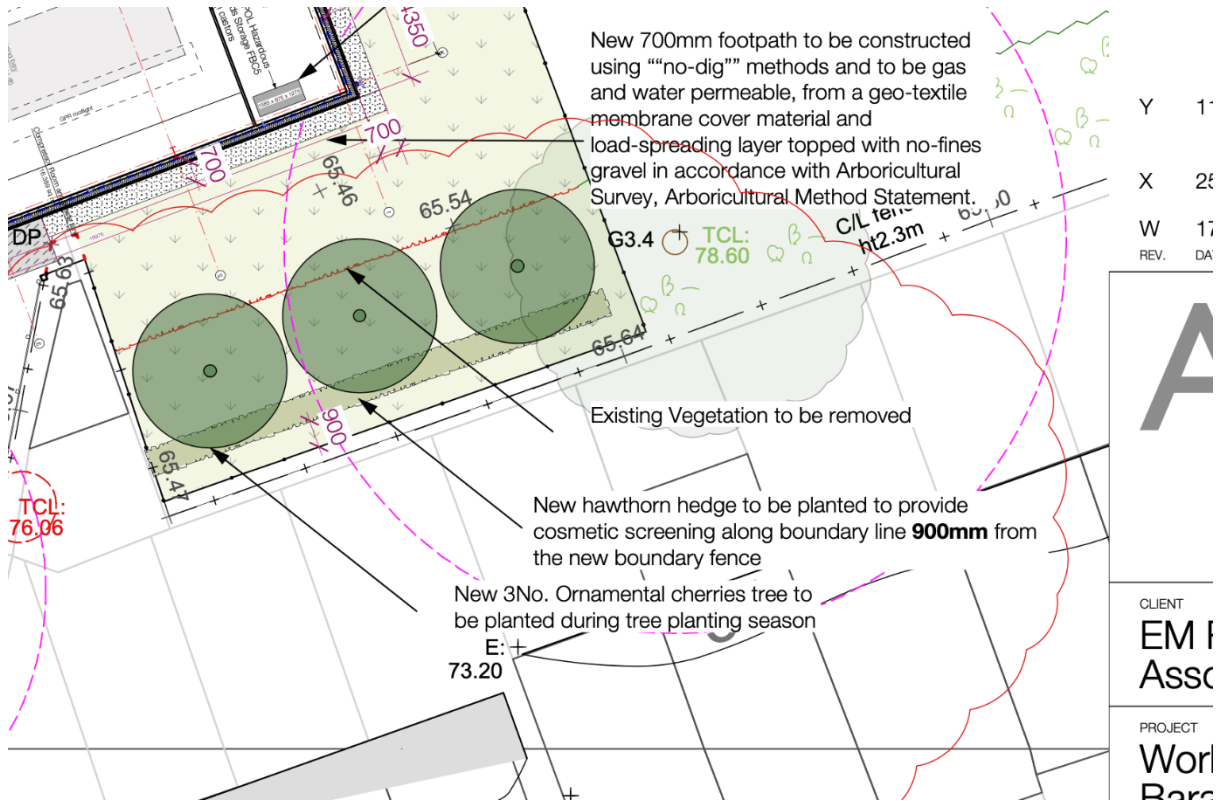
2021/0358/CXN – T A Centre Sobraon Barracks Burton Road











Photographs





Consultation Responses

Ms E Hewis - 2 Mons Road, Lincoln, LN1 3UD

I object to the variation to those plans and the whole build itself. On the original plans it was not clear just how big and disruptive this build would get and the very negative effect it would have on the local community. The barracks should be such an asset to the local community and what it did through its build is cut trees down build this awful building which covers daylight- the effect this must have on the people living nearby is huge! I'm surprised no one took them to court to claim the RIGHT to LIGHT ACT!

I would like to object to the plans and additionally request a TREE PRESERVATION ORDER to be raised against it to protect those trees that are loved by our neighbourhood and have great value to the people who live here and the public.

Mrs S Hewis – 2 Mons Road, Lincoln, LN1 3UD

I object! This build has brought an unacceptable amount of noise, disruption, pollution of air and pollution of the neighbourhood due to that builders littering and tipping in the neighbourhood. I cannot even imagine how angry people on Dunkirk road are because of this awful big building that now stops the light coming to their house. I would say even the noise itself on Mons Road was awful and windows had to be closed to the noise and air pollution!

The build has already caused so much damage to the environment and neighbourhood and they want to cut MORE TREES?! The trees are the beauty of this neighbourhood and they should not be cut!

In line with my previous comment- it wrongly said that I neither object nor support. I most definitely object!

L Thurgood - 34 Mons Road, Lincoln, LN1 3UG

We need all the trees we can get. These don't need to be removed at all. It's nice to have as much cover as possible from the barracks.

S Wilson 16 Mons Road, Lincoln, LN1 3UD

As my concerns are as above I Object to the removal of the eight trees along side the Barracks on Dunkirk road..

G Broderick 45 Dunkirk Road, Lincoln, LN1 3UJ

Sir,

I object to some of the further proposed developments on this site.

Firstly, the recently erected building should not have been granted planning permission to be built so close to residential property due to its abnormal height.

I was unable to object at the time due to work commitments. I was out of the country and missed the opportunity to raise my concerns.

I have requested in the past to have the large trees which overhang my property to be removed due to issues with falling objects, moss on walls and guttering, slippery paving slabs and lack of natural light.

The situation is now much worse with the completion of this massive structure at the bottom of my garden.

There has been little consideration on the impact this development has had on local residents.. No attempt has been made for any type of screening and the area at the side of my property is an eyesore, currently full of cabins/equipment and overgrown. It has been used as a dumping ground in the past with no indication the situation will improve.

My objection to the latest application is the location of gas bottle cages and hazardous goods store. The drawing states they are to be sited at least 5 meters from the main building.

But there is no mention on distance from my property and they appear very close to the boundary line.

Friends, family and children spend time in the back garden.

Can you please confirm gas bottle and DG stores will be a suitable distance from my boundary and blast/fire wall protection will be installed.

Can you please advise if/when the trees will be removed.

Please advise on intention to provide cosmetic screening along boundary line

Please confirm when remedial works to the front of the drive will be complete.

Regards,

G Broderick

Mr O Pickt 57 Outer Circle Drive, Lincoln, LN2 4JH

I think it would ruin the natural beauty of the police

Mr Stephen Ablett, 12 Sastangate House, Rasen Lane, Lincoln, LN1 3HE

This work will look ugly as well as destroying old trees

Miss M White 9 Mons Road, Lincoln, LN1 3UD

I strongly object to any more trees being pulled down, I like the fact they hide the massive new building which in my opinion is an eye sore ! they have wildlife living in them, they are also important For the environment.

Miss J Neate Marne Garden, Lincoln, LN1 3UQ

The trees make the area look pleasant . Taking the trees away makes the area look boring and bold . Plus birds rely on trees to nest and be safe

Mrs P Holden 24 Falklands Close, Lincoln, LN1 3XH

We need more trees, not fewer. Trees are being treated like a nuisance but in reality we need them.

S Wilson 16 mons road, Lincoln, LN1 3UD

Why is it not made public knowledge for the changes happening to the Barracks on Burton/Dunkirk road for local residents to have there concerns listened to only one neighbour has information..when there's things to sign how are we to know..?? Until it's to late..my concern if for the eight trees that are behind the iron fence to the Barracks A bigger concern is how I haven't had any choice to sing or make a comment on any information/plans that are going ahead.,I get buildings have to be updated and functional..but why are they considering cutting down the big beautiful trees..green space is so important for so many of us who live among it..I'd like to see the application for them to be remove the self-set trees made public for residents to see..

Mr W Yick 47 Dunkirk Road, Lincoln, LN1 3UJ

I am the home owner of 47 Dunkirk Road, I have just received this letter and I am absolutely disgusted! I have messaged/called many times as over the last year we have had to watch this horrible building go up behind my house, it may aswell be in the garden.

My kids wake up, open their blinds and they see this building, the constant noise and digging for the past year adding to this. Cutting down trees and now more trees.

This is not acceptable, here are the affects it is having on us as a family.

Scale of height

Overlooking building into our house

Noise and disturbance

Air pollution

Design

Appearance

Layout

Effects on trees

Loss of light

Here is a photo of my view and workers looking into my garden.

Many thanks,
William Yick



Consultee Details

Name: Ms Catherine Waby

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

On Behalf Of: Lincoln Civic Trust

Comments**OBJECTION**

We object to the following:

The removal of more trees in what is principally a residential area. There were a large number of trees removed under the original proposal and to remove more is unacceptable.

We are concerned over the siting of the Gas bottle store which appears to be moved away from the building but closer to the residential perimeter of the site. Whilst we understand the requirement to move the store away from the building, moving closer to the Private properties is not an option.

We are also concerned that the revised path around the building will potentially increase the noise for the local residencies.

The original plans were quite substantial and any further development should not be considered.

Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
HighwaysSUDsSupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2021/0358/CXN

Proposal: Variation of condition 2 (plans) of planning permission 2018/1416/FUL and 2020/0238/CXN to include relocation of bike store, gas cage and oil tank, pedestrian/cyclist pathway, alterations to road and footpath layouts, POL store, removal of self-set trees, relocation of fire exit door and installation of 2 flues.

Location: T A Centre O I C, Sobraon Barracks, Burton Road, Lincoln, Lincolnshire, LN1 3PY

With reference to the above application received 23 April 2021

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.

The proposal is for minor amendments to the T A Centre that already has approval under 2018/1416/FUL & 2020/0238/CXN. The proposal does not have an impact on the Public Highway or Surface Water Flood Risk.

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.

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.

Case Officer:
Sam Wood
for Warren Peppard
Head of Development Management

Date: 11 May 2021



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.2021/0358/CXN

26th April 2021

Development & Environmental Services

City Hall, Beaumont Fee

Lincoln, LN1 1DF

Town and Country Planning Act 1990

Consultation on Variation of Condition

T A Centre O I C, Sobraon Barracks, Burton Road, Lincoln, Lincolnshire, LN1 3PY

Variation of condition 2 (plans) of planning permission 2018/1416/FUL and 2020/0238/CXN to include relocation of bike store, gas cage and oil tank, pedestrian/cyclist pathway, alterations to road and footpath layouts, POL store, removal of self-set trees, relocation of fire exit door and installation of 2 flues.

Lincolnshire Police do not have any objections to this application.

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 Homes 2019.

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 PGCPR Dip Bus.

Force Designing Out Crime Officer (DOCO)

Application Number:	2021/0208/HOU
Site Address:	42 Kelstern Road, Lincoln, Lincolnshire
Target Date:	18th June 2021
Agent Name:	Mr Andy Newman
Applicant Name:	Mr Lloyd Freeman
Proposal:	Demolition of existing garage and partial removal of hillock to facilitate the erection of a single storey front and side extension and detached garage. (Revised Description) (Revised Plans received 19th May 2021).

Background - Site Location and Description

The application proposes the demolition of the existing attached garage and partial removal of hillock to facilitate the erection of a single storey front and side extension and detached single storey garage. The application property is 42 Kelstern Road a detached bungalow.

The site is located within a large well-established residential estate with dwellings adjacent to the north, south and west.

The site is not located in a conservation area and there are no listed buildings surrounding the site.

The application was subject to extensive negotiations with the agent securing revisions to the proposal to overcome concerns raised by neighbours. Revised plans were submitted in May 2021 and a re-consultation was carried out in June 2021 for 14 days. This re-consultation period was in line with the Councils consultation code of practice.

The application is brought to Planning Committee due to the number of objections against the application.

Site History

Reference:	Description	Status	Decision Date:
LK47/0521/85	Erection of 2 No. bungalows and garages (In accordance with revised plans received 17th September 1985).	Granted Conditionally	22nd October 1985

Case Officer Site Visit

Undertaken on 30th April 2021.

Policies Referred to

- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

To assess the proposal with regard to:

- National and Local Planning Policy
- Effect on Visual Amenity
- Effect on Residential Amenity
- Effect on Highway Safety
- Other Matters

Consultations

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

All representations received on the application are copied in full at the end of this report and are available to view on the website:

<https://development.lincoln.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=QJA4LFJFISD00>

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Dave Walker	Comments Received

Public Consultation Responses

Name	Address
Miss Lucy Gray	42 Kelstern Road Lincoln LN6 3NJ
Mr Craig Foster	14 Kelstern Road Lincoln LN6 3NJ
Mrs Wright	Stenigot Close
Mrs R Fraser	Kelstern Road Lincoln Lincolnshire LN6 3NJ
Miss Emma Nicholson	17 Stenigot Close Lincoln LN6 3PB
R W Phillips	
Mr Kettlewell	No address provided

Miss Carly Greenwood	25 Kelstern Road Lincoln LN6 3NJ
Mrs V A Phillips	
Mr A Fraser	Kelstern Road Lincoln Lincolnshire LN6 3NJ

Consideration

Planning Policy

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

The proposed works exceed 'permitted development' allowances. The principle of extending the existing house is generally acceptable given its location in an established suburban area which is wholly residential in character. However, this is dependent on consideration of other matters, including design and amenity issues.

Objections to the revised proposals in summary relate to concerns regarding the scale of the proposal, that it is not in keeping with the character of the area, potential damage to the neighbouring trees, noise and disturbance during construction, potential future uses of the garage, exacerbating parking problems, impact on nature and wildlife and an increase in overlooking. These are attached in full to this report

Three representations in support of the application have been received. These are attached in full to this report.

Hillocks

Condition 3 of planning permission LK47/0521/95 states 'The hillocks in the eastern part of plots 58 and 59 shall be retained and shall not be levelled out without the written consent of the Local Planning Authority', the reason for this condition states 'to preserve the visual amenities of the locality'. 42 Kelstern Road was formally Plot 58. The hillock is located to the north of the site and levelling out of part of it would be required to accommodate the proposed detached garage. Officers consider that the hillock does not provide such a visual addition to the locality that the levelling off of part of it would be so detrimental to visual amenity that the application could be refused on these grounds.

Neighbours have raised concern that there is potential for land stability issues should the hillock be part levelled. Paragraph 178 of the National Planning Policy Framework states 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.' The applicant has submitted a detailed information and a methodology statement for the implementation

of a retaining structure. These details will be assessed by Building Control who are responsible for ensuring a development is structurally sound once an application is submitted to them. Officers are therefore satisfied that in accordance with the National Planning Policy Guidance the matter has been suitably addressed.

Side Extension

The proposed side extension at its closest point would be located approximately 5 metres from the side boundary with 43 Kelstern Road. The boundary is defined by an approximately 1.8 metre high hedge, given the boundary treatment there would be no issues of overlooking. Given the separation distance, boundary treatment and single storey nature of the proposed extension there would be no issues of it appearing overbearing. Although located to the south of No. 43 it is considered that loss of light would not be exacerbated to a harmful degree by the proposed extension.

The proposed extension would be located approximately 7.5 metres from the boundary with properties on Stenigot Close, the rear elevations are located a further 16 metres away. Given this separation distance there would be no issues of loss of light or the creation of an overbearing structure. 2 windows are proposed in the rear elevation which would serve a bedroom the boundary is defined by an appropriately 1.5 metre high timber fence and various shrubs and trees, given this boundary treatment and that the separation is over 21 metres window to window there would be no issues of overlooking .

There are no other properties in the vicinity which would be affected by the proposal and officers are therefore satisfied that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with the amenity requirements of Policy LP26 of the Central Lincolnshire Local Plan.

Effect on Visual Amenity

The extension would be set back from the front elevation of the application property extending along nearly the full width of the side elevation. At the front the extension would include a window and a pitched roof. The extension would be constructed with brick, tiles and UPVC windows to match the existing dwelling. Objectors have queried which materials are to be used, the agent has confirmed these will match the existing dwelling. There is no objection to the scale, design or proposed materials. It is not considered that the extension would cause harm to the appearance of the dwelling. The proposal would therefore reflect the original architectural style of the property and would not cause harm to local character, in accordance with Central Lincolnshire Local Plan (CLLP) Policy LP26.

Detached Garage

The proposed garage would be located 4.1 metres at its closest point from the boundary with 43 Kelstern Road measuring 2.5 metres to the eaves and 4.19 metres to the top of the pitch which slope away from the boundary. The hillock would be partially removed to accommodate the proposal so the finished floor levels would match of the existing dwelling. Given the separation, boundary treatment and the single storey, pitched roof design of the proposal it is not considered that it would appear unduly overbearing or result in an unacceptable degree of loss of light. The facing elevation is blank therefore there would be no issues of overlooking.

The proposed garage would be located 3.25 metres from the boundary with properties to the rear on Stenigot Close. Given the separation distance there would be no issues of loss of light or the creation of an overbearing structure. The facing elevation is blank therefore there would be no issues of overlooking

The proposed garage would be located over 28 metres from the boundary with 40 Kelstern Road it is considered that this distance is sufficient to ensure that the proposal would not be detrimental to the residential amenities of the property.

Concerns have been raised regarding the use of the garage; this can be addressed by way of a condition which would restrict the use for domestic purposes only.

Concerns have been raised regarding noise and disturbance during construction as the proposals are within a confined site it would be pertinent to include a condition relating to hours of construction.

It is considered that the relationship with neighbouring properties should be maintained through the inclusion of a condition removing permitted development for new openings within the proposed extension and garage in order to protect the residential amenities of these properties.

Officers are therefore satisfied On balance that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, and that a refusal on residential amenity grounds could not be justified the development is therefore in accordance with the amenity requirements of Policy LP26 of the Central Lincolnshire Local Plan.

Effect on Visual Amenity

The proposed detached garage would be constructed on garden land set back from the road. The garage would measure 6 metre wide x 6 metres deep and would include a pitched roof and a roller shutter garage door. The garage would be constructed from materials to match the existing dwelling. Officers have no objection to the siting, height, scale, massing and form of the proposed development. Set back from the road the garage would not appear unduly prominent or incongruous within the street. It is therefore considered that the visual amenity of the wider area and the character and appearance of the area would not be harmed in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Trees

Condition 4 of planning permission LK47/0521/95 states 'None of the trees/bushes within plots 58 and 59 shall be cut down, uprooted or wilfully damaged or destroyed without the prior written consent of the Local Planning Authority. Following a site visit by Officers it is clear several trees have been removed from the site without consent. It is difficult to confirm the age these trees without having viewed the trees prior to their removal, but it is likely they were protected by this condition. It was agreed that the applicants would replace the trees on advice from the Arboricultural Officer, however it was advised by the Arboricultural Officer that should the development be approved the site could not physically accommodate any suitable replacements. The applicants have been supplied with a copy of the decision notice and advised that any future works will require consent.

The neighbouring property 43 Kelstern Road has a large Oak approximately 120 years old. The revised location of the garage is proposed outside of the root protection area (RPA) of the tree. Concerns have been raised that roots outside the RPA could be severed. The Arboricultural Officer has inspected the tree and advised that the age of the tree would suggest it has good vitality and as such would be able to recover from minor root disturbance brought about by the severance of small diameter roots which encroach beyond the RPA. As a retaining wall is required it is important that it is implemented at the correct time to ensure that the ground within the remaining hillock is where possible undisturbed. Officers consider that an appropriately worded condition could ensure correct timings and refusal on the grounds of harm to the tree could not be justified.

To the rear of the site is a mature Oak likely to be in the rear garden of number 21 Stenigot Close. The tree has been inspected by the Arboricultural Officer who advises that 'the canopy of this tree attains a height which should minimise possible contact with demolition equipment however the RPA of the tree should be protected from compaction or damage from construction machinery'. The application is supported with details of the RPA and how the tree will be protected during construction which the Arboricultural Officer has agreed is appropriate.

Effect on Highway Safety

Lincolnshire County Council as Highway Authority has assessed the application and revised plans 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 Pollution Control Officer has viewed the plans and raised no objections but given the sites past use as an RAF base a condition relating to the reporting of unexpected contamination has been requested, it is considered this would not be unreasonable given that excavation works would be required.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed development is appropriately designed and would not cause unacceptable harm to the character and appearance of the area nor the amenities of all existing and future occupants of neighbouring properties, in accordance with Policy LP26 'Design and

Amenity' of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

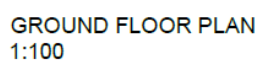
Recommendation

That the application is granted conditionally.

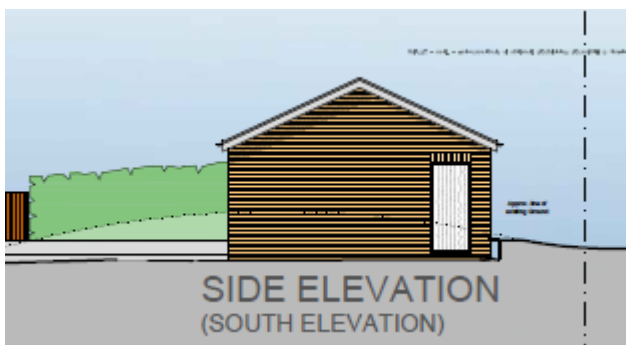
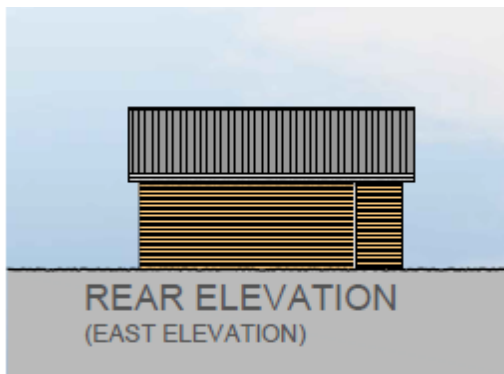
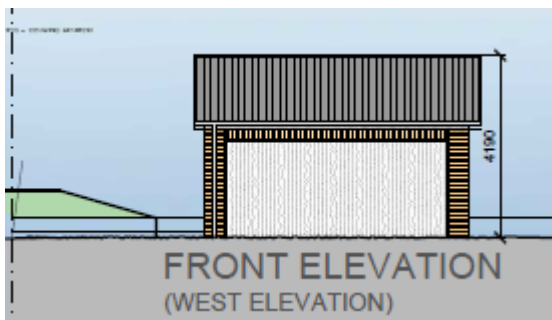
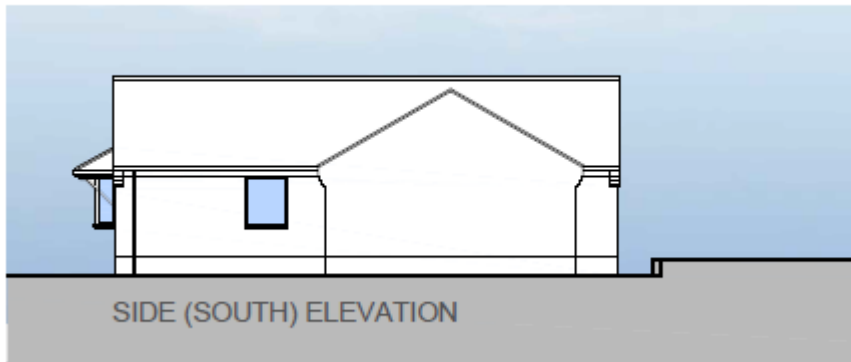
Conditions

- Development to be carried out within 3 years
- Development to be carried out in accordance with the plans.
- Implementation of tree protection
- Timing of retaining structure works
- Use of garage for domestic purposes only
- Removal of permitted development for new openings within extension and garage
- Hours of construction 8 am to 6pm Monday to Friday 08:00 to 13:00 on Saturdays
- Reporting of unexpected contamination if discovered.

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Representations received following re-consultation on receipt of revised plans

Mrs R Fraser Kelstern Road, Lincoln, LN6 3NJ

Dear Ms Till,

I would like to raise the following objection points for the meeting:-

- 1) Impact of development to us.
- 2) Concerns regarding trees etc.
- 3) Parking problems.
- 4) Issues that may arise from development.
- 5) Long term issues.
- 6) Noise and disturbance of development overall.
- 7) Not in keeping with area.

Kind Regards

Mrs Fraser

Photographs and description supplied by Mrs Fraser

>> Picture of applicants property before purchasing. You can see in this picture that the parking direction to the garage is to the right. You could not go straight up (where the proposed garage is planned) because of the trees which were there (from when bungalows were built).

>



> Another view of direction of drive



In this picture, you can see at the back of the applicants side garden (to the right) You are able to see that the mound is half way up to the neighbours door behind. Where the trees etc are at back, this dips down.



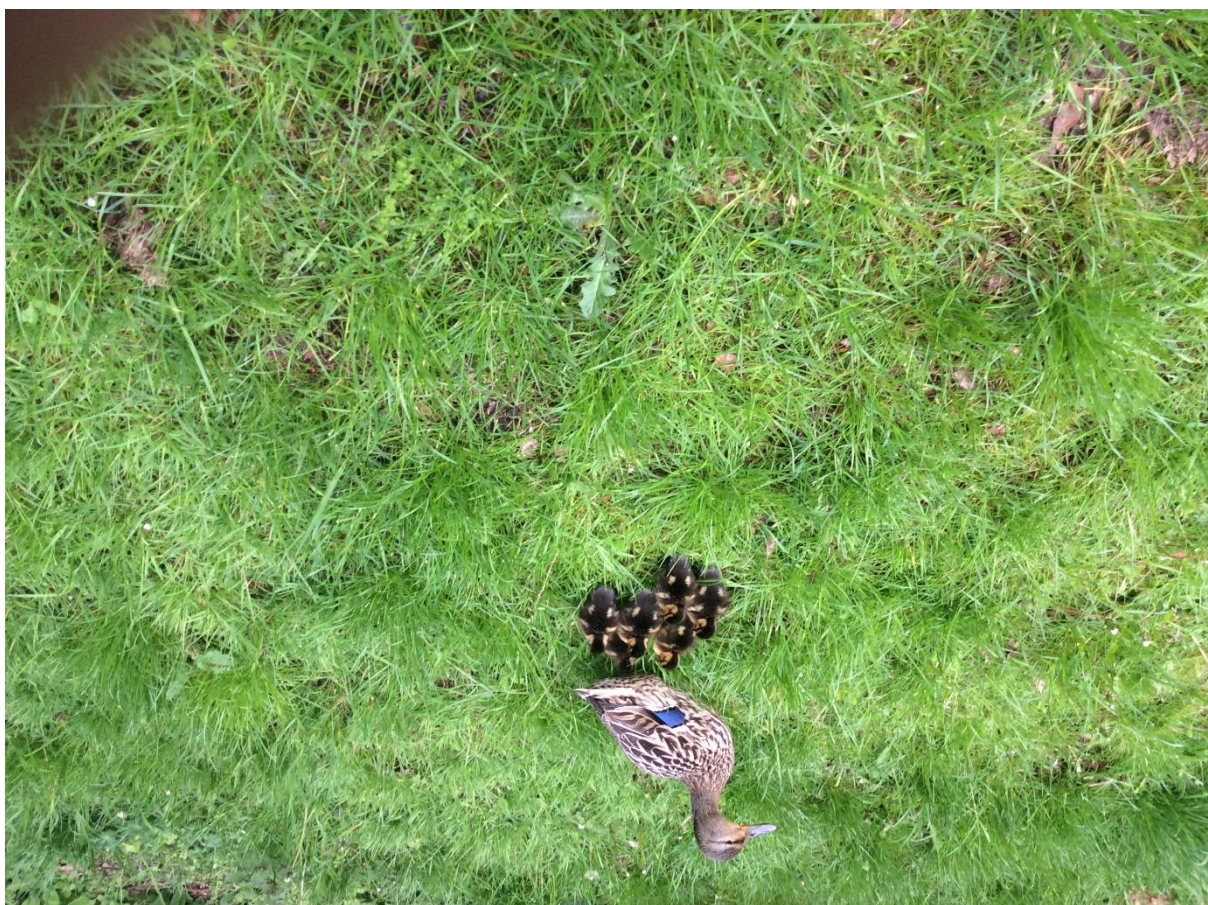
> Taken standing at the bottom of dip. You can see our garage roof only



This is taken standing at the top of the mound and facing the neighbours behind us. You can see the road is lower than our street



As you can see from our property, we don't have doors at the front of our property, the 2 main doors are at the side of our property, facing the proposed planned garage.



> Trees in our garden.







> Our trees near the boundary line, top of mound, and photo to show turnaround.



Amended

Dear Ms Till

> I am objecting to the above planning application for number 42 Kelstern Road, Lincoln, for the following reasons:-

> 1) I still feel that this development is still too big in size for this cul de sac, especially the garage, which as mentioned in my previous objections, is also too much in height (ours is only 7ft). Not only for this road, but in general the whole estate. Also, the majority of the

garages in this area are all flat roofed. This property can be seen from the footpath etc and I feel the size will look out of place.

> 2) Despite there now being a root protection area for the mature oak which is near the boundary, we still do not know what the damage may be during excavation, to the lateral roots, and how far these extend. These 3 oaks have been here since before the development was built in approximately 1987, and I know that you are unable to give me complete assurance that these will not destabilise and fall.

> We are still worried about it being a 'health and Safety ' issue and that these could still be damaged and fall onto one of the surrounding neighbours.

> Also, this may not happen for several years, by which time the applicants may decide to move.

> 3) I am also concerned that this proposed build may also encourage more party guests to stay over at late night get together/parties, as occurred recently (Friday 11th June).

Being in an elderly residential cul de sac/close (bungalows), parties going on until after 2.45am will not be good on the health of the elderly residents, or my children.

> This will be 'noise and disturbance' resulting from use.

> 4) I also feel that the new fence which has been added to the amended plans(between the proposed garage and the extension), will not be 'to provide security and privacy' to the garden, but to hide the fact of the possibility of this garage being used as a separate dwelling.

> 5) If this is not used for its intended purpose 'As a garage', this may then cause an increase to 'off street' parking and obstruction in the area, and impact the road access to all the residents in the vicinity. This will congest the highway and may become a safety issue, especially as occasionally children use this area to learn to ride their bikes. With it being a cul de sac, it is a turnaround point, and is used not only by cars to turn round, but also for the council trucks, post persons, and delivery drivers.

> 6) Impact to nature, and to all the wildlife in this area, hedgehogs, ducks, birds, deer etc.

* 7) Having looked today at the planned proposal from outside our property, this development will be facing our entrance doors and overlooking our garden, conservatory etc. This will be a 'loss of privacy' and we will not be able to enjoy our garden as much.

There will be more 'air pollution' to us as well, as cars will be driven up the driveway and this is again nearer to our property.

> Please would you raise the above points to the committee and also please confirm that you have received this objection.

> Thank you for your consideration to these matters.

R W Phillips

Dear Ms Till.

Your Reference: 2021/0208/HOU. 42 Kelstern Road.

I apologise for sending my objections in the form of an email but your letter was only received at the beginning of this week.

I note that the size of the proposed garage is nearly as big as the width of the proposed extension to the bungalow. This raises the question as to the real purpose of the garage. Will a change of use be requested in the foreseeable future? Will a change in rateable value be requested?

The position of the garage is also questionable. A vehicle exiting from this building is in serious danger of clipping the corner of the proposed extension to the bungalow and risking structural damage to the building. This raises a question of Health and Safety. What is being done to alleviate this potential problem? Please be advised that questions of Health and Safety must be considered at all times.

The height of the proposed buildings, and hedges, encroach upon existing neighbours property. ALL hedges must be reduced, and maintained, to a much more acceptable height, any higher and a question of "Ancient Lights" arises.

If construction is permitted the road and footpaths must be kept clear of vehicles, and any construction equipment, at all times. Many of the

neighbours are elderly or infirm and emergency vehicles require access.

Similarly, roads and footpaths must be clear of mud and rubble.

Noise must be reduced to a minimum; there are some residents trying to work. Please remember that this is a residential area, not a building site, consideration to surrounding occupants is paramount.

I await your comments.

Mrs V A Phillips

Dear Ms Till.

Reference 2021/0208/HOU, 42 Kelstern Road.

I write to object to the planned excavations and building work at the above property.

I am very unhappy about this planned work going ahead as shown on the current plan, particularly as the applicant has indicated that not all the work has been shown. In particular the question of the excavation of the mound and support of the remaining soil. It was stated to myself that this had not been added to the plan but was to be undertaken regardless.

What else is missing from this application?

I await your further advice.

Mr Kettlewell – No address given

I am a neighbour living in the cul de sac, and I would like to object to the above proposed development due to the following reasons:

- 1) The development is very large.
- 2) It is not in keeping with this area.
- 3) It is an elderly area and many are not well and the noise and disturbance will affect us all.

Kind regards

Mr Kettlewell.

Mr A Fraser Kelstern Road, Lincoln, LN6 3NJ

Dear Ms Till,

I have not had much time to do this objection, due to commitments already, and only recently receiving the letter. However, I would like to object to the proposed planning applications for the above property, for the following reasons:-

1) The overall size, scale and height of this proposal is not in keeping with this area, and Will look out of place.

2) I am concerned that this garage Will not be used for it's intended purpose and if it is not, there will be a lot more noise and disturbance. As I am a contracted home worker that works different shifts, this will impact me, especially as one of the applicants is also home a couple of days in the week. At the present time, if music etc is played, the property is further away from my work space, however, the proposed build is nearer to our property, therefore I will hear it more.

I may add that our main doors are only to the side of our property (none at the front), and faces onto this proposed build. Any noise that we also make, may cause a noise disturbance to the applicant, and we would not want a complaint to be made against us because of our normal routines. This also needs to be considered by the applicants as well as yourselves, if permission is granted, as being nearer to us, and on the corner plot, noise may travel more than it does now.

3) Although this is not as near to our boundary now because of the root protection area, it will still impact our view and will be a 'visual amenity' (but not loss of private view). It may also still cause overshadowing because of the proposed height.

4) I do still have concerns on the long term damage to the oaks, especially the one nearest to the boundary, and the health and Safety to those neighbours close by to them. The oak, if disturbed may not find the nutrients required to keep it safe, therefore, being a health and Safety issue.

5) We do require access from our drive at all times should we need to rush to the hospital in an emergency or should the ambulance need to attend our property (due to a family members disability) If cars are parked outside on the road, because of lack of space on the applicants drive, through the proposed build, this can cause an obstruction to the turnaround point on our close.

Thank you in advance for taking all of the above objections into consideration.

Please, also confirm that these objections have been received and noted.

Comments from Miss L Gray Applicant - received 20th June 2021

Myself & Lloyd who are applying for planning are now responding to objections in light of the committee meeting on 30th June.

Response to objections 15 June from R W Phillips

The garage is designed to park two vehicles, what relevance is the width compared to the extension?

As I understand it, the law states that any alterations or extensions will not affect the council tax valuation band until the property is sold, therefore we won't need to request a new rateable value.

Latest plans show that the garage has been moved due to previous objections. The area between the planned extension and the boundary is wide enough to fit two vehicles side by side. All drivers should drive with 'Due Care & Attention' if you have an accident by clipping the wall of your home at 2mph, then there's not much of a defence that you can give. But saying this is a health and safety issue is like saying all driving is a health and safety issue and what is being done to alleviate this potential problem?

The proposed building does not encroach on any neighbour's property. Legally you are allowed, and we have no objections, to you cutting any hedges that encroach on your property. Why is this issue being raised when the hedges concerned are on the opposite end of the site and nothing to do with the application?

If the plans are approved, I am sure the professional builders will be aware of the requirements regarding keeping pathways clear and clean. Doing this for a living I am sure they will give every consideration to local residents.

Myself & Lloyd are responding further objections to our proposed extension now it is going to committee.

The size of the extension is well within guidelines, the height is the same as the existing property and surrounding properties. Materials used will match existing building, so not sure why it is not in keeping with the area.

Response to point 2

Why would the garage not be used for it's intended purpose?? What evidence is there for this claim and why would there be lots more noise and disturbance?

The proposed extension is no closer than the existing building, on this side of the extension there will be an en-suite and utility room, I don't think there will be much music played in these areas.

We are easy going and want to get on with all our neighbours, if we were going to make a noise complaint we would have already done so for the constantly barking dog!

Response to point 3

We have listened to previous objections and have changed the plans to accommodate these. The height of the garage has been reduced and the proposed plans will not cause any more overshadowing than the mature trees around the property. Regarding 'Visual Amenity' there is a hedge along the boundary when we are in our garden, we can not see the neighbouring bungalow, so I am sure they will not be affected, unless the climb higher than the hedge top. Our neighbours on the other side are asking us to cut down our boundary bushes.

Response to point 4

We have had site visits from tree experts, and we have changed the plans to protect any trees. We will not build within the tree protection area.

Response to point 5

Everyone should have access to their drive. Why would having an extension to a property

lead to any more visitors to that property? The plans allow for more parking on the property compared to the current site layout. If parking was a safety issue then surely there would be parking restrictions in place for the area.

Myself & Lloyd are responding to all objections on our proposed extension ahead of the committee meeting on 30th June.

Response to objections on 18th June from Mr Kettlewell

Interested to know why there is no address available on this objection? I'm also unsure as to how we have had submitted planning permission since March 6th & Mr Kettlewell didn't object to the first plans but suddenly has objected to the 2nd plans the day of our decision.

1. The development is very large - What is very large? Proposed plans are within all guidelines.
2. It is not within keeping of the area - Materials used will match existing building and we have changed colour of windows to match original frames. Similar bungalows in the area already have double garages. Why is it not in keeping with the area?
3. It is an elderly area and many are not well and the noise and disturbance will affect us all - I would say the average age in the area is normal. Not sure why building an extension at the rear of our site would affect the health of anyone. And the claim of noise and disturbance is supposition

Miss C Greenwood 25 kelstern road Lincoln

I believe this will be a welcome development on our street and the land will be put to good use. This will enable the family to have more room to live and enjoy their home. I support their plans to extend their living space and believe it will not cause any disruption.

Miss E Nicholson 17 stenigot close Lincoln

Living directly behind 42 kelstern, I myself can't see anything wrong with what the owners Propose on bulilding. Its a shame that such negative and personal comments are being added when a young family are trying to make a better future for themselves. It's wonderful how the family are planning to update and improve on their family home and clearly work hard for what they are doing. Let's face it, the builders will be there minimum time and not all congregating. The family have my full support. I disagree with it being an elderly estate and that being a reason to object and course delay on the plans. It will uplift the neighbourhood unlike the petty and discriminating comments above.

Mr Craig Foster 14 kelstern road Lincoln

Being just up the road and of the younger generation who own property on the street. firstly I'd like to state that it's not an elderly neighbourhood and it's a mixed neighbourhood. The extension seems a great idea and can't see from any of the objections as to how any of it is relevant or a cause for concern for anybody nearby, particularly with it being up the road. I myself am in the construction trade and traffic, parking, noise will not be the be all and end all of this great project. I look forward to stepping out of my front door and see it complete. I'd like to wish the family my full support.

Representations received prior to the submission of the revised plans

R W Phillips

Thank you for your letter of 8th March 2021, under the above reference, regarding the proposed development at 42 Kelstern Road.

I wish to oppose the application on the following grounds:

- Highway Safety and Congestion: The applicants have a constant stream of visitors which park on the road and, at times, cause difficulty in accessing our own property. There is a vehicle turning area opposite and, if visitors park there, it makes difficulties for anyone wanting to turn round - the road has no through access.
- I have lived at my above address since December 1990 and all that time I had the pleasure of seeing the fir tree and oak tree alongside the existing garage. These two trees were felled shortly before the application for building consent was made.
- I can see no mention on the paperwork received, of a retaining wall being built to hold back the garden at No. 43. If, as I believe is planned, the "hill" in the garden of 42 will, if not held back, fall away in bad weather.
- The size, and positioning, of the garage is out of character with the local area.

Thank you for your time in considering this objection.

Mrs V A Phillips

Thank you for your letter of 8th March 2021, under the above reference, regarding the proposed development at 42 Kelstern Road.

I wish to oppose the application on the following grounds:

- Highway Safety and Congestion: The applicants have a constant stream of visitors which park on the road and, at times, cause difficulty in accessing our own property. There is a vehicle turning area opposite and, if visitors park there, it makes difficulties for anyone wanting to turn round - the road has no through access.
- I have lived at my above address since December 1985 and all that time I had the pleasure of seeing the fir tree and oak tree alongside the existing garage. These two trees were felled shortly before the application for building consent was made.
- I can see no mention on the paperwork received, of a retaining wall being built to hold back the garden at No. 43. If, as I believe is planned, the "hill" in the garden of 42 will, if not held back, fall away in bad weather.
- The size, and positioning, of the garage is out of character with the local area.

Thank you for your time in considering this objection.

Mr A Fraser Kelstern Road, Lincoln, LN6 3NJ

Dear Sir/Madam.

Please find below a list of my concerns and objections to the proposed planning request submitted on the above reference for 42 Kelstern Road, LN6 3NJ.

I have several concerns that i would like to raise and submit below:

Elevation and loss of privacy due proposed garage location:

- a) The proposed site is several feet higher than street level and the ground level that residential properties are built.
- b) The garage will be near to our rear boundary, private property and overlooking our rear gardens, windows and doors, causing loss of privacy to the rear garden and rear of the property, particularly as the base of the garage will be several feet higher than our residential property.
- c) The location and height of the proposed garage will be completely out of character to surrounding properties where no structures are built to the height of the elevated ground level that is proposed for the garage. This proposal will be unique and out of character to any existing development within this vicinity.
- d) This will also impact our views and open aspect to light and views due to the current height of the land the garage is proposed to be built upon. Particularly when taking into consideration the height of the structure from a height already several feet above the height of our property and private dwellings.

Elevation and loss of sunlight due to proposed garage location:

- a) The ground level of the proposed location of the garage is several feet higher than the ground level of street below. The elevated position will lessen sunlight available to the rear, private garden.
- b) Ground level of proposed garage at the top of a slope and several feet higher than street level.
- c) Loss of sunlight, again where no structures are built to the heightened level of the garden that rises to the top of a steep gradient. Particularly as the height will impact greatly due to the current level of the ground that the garage will be situated.
- d) This will also cause us a loss of open aspect to our views if the garage is built to the proposed height and current height elevation at the top of the garden.

Proposed garage would be near proximity to fully mature oak trees and their roots:

- a) I cannot see any proposal on the works required for the garage and if the ground is to be levelled (which would require a reduction of several feet to bring to ground level) or if it is to be built at the current ground height level. Therefore, i do not see what is proposed in relation to foundation and support work that may be required, materials to be used and any potential damage that may be caused to our property.
- b) There is also potential damage to the root structure of large, fully mature oak trees near to several private home dwellings. Potentially causing irreparable damage to tree root systems, stability and safety to surrounding properties. Which therefore could potentially be a cause of damage to surrounding properties.
- c) No proposals in place to advise if inspections have been carried out to ensure no damage to the above and/or if potential subsidence to our property will be caused requiring remedial work at our expense.

Noise Risk due to proposed location of the garage:

- a) The proposed site of the garage is considerably some distance back from the road and from the entrance to the property. It would be located at the rear of the property, elevated in height and near our boundary whilst overlooking our private gardens and rear property. This garage in the proposed height and location would mean that we are potentially susceptible to a volume of noise pollution during unsociable hours.

No information presented on how deep foundations are to be built under the proposed garage:

- a) The slope of the garden rises several feet in elevation from ground level and will the land that leads from the street to the proposed garage (at the rear of the property) be levelled and lowered to street level.

b) I would ask to seek clarity as this could cause potential issues to surrounding underground cabling, piping, subsidence to our land and potential safety to surrounding properties and mature Oak trees on our property. I am extremely concerned that damage may be caused under or over ground.

c) If the garage is to be built at its proposed height and location, has consideration taken place to again, any potential damage in laying foundations and if any ground inspection has taken place.

Execution of works if planning permitted:

a) I am a full-time home worker who works from home over a 24-hour period due to working international time zones. Noise of works would be a huge impact to my work and rest and i would be required to make alternative working and rest environments if work is to be carried out during long or unsociable hours. Are there any development conditions that could be imposed if development is allowed to go ahead as i may be forced to seek alternative means and location to carry out my employment. Particularly in relation to the location of my office and the proposed site of the garage.

In summary, i have grave concerns regarding the height and elevation of the proposed garage at the location submitted on the planning request and adverse effects that could be caused. I am also extremely concerned regarding foundation work and/or any remedial work that may be required to level the ground and to what extent and height the ground would be levelled.

I thank you in advance for your time and consideration in reading my concerns.

Mrs R Fraser Kelstern Road, Lincoln, LN6 3NJ

Dear Ms Till,

Re: 42 Kelstern Road, Lincoln LN6 3NJ (2021/ 0208/HOU)

Further to our telephone conversation today, Friday 15th May 2021, I would like to inform you that We are still deeply concerned about the safety issues that may occur, should the planned proposal for the above property be approved, and that we do strongly object, due to the safety for ourselves and the surrounding neighbours.

At the present time, we feel that this issue has not been considered and has been ignored.

Along with consideration of the trees (for which I requested a tree inspector to look at), if the applicants are wanting to excavate their garden area for the proposed extension/garage, we feel that a suitable retaining wall (properly designed) will need to be put in place, to mitigate the failure of that surface/exposed soil. The wall etc would be essential, otherwise the stability of the rest of the mound could be seriously compromised. If this is not done, then it could cause a mudslide/ subsidence in the area, and possibly cause the trees to fall onto someone, or onto the nearby buildings, which would cause serious harm.

You had said previously that the applicants were able to excavate without permission, however, as per my request to check the original building plans, it does state that the mounds in both ours and number 42 should remain and cannot be removed without permission. Have you informed the applicants of this?

If permission is considered, I urge you to instruct a structural engineer that specifically deals and has expertise, with both soil and retaining structures, to inspect the area and report back beforehand, to ensure safety all round.

This proposal should not be accepted until it is addressed, and safety is assured.

I await further information from yourselves as to how these issues will be addressed, and I look forward to seeing the new resubmitted plans and final approved drawings.

Re: 42 Kelstern Road, Lincoln, Ln6 3nj

I would like to express my concerns about the mature oak trees on our property and the impact the proposed work may have on them, should any roots be damaged, whilst excavating the slope and digging the foundations. I am not sure if the slopes which have been in since the properties were built, may have been put in for a reason, perhaps to keep the roots intact. Both our property and the neighbours garden have slopes, and if our neighbours garden is dug up, our garden may not be supported if it rains etc, and may possibly cause a mudslide/subsidence. I would not want this to happen as it could also weaken the trees, causing them to fall on to one or more of the existing surrounding properties.

Since receiving these plans, and having spoken to our neighbours, they propose that once the mature hedge is removed, they are hoping to put in a fence. However, I do not know if gravel boards will be sufficient or strong enough to prevent any problems that may occur.

I also voiced my concern to them about how close the proposed garage will be to our boundary line. However, they have said that the proposed garage is now going to be nearer to the proposed extension, where the existing single flat roof garage currently is, and will not be anywhere near where the submitted layout is, but approximately more like 10 feet away and may be several years before it is built.

However, if we are going on the current submitted plans, I would like to object to the following:-

- * Complete change of direction of driveway, therefore car parking arrangements will be in a totally different direction.

- *Height and scale of the garage(bigger than the proposed extension) and surrounding properties.

- * How near the proposed garage will be to our boundary.

- *Overshadowing of light to our garden area, conservatory and kitchen.

* Trees being within falling distance of the proposed garage/ extension.

* Overall total size of both extension and double garage together.

Thank you for your time and consideration to my objections.

Dear Ms Till

Further to our telephone conversation on Friday 23rd April 2021, Please find attached (more to follow) photos of our garden etc, as per your request.

I know during our telephone discussion, you said you could not write a letter from the council to say that you are aware of the existing trees in case they fall (applicant has put 'no' to questions on application about trees being nearby). Therefore, I wondered if permission is granted for any of the proposed work, can it be stipulated somewhere that the applicant is aware of the existing trees being in close proximity, should any fall through 'act of nature'. As mentioned, at present, if any of the trees fall onto the applicants garden, there is nothing there at all to cause any damage to. However, if a garage is built and there are cars parked nearby or a room within the garage etc, we don't want to be liable, (especially as previously nothing could be built there because of the trees). This is even more so important should any roots be damaged during excavations, or if there is less support as no mound is there to support our garden from a possible mudslide.

On one of the photos you will also see that our other neighbour also has a mound in his garden (mounds are on all 3 properties), so I do wonder if these mounds were put in at the time the bungalows were built, to help support the existing mature oak trees and area.

Although our garden is fairly big, we only have a couple of areas that are fairly flat and useable. One of which is in the area situated near to the boundary, where the proposed garage is planned.

One of the reasons we have never attempted to flatten our garden is because of the concerns we have had that it may be detrimental to the oak trees and surrounding area (near neighbours etc).

You will see in one of the photos, that our garage which has been there since the property was built (also has a flat roof), casts quite a shadow onto our garden, yet it is only approximately 7 foot high. The proposed garage is over double the size of our garage, so the overshadowing will be so much more, in an area that we use the majority of the time.

The main entrance door (none at the front) is to the side of our property, which is obviously in constant use, and is situated facing the proposed garage, as is the conservatory.

If the garden is excavated, and then not built on for a while, and the applicant had to park on the roadside, this could also cause traffic problems as we are at the end of a cul de sac which is often used as a turnaround point for the council trucks, ambulances, delivery drivers, post men etc.

Also, if the hedge is removed and again just left without anything put in place for some time

without support, we are worried about a possible mudslide. Can a timescale be put on within a certain time for this section to be completed?

If permission is granted for any of the proposed plans, and any under ground cables are damaged etc, would this need to be sorted out by the applicant, as I assume that any work to be done is to be carried out by a professional insured trades person?

I would like to add that we do understand that people do require extensions, and we have not objected in the past to any previous planning applications within our surroundings, but these have been to a reasonable scale and height and have also not been right next to our property, or likely to cause such an impact.

Thank you in advance for your consideration to this matter and also for your patience in answering my previous questions.

Dear Ms Till,

Re: 42 Kelstern Road, Lincoln LN6 3NJ (2021/ 0208/HOU)

Further to our telephone conversation today, Friday 15th May 2021, I would like to inform you that We are still deeply concerned about the safety issues that may occur, should the planned proposal for the above property be approved, and that we do strongly object, due to the safety for ourselves and the surrounding neighbours.

At the present time, we feel that this issue has not been considered and has been ignored.

Along with consideration of the trees (for which I requested a tree inspector to look at), if the applicants are wanting to excavate their garden area for the proposed extension/garage, we feel that a suitable retaining wall (properly designed) will need to be put in place, to mitigate the failure of that surface/exposed soil. The wall etc would be essential, otherwise the stability of the rest of the mound could be seriously compromised. If this is not done, then it could cause a mudslide/ subsidence in the area, and possibly cause the trees to fall onto someone, or onto the nearby buildings, which would cause serious harm.

You had said previously that the applicants were able to excavate without permission, however, as per my request to check the original building plans, it does state that the mounds in both ours and number 42 should remain and cannot be removed without permission. Have you informed the applicants of this?

If permission is considered, I urge you to instruct a structural engineer that specifically deals and has expertise, with both soil and retaining structures, to inspect the area and report back beforehand, to ensure safety all round.

This proposal should not be accepted until it is addressed, and safety is assured.

I await further information from yourselves as to how these issues will be addressed, and I look forward to seeing the new resubmitted plans and final approved drawings.

Dear Ms Till,

Please may we have the full copy of the tree report that was done for our property.

As per previous email from my husband, please can we request a meeting with the planning committee to discuss our concerns about the planning proposal for the above property. We are still worried about possible structure damage/ mudslide/ flooding etc which may happen in the future, should planning permission be granted. The neighbours garden would need to be excavated at least 4 foot to level it off, and that is before any foundations are dug. Perhaps a structural surveyor visit may be needed to inspect both gardens before permission is granted.

As previous requests, please check original planning permission for these developments to see if there are any stipulations regarding mounds already here.

I would like to re-emphasise the following points:-

- 1) Possible stress on infrastructure and damage to trees, that may cause them to fall, From any excavation, etc
- 2) Complete change of direction to parking/garage.
- 3) Loss of light to area/ conservatory etc.
- 4) Impact of visual amenities (but not loss of private view).
- 5) Total size of development (With garage).
- 6) Loss to wildlife (squirrels,hedgehogs,birds etc).

13 April 2021

Planning Department
City of Lincoln Council
City Hall
Beaumont Fee
LINCOLN
LN1 1DD

To Whom It May Concern

Ref:- 2021/0208/1404
42 Kelskern Road, LN6 3NJ

I recently wrote to the Planning Department anonymously on 26th March as I did not want any repercussions.

However, having checked the website my previous objection is not there.

I would like to oppose the planning

at 42 Kelstern Road, due to the size and height which will limit my light.

Previously I was able to look out and view trees, this also meant it was fairly private. These were removed and I feel certain were felled in order for the proposal to proceed.

Having looked at the proposed plans for the extension, I notice that the proposed extension has an additional third ensuite/bathroom which is situated very close to the garage on the plan. I therefore question if this new garage will actually be used for this purpose, and concerned it will be used as a dwelling instead?

I hope you will take all of

my views into consideration

Many thanks for reading this
letter.

Kind regards.

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



To: Lincoln City Council

Application Ref: 2021/0208/HOU

Proposal: **Erection of a single storey front and side extension and detached garage following removal of existing detached garage.**

Location: **42 Kelstern Road, Lincoln, Lincolnshire, LN6 3NJ**

With reference to the above application received 8 March 2021

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

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL

For this proposal the access arrangements remain unchanged and parking and turning is provided off road, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to surface water risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water risk for this planning application.

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:
Ian Field
for Warren Peppard
Head of Development

Date: 8 March 2021

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Application Number:	2020/0134/HOU
Site Address:	4 Limelands, Lincoln, Lincolnshire
Target Date:	29th May 2020
Agent Name:	None
Applicant Name:	Ms Rebecca Cameron
Proposal:	Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU) (Revised)

Background - Site Location and Description

The application property is a detached bungalow located to the east side of Limelands.

The application proposes the demolition of the existing detached garage and the erection of a single storey extension with integral double garage.

Site History

Reference:	Description	Status	Decision Date:
2019/0446/HOU	Erection of a single storey extension to south-east elevation, demolition of existing garage and erection of a two storey replacement triple garage including a first floor annex.	Refused	31st July 2019

Case Officer Site Visit

Undertaken on 22nd October 2020.

Policies Referred to

- National Planning Policy Framework
- Policy LP26 - Design and Amenity

Issues

To assess the proposal with regard to:

- Accordance with National and Local Planning Policy
- Impact on Residential Amenity
- Impact on Visual Amenity
- Highway Safety, Access and Parking
- Land Stability and Structural Investigations
- Archaeology
- Contamination
- Trees
- Other Matters

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Environmental Health	Comments Received
National Grid	No Response Received
National Grid Plant Protection	No Response Received
Arboricultural Officer	Comments Received

Public Consultation Responses

Name	Address
Mr Stuart Humphries	Flat 3 Eastwood House 2 Greetwell Road Lincoln Lincolnshire LN2 4AQ
Mr Kenneth Hume	Flat 1 Eastwood House 2 Greetwell Road Lincoln Lincolnshire LN2 4AQ
Lincoln Civic Trust	Lincoln Civic Trust 385 High Street LINCOLN LN5 7SF
Mr Andrew Edmondson	Eastwood Coach House Greetwell Road Lincoln Lincolnshire LN2 4AQ
Mr David Featherstone	Grange Farm Staunton In The Vale Nottingham NG13 9QB
David And Margaret Featherstone	Haneish House Greetwell Road Lincoln Lincolnshire LN2 4AQ
Mr Richard Coy	Flat 2 Eastwood House 2 Greetwell Road Lincoln Lincolnshire LN2 4AQ

Consideration

Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development.

For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay.

Paragraph 127 states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 131 states that great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The application is for the extension to a residential dwelling and therefore Policy LP26 - Design and Amenity of the Central Lincolnshire Local Plan is entirely relevant.

The following design principles within Policy LP26 would be pertinent with the development.

- a. Make effective and efficient use of land;
- b. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;
- c. Not result in the visual or physical coalescence with any neighbouring settlement;
- d. Not result in ribbon development, nor extend existing linear features of the settlement, and instead retain, where appropriate, a tight village nucleus;
- e. Incorporate and retain as far as possible existing natural and historic features such as hedgerows, trees, ponds, boundary walls, field patterns, buildings or structures;

- f. Incorporate appropriate landscape treatment to ensure that the development can be satisfactorily assimilated into the surrounding area;
- g. Provide well designed boundary treatments, and hard and soft landscaping that reflect the function and character of the development and its surroundings;
- h. Protect any important local views into, out of or through the site;
- i. Duly reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style;
- j. Use appropriate, high quality materials which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability;

Policy LP26 further states that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. Proposals should demonstrate, where applicable and to a degree proportionate to the proposal, how the following matters have been considered, in relation to both the construction and life of the development:

- k. Compatibility with neighbouring land uses;
- l. Overlooking;
- m. Overshadowing;
- n. Loss of light;

The application has attracted a number of written representations objecting the proposal. The officer's report will cover all of the material planning considerations raised throughout the application process. All representations are copied in full as part of the agenda.

Other matters and concerns have also been raised which are not within the remit of the planning process. Nonetheless, these points have been discussed to provide clarity for the members of the Planning Committee.

Impact on Residential Amenity

The application proposes a revised scheme that has been subject to revision following discussions with the applicant. The extension consists of an integral double garage and additional accommodation with a new flat roofed link and main entrance to the property.

The single storey extension would be positioned approximately 3m from the eastern boundary at its closest point, adjoining the gardens and properties at Eastwood House. These properties benefit from large gardens with an approximately 20m separation from the application boundary to the nearest building line at Eastwood House. A number of objections have been received in relation to the impact of the proposal upon these dwellings, including over development of the site, the overbearing nature of the extension, overlooking and loss of light.

The overall size of the extension is no doubt large in footprint and would result in a doubling of existing floor space. However, the footprint of the extension would not appear at odds when taking into account the size of the plot and the remaining gardens which surround the dwelling. The proposals are single storey in nature and would replicate the existing height

of the bungalow with identical ridge and eaves height to the existing. The proposal would also leave adequate garden space for the host dwelling, whilst taking advantage of an area of the garden that was not previously usable, given the existing embankment. With a combined 3m separation to the boundary line and a further approximately 20m to the nearest dwelling at Eastwood House, the single storey extension would have a total separation distance of 23m and would not therefore be considered to be overbearing upon the occupants of Eastwood House.

With regard to loss of light, the extension is positioned to the west of the three storey properties of Eastwood House and whilst there may be a small impact upon sunlight to the gardens of these properties towards the later afternoon and evening, it would not be considered to be harmful and would not warrant a refusal of planning permission. Whilst there is an acknowledgement that these existing two/three storey properties allow some views into the gardens of the host property, it is not considered that this would be exacerbated by the proposed extensions. Furthermore, with a total separation of approximately 23m, this would exceed that of the standard window to window guidance when considering the potential to overlook. As the host property is single storey it would also not allow for any opportunity to overlook the neighbouring dwellings at Eastbrook House.

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

Impact on Visual Amenity

The revised proposal principally takes influence from the existing property with the replication of the gabled design with a more modern flat roofed entrance and link from existing to new. The main bulk of the extension would be constructed from red facing brickwork to match the host property with a more modern cladding solution to face the flat roofed element, which would consist of accent softwood horizontal cladding in the same colourway as the cladding on the existing dwelling. The applicant proposes to use grey slate roof tiles to both the new and existing building with grey fascia, guttering and other rainwater goods. The new entrance link would consist of full height glazed windows and doors to the front elevation with domed atrium rooflights to match.

The package of materials is considered to compliment that of the existing dwelling, whilst allowing for some more modern elements brought into the proposal and existing bungalow that sympathetically complement the more traditional red brickwork.

A comment has been made on the inclusion of the blank elevation facing Limelands, however, this has purposely been left blank as it cuts into the existing embankment and would be mostly hidden from view and the street scene.

The property would not be considered to look out of place alongside the neighbouring dwellings using a selection of materials that would ultimately enhance the host property.

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

Highway Safety, Access and Parking

Following consultation with the County Council as Highway Authority no objection has been made in respect of the issues of parking, capacity or safety in the wider area. As the application property benefits from a large driveway and proposed double garage there would be ample space for parking.

Land Stability and Structural Investigations

A section of the proposed extension would be built into the existing slope and embankment towards Greetwell Road to the south and the existing substation to the southwest. Given the extent of the footprint of the proposal there have been a number of concerns raised with regard to the impact upon land stability and the need for an investigation into the existing slope and ground composition.

Following the initial submission and points raised from the occupants of neighbouring dwellings, a Structural Impact Assessment has been submitted at the request of the case officer. The report details the necessary works to ensure the retention of the embankment following excavation works to accommodate the single storey extension. The report concludes that the existing high ground to the south and west boundaries which support Greetwell Road and substation respectively would be retained through the construction of a vertical cantilever steel retaining structure. This retaining solution will be independent from the extension foundations avoiding the requirement for the extension to be founded on a pile and ground beam solution.

Officers are satisfied that the report by Marton Osbourne Design Services includes sufficient information and technical data to ensure that the proposed works would not result in any impact upon the existing embankment. The report shall be included within the approved plans to ensure that all works are carried out in accordance with the professional advice.

Archaeology

Records indicate the possibility of Roman or Saxon funerary remains present within the application site and with the absence of a desk based assessment the City Archaeologist has confirmed that the full set of archaeological conditions should be applied to mitigate any impact, should permission be granted.

Contamination

A response from Environmental Health has confirmed that the application site is located within 60 metres of a former landfill and consequently there is potential for significant contamination to be present. Whilst the case officer has debated the possibility for the installation of an all-purpose membrane, it has been established that this would not be sufficient and that a full set of contaminated land conditions should be added to any consent in the absence of any further investigations or information.

Trees

Written representations have highlighted the potential for impact upon the existing trees that line the boundary of the property towards Greetwell Road. The application is accompanied by a tree report which confirms that the revised footprint of the proposed extension avoids encroachment within root protection areas of trees contained within the property boundary.

A response from the City Councils Arboricultural Officer confirms that there would be no objections to the proposals, provided that the damage mitigation methods to protect trees are conditioned in accordance with the submitted report.

Other comments relate to a number of trees that have been removed in the past, however, as these trees are not protected, they would not require permission to fell and would not form part of the consideration of this application.

Other Matters

A number of residents have raised concern with the potential for the sub division of the proposed extension. This is not part of the proposal and planning permission would be required for any potential division of the property. Should members be minded to grant planning permission and for additional transparency, a condition could be added to confirm that the proposal would be occupied for purposes ancillary to the property.

Several representations have also indicated that the application property and surrounding land is subject to a conveyance that was created at the time of the original construction of the bungalows within the land surrounding Eastwood House. Whilst not strictly material to the application and planning process, these representations have been passed on to the applicant who has confirmed that they are aware of these potential restrictions outside of the control of the planning process.

Conclusion

The single storey extension and integral garage would not have an unduly harmful impact on the residential and visual amenity of neighbouring properties in accordance with policy LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Recommendation

That the application is granted conditionally.

Standard Conditions

- 01) Works commence within 3 years
- 02) Accordance with approved plans
- 03) Details of all external materials
- 04) Full set of archaeological conditions
- 05) Full set of contamination conditions
- 06) Tree protection measures

Potential Condition

- 07) The extension approved shall only be occupied for purposes ancillary to the residential use of the dwelling

Table A

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

Drawing No.	Version	Drawing Type	Date Received
21-198-SIA01 Structural Survey		Land stability survey	21st May 2021
180601-3 - 003		Other	17th November 2020
180601-3 - 005		Site plans	17th November 2020
180601-3 - 006		Floor Plans - Proposed	17th November 2020
180601-3 - 007		Floor Plans - Proposed	17th November 2020
180601-3.1 - 008.1		Elevations - Proposed	17th November 2020
180601-3.1 - 008.2		Elevations - Proposed	17th November 2020
180601-3.1 - 008.3		Elevations - Proposed	17th November 2020
180601-3 - 004		Cross Section	17th November 2020

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4 Limelands

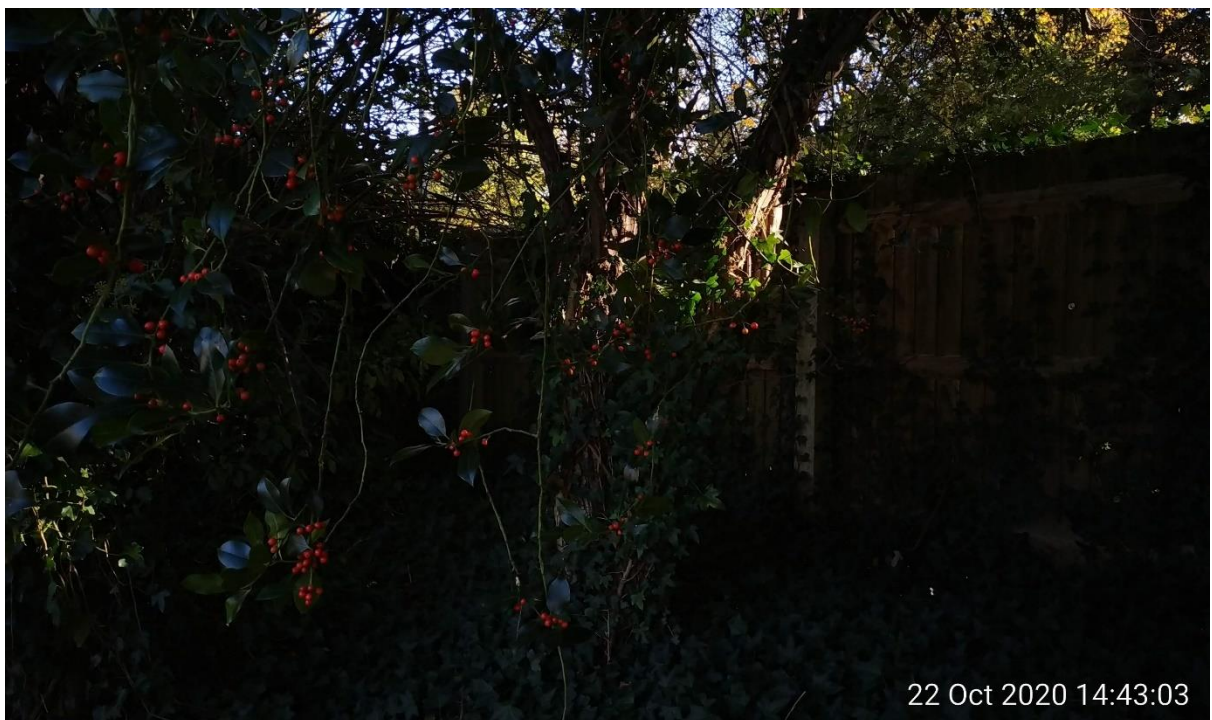
Site photographs





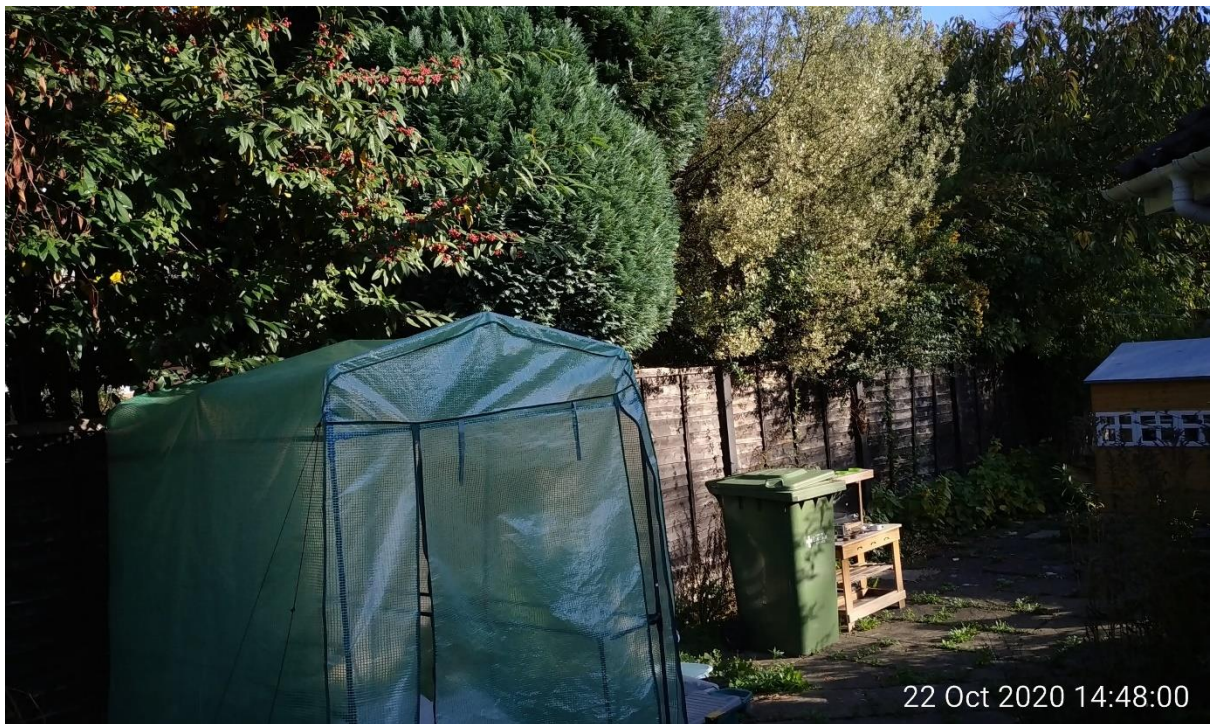


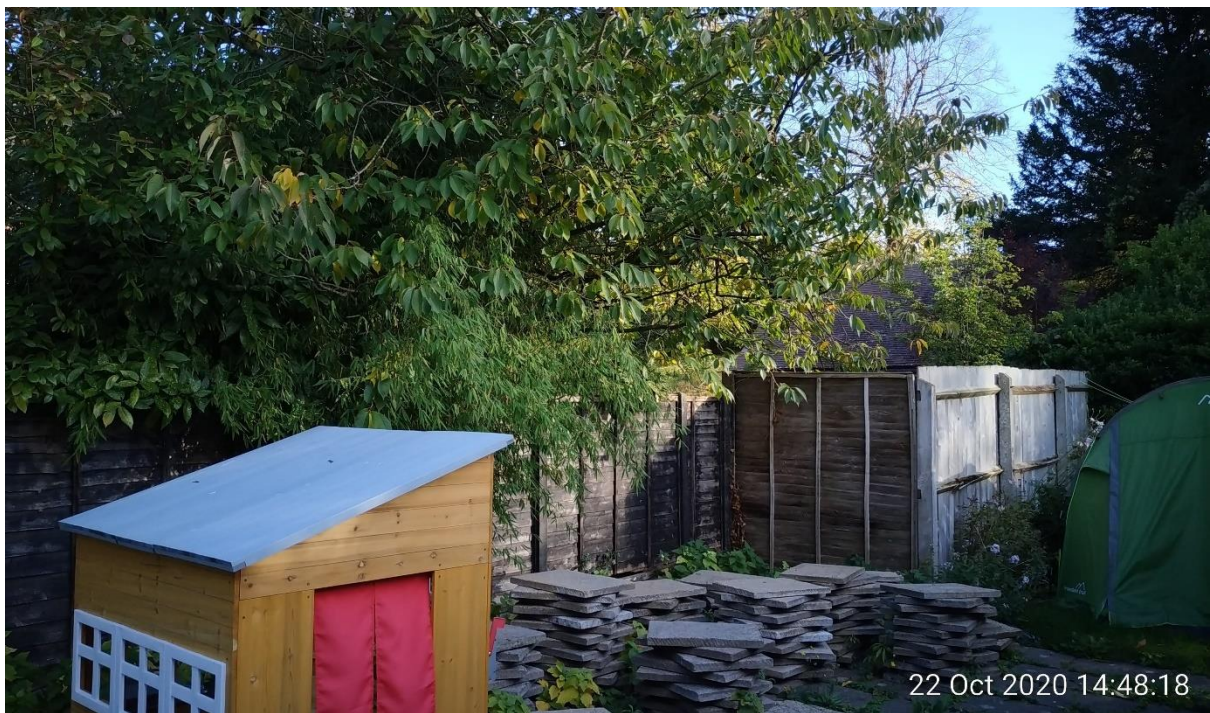
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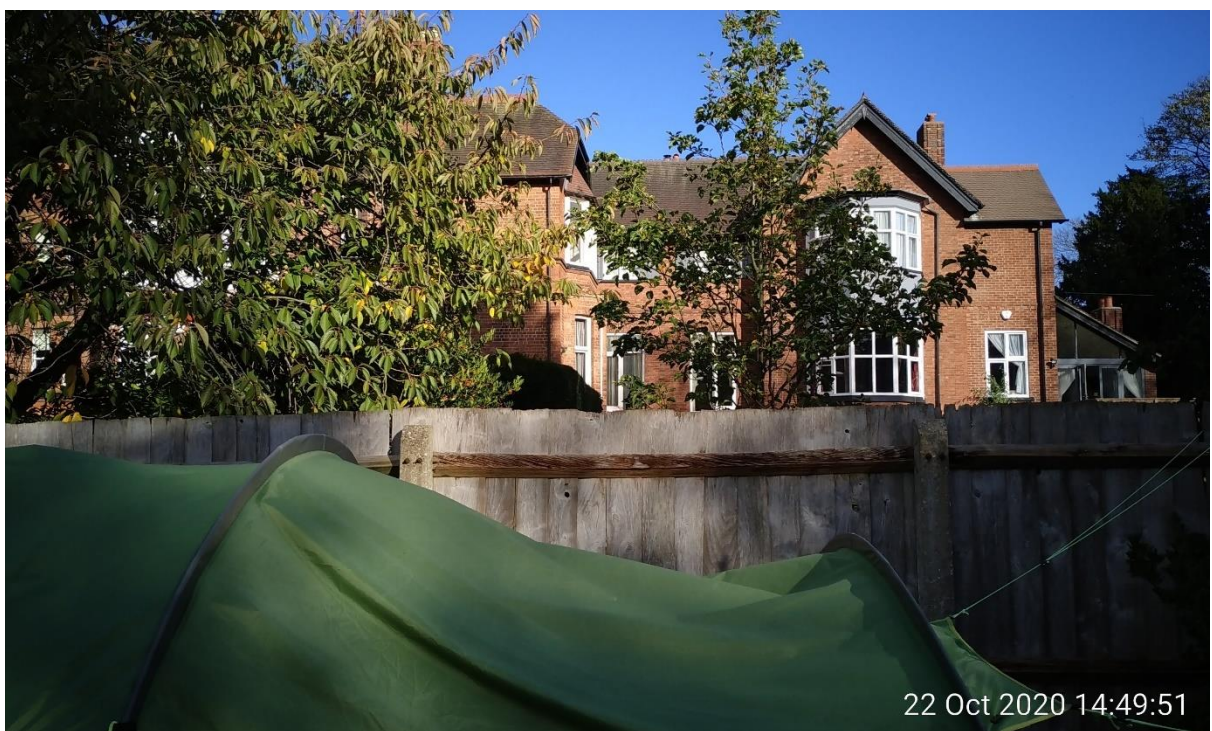
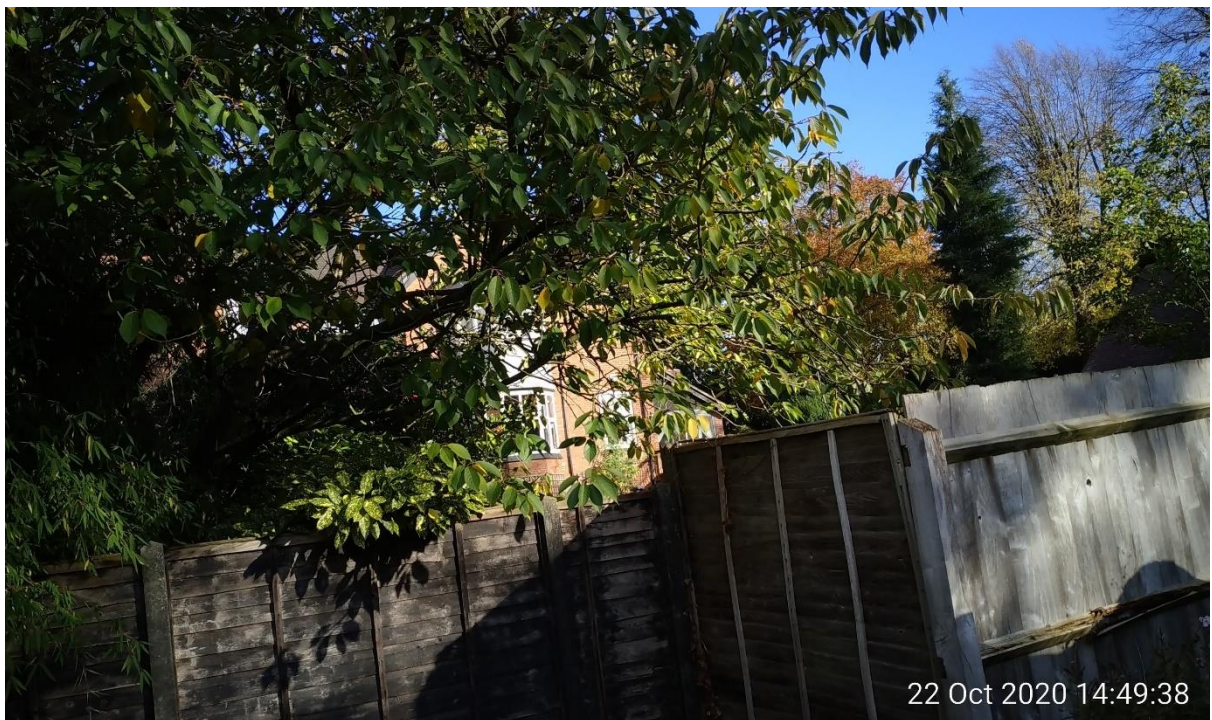


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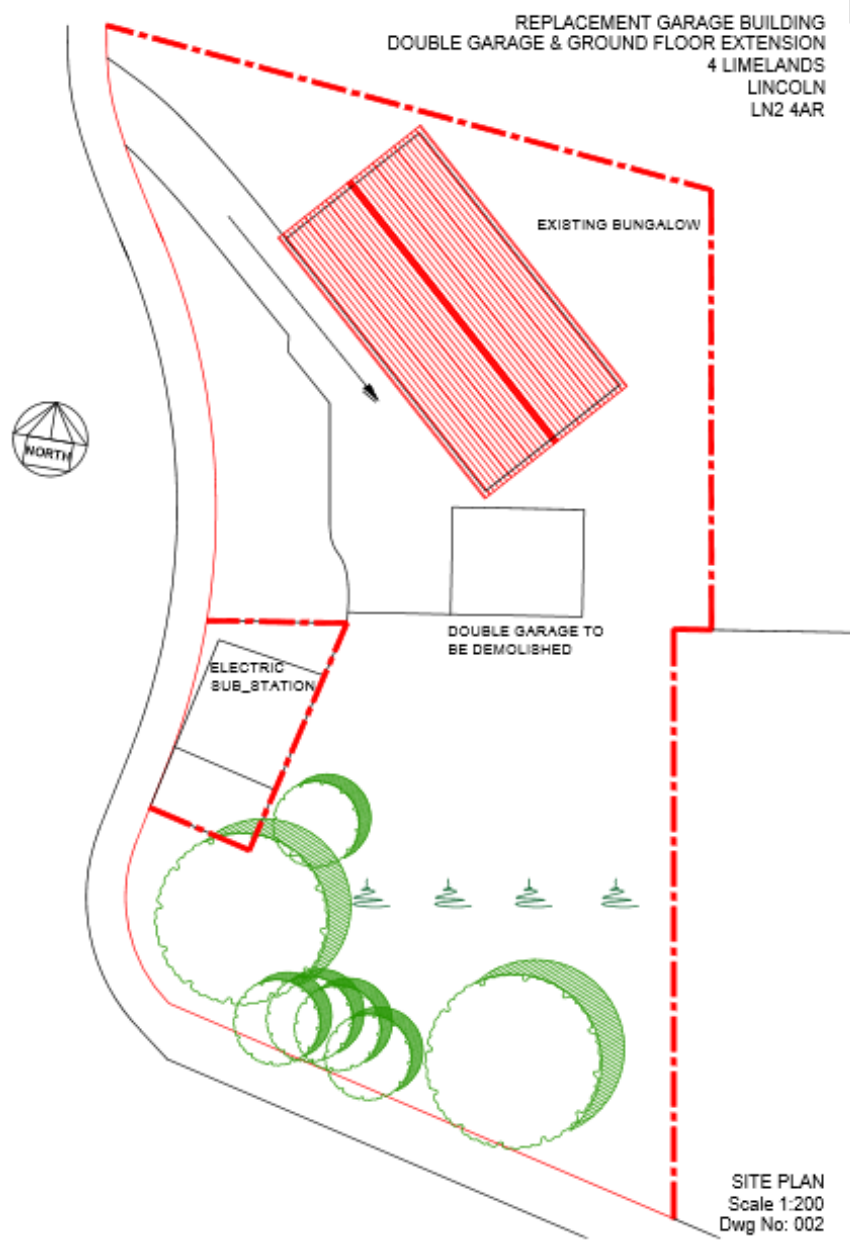




Site Plan

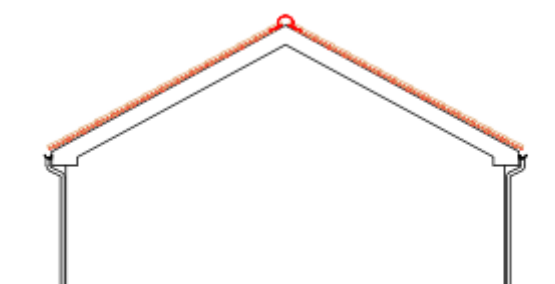


Existing plans

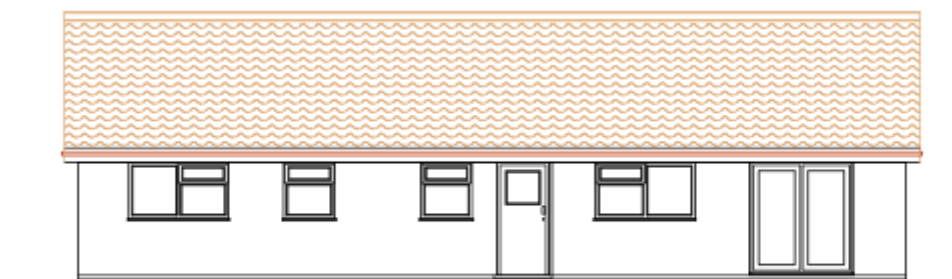




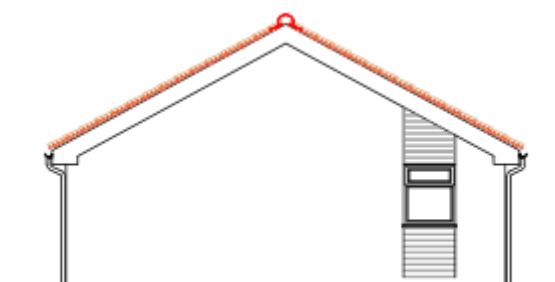
EXISTING SOUTH WEST ELEVATION



EXISTING SOUTH EAST ELEVATION

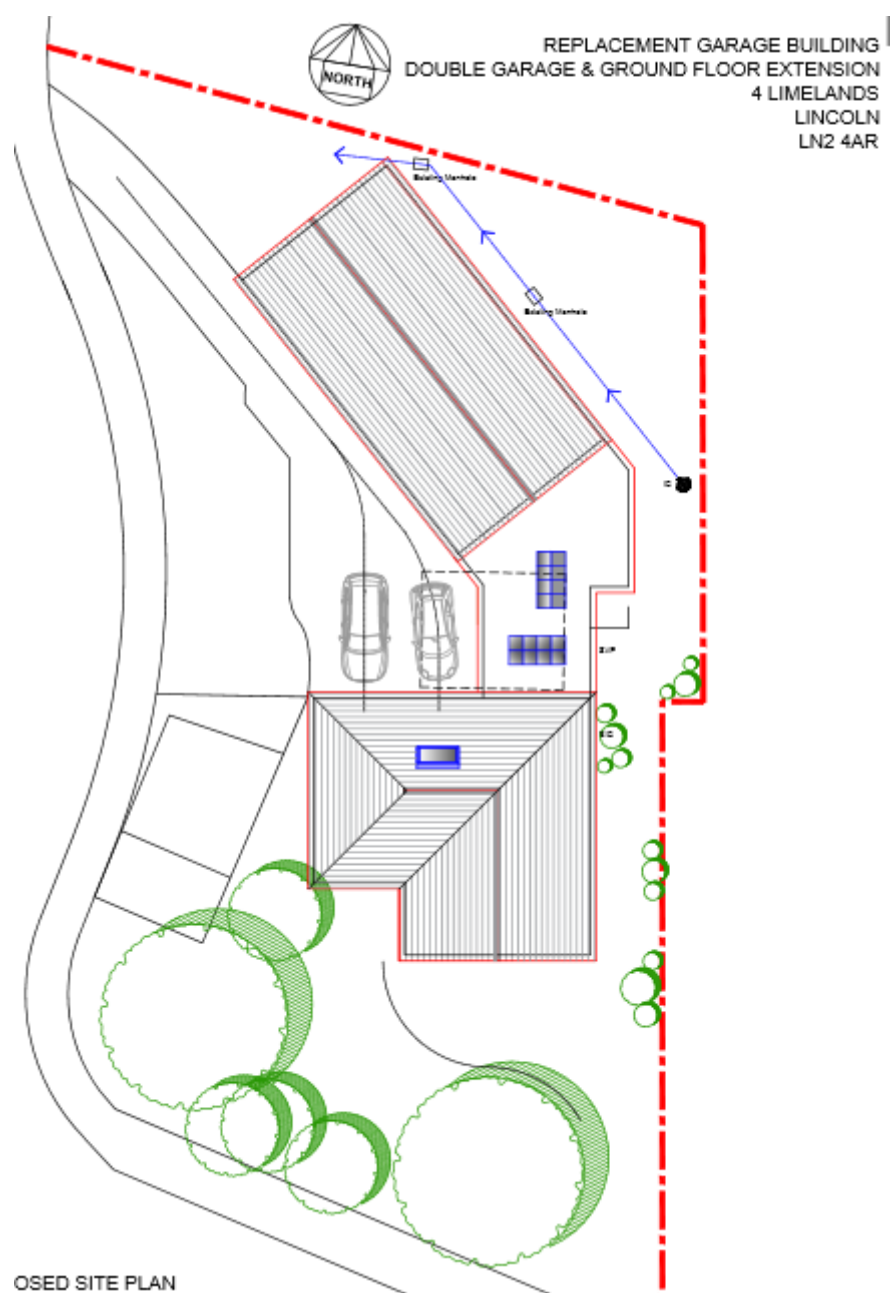


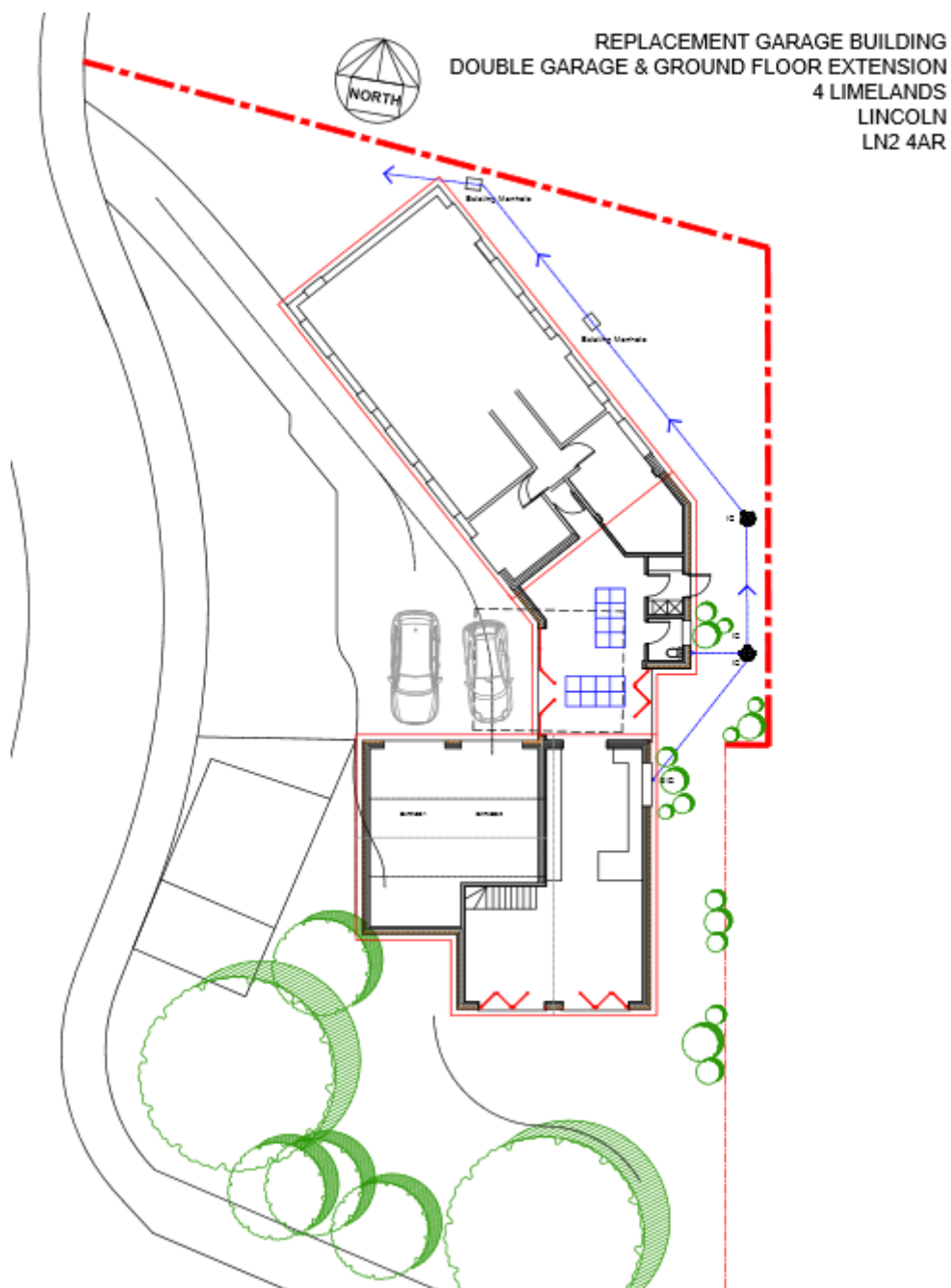
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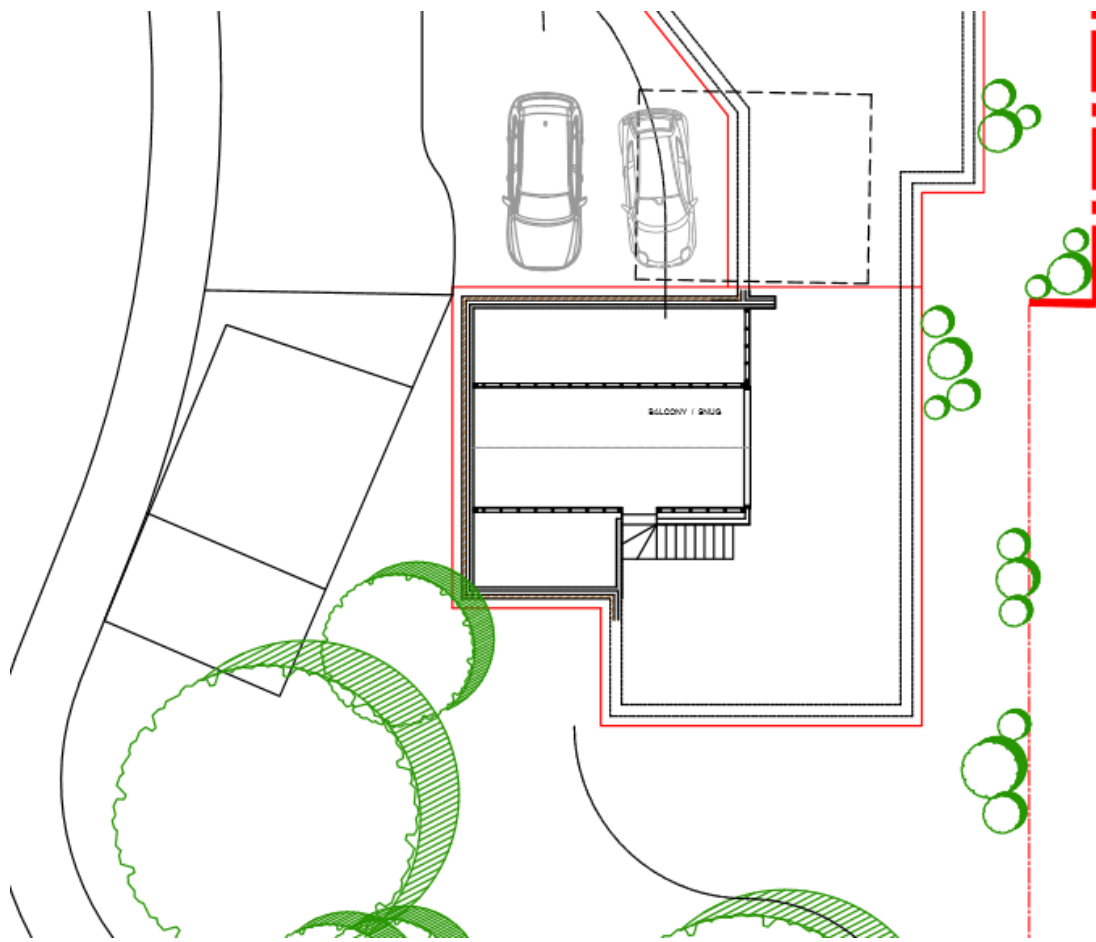


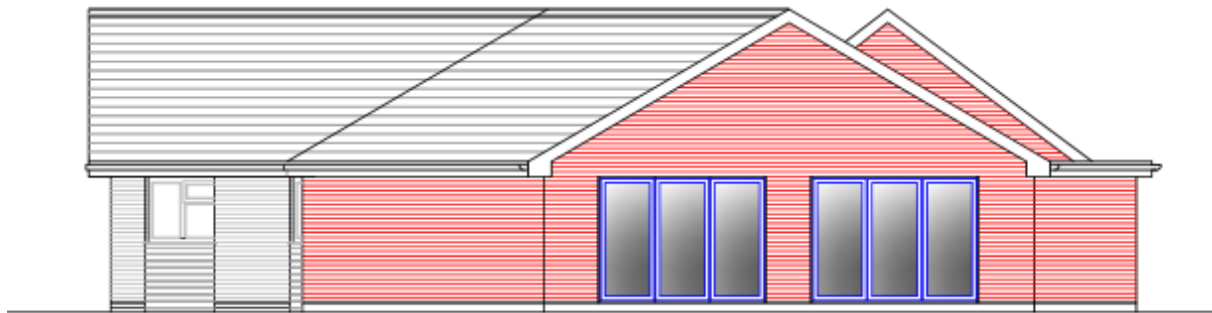
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Proposed plans

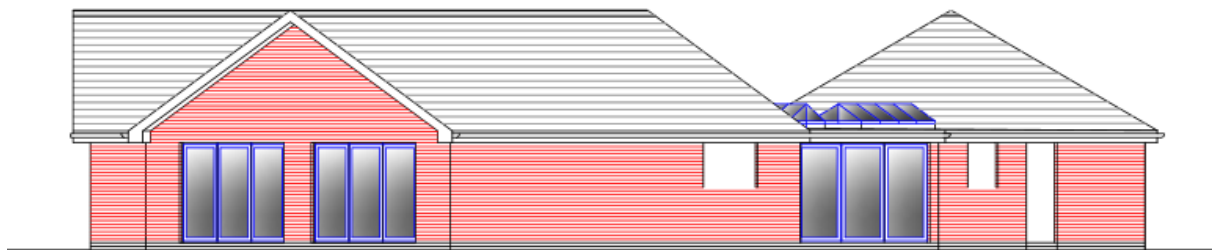




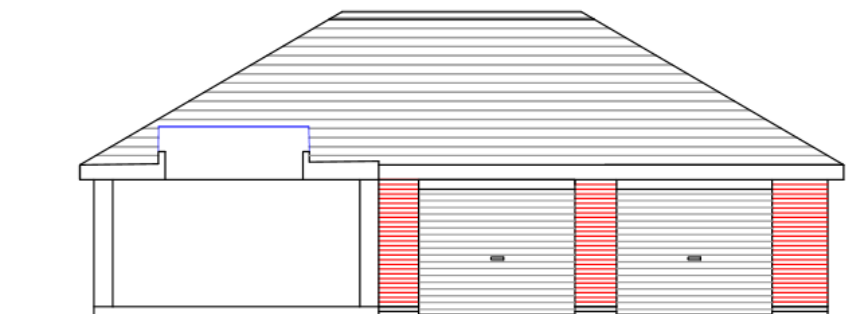




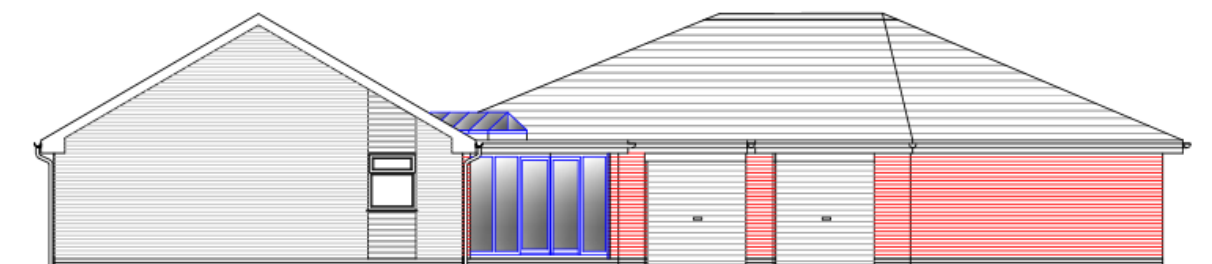
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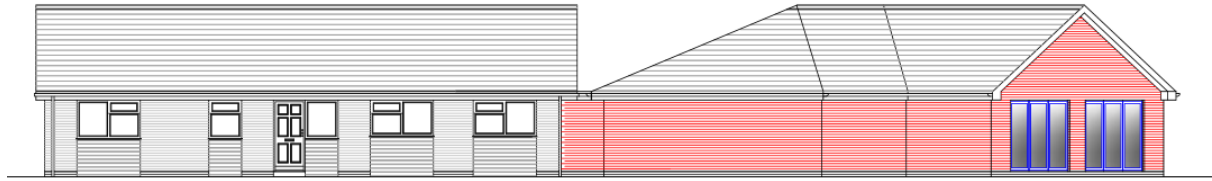
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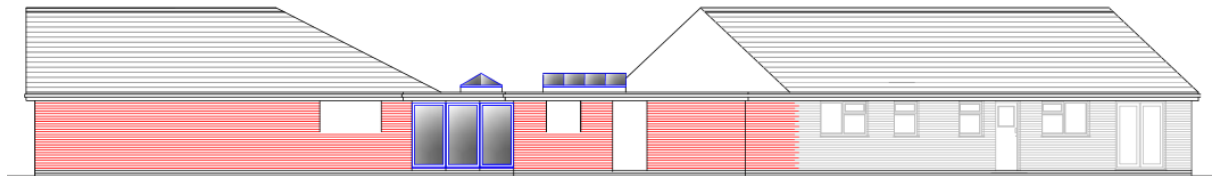
NORTH SECTIONAL ELEVATION



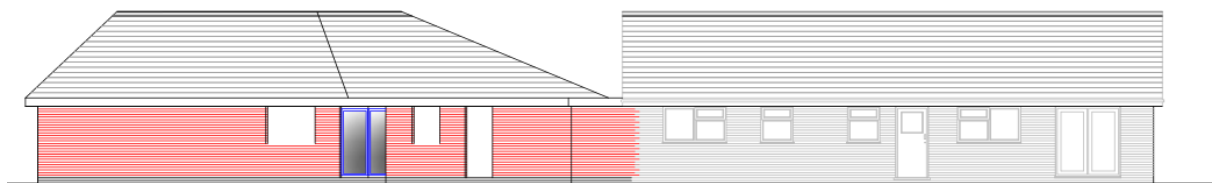
NORTH WEST ELEVATION



SOUTH WEST ELEVATION



EAST ELEVATION

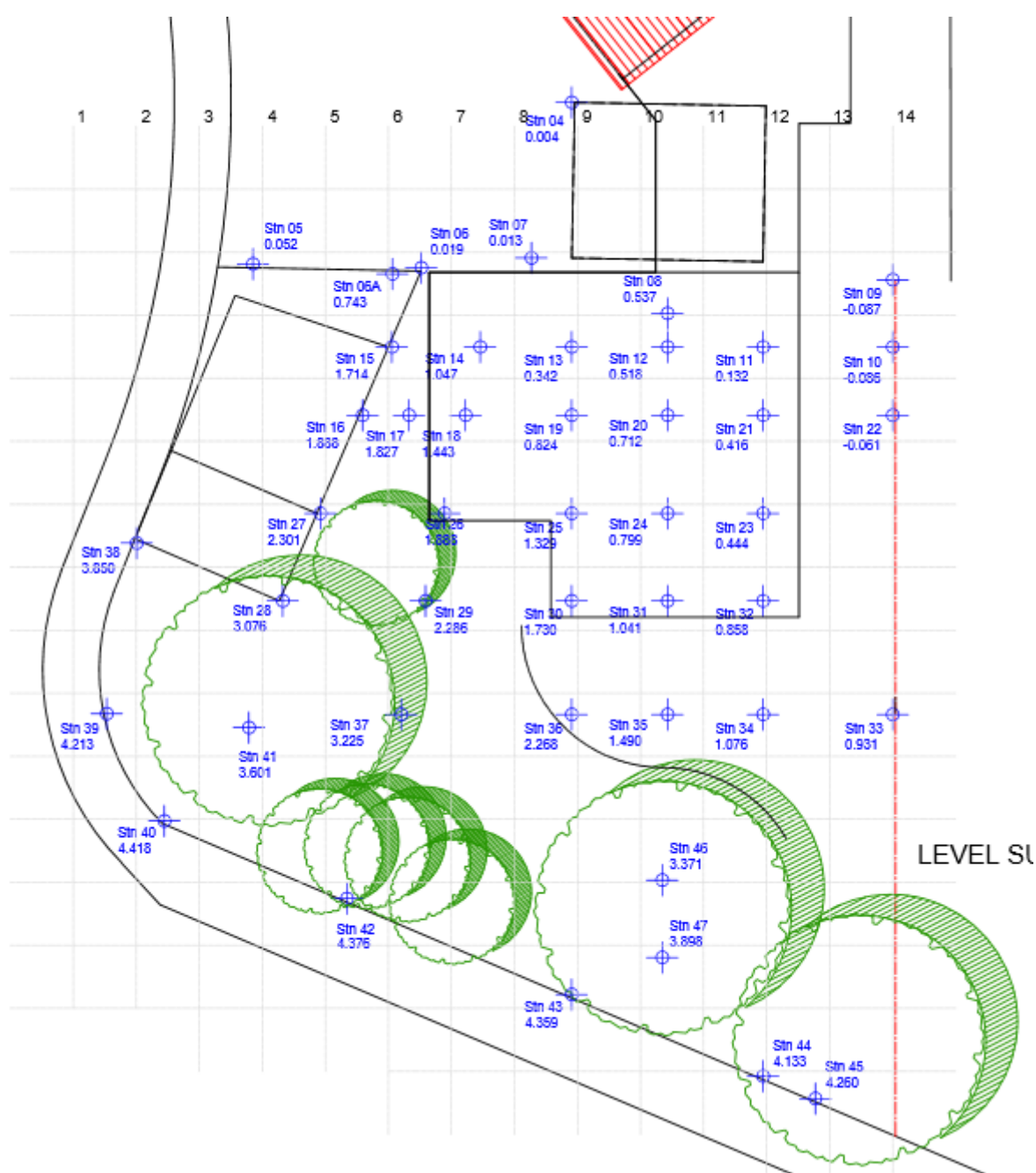


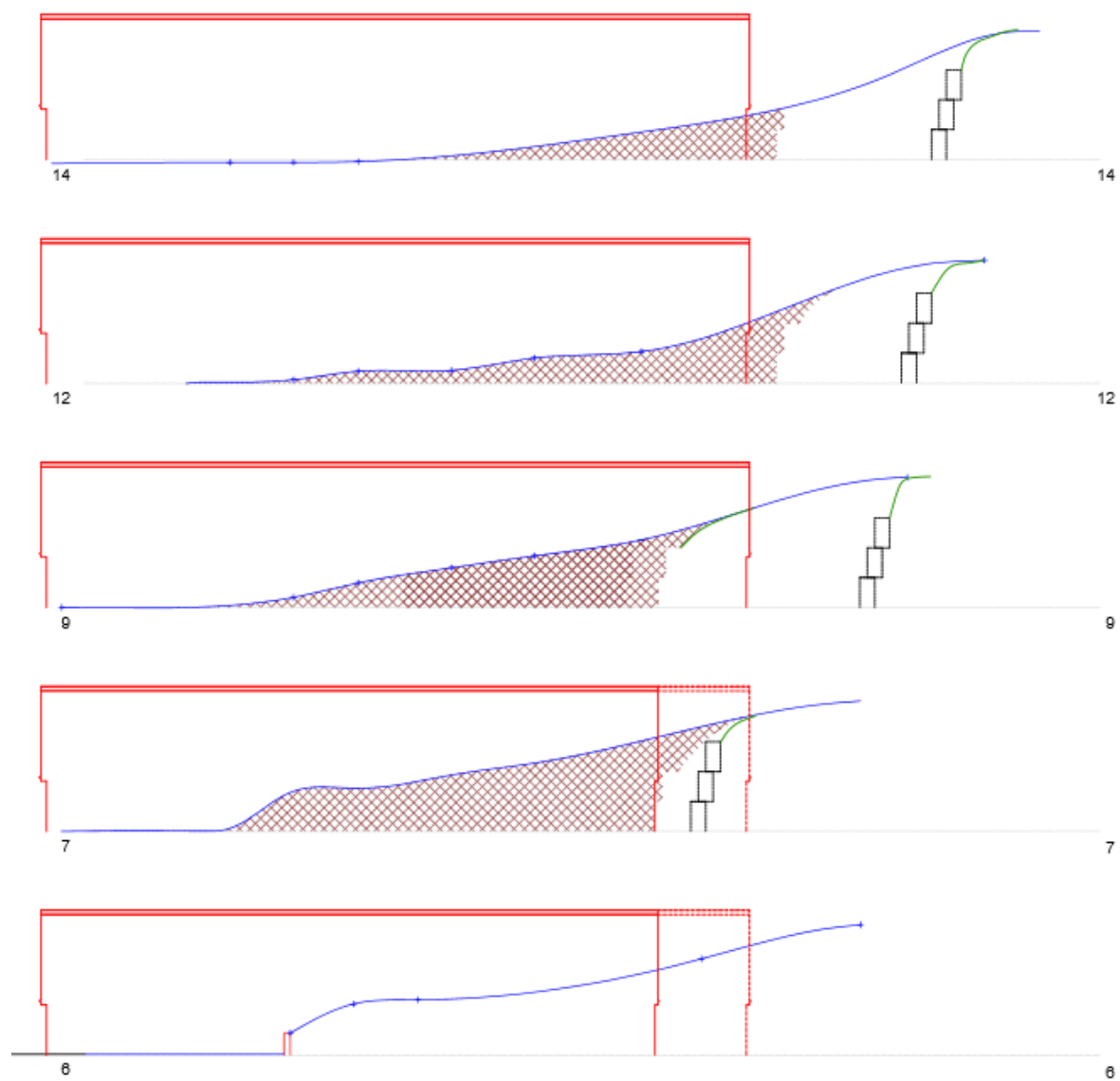
NORTH EAST ELEVATION



WEST ELEVATION

Levels survey and sections





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Consultee Comments

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



To: Lincoln City Council

Application Ref: 2020/0134/HOU

Description of development

Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU).

Address or location

4 Limelands, Lincoln, Lincolnshire, LN2 4AR

With reference to the above application received 6 March 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.

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:
Helen Patchett
for Warren Peppard
Head of Development

Date: 24 March 2020

Taylor, Louise (City of Lincoln Council)

From: Walker, Dave (City of Lincoln Council)
Sent: 16 March 2020 10:49
To: Technical Team (City of Lincoln Council)
Subject: 2020/0134/HOU - 4 Limelands

Categories: Louise Taylor

Dear Development team .

I have examined the submitted material for this application and have the following observations:

The tree survey undertaken to support this application was originally used to support 2019/0446/HOU; the encroachment figures identified in section 4 of the report are therefore no longer accurate.

Drawing number 5 (Submitted for this renewed application) shows that the footprint of the newly proposed extension avoids encroachment within root protection areas of trees contained within the applicants property boundary.

The following points which I submitted for application 2019/0446/HOU remain valid:

- Tree roots are susceptible to anaerobic conditions brought about by unregulated surface level changes and therefore arising's must not be stored or spread in the root protection area of any tree that is to be retained.
- The arboricultural assessment submitted by the applicant is detailed and contains suitable damage mitigation methods intended to protect trees that are identified for retention on site, recommendations for tree works are suitable and well considered.

Other than the above points I have no objection to the applicants proposals

If you require any further guidance or more information regarding my findings please don't hesitate to ask

Dave Walker
Arboricultural Officer
T 07970 225061



Written Representations

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU).

Case Officer: null

Customer Details

Name: Mr ANDREW EDMONDSON

Address: Eastwood Coach House Greetwell Road lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I note that this revised application involves single storey development and therefore I cannot now realistically object on visual impact grounds as I essentially will not see the development from my property.

However I do object, as I did on the previous application, to the legality of the development i.e. when the land on which the bungalow was built was sold in 1968 the Conveyance imposed restrictions on what development could take place next to the existing boundary. This is more fully explained in the comments you received from my neighbour, Richard Coy to the original application.

I understand you do not consider this to be a planning issue but it is important to make the point so that, in the event that you decided to grant permission, the applicant would be aware that he could/would face a legal challenge.

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU).

Case Officer: Tom Hobson

Customer Details

Name: Ms Cate WABY

Address: Lincoln Civic Trust 385 High Street LINCOLN

Comment Details

Commenter Type: Amenity Group

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:OBJECTION

This application is an overdevelopment of the site and encroaches too close to the boundary of Eastbrooke House. It is virtually doubling the size of the existing dwelling and "appears" to be a totally separate unit. Furthermore it will require substantial work to remove and safeguard the bank which holds Greetwell Road and the very important tree line of that road and there does not appear to be any engineering specifications for achieving this. The existing garage is a flat roof and this whole development is using a pitched roof which will substantially raise the profile of the building area.

We feel this application is an over-development of the site, designed without any consideration for the neighbouring properties and poorly presented and would request that it be refused

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU).

Case Officer: Tom Hobson

Customer Details

Name: Mr Richard Coy

Address: Flat 2, Eastwood House, 2 Greetwell Road Lincoln, Lincolnshire LN2 4AQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

Objection to Planning Application: 2020/0134/HOU resubmission of 2019/0446/HOU - 4 Limelands, Lincoln, LN2 4AR

Dear Mr Manning,

We write to oppose the proposed development at 4 Limelands, Lincoln.

We live at 2 Eastwood House. This is a private dwelling which is shown on the applicant's Location Plan as the property which borders the applicant's existing garden. 1 Eastwood House borders the applicant's existing bungalow. Both of the Eastwood House properties overlook the applicant's existing flat roofed garage.

Eastwood House was built over 100 years ago. Limelands was developed in the late 1960s/early 1970s and comprises of a mixture of houses and bungalows. The bungalows, which include 4 Limelands, were built nearest to Eastwood House, the houses further away behind large screening trees in order to prevent any possibility of the new structures being overbearing or intrusive to the existing Eastwood House. The houses, whilst being carefully placed further from the existing Eastwood House, were also built side on so as to prevent further intrusion.

Our opposition to the proposed development numbered 2020/0134/HOU using the current material

planning considerations are:

1) Loss of Light.

The proposed development, by virtue of its ten meter height, depth, associated bulk and design would appear overbearing and visually intrusive to the occupiers of this property. In particular when viewed from its front facing main windows and garden. Specifically, the lounge, dining room bay window and decking - all of which are on the ground floor and the master bedroom. Eastwood House is built on much higher ground than 4 Limelands which is built in a dip. There would be loss of privacy. The proposal would therefore be detrimental to the amenities currently enjoyed by this property. The proposal therefore fails to comply with the Policies of the Central Lincolnshire Local Plan 2017.

2) Loss of Privacy.

Due to the extremely close proximity of the proposed development to the Eastwood House/4 Limelands existing boundary fence, this proposal although reduced in height from that previously submitted would have an overbearing and visually intrusive impact and would considerably reduce the daylight and direct sunlight on a large area of the garden. This proposal increases the floor space of this bungalow by approximately one hundred and twenty percent. Its design is also at odds with the design of Limelands. As previously mentioned all dwellings on Limelands are sympathetically sited to avoid overlooking Eastwood House and its surrounds. This application is designed not only to be immediately adjacent to Eastwood House but also to directly face it. This proposal would therefore result in a significant detrimental impact on the amenities enjoyed by the occupiers of the adjacent property and would fail to comply with the Policies of the Central Lincolnshire Local Plan 2017.

3) Design and Amenity.

Apart from the addition of one bedroom to the existing bungalow, the rest of the proposal is clearly a separate and independent unit built within the garden, with totally independent access from the current garden but none from the proposed bedroom extension. As two separate properties, it would be discordant with the character of the area and potentially harmful to the residential amenities of the neighbouring properties. There is no apparent domestic rationale why this applicant, having only bought this property some twenty four months ago would need to more than double its size. Again, this fails to comply with the policies of the Central Lincolnshire Local Plan 2017.

4) Loss of Trees.

When 4 Limelands was marketed just prior to its sale to the applicant on 3 January 2018, the estate agents took a series of photographs. These pictures clearly show several mature trees growing directly where this proposed development is sited. (Appendix 1, pages 1 and 2. Source: Right Move contained in original objections to 2019/0446/HPU as are all other Appendix references). The height and scale of the trees is also shown in a photograph taken from 2 Eastwood House shortly before the applicant moved to 4 Limelands. (Appendix 1, page 3. Source: author of this letter). The tree survey dated 22nd March 2019, commissioned by the applicant and submitted to City of Lincoln Council, makes no reference to the existence of these trees. The applicant clearly had them felled and the site cleared before commissioning the tree survey in an attempt prevent the failure of this application due to the existence of the mature trees. The impact this clearance has had on our enjoyment of our property can be seen in a photograph shown at Appendix 1, page 4 (Source: author of this letter). Furthermore, the tree survey itself is flawed in that it makes no reference whatsoever to the damage that will be caused to the existing trees on our land immediately adjacent to the proposed development. Both the felling of mature trees and lack of focus on existing adjacent trees is clearly at odds with the Policies of the Central Lincolnshire Local Plan.

5) Landscaping

The submitted Level Survey, which is anonymously authored, shows the topography of the area where the proposed development will be sited. It is clear from the survey that in order to make the site flat, the steep upward incline leading from the existing bungalow will have to be removed. There are no accompanying surveyor's reports detailing how the land around the excavation will be supported, either during the excavation or on its completion. Obviously, our land shares the same features as that bank, but again, no mention is made as to the likely effect the build and excavation will have on our land, our existing garage or the stability of the steep hill on our side of the fence. We have already commented that the Tree Surveys only focus is on those trees growing on the applicants land ignoring those growing nearer to the proposed development on neighbouring land. The omission of any survey whatsoever which states unequivocally how the applicant plans to prevent subsidence and guarantees stability of both their and neighbouring properties is disquieting.

6) Non Material Considerations. Existence of Conveyance

The original development of Limelands has already been briefly mentioned in this letter. The land where the bungalows and houses now stand was sold by the then owner of Eastwood House, Reginald Yelloly, to a Mr and Mrs Barraclough.

On 8th March 1968, they signed and sealed a Conveyance. (Contained at Appendix 2, pages 1-13 (Documents served as objection to 2019/0446/HOU. Original held by Sills and Betteridge, Solicitors). This Conveyance covers the terms and conditions of the sale. Page 10, paragraph 11 of the Conveyance gives the details of what can and cannot be built within certain distances from

the boundary of both 2 and 1 Eastwood House. There are three separate stipulations.

- No structure whatsoever can be built within 10 feet of the boundary.
- No structure other than a flat roofed garage may be built within a further fifteen feet of the initial ten foot restriction.
- Only bungalows, single storey garages and outoffices can be built outside of the second boundary in a clearly marked area.

The map outlining the physical borders of these restrictions is at Appendix 2, page 5.

The Conveyance prevents the proposed extension to the bungalow due to its position in relation to Eastwood House.

Yours sincerely

Richard Coy Deborah Coy

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU).

Case Officer: Tom Hobson

Customer Details

Name: Mr Kenneth Hume

Address: Flat 1, Eastwood House 2, Greetwell Road Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Mr Manning

Planning Application 2020/0134/HOU. 4 Limelands, Lincoln, LN2 4AR

We are writing to object to the recent planning application for 4 Limelands.

We reside to the east of the property and our boundary is directly adjacent to the proposed development.

Yet again, the applicant seems to have submitted a wholly inappropriate scheme, lacking detail and important additional information.

1. The design more than doubles the footprint of the existing property and is totally out of keeping with the rest of Limelands.
2. The proposed new building runs right up to the boundary of our own and our neighbour's property (1 and 2 Eastwood House) and all the rear floor to ceiling windows look directly into our gardens. In addition to substantial privacy issues, it is inevitable that noise disturbance will also increase significantly. We note there are no windows however on the elevation facing into Limelands, giving a permanent and unpleasant view of a large expanse of brick wall to the residents of Limelands.
3. As mentioned above, the scale and design of the extension does not compliment any element of the existing scheme.
4. We made reference in our previous submission, to our serious concerns around the project cutting into the slope running down from Greetwell Road. A large amount of soil removal will be required which will affect the stability of the slope and footpath on Greetwell Road. Why is there no engineer's report or any indication as to how they will stabilise the ground?
5. The proximity of the proposed extension to the electrical sub-station on the south west aspect of the property is a real concern with a substantial amount of soil needing to be removed from around the substation. This also leaves very limited access to the rear of the proposed development.

6. We note that one of the reasons for refusal of last year's application was the lack of an Archaeological Assessment. Yet again no such information is provided.

7. The layout drawings, which lack detail, do not show any connection between the extension and the existing bungalow. An indication of intent to create a second property rather than an extension?

We cannot believe this is a serious application. It is totally out of scale, invasive, lacks detail and appropriate information is missing. We therefore strongly request you reject the application.

With kind regards.

Yours sincerely,

Kenneth & Ruth Hume
1 Eastwood House
2 Greetwell Road
Lincoln
LN2 4AQ

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU).

Case Officer: Tom Hobson

Customer Details

Name: Mr Stuart Humphries

Address: 3 Eastwood House 2 Greetwell Rd Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Mr Manning

RE: Planning Application 2020/0134/HOU. 4 Limelands, Lincoln

I am writing to strongly object to the proposed development for 4 Limelands.

I reside at 3 Eastwood House which overlooks the existing bungalow and the proposed development. My residence is situated along the Eastern perimeter of the 4 Limelands site.

I have a number of objections to the proposed scheme:

1) The floor plans for the proposed development suggest that there would be no internal access between the one bedroom unit and the rest of the extension. I cannot therefore understand how a simple residential extension could function in this way. I can only conclude that the intention is to create two separate properties. This would lead to overdevelopment of the Limelands site.

2) The proposed extension is significantly larger than the current property. It is therefore out of scale and proportion to the site itself and the rest of the Limelands development.

In addition, the other bungalows along the Eastern aspect of the Limelands turning all share a similar orientation. The proposed extension is at odds with this harmonious layout.

3) The proposed site plans would situate the extension in extreme close proximity to the boundaries of my residence. Combined with the multiple sets of floor to ceiling bifold doors I would anticipate that the level of noise and disturbance towards my residence would be significant. The orientation of the extension would simply exacerbate this issue.

4) I would like to draw your attention to Section 6 'Trees and Hedges' on the Application form for this proposed development which has been completed by the applicant.

In response to the question 'Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development?' the applicant has answered 'No'. I believe this to be factually incorrect and misleading.

There are multiple mature trees around the boundary of the proposed development which are within falling distance.

In response to the question 'Will any trees or hedges need to be removed or pruned in order to carry out your proposal' the applicant has answered 'No'. Again, I believe this to be factually incorrect and misleading. The development itself and its construction is highly likely to result in damage to existing trees. I note that the applicant has already removed a number of trees on the site for the proposed development.

In addition, the tree report makes no contingency for the possibility of the presence of nesting birds.

5) The designs for the proposed extension suggest that there would be a complete lack of windows or doors on the South

and South West aspects which would result in a solid brick wall facing into the Limelands development. This is aesthetically highly unpleasant.

6) I am deeply concerned by the amount of landscaping and soil removal that will be required for the development. This will be in very close proximity to the electric substation resulting in possible damage which would have consequences to many people. The risk of subsidence to the Greetwell Rd footpath has not been professionally assessed.

I therefore ask you to reject the application for this ill conceived development.

Yours sincerely

Stuart Humphries

3 Eastwood House
2 Greetwell Rd
Lincoln
LN2 4AQ

Taylor, Louise (City of Lincoln Council)

From: David Featherstone [REDACTED]
Sent: 24 March 2020 10:44
To: Technical Team (City of Lincoln Council)
Subject: 4 Limelands, Lincoln LN2 4AR

Ref. 2020/0134/HOU

Dear Sir,

We are the owners of Haneish House, 2 Greetwell Road, Lincoln LN2 4AQ which we purchased in 1992 on the understanding we would never be overlooked by properties in Limelands.

We feel the planning application for 4 Limelands is out of keeping with the original plans for Limelands which, I believe, were covered by a covenant when the land was developed from Eastwood House.

From the planning application, Eastwood House would be overlooked by large windows whilst not affecting Haneish House would give a precedent for other properties in Limelands in the future.

The proposed soil excavation would not only spoil the aesthetics of Limelands but also create structural problems for the electric substation and eventually the pavement and highway.

This application we believe to be most inappropriate for Limelands and should be rejected.

Yours Sincerely,

David and Margaret Featherstone

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU) (Revised)

Case Officer: Tom Hobson

Customer Details

Name: Mr andrew edmondson

Address: Eastwood Coach House Greetwell Road LINCOLN

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is now the third application regarding this development and I do not see any material change with this submission and therefore I continue to oppose the application.

The first application was rejected because of (1) the scale and type of development and (2) assessments regarding ground contamination and archaeology were not presented.

This second point is for you as Planners to address but as I cannot see any assessments as part of this submission, your stance on this is presumably unaltered.

Regarding the first point - Although the proposed "extension" has been reduced it still represents a doubling of the property. There is now an internal connection to the existing property but it still seems to me that the proposal is still an attempt to have a separate building on the site; what is to stop the area marked as garages to be changed in the future to living space and why does the development appear to show a kitchen area when one already exists in the property.

Granting of permission would set a precedent for the adjacent bungalow which borders our property.

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU) (Revised)

Case Officer: Tom Hobson

Customer Details

Name: Mr David Featherstone

Address: Grange Farm Staunton in the Vale Nottingham

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As the owners of Haneish House, 2 Greetwell Road, LN24AQ we would like to object to the revised plans for the following reasons:

Whilst the development at 4 Limelands is not overlooking our property it does, if passed, give a precedent for other developments on Limelands.

When our property was purchased in 1992, there was a clear understanding we would never be overlooked and this was underwritten by a conveyance from when Limelands was originally developed from land belonging to Eastwood House.

We feel the proposed design is not in keeping with the other properties on Limelands and is far too large for the land area of 4 Limelands. We therefore object strongly to the proposals.

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU) (Revised)

Case Officer: Tom Hobson

Customer Details

Name: Mr Richard Coy

Address: Flat 2, Eastwood House, 2 Greetwell Road Lincoln, Lincolnshire LN2 4AQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 2 Eastwood House

2 Greetwell Road

Lincoln

LN2 4AQ

30 November 2020

Objection to Planning Application: resubmission of 2019/0446/HOU - 4 Limelands, Lincoln, LN2 4AR

Dear Development Team,

We write to oppose the revised proposed development at 4 Limelands, Lincoln.

We live at 2 Eastwood House. This, for some reason, has been given the postal address of Flat 2.

This leads to confusion both to those in the local authority and utility companies. 2 Eastwood House is, in fact, a substantial period freehold house built on 2 floors with a cellar. Its garden borders Greetwell Road, the garden of 1 Eastwood House and, at its southern border, the applicants' property. The garden includes a garage - again situated near its southern border - the existence of which predates the Limelands development. The border shared with the applicant, is shown on the submitted plan as a light dotted line.

Next door to our house is 1 Eastwood House. This is a large, period freehold house built over 3 floors. Its southern border is shown on the applicant's plan as a heavy dotted line.

2 Eastwood House was built over 100 years ago. Limelands was developed in the late 1960s/early 1970s and comprises of a mixture of houses and bungalows. The Limelands development was built with its proximity to the Eastwood House properties in mind. The bungalows, which include

number 4, were built nearest to Eastwood House, the houses further away. Where the new buildings were going to be overlooked by Eastwood House they were angled sympathetically away from it and, where possible, built behind large screening trees in order to prevent any possibility of the new structures being overbearing or intrusive to the existing residents of 2, Eastwood House or vice versa. This decision by the developers was not made by accident. It was done to ensure that during the life of both the new development and that of 2 Eastwood House, the amenities which all current and future occupants would be reasonably expected to enjoy would continue and would not be harmed by any future development.

Our opposition to the proposed development numbered 2020/0134/HOU using the current material planning considerations are:

1. Protecting Views

Since its construction 2 Eastwood House has had a view of Lincoln Cathedral. The construction of the whole of the Limelands development did not impede this view in any way whatsoever. This proposed development, rather than either enhancing or improving this historic view, obstructs and detracts from it and fails to comply with the Central Lincolnshire Local Plan.

2. Loss of Light.

The garden of 2 Eastwood House has existed since the house was built. It faces south with no buildings to impede light. This proposed development by virtue of its height, depth, associated bulk and design coupled with its extremely close proximity to our garden boundary would form an impenetrable and permanent screen preventing any mid afternoon to evening light from falling on the southern part of our garden. It would not affect the applicants' garden in any way.

3. Impact on residential amenity.

It can be argued that this proposed development would not lead to a loss of privacy to the occupiers of properties on Limelands because of distance and existing physical boundaries. It is stated by an officer of the City of Lincoln planning department writing of a site visit following the applicant's first application that, " To the East of the application property is the large detached property known as Eastwood House which is sub divided into flats." This is clearly based on an assumption and is completely erroneous. Both Number 1 and 2 Eastwood House are, as previously stated, large period freehold houses. At this point, we must reiterate that we are opposing this application as the owners of 2 Eastwood House and thus any comments made, in the main, only deal with the impact on our house and amenities.

Possibly because of this error as to the nature of the properties which form Eastwood House and their individual boundaries, the planning officer appears to believe that they are dealing with multi leasehold premises and continues, "The closest part of Eastwood House to the proposed triple garage and annex would be an existing detached garage to the southern corner. Despite a difference in land levels, which sees Eastwood House positioned higher than the application property, this is an existing and established relationship that would not be significantly altered by the proposed development certainly not to the extent that would be considered detrimental to the

amenities which all and future occupants of the application property and neighbouring properties at Eastwood House may reasonably expect to enjoy".

This is a highly flawed statement. The well thought out harmony of the design of Limelands, ensuring that the amenities previously enjoyed by the owners of 2 Eastwood House would continue following the building of Limelands has already been explored. How could this application not be detrimental to the enjoyment of future amenities? At present, our southern boundary borders what it has bordered for 120 years - nothing. How can it be claimed that a development of this size would not be not be detrimental to us?

The proposed development falls in its entirety on our border. In fact, it is only one meter from it. We could touch the proposed ground floor extension from our garden. There would be no conversation conducted in our garden that could not be overheard within this proposed development and vice versa. Modern housing developments, although generally built without the generous garden we enjoy, are not constructed so that a house at the bottom of the garden can be within touching distance of its neighbouring fence. In fact, the norm is surely to try to ensure that houses are built to meet garden to garden and not garden to house. We are at a loss to understand how the planning department believe that this development, by virtue of its height, depth, associated bulk and design would not appear overbearing and visually intrusive to the occupiers of our property.

By the nature of its design, all of the main family rooms of our property face south. Only 2 bedrooms, a study and bathroom face away from Limelands. Clearly, this was a deliberate decision by the designer as it means that all of our main rooms - which have very large windows, both bay and otherwise - overlook the garden and views of the cathedral. So, specifically the lounge, dining room, master bedroom, kitchen and decking as well as the entire garden area will be affected detrimentally if this so called extension is built. There cannot be anything other than a loss of privacy. The proposal would be detrimental to the amenities currently enjoyed by this property and therefore fails to comply with the Policies of the Central Lincolnshire Local Plan 2017.

4. Design and Amenity.

This is the third set of un-authored plans submitted by the applicant to the City of Lincoln planning department. Although superficially different because of a gradual decrease in length, the rest of the proposal is essentially the same and still clearly indicates an ultimate desire to create a separate and independent unit built within the current garden. The current application has been tweaked to show access to the existing property, whereas the previous submissions showed none. This, in reality, is the only variance and is duplicitous.

Since buying the premises in 2018 the applicant has spent thousands of pounds renovating it. (Source Right Move, January 2018 and October 2020). She has opened up and installed a new kitchen, constructed a new shower room and renovated a further bathroom. If all the applicant

wants is more space for herself, as the newly submitted plans indicate, why in a property of this size, built on one level is there a need for another substantial kitchen, less than 8 meters from the newly upgraded one?

The applicant has an existing garage which is not used to park cars. They are either parked in the driveway or on the adjoining road. Furthermore, it is clear that the area marked as Garage One and Garage Two on the current application, could easily be converted into a living area. Above this space is an area marked Balcony/Snug. Again, this is discordant with a space below being used as an unheated garage.

If the applicant were to assert that this addition is to be used as an annex for a member of her family, it is an extraordinarily large and generous one - having intended floor space which exceeds that of her current property.

More importantly, if the applicant's desire is genuinely simply to increase the floor space of her existing property (and not to build a separate and independent dwelling which can later be sold as such) there is sufficient ground to build an extension of similar proportions to this application to the front of her existing property. An extension on this ground could easily (and would have to be) incorporated into her existing bungalow. It would be difficult to convert it into a separate and independent residential unit - unlike the current application which would simply involve removing a small flat roofed area to create two completely separate and independent dwellings. This is clearly why this option has not been proposed.

The proposed double garage and extension by virtue of its siting, height, scale and mass is not ancillary to the application property but rather intended as a separate and residential unit within the garden, conflicting with the area and harmful to the residential amenities of 2 Eastwood House - contrary to the Central Lincolnshire Local Plan 2017.

5. Loss of Trees.

In our objections to both of the previous applications, we have dealt with the applicants deceitful felling of trees before commissioning the current excellent tree survey of her property. There is still no survey commissioned by the applicant dealing with trees on our property adjoining the area where the proposed development is sited.

6. Landscaping

There are still no accompanying surveyor's reports detailing how the land around the excavation will be supported, either during the excavation or on its completion. The lack of a report stating unequivocally how the applicant plans to prevent subsidence and guaranteeing the stability of both their and the neighbouring grounds/property is disquieting.

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU) (Revised)

Case Officer: Tom Hobson

Customer Details

Name: Mr Kenneth Hume

Address: Flat 1 , Eastwood House 2 Greetwell Road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Mr Kenneth Hume 1 Eastwood House 2 Greetwell Road Lincoln Lincolnshire LN2 4AQ

Comment submitted date: Monday 30th November 2020

Objection to planning application Ref 2020/0134/HOU 4 Limelands Lincoln LN2 4AR

Dear Mr Manning

I am writing in respect of your letter dated 18th November and to object to the proposed development at the above property.

1 Eastwood House is to the east of 4 Limelands and our boundary is directly adjacent to the proposed development. Our objections to the above planning application are as follows:

1. Although the development appears smaller than in the previous application, it still doubles the size of the existing property and leaves a footprint which is wholly inappropriate to the dimensions of the plot.
2. The scale and design does not compliment the existing scheme and lacks consideration to neighbouring properties.
3. A flat roof garage will be demolished to be replaced by a pitched roof garage and extension linked to the existing property. This will obviously give increased height overall, especially with the increased footprint of the garage and extension. We also note the presence of stairs in the plans of the garage/extension leading to a snug/balcony. We would not expect this feature above a garage. Looking at the plans, we conclude this appears to be a thinly disguised attempt to create a second, separate and independent property here.
4. The proposed new build runs close to the boundary of our own property and that of 2 Eastwood House. There are rear floor to ceiling windows which look directly into our garden. In addition to loss of light and privacy issues, it is inevitable that noise disturbance will also increase significantly. In the plans, there are no windows facing towards Limelands. This is an unsightly design and will give a permanent view of a large expanse of brickwork to other residents.

5. We have serious concerns around the project cutting into the slope to the south and west of the property. Adjacent to the electrical substation and to the rear of the proposed development, we note heights of slope of 1.827m, 1.838, 1.833 and 1.730. Significant amounts of soil will be removed and yet no indication on how the remaining ground is to be supported and retained.

Where is the structural engineers report in relation to this?

6. A reason for the refusal of a previous application was the lack of an Archaeological report. Yet again no report is forthcoming.

7. We note the Environmental Health report dated 9/4/20 states there is former land fill within 60 meters of the proposed development and that no development should take place until an investigation and risk assessment has been completed to assess the nature and extent of any contamination on the site. No such risk assessment or investigation report has been provided. This application is totally out of scale and is invasive and unsympathetic to neighbouring properties. It lacks significant detail and appropriate information is missing. The proposed extension is out of character with the neighbouring properties and we strongly request you reject the application

Kind regards

Kenneth & Ruth Hume

Comments for Planning Application 2020/0134/HOU

Application Summary

Application Number: 2020/0134/HOU

Address: 4 Limelands Lincoln Lincolnshire LN2 4AR

Proposal: Demolition of existing garage and erection of a single storey extension (resubmission 2019/0446/HOU) (Revised)

Case Officer: Tom Hobson

Customer Details

Name: Mr Stuart Humphries

Address: 3 Eastwood House 2 Greetwell Rd Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to strongly object to the revised planning application for 4 Limelands Ref 2020/0134/HOU

The revised plans fail to address the objections from my previous comment dated 21 March 2020.

Namely:

- 1) The proposed design is out of scale and proportion to the existing dwelling and the neighboring properties of the Limelands site.
- 2) The plans suggest that there will be a small connecting unit between the existing property and the main extension. I believe that this unit could be very easily removed in the future thereby creating two separate properties. This will lead to overdevelopment of the Limelands site.
- 3) There is no archaeological assessment.
- 4) The proposed design situates the new extension in very close proximity to the existing electric substation. I am very concerned that there would be a high risk of damage to this substation during construction which would have a detrimental effect upon many people.
- 5) The revised design features floor to ceiling bifold doors facing my residence. Consequently I fear that there will be significant noise and disturbance as the proposed extension is in extreme close proximity to my property boundary.

6) Construction of the extension would require extensive landscaping and soil removal. The effects of this upon surrounding gardens, trees and the Greetwell Rd footpath has not been professionally assessed.

I therefore ask you to reject this revised application..

Yours sincerely
Stuart Humphries
3 Eastwood House
2 Greetwell Rd
Lincoln
LN2 4AQ

Application Number:	2021/0185/HOU
Site Address:	4 Curle Avenue, Lincoln, Lincolnshire
Target Date:	2nd July 2021
Agent Name:	Lincolnshire Architectural Design
Applicant Name:	Mr Matt Sorby
Proposal:	Erection of a part two storey/part single storey side/rear extension following demolition of existing garage. (Revised plans).

Background - Site Location and Description

The application is for the erection of a part two storey/part single storey side/rear extension following the demolition of an existing garage at 4 Curle Avenue. The application property is a two storey detached dwelling located on the east side of the road with a driveway and garden to the front and a garden to the rear. The existing garage to the side/rear has a mono-pitched roof, sloping up towards the side elevation of the dwelling. This would be removed to accommodate the proposal; a two storey structure to the front and a single storey structure to the rear, connecting to the existing kitchen extension and rear store.

The neighbouring properties beyond the side, north and south boundaries are 6 and 2 Curle Avenue respectively. To the rear, east of the site are the rear gardens of 7 and 9 Queensway.

The plans have been amended during the process of the application in response to the concerns of objectors, omitting the proposed first floor window from the rear elevation. Neighbours have been re-consulted on these plans.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 15th April 2021.

Policies Referred to

- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Visual Amenity
- Residential Amenity

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Dr Michael Jones	9 Queensway Lincoln Lincolnshire LN2 4AJ
Dr John Patterson	11 Queensway Lincoln Lincolnshire LN2 4AJ
Mrs Berryman	6 Curle Avenue Lincoln Lincolnshire LN2 4AN
Barbara Buckenham	7 Queensway Lincoln Lincolnshire LN2 4AJ
Mrs Diana Russell-Jones	9 Queensway Lincoln Lincolnshire LN2 4AJ
Margaret Patterson	11 Queensway Lincoln Lincolnshire LN2 4AJ

Consideration

Visual Amenity

The extension would sit in the same position as the existing garage, measuring 3.25m wide. The two storey element would extend 3.7m along the boundary, with the proposed single storey section extending 1.2m to the rear of this, connecting to the existing rear store. The two storey structure would have a pitched roof with the ridge sitting approximately 1.1m lower than that of the existing property. When considering both the footprint and height, the proposal is a relatively modest two storey addition and would be set back over 9m from the front elevation of the existing dwelling. Officers accordingly

have no objection to the scale or position of the extension and consider that it would be a subservient addition to the host property. It would therefore not appear as a prominent addition either to the dwelling or when viewed within the streetscene.

In terms of the design the pitched, tiled roof would reflect the existing, including rooflights to the front and rear. Details such as the brick soldier course above the garage door and the horizontal brick band between the ground and first floor would also match the existing. The elevations of the existing property are constructed with red brick to the ground floor and cream render to the first floor and also to the full height bay window. The proposal to construct the extension with brickwork to match the existing dwelling is considered to be acceptable. The front elevation of the extension would include garage doors to the ground floor with double doors and a frameless glass Juliette balcony to the first floor above. Given the set back position of the extension officers have no objection to this arrangement. The proposal would therefore reflect the existing property and the more modern elements, such as the first floor doors, would complement this.

Officers are therefore satisfied that the scale, position, height and design of the extension is acceptable. The proposal would complement the original architectural style of the property and would not cause harm to local character, in accordance with Central Lincolnshire Local Plan (CLLP) Policy LP26.

Residential Amenity

The extension would be located on the side, north boundary with the neighbouring 6 Curle Avenue, in the same position as the existing garage. The two storey element of the proposal would extend 3.7m along the boundary with the single storey section extending 1.2m to the rear of this. The boundary is currently defined by the existing garage and store, with fencing to the front and rear of these structures.

An objection to the original proposals was submitted on behalf of the occupant of this neighbouring property, which includes a photo mock-up of the proposal and also a plan to illustrate the trajectory of the sun. The objection cites concerns relating to the size and mass of the proposal, which is considered to be overbearing and dominant. Loss of light and overshadowing to the living areas and gardens is also a concern, as is overlooking and loss of privacy.

Despite the position of the extension on the boundary officers consider this to be a relatively modest addition, the proposed depth of the two storey element is 3.7m and the eaves and ridge line would sit lower than the existing property. The extension would be located 3m from the side elevation of the neighbouring dwelling and would only project approximately 2m beyond the neighbour's rear elevation. Given this relationship officers do not consider that the proposal would appear unduly overbearing to the adjacent garden. There are windows within the side elevation of no. 6 as well as a dormer in the side facing roof slope, but again, it is not considered that the extension would have an unduly harmful impact on these.

With regard to loss of light the application site is located to the south of 6 Curle Avenue. However, it is not considered that the proposal would unduly exacerbate the current level of loss of light experienced. This would certainly not be to a sufficiently harmful that would warrant to the refusal of the application.

In terms of overlooking the application proposes full height doors at first floor within the

front elevation, and also originally proposed a first floor bedroom window to the rear. Officers do not consider that the doors within the front would result in an unacceptable degree of overlooking given their position, which would face towards the road across the roof of the neighbour's garage. The oblique angle would limit overlooking towards the neighbour's windows within the side elevation. However, officers did share the concerns of the neighbouring occupant of no. 6 regarding the rear window. Following discussions with the agent this has been omitted from the proposal. A consultation response to the revised plans on behalf of the neighbouring occupant maintains the objection, however, the revision would ensure that the neighbour's rear garden is not overlooked by the proposal. Accordingly, officers have no concern regarding loss of privacy.

The objections and supporting document provided on behalf of the neighbouring occupant at 6 Curle Avenue have therefore been carefully considered as part of the assessment process. While the extension does have a close relationship it's modest size and revised design to remove the rear window would ensure that the neighbouring occupant would not be unduly impacted through overlooking, loss of light or the creation of an overbearing structure. A condition of any grant of permission will removed permitted development rights for any alterations to the extension, including the addition of any new windows.

There would no impact on the occupants of 2 Curle Avenue to the south as the proposal would be obscured by the existing two storey and single storey rear off-shoots of the host property.

The two storey extension would be located over 13m from the rear boundary. The single storey extension would be located approximately 12m away but would be obscured by the existing store. The rear boundary is defined by a conifer hedge in excess of 2m in height with the rear gardens and elevations of 7 and 9 Queensway beyond. The occupants of these properties and also 11 Queensway have objected to the application on the grounds of the scale and height appearing overbearing and causing loss of light. Overlooking and loss of privacy are also cited as concerns. The objectors from these properties also responded following the re-consultation on the revised plans, maintaining their objections.

The proposed two storey element of the extension would sit in line with the rear elevation of the existing two storey rear-off shoot- therefore not bringing the two storey development any closer to these properties than the existing dwelling. Given this, that the extension only measures 3.25m wide and would be located over 13m from the rear boundary officers do not consider that it would appear unduly overbearing or result in an unacceptable degree of loss of light. Overlooking and loss of privacy would not be an issue as there are now no first floor windows in the rear elevation.

Officers have therefore considered the objections from the neighbouring properties on Queensway but do not consider that the proposal would have a harmful impact on the occupants through overlooking, loss of light or the creation of an overbearing structure.

There are other properties in the vicinity which would be affected by the proposal. Officers are therefore satisfied that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with CLLP Policy LP26.

Other Matters

Officers would note that a few of the objections cited grounds relating to a change or loss

of view and the impact on property values, however, these are not material planning considerations. Comments were also made in respect of land ownership and the requirements of the Party Wall Act, although these are not matters which can be considered as part of the planning application process.

Lincolnshire County Council as Local Highway Authority has raised no objection to the proposal.

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

Yes, rear first floor window removed.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The scale and design of the proposed extension is acceptable and would complement the original architectural style of the property, also not causing harm to the character of the area. The proposal would 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 Policy LP26 and guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

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

- Time limit of the permission
- Development in accordance with approved plans
- Removal of permitted development for any alterations to the extension

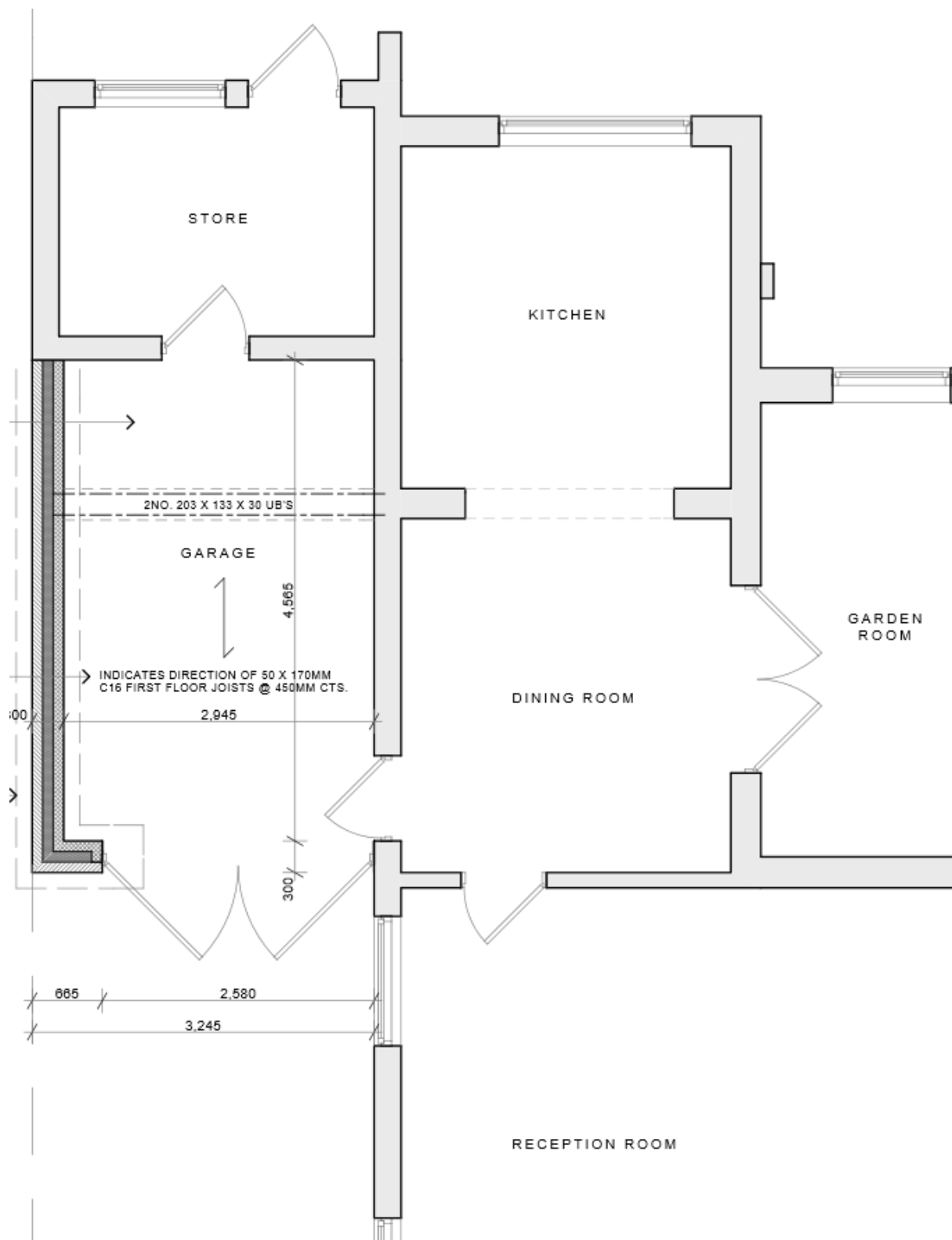
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4 Curle Avenue: Plans and Photos

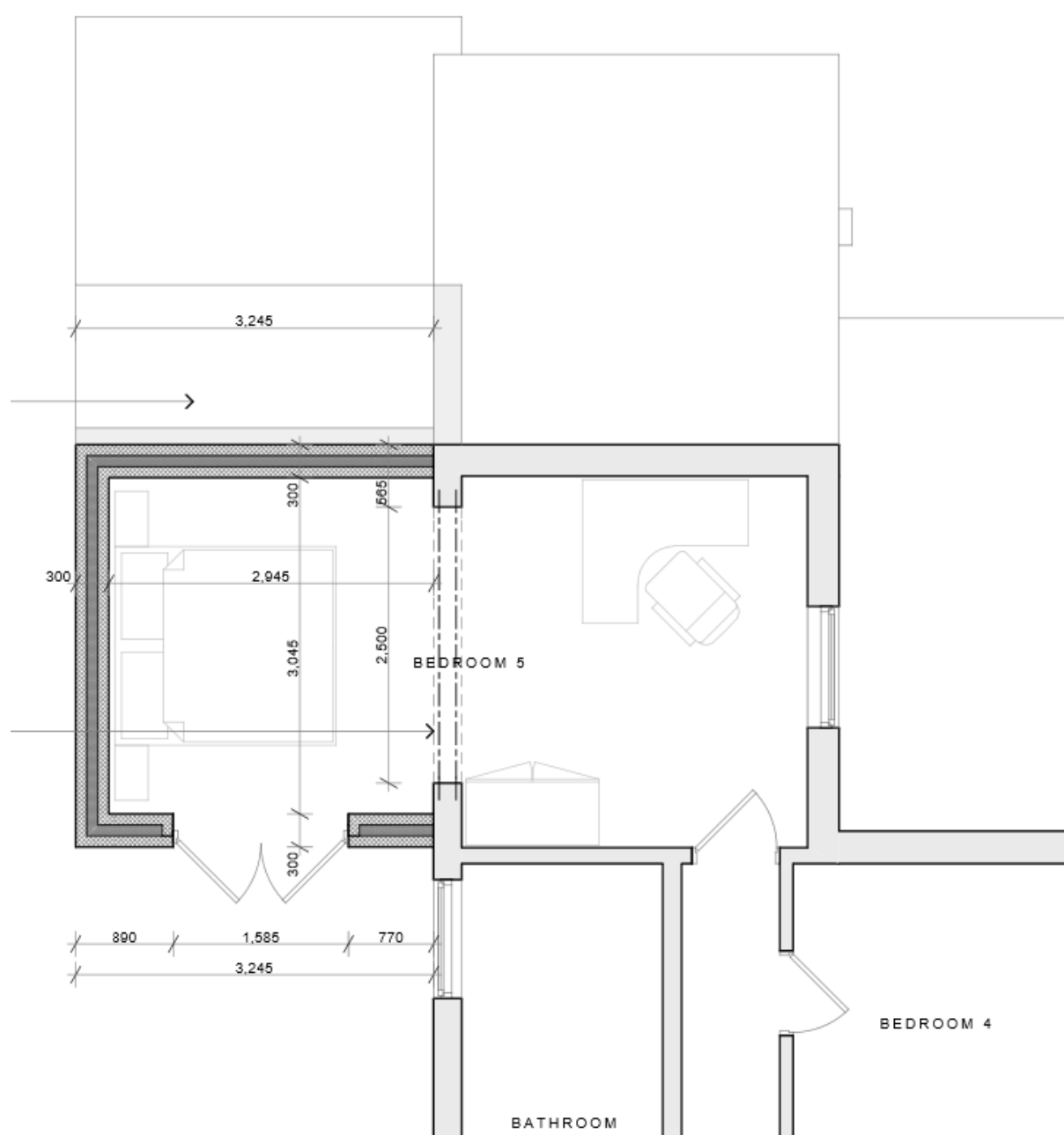




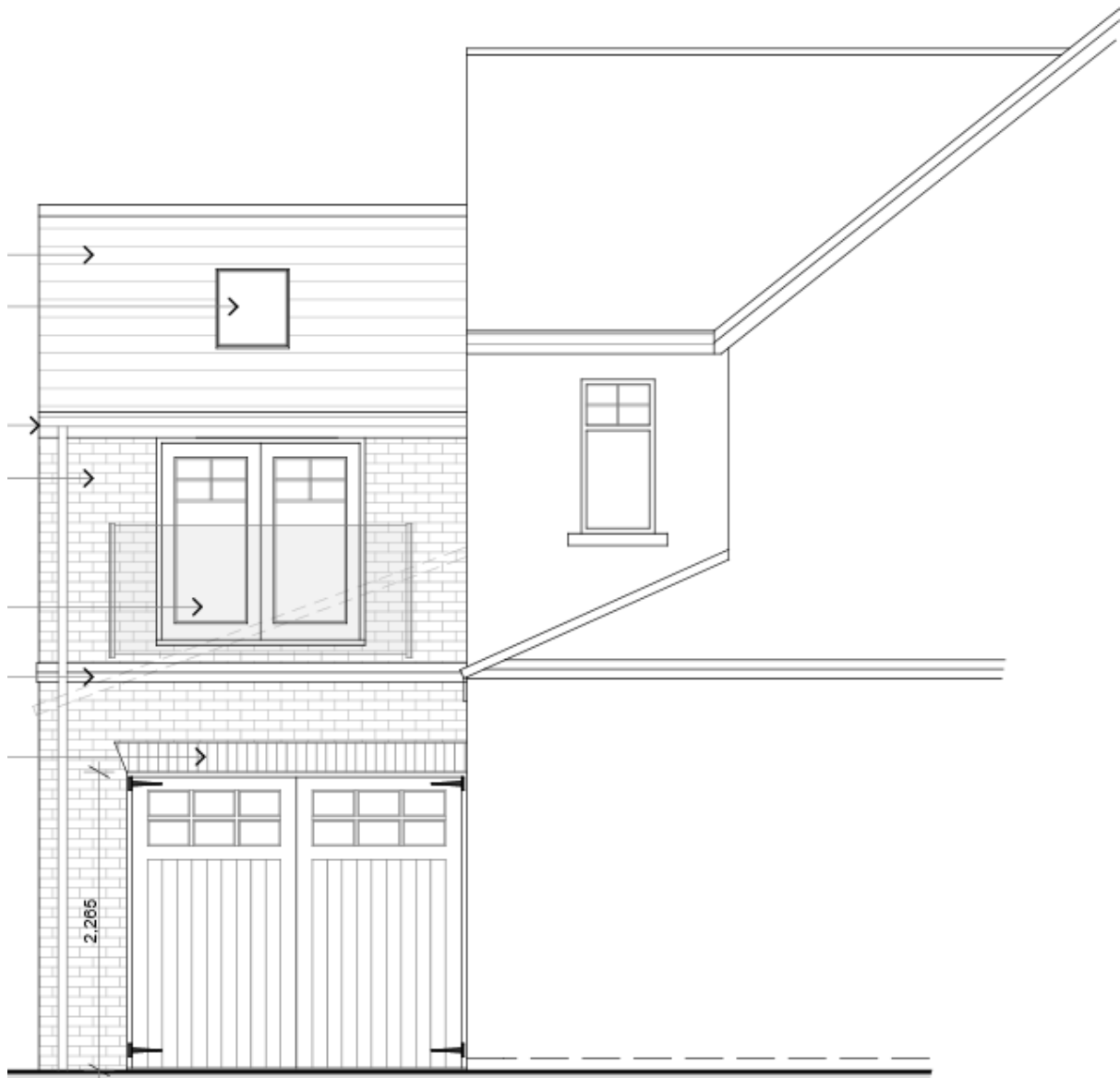
Proposed Block Plan



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation



Front Elevation with 6 Curle Avenue to the Left



Application Property with 6 Curle Avenue to the Left



Rear Elevation



View towards 6 Curle Avenue from the Rear



Side Boundary with 2 Curle Avenue



Rear Boundary with Queensway Properties Beyond

4 Curle Avenue- consultation responses

11 Queensway Lincoln Lincolnshire LN2 4AJ (Neutral)

Comment submitted date: Wed 10 Mar 2021

Re: Planning application Reference No. 2021/0185/HOU , 4, Curle Avenue LN2 4AN

I write with reference to the above application to construct a two storey extension to the above property.
I live at 11 Queensway which is the street behind the above property. Although I am not directly behind the above property, I have a side view of the property.
My main concerns are that the two storey extension would affect the view from my property and block some light.
I am also concerned that my rear garden and rear facing kitchen window would be overlooked , compromising my privacy.

Yours,
Margaret Patterson

11 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Wed 10 Mar 2021

I object to this proposal on 3 counts:

1. My garden will be overlooked by new windows, thus reducing privacy in my house and garden
2. Aesthetically – the rear elevation of the house will be brought closer to my property reducing the sense of space around my property
3. Change of view – a view of trees in Curle Avenue from my property will be obstructed, reducing the perspective of my view from my house and garden.

I am basing all of these 3 points on experience from when a similar extension was carried out in Curle Avenue, 2 doors away from number 4 at number 8. This extension has impacted negatively on the view from the rear of my house in the 3 ways that I have described.

Regards

John Patterson

9 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Thu 11 Mar 2021

Thank you for consulting us regarding this application. The property in question, 4 Curle Avenue, is to our rear and partly contingent with our back garden. We have now lived in our house for 40 years. One of the assets of our position is the view of the top of the cathedral tower from the first and second floor bedrooms. We are concerned that the new extension will block this view, at least in part. This could affect the value of our property. We should be grateful if the position could be clarified, as well the impact on the afternoon/evening light into our garden.
We are also concerned that the extension to some extent overlooks our property and will intrude further on our privacy, especially on our garden.

6 Curle Avenue Lincoln Lincolnshire LN2 4AN (Objects)

Comment submitted date: Fri 19 Mar 2021

We are on acting behalf our client, Mrs.Berryman, who lives at No.6 Curle Avenue, in respect of Planning Application ref. 2021/0185/HOU for a proposed development at the neighbouring property at No.4 Curle Avenue. Mrs.Berryman wishes that a formal objection is made for the following reasons :-

1)The proposed re-building of the Garage and new first floor extension is located on the southern property boundary between the two properties. In terms of the first floor massing, this represents an overbearing and unacceptable addition when considered in the context of No.6 Curle Avenue. The addition will result in substantial overshadowing of the rear and side amenity garden area of No.6. The amenity areas have been paved out and take advantage of sunlight from the south and evening sun from the west. French doors from the main living room of the house open up directly onto these amenity areas.The proposed first floor extension would be a very dominant element over Mrs. Berryman's paved areas and garden and substantially and adversely affect her ability to use and enjoy these areas. The second storey on the boundary would also create an intimidating tunnel between the two properties, significantly reducing the natural light levels of the amenity areas and the main living areas of the house.Please refer to the attached A3.study in the context of the existing and proposed situations.

2)On inspection of the proposed drawings it appears that the Applicant has not surveyed the boundary and has not shown that the proposed boundary wall is within their property. If the wall is on the boundary (which appears to be assumed by the Applicant), the plans clearly show the foundations to the proposed extension wall projecting beyond the ownership boundary and encroaching into land under the ownership of Mrs.Berryman. This is unacceptable and will not be permitted. The applicant should be required to obtain a survey of the boundary and satisfy Mrs Berryman that both the new wall and the foundations will be within their property and not encroaching into Mrs Berryman's property.

3)The existing rear and side paved areas offer a safe, private, quality space, which would be substantially and adversely affected if the proposals in their current form were to be approved."

4)The proposals constitute working on or near the boundary with No.6 Curle Avenue, within the Party Wall Act 1996.If, contrary to Mrs Berryman's objections, the application receives Planning Approval, the costs for both Reports should be met by the Applicant for the proposals.

We therefore respectfully request that this Objection is considered during the Planning Consultation process.

Kind Regards,
Yours Faithfully

Ian Butler.
(For and on behalf of Kingsmead Design Ltd.)

16 March 2021



7 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Tue 23 Mar 2021

Dear Sir/Madam,

City of Lincoln Planning Application ref. 2021/0185/HOU
Formal Application to construct a two storey side extension at 4 Curle Avenue, Lincoln.

I live at 7 Queensway, Lincoln. My property is situated to the east of 4 Curle Avenue, Lincoln and my garden abuts the back garden of 4 Curle Avenue.

I wish to make a formal objection to Planning Application ref. 2021/0185/HOU made by the owner of 4 Curle Avenue to demolish an existing garage and build a two storey side extension on the boundary with 6 Curle Avenue.

My reasons for the objection relate to the scale and height of the proposed extension and the resulting loss of natural light that I will suffer both to my garden and my house.

The proposed second storey will significantly block the current westerly light shaft between numbers 4 and 6 Curle Avenue. These houses are detached houses with open space each side allowing the western sunlight to come through. The detached houses are in keeping with a row of houses on the eastern side of Curle Avenue. Permitting a two storey extension right up to the boundary line will seriously affect the open space between the houses and have a detrimental effect on the visual and light amenity from which I and my neighbours on Queensway currently benefit. The proposed new height of the building will cast a shadow over my garden which at some times of the year will be significant. I will suffer a loss of natural light into my garden and the rooms at the rear of my house.

The proposed addition is simply too high, too domineering and overbearing when compared to the current one storey sloping roof garage. In my view permitting a two storey extension right on the boundary in the manner proposed is unacceptable and seriously and adversely affects the amenity of the surrounding neighbouring properties including my own. Permitting such an addition would set a bad precedent.

I ask that this objection is carefully considered as part of the planning application determination.

Kind regards,

Barbara Buckenham

9 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Tue 23 Mar 2021

Thank you for consulting us regarding the application to erect a two storey extension on the north side of 4 Curle Avenue to replace the current garage. I should like to add further to my wife's comments on the proposal.

There are two particular areas of concern: the impact on our privacy and light, and the view westwards from our first floor rooms.

The new, taller extension will block some of the afternoon and evening light, and warmth, into our garden, and in particular on to our patio and the french windows to the downstairs study.

The extension will also have an impact on our view westwards, and importantly of the top of the cathedral tower from two bedrooms. This, especially, is an amenity that we would not like to lose.

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



To: Lincoln City Council

Application Ref: 2021/0185/HOU

Proposal: Erection of two storey side extension following demolition of existing garage

Location: 4 Curle Avenue, Lincoln, Lincolnshire, LN2 4AN

With reference to the above application received 1 March 2021

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.

For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the drainage proposals for this planning application.

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:
Sarah Heslam
for Warren Peppard
Head of Development

Date: 2 March 2021

Responses to revised plans

11 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Sat 05 Jun 2021

I again object to this proposal on 3 counts:

1. Privacy – my garden and rear windows will be overlooked by new windows, thus reducing privacy in my garden and house
2. Aesthetically – the large proposed rear elevation of the house will bring the back of the Curle Avenue property physically closer to my property reducing the sense of space and light around my property
3. Change of view – a view of trees in Curle Avenue from my property will be obstructed, reducing the perspective of my view from my house and garden.

I am basing all of these 3 points on experience from when a similar extension was carried out in Curle Avenue, two doors away from number 4 at number 8. This extension has impacted negatively on the view from the rear of my house in the 3 ways that I have described.

Regards

John Patterson

7 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Fri 11 Jun 2021

Dear Sir/ Madam

City of Lincoln Council Planning Application ref. 2021/0185/HOU

Formal Objection to Planning Application to construct a two storey side extension at 4 Curle Avenue, Lincoln
– revised plans dated 21 May 20–21

I am responding to the revised plans in relation to 4 Curle avenue, Lincoln sent to me by the council in late May. In my view the very minor changes to the plans – simply omitting a window at the rear of the proposed extension – makes no difference to my earlier objections. Therefore I wish to restate my earlier objections which all still apply.

The scale and height of the proposed extension are too overbearing and if permitted will seriously and adversely affect the amenity of the neighbouring properties including my own. The two storey extension (in place of a single story garage with a sloping roof) would result in serious loss of natural light into both my garden and my house.

Please refer to my earlier submission for a full description of the adverse effects of the proposed extension and the basis on which I object to the proposal. You will appreciate in light of these objections, simply omitting a rear window on the second story of the proposed extension, will make no difference to the loss of visual and light amenity I would suffer and does not in any way change my views.

I again ask you to decline the application.

King regards,
Barbara Buckenham

6 Curle Avenue Lincoln Lincolnshire LN2 4AN (Objects)

Comment submitted date: Thu 10 Jun 2021

Dear Sir/Madam,

CITY of LINCOLN COUNCIL PLANNING APPLICATION ref. 2021/0185/HOU FORMAL OBJECTION to PLANNING APPLICATION dated 1 March 2021 to construct a TWO STOREY SIDE EXTENSION to No.4 CURLE AVENUE,LINCOLN Revised plans and description - rear window omitted - dated 21 May 2021

Thank you for the re-consultation letter dated and received 24 May 2021.

We have consulted with our client, who resides at No.6 Curle Avenue and the family response now follows below :-

My mother, Mrs Anne Berryman, who lives at 6 Curle Avenue, Lincoln, has asked me to write this email response on her behalf. This email is a further formal objection in response to the revised plans and description filed by the applicant, Mr Sorby of 4 Curle Avenue, and received by the Council on 21 May 2021, omitting a rear window from the original proposal.

I refer to the original objection submitted by Ian Butler of Kingsmead Design on my mother's behalf dated 18 March and endorse everything raised in that objection.

We are very disappointed that the revised plans do nothing to address or ameliorate any of the concerns raised in our earlier objection. The revised plans simply omit a window in the rear of the proposed second storey extension.

Accordingly, notwithstanding the minor change to the plans, we continue to object on the following grounds:

o the significant loss of amenity to the main living areas of no. 6 Curle Avenue that would result from the domineering, overbearing and intimidating nature of the proposed two storey extension right on the boundary, including the substantial overshadowing that would result, leading to a significant loss of light and sunlight to the living areas of the house, the paved areas and the garden in general; and
o the complete disregard of the fact that the proposed foundations as shown on the plans encroach onto my mother's property;

My mother has stated very clearly that she does not consent to the foundations being built on her property. The legal position is that any new garage wall must be built wholly within the neighbours' boundary. It is perplexing that the applicant has not addressed this difficulty in the revised plans.

We understand that the existing wall is a party wall under the Party Wall Act. If planning permission were to be granted despite our objections, the applicant should be on notice that they cannot access my mother's property either to demolish the existing garage wall or construct a new wall (within their boundary) without complying in full with their obligations including notice obligations under the Party Wall Act.

In summary, the proposed two storey extension will have a substantial adverse effect on no. 6 Curle Avenue. In addition, it cannot be built in accordance with the current plans without my mother's consent to the foundations encroaching onto her property. We therefore ask you to decline the planning application.

Finally I would appreciate it if you could copy me in on any further correspondence, notices etc in relation to the planning application. Thank you

Kind regards,

Lyndsey Partridge
(on behalf of Mrs Anne Berryman)

We fully concur and support the view of the Mrs. Berryman and her daughter, Lyndsey Partridge, in that the minor amendment to omit the rear window, does not in any way address the original concerns and objections raised. Therefore those reasons to object to the proposal still stand.

Yours Faithfully,

Ian Butler.
(For and on behalf of Kingsmead Design Ltd.)

9 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Sun 13 Jun 2021

I am objecting to the new revised plans as they do not meet the majority of objections I originally made to the building of this extension. These are very similar to those stated by 7 Queensway.

A new extension behind my property will adversely impact the light on my house and garden.

The proposed extension is in line with my patio where we sit on summer evenings, and as the sun lowers will cast a shadow across it.

This extension will also block the view of the cathedral towers from some back bedrooms. This view is a wonderful feature of our home and certainly adds to its value

The objection therefore still stands.

Mrs D.M Russell-Jones

9 Queensway Lincoln Lincolnshire LN2 4AJ (Objects)

Comment submitted date: Sun 13 Jun 2021

Thank you for again consulting us wit the slightly revised propoals.

The deletion of the rear window from the proposed new extension does have a mitigating affect in terms of the impact on our privacy, one of the points that I raised in my original letter.

My objections on other points remain valid.

Michael J Jones

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Application Number:	2021/0142/FUL
Site Address:	21 Hawkshead Grove, Lincoln, Lincolnshire
Target Date:	2nd July 2021
Agent Name:	None
Applicant Name:	Mr Gabriel Freiria-Celis
Proposal:	Change of use of existing ground floor utility room to veterinary clinic for the treatment of injured racing greyhounds (Use Class E) (Retrospective).

Background - Site Location and Description

The application is for the change of use of a property's former utility room to a veterinary clinic for the treatment of injured racing greyhounds. The property is a two storey detached residential property located on a cul de sac on Hawkshead Grove. The business was subject to an enforcement investigation which resulted in the submission of the application retrospectively.

The application is brought to Planning Committee as 5 objections have been submitted against the application.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 4th May 2021.

Policies Referred to

- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Impact on Residential Amenity
- Impact on Visual Amenity
- Impact on Highway Safety

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mrs Margaret Panton	27 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
C Tempest	13 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
Mr And Mrs Little	31 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
Mrs Joan Smith	29 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
Mrs Elizabeth Maxwell	110 Searby Road Lincoln LN2 4DT

Consideration

Policy Background

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

Residential Amenity

The applicant has converted a former utility room into a treatment room for care of injured racing greyhounds.

5 objections to the application have been received. These are attached in full to this report. The concerns raised by neighbouring residents include: the application will set a precedent for further businesses from home, parking issues, increased activity, concern that if planning permission is granted the existing activities will increase and other animals will be

treated at the property.

Officers have discussed the use at length with the applicant. The applicant is a Veterinary Surgeon who began treating dogs who were injured during racing at his home. He is a licensed Vet at Nottingham Greyhound Stadium and his home business is specifically related to this and therefore no other animals are treated at his home. The dogs are treated in his front utility room only and the rest of the property remains in residential use. The former utility room is used for operations and for recovery. The injured dogs are mostly picked up by the applicant himself and returned in his van although are sometimes collected by a re-homing charity. The room can house 3 dogs at a time. In some circumstances, follow up care is required (to remove castings, or orthopaedic devices) so a van that belongs to a trainer or a re-homing charity will visit in order to bring the dog back for this treatment.

The applicant stated that a maximum of 3 dogs at a time would be treated, whilst it wouldn't be likely that more than 10 would be treated in a week, as an orthopaedic operation would take approximately 4 to 5 hours minimum. The only delivery that this activity generates is medical supplies and other materials relating to the business which is normally one a week or every other week. The applicant has also confirmed that he is registered for storing controlled drugs with the Veterinary Medicines Directorate.

The use is one that is specific to the applicant's job role and interests and not one that is open to the public. When comparing the use to that of other businesses from home, such as a hairdresser which would likely see a number of comings and goings during a day, it is considered that this business would see fewer than this.

The applicant has agreed to conditions on the application to ensure that the business remains at a level which does not unduly disrupt residential amenity now or in the future, these include: the treatment of the dogs shall only take place within the front room as indicated on the submitted drawing, there shall be a maximum of 3 dogs on the premises in relation to the business at any one time and that the business shall be for the treatment of greyhounds only and for no other animals. It is also considered necessary to remove any permitted change of use through the Use Class Order and require the use to be a personal permission to the applicant only, rather than a consent that runs with the land, given the specific nature of the business. Officers are satisfied that with these restrictions in place the impact on the residential amenities of neighbouring dwellings would be minimal and the application would therefore be in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Visual Amenity

No external alterations are proposed. There are French doors to the front where the treatment room is accessed, and these are obscure glazed. The doors are domestic in nature and it is not apparent that the room is used in any other use from outside of the property. Officers are satisfied there would be no impact on the visual amenities of the area in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Parking & Highway Safety

The property has a driveway which is capable of accommodating up to 4 cars. Given the level of activity proposed, it is not considered that the business would demand more parking than is available on the existing driveway. In any case, the Highway Authority have

assessed the proposal and are satisfied that the proposal would not result in an unacceptable impact on highway safety stating that "the development proposals will generate some additional movements to the property compared with a residential dwelling, however, the increase is slight and it is therefore not possible to raise an objection based on traffic impact, in accordance with the NPPF."

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

Discussions with the applicant throughout the application process.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The activity generated by the business is considered to be at a level that is acceptable, subject to conditions which will limit the impact on the residential amenities of neighbouring dwellings.

The proposal is considered to be appropriate for its location and would not adversely harm visual amenity or the residential amenities of nearby occupants in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally subject to the following conditions:

Standard Conditions

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

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

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

application.

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

Conditions to be Adhered to at all Times

- 03) The land or premises to which this permission relates shall be for the treatment of injured racing greyhounds only and for no other purpose within the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to protect residential amenity.

- 04) The permission shall ensure for the benefit of Mr Gabriel Freiria-Celis only and shall not ensure for the benefit of the land.

Reason: The site would not normally be considered appropriate for this development but personal permission is being granted due to special circumstances put forward in the application.

- 05) The business hereby approved shall be for the treatment of greyhounds only and for no other animals.

Reason: In order to protect residential amenity.

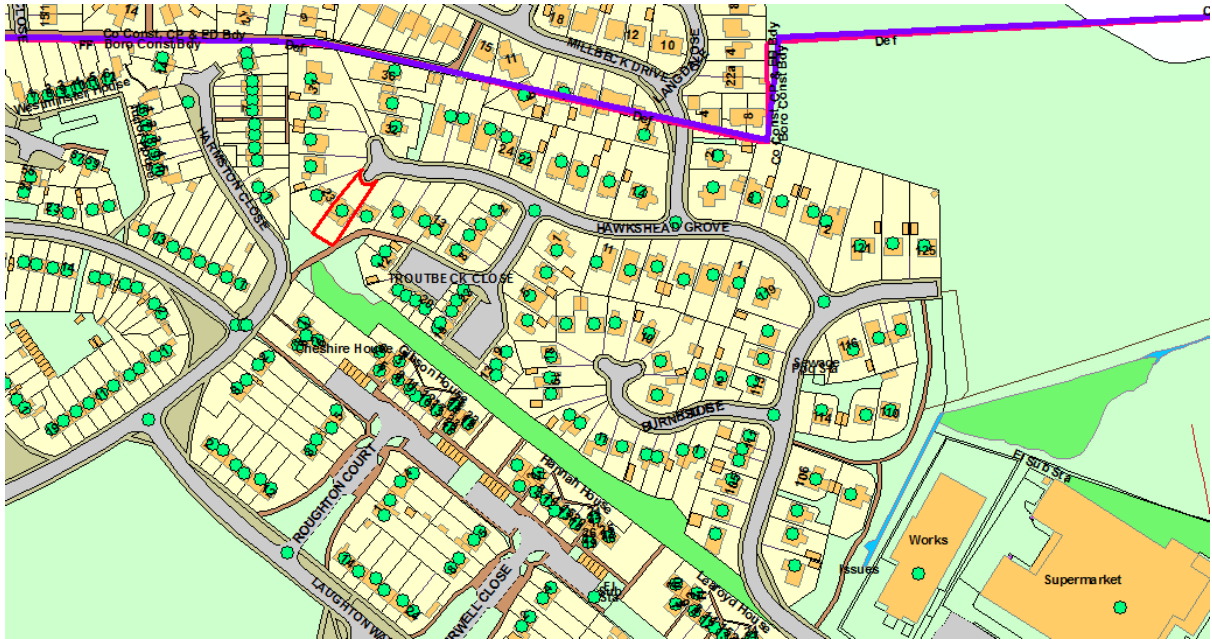
- 06) There shall be a maximum of 3 dogs in relation to the business at the premises at any one time.

Reason: In order to protect residential amenity.

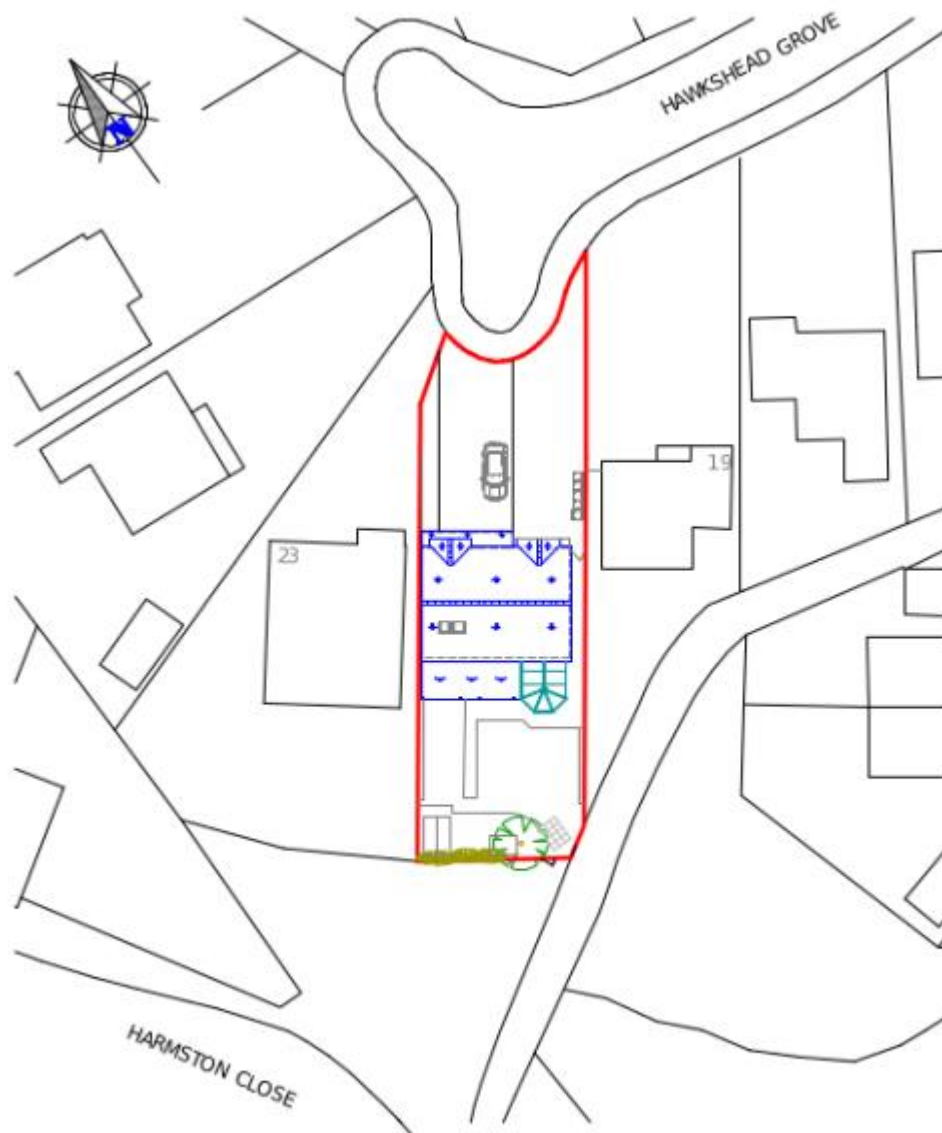
- 07) The treatment of the dogs through the use hereby approved shall only take place within the room indicated on the submitted drawing (Drawing No. FREIRIA 03).

Reason: In order to protect residential amenity.

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Site Location



PROPOSED SITE PLAN

(No changes on exterior aspect or size)



GROUND FLOOR



The application property (middle)



T









View from the application property looking east

Supporting Statement by Applicant

1. Location plan. Please find attached a site plan '01 Site Plans' which show the boundaries of the property marked in red and the building in blue. The scale is 1:500, which I hope is satisfactory for the purpose. This Planning Application is only for a change of use of one of the house rooms, so I wasn't sure if you wanted this in red, but as I don't have professional software for drawing house plans, I am afraid that I tried my very best with this site plan and used the red colour for the property boundaries rather than the mentioned room that will be used for the activity and the house as a whole coloured in blue. As you can see, it is not required to make any alterations on the exterior aspect or size of the building, neither the activity would occur close to the boundaries of the property.

2. Floor plan with a duplicated name. I have previously submitted an existing plan that an architect made for us, for a project we abandoned. We never applied for it, but I recycled the plans and forgot to change the name of the documents. In order to eliminate any potential misunderstandings, I am attaching now two new plans '02 Existing Ground Floor Layout' and '03 Proposed Ground Floor Layout'. These are both similar, as the only change we need is the permission to use the utility room as treatment room, as previously explained in several e-mail exchanges. Please discard 'FL1922/P/01' and use '02 Existing Ground Floor Layout' and '03 Proposed Ground Floor Layout' instead. I have also attached an extra plan which is the First Floor Layout and Attic, which will be unchanged '04 Existing Upper floors Unchanged'.

3. Elevation drawings. There are no external alterations required, however I am attaching the elevation plans required '05 Existing N & S Elevns Unchanged' and '06 Existing Elevens Unchanged'.

4. Regarding the number of trips expected at the site compared to present, as previously explained on our e-mail exchanges, this means very little difference. There is no workers movement to the site, as the only workers of our company are my wife and I whom already reside on site. Most of the injured dogs we operate are emergencies and I transport them personally, when I leave the greyhounds track and I have to come back home anyway, even if I don't transport an injured dog with me. In most opportunities, I take the operated dogs back to the track, their kennels or a rehoming charity by myself when I go to work outside. In some circumstances I need to follow up a patient, to remove castings, or orthopaedic devices, so a van that belongs to a trainer or a rehoming charity, such Lincolnshire Retired Greyhounds Trust or independent ones, such Seaside Greyhounds (Skegness) bring me a greyhound and leave. Some days I don't expect any customers at all. The absolute maximum I could have in one single day is 4 dogs operations. I wouldn't be able to have more than 10 in a full week, because that would exceed my capacity, as an orthopaedic operation would take approximately 4 to 5 hours minimum. The only delivery that this activity generates is drugs and fungible materials. I have normally one a week or every other week. The only provider I use is NVS (National Veterinary Services) and I have the invoices as evidence if required.

5. The maximum number of vehicles on site at any one time is 4.

6. Parking layout. Please find attached '07 Parking Layout on site plan'

7. Extra trip generation including types. For the company workers/residents there is no change. My wife has a car for domestic use and I have a small van that I use to go to the track and kennels and to transport my injured patients, hence there are no additional trips at the property due to the workers activity. This represents the same traffic activity that any household would have. Regarding external

customers and deliveries, as explained at point 4 and in my previous more elaborated e-mail exchanges, I only expect one programmed patient follow up or two a day and one delivery a day. In the worst-case scenario, I would have 4 vehicles on site at any one time and that is including our own vehicles, which all fit inside our property drive. This is not a walking in veterinary practice and is not intended to be one in the future. The only patients I have are racing greyhounds transported in by myself in 75% of the cases, likely. I think this information complements points 4; 5 and 6, however if you need any more specific details, please ask.

8. Removal of clinical waste. According to clinical waste management at <https://www.lincoln.gov.uk/bins-recycling/bins-recycling-waste/6> I believe that I am already meeting the conditions named below in three different categories: Sharps collections We will arrange for the fortnightly collection of sharps boxes and will provide you with a replacement box ready for your next collection. To order a sharps or clinical waste collection please contact us directly. Non-hazardous / medicinal hygiene waste Unless the waste is infectious, medicinal or a sharp it can be disposed of in your black wheeled bin or purple sacks. The following examples may be of help: Non-hazardous dressings, non-hazardous disposable instruments (that are not sharps) and nonhazardous incontinence products can be suitably wrapped and placed in the domestic refuse waste stream Non-hazardous stoma bags and catheter bags can be emptied down the toilet and the bags themselves can then be suitably wrapped and placed in the domestic refuse waste stream Medicinal waste This should be returned to your local pharmacy. For more information please contact our customer services team.

8.1. Sharp collection. As I am a veterinary surgeon, I am qualified and allowed to carry sharps boxes and controlled drugs in my vehicle. I can transport my sharp boxes to be disposed of at the Nottingham Greyhounds Stadium veterinary premises, where I am also the principal vet. However, I have contacted the Council customer services team and requested the sharp collection service to be done at this site, so you can be satisfied that this happens at local level, too.

8.2. Non-hazardous waste will be suitably wrapped and placed in the domestic refuse waste stream. Hazardous waste: This is technically infectious materials. This is a different veterinary speciality for which I don't provide any services. Animals with infectious diseases are treated at veterinary practices and we are not a standard veterinary business, as explained in previous email exchanges, we only do emergency operations, most of the times orthopaedics of racing injured greyhounds, who are fit for sport purposes and not incubating or suffering animal infectious diseases.

8.3. Medicinal waste. There are arrangements in place in order to comply with VMD (Veterinary Medicines Directorate). I needed to set up a RCVS registered premise in order to have drug deliveries. I will be inspected by the VMD every 3 years. I hope this information is useful and the attached plans are fit for the purpose, please let me know if you need any further clarifications.

Kindest regards Dr Gabriel Freiria-Celis MRCVS

Neighbour Comments

110 Searby Road Lincoln LN2 4DT (Objects)

Comment submitted date: Thu 11 Mar 2021

This is a residential area and the whole area has covenants which restricts the number of vehicles on each property. Also there other business being run in the area without planning permission and granting this application would set a precedence.

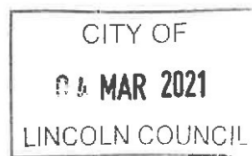
27 Hawkshead Grove Lincoln Lincolnshire LN2 4XB (Objects)

Comment submitted date: Mon 01 Mar 2021

I object to this proposal as it is a commercial use of a private dwelling in an established quiet residential area.

Hawkshead Grove is a quiet cul de sac/ vehicle turning area for use of residents and their visitors with no passing traffic - most occupants are retired. The business activity at this property has increased noticeably recently and I am concerned that this will continue to increase without restrictions and feel that this is an inappropriate use of a private residential dwelling. If planning permission were to be granted there would be no restriction on the number of visitors to this property either transporting dogs or bringing essential supplies and removing commercial waste. There would also be no restriction on the times of day that these visits occurred.

From: Mrs Joan Smith
29 Hawkshead Grove,
Lincoln,
LN2 3LU.



To: Directorate of Communities & Environment
Simon Walters
City Hall
Beaumont | Fee
Lincoln LN1 1DF

Reference: 2021/0142/FUL - Change of use of existing ground floor utility room to veterinary clinic for the treatment of injured racing greyhounds – 21 Hawkshead Grove Lincoln LN2 4XB

Dear Sir/Madam

28th February 2021

With reference to the above planning application, I am writing to you to express my objection together with my reasons for this. It has been apparent for some time that a business has been operating from 21 Hawkshead Grove and in the early stages of operations, this has been fine.

However, more recently there has been a marked increase in traffic visiting the above property including cars and both small and large vans. This sometimes happens 7-days a week and vehicles occasionally arrive in the early evening. They also sometimes park on the road outside 21 Hawkshead Grove.

My observation is that the volume of traffic has increased significantly over the past 12 months and I am concerned that if the above planning application were to be successful, this may lead to yet further increases in the volume of traffic arriving, departing, and parking within our cul-de-sac.

As I am sure you will appreciate, ours is a small residential cul-de-sac comprising properties at 19, 21, 23, 25, 27, 29 & 31 Hawkshead Grove. Occupants are predominantly retired people and taxis often visit this small cul-de-sac to transport elderly people with walking difficulties. The continued use of this cul-de-sac as a turning circle is therefore important to us.

Yours faithfully



Mrs Joan Smith

Mr K. Manning
Assistant Director - Planning
Your ref: 2012/0142/FUL

13 Hawkshead Grove
Lincoln LN24XB.
2nd March 2012.

21 Hawkshead Grove
Lincoln LN24XB

Re: Change of use of existing ground floor utility room to
veterinary clinic for the treatment of injured racing
greyhounds (Use class E)

Dear Sir,

Thankyou for your recent correspondence
regarding the development above. I have been
unable to access this recent application on line,
as directed in your letter. I only found a
development from 2004.

I would like to express a couple
of concerns for your consideration.

① Regarding the increased traffic flow into
this small cul-de-sac, and in particular
of "white vans" and panel vans. We already
notice an increase of these vans for the
delivery of veterinary materials and some
carrying animals, probably for treatment, to road.
This is a small cul-de-sac and parking
is limited.


② Many of the residents in this cul-de-sac
are senior citizens and some have regular
daily visits from carers and family requiring
access and parking.

③ The letter states "veterinary clinic for the treatment
of injured racing greyhounds." If this requires operation
etc, does this require drugs to be on the premises?
Hopefully those would be stored securely. As council
officers you will have access to recent & relevant
details of drug-related crime in our neighbourhood.

④ My other concern is with regard to the change
in use of the house - a domestic property, to a
place of business and veterinary care.
I hope this is not starting on a slippery slope to
it becoming a busier practice with more animals
and more traffic involved.

I feel this practice has existed informally and
unacknowledged for some time without too much
disturbance to us local residents. However, I do
feel concerned in case this application
suggests there may be plans to increase the
volume and thus increase disturbance to neighbours.

I look forward to hearing from you in due course.
Yours faithfully,

Mr & Mrs Little
31 Hawkshead Grove
Lincoln
LN2 4XB


3rd March 2021

Directorate of Communities & Environment
Simon Walters
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Dear Sir/Madam

Reference to Planning Application 2021/0142/FUL

We are writing to contest the Planning Application for 21 Hawkshead Grove, Lincoln, LN2 4XB. The company, Veterinary Sports Medicine was Registered at Company House using the above address on the 26th March 2018 and has been in operation ever since, presumably without planning permission.

The first year it was reasonably quiet and the traffic flow was low, with the greyhound charity van delivering dogs to the property. Since the garage at the property was converted into an operating theatre/treatment room, approximately one year ago, there has been constant traffic in the form of some very large vans. Not only are these vehicles coming into what was once our quiet cul de sac but they are waiting sometimes more than 2 hours while their dogs are being treated. We have seen up to 3 large vans at any one time blocking part of the hammerhead turning point. The applicant states on his application that he has parking for 4 vehicles on his property, he has a parking area for his own 2 vehicles and two small cars, the problem is, almost all the vehicles arriving for treatment are 4 x 4s medium to very large vans, they cannot fit onto his parking area, and are causing an obstruction. I noted just as a snapshot, between 0800hr - 1200hrs on Monday 1st March 5 vehicles arrived for treatment or deliveries, only one small car was able to park on his property. (please see photo's, the prints do not show date and time, but we have a record on our camera)

The applicant states that no Hazardous substances are to be used or stored, are not Oxygen and potential explosive gasses as used in operation theatres not hazardous?
Is Xray apparatus safe to use in a room connected to living quarters?

The applicant also states that safe storage and the recycled waste collection is delivered to Nottingham Greyhound Stadium veterinary practice. If he has access and presumably uses the stadium facilities during events, why does he need to treat dogs at his own home?

He has many more customers especially in his second year of business, this is reflected by the multitude of unmarked vans and cars arriving for treatment. I enclose photographic evidence which also shows the parking positions used.

Residents have also had to tolerated interaction between a local dog and the greyhounds housed in the kennels in the applicants rear garden, this was noisy and sometimes prolonged, thankfully the dog has moved with its owner.

The applicant states he will only be treating ten dogs in a week but we have seen six dogs arrive in one day. The increase in the rate of customers is reflected in the applicants declared accounts.

Year 2019 - £16,389

Year 2020 - £44,279

Our main fear is if this business gets official Planning Permission even more customers could arrive with their dogs, causing even longer vehicle queues and obstruction.

No 21 is situated in a cul de sac with six drives feeding into the hammerhead. The visiting customers are arriving seven days a week, from 0800hrs to 2000hrs and at times can impede access to properties.

I have spoken to the applicant and he seems to be a kind and caring man, his actions in taking care of these greyhounds are to be applauded, but I think his customer base has got out of control. Surely it would be a much better option to have commercial premises like any other Veterinary Practice and not in what was a quiet Residential area.

It is unfortunate that the Planning Application can only be accessed online, when most of the residents are of an age, that do not have any computer skills, or indeed a computer, we feel not every ones views are being represented, for or against, a point I have raised with Karl McCartney MP, under the circumstance a simple letter could be sent asking the residents to tick if they agree or disagree to the application.

For this application to be approved would be a travesty and could set a terrible precedent.

We therefore register our Disapproval of the Planning Application.

Please can you confirm receipt of this document.

Kind Regards

[Redacted Signature]

[Redacted Address]

Encs







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



To: Lincoln City Council

Application Ref: 2021/0142/FUL

Proposal: **Change of use of existing ground floor utility room to veterinary clinic for the treatment of injured racing greyhounds (Use Class E)**

Location: **21 Hawkshead Grove, Lincoln, Lincolnshire, LN2 4XB**

With reference to the above application received 22 February 2021

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.

Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has four car parking spaces, and whilst it is possible that the development may result in more parking demand than these spaces, there is parking available on the highway in the vicinity and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

The development proposals will generate some additional movements to the property compared with a residential dwelling, however, the increase is slight and it is therefore not possible to raise an objection based on traffic impact, in accordance with the NPPF.

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:
Sarah Heslam
for Warren Peppard
Head of Development

Date: 24 February 2021

Application Number:	2021/0301/RG3
Site Address:	Land Between 1 and 9 - 11 Greetwell Gate, Lincoln, Lincolnshire
Target Date:	2nd July 2021
Agent Name:	Karaolides Szynalska Architects Ltd
Applicant Name:	Mr Matthew Hillman
Proposal:	Extension of existing permission (2020/0731/RG3) for the siting of a mobile unit for use as a temporary welfare centre until 12th December 2021.

Background - Site Location and Description

The application proposes to extend the use of the site for a temporary welfare centre. The application has been submitted by City of Lincoln Council and the site would be used by employees in line with their duties of carrying out repairs to council houses. A previous application granted temporary consent for the same use under application 2020/0731/RG3 expired on 31st March 2021. The current application proposes to use the site until 12th December 2021.

The site is located on Greetwell Gate, a one-way street running from Wragby Road to Eastgate. To the east of the site is a public house, whilst to the west is No. 1 Greetwell Gate, a Grade II listed house. To the south of the site are residential properties accessed from Winnowsty Lane and Wainwell Mews. On the opposite side of Greetwell Gate is a City Council owned public car park and two semi-detached properties on the corner of Greetwell Gate/Langworthgate. The site is located within the Cathedral and City Centre Conservation Area No. 1.

A separate application was previously granted under 2020/0694/RG3 for a new wall and gates at the entrance of the site. The wall has now been constructed.

The application is brought before Planning Committee as the proposal is made by the City of Lincoln Council on council owned land.

Site History

Reference:	Description	Status	Decision Date:
2020/0731/RG3	Siting of a mobile unit for use as a temporary welfare centre. Use of existing garages as storage for building materials.	Granted Conditionally	3rd December 2020

Case Officer Site Visit

Undertaken on 13th May 2021.

Policies Referred to

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Acceptability of Use
- Impact on Residential Amenity
- Visual Amenity and the Impact on the Character and Appearance of the Conservation Area and Adjacent Listed Building
- Highway Safety

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mrs I.G. Freeman	19 Winnowsty Lane Lincoln LN2 5RZ
Susan Mendum	3 Wainwell Mews Lincoln Lincolnshire LN2 4BF

Consideration

Policy Background

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;

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

Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan is permissive of proposals which preserve and enhance features that contribute positively to the area's character, appearance and setting.

Policy LP26 states that "The amenities which all existing and future occupants of

neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development."

Representations

Two objections have been received against the proposals. These are attached in full to this report. In summary, the main issues raised are: the proposed use of the site being inappropriate for the conservation area and road safety issues from increased traffic and increased noise and disturbance.

Acceptability of Use

The use of the site as a Welfare Centre with a temporary mobile unit was previously granted by Planning Committee under application 2020/0731/RG3 until 31st March 2021. The use was due to be implemented early in 2021 although due to National Restrictions relating to Covid 19 and the national lockdown which started in January 2021, the use was not implemented before it ran out on 31st March 2021. The application therefore seeks to extend the use until December 2021.

The supporting statement submitted with the application states that the change of use of the site would support the City Council's pilot scheme 'Scheduled Repairs'. The pilot is a scheme to deal with a backlog of repairs, reduce carbon emissions and improve customer service for council tenants. The statement details that due to the Covid 19 pandemic, the previously used welfare facilities for the repairs team as well as the previously used storage facilities are no longer suitable. The pilot scheme would introduce three week blocks of repair work and the proposed mobile unit would be available to certain staff members during those three weeks for welfare facilities. The applicants have applied for use of the site every four weeks out of every 12 to allow materials to be dropped off the week before each block begins, should this be required. The use of the welfare facility is therefore required every four weeks out of 12. Whilst there would be a supervisor on site daily from 7:30am- 4:00pm, opening hours for operatives would be restricted between 10am and 2:30pm Monday to Friday with a likely trip generation of 15 vehicles per day. The unit would be removed from the site for the weeks it is not in use.

In terms of planning policy, the site is within an unallocated area within the Central Lincolnshire Local Plan and the proposal would not contravene local plan policy in principle with regard to the use of the site, subject to other the issues as considered below:

Impact on Residential Amenity

The site is located between the Morning Star Public House to the east and No. 1 Greetwell Gate to the west. No. 1 is a residential property although it appears to be currently unoccupied. Residential properties are also located to the south, with Winnowsty House and Mews Cottages to the rear of the site.

A layout plan has been submitted with the application indicating the position of the mobile unit. It would be positioned towards the rear of the site, partially behind the side extension to No. 1 Greetwell Gate. Its position would allow space for two vehicles to enter the site. With regard to the mobile unit itself it would measure 3.6m long x 2.3m wide and 2.45m high. The proposed position of the unit would be adjacent to the boundary with No. 1 Greetwell Gate, although it is not considered at the proposed scale that it would cause undue loss of light or that it would appear overbearing when viewed from this neighbouring

property.

The site is currently redundant therefore the use of the site for up to 15 vehicles a day will see an increase of activity from the level currently experienced. However, the use of the site as a welfare facility is unlikely to be a use which creates excessive noise. The City Council's Pollution Control Officer has agreed with this assessment. Furthermore, hours of operation for operative visits would be restricted to between 10:00am and 2:30pm, for a maximum of 4 weeks in every 12 and for a temporary period up until 12th December 2021. Taking account of the previous use of the site as garage storage/parking and the level of activity proposed, it is considered that whilst the site will see an increase of comings and goings which is likely to cause a level of harm to neighbouring properties relative to the existing activity, it is not considered the harm would be adverse nor would it warrant refusal of the application. It is however, considered prudent to propose conditions to ensure the use only operates for the proposed 4 weeks out of 12 and for the hours proposed between 10am and 2:30pm. Officers also recommend a condition to limit the use until 12th December 2021. As with the previous permission, a condition is proposed to install CCTV to ensure effective oversight of the operation of the site.

Subject to the aforementioned conditions, it is considered that the proposal can be undertaken in a manner that would not cause undue harm to the amenities which neighbouring occupiers may reasonably expect to enjoy, in accordance with CLLP Policy LP26.

Visual Amenity and the Impact on the Character and Appearance of the Conservation Area and Adjacent Listed Building

Since the previous consent was granted, the site has seen investment through refurbishment of the garages on the site and the erection of the boundary wall to the entrance of the site. These have both brought improvements to the site. Whilst the mobile unit would be visible above the wall, it is considered to be a marginal distance above and would not result in significant harm to the character and appearance of the conservation area or to the setting of the adjacent listed building.

It is, therefore, considered that the proposal would preserve the character and appearance of the conservation area, in accordance with Policy LP25 of the Local Plan 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.

Highway Safety

The application shows availability for parking for two vehicles to enter at any one time with an area for turning to enable vehicles to leave the site in a forward gear. As a former lock-up garage site, the access is long established and would not be altered as part of this application. Whilst representations from residents have raised concern that large HGVs may use the site, the applicant has confirmed that a transit sized vehicle would be largest using the site in terms of the council fleet. A larger vehicle maybe required for deliveries, but this would not be a regular occurrence. The Highway Authority have been consulted on the proposals and have raised no objections. It is therefore considered highway safety would not be harmed by the proposal.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed use of the site as a temporary welfare centre would not cause harm to the overall character and appearance of the conservation area and appropriate conditions controlling visiting hours, the use for a temporary period and monitoring through CCTV would limit harm to residential amenity in accordance with LP25 and LP26 Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally with the following conditions

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

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

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

- 03) Prior to commencement of the use, CCTV shall be installed at the site.

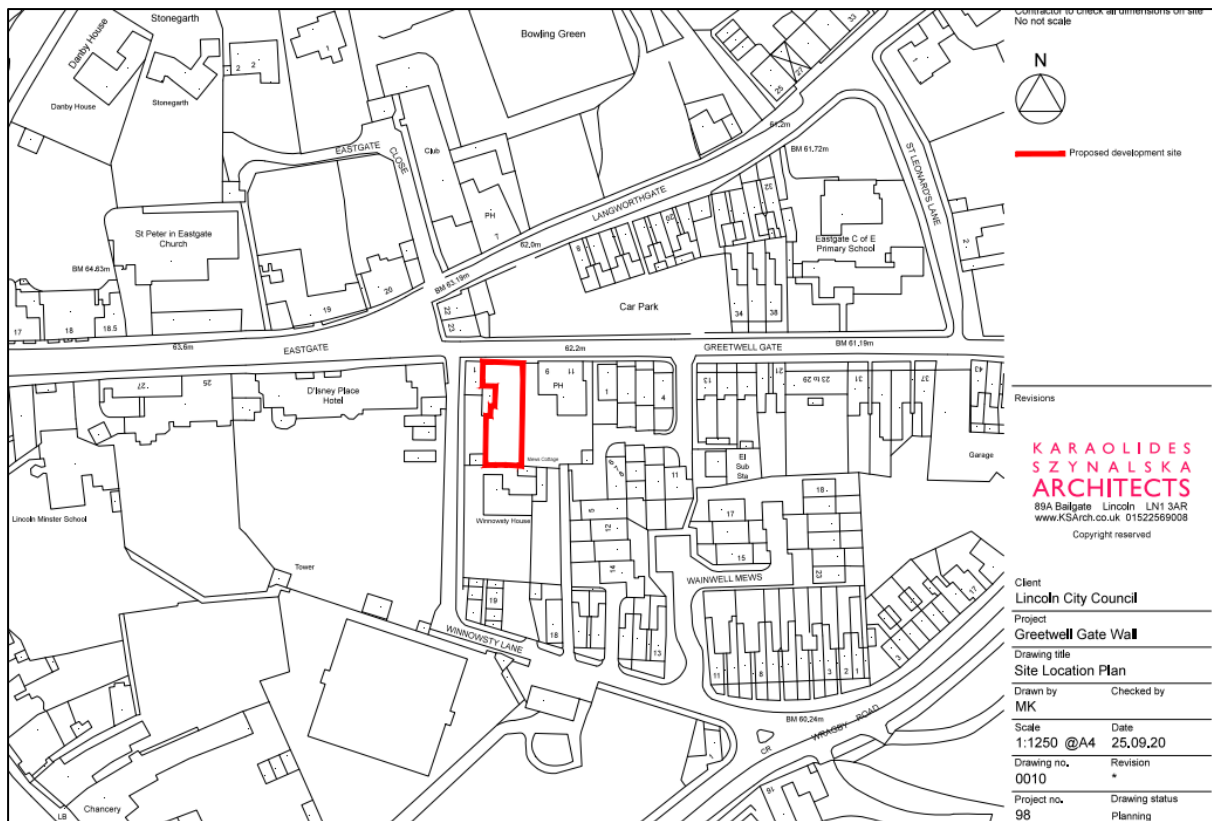
Reason. In order to monitor and manage the approved use.

- 04) The welfare unit shall be used by operatives between the hours of 10:00am - 2:30pm every 4 weeks out of 12 only.

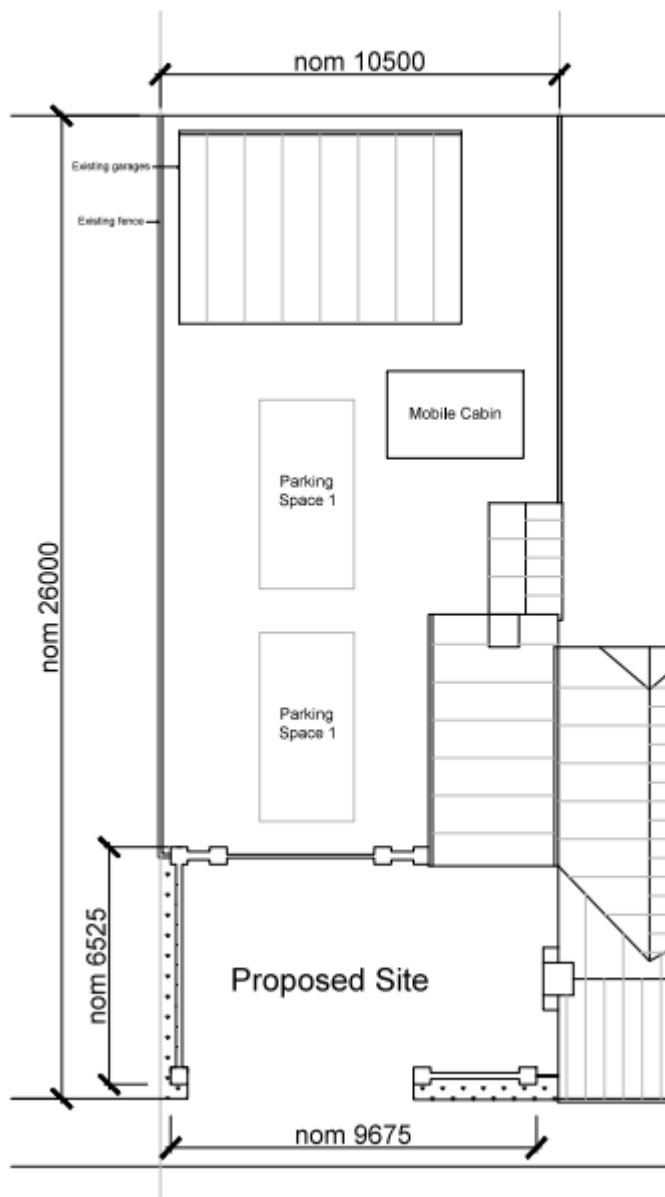
Reason. In order to protect residential amenity.

- 05) The use hereby approved for a temporary welfare centre shall cease after 12th December 2021.

Reason: In accordance with the temporary nature of the planning permission.



Site plan



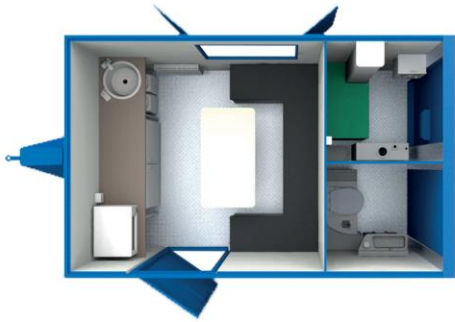
Block plan showing position of unit



ON-DEMAND, ON-SITE, ON-TIME.

ARMADILLO ECO

A HISTORY OF INNOVATION



STANDARD SPECIFICATIONS:

Product Code	20601
Unit Name	Armadillo ECO
Dimensions	12 x 7.5ft / 3.6 x 2.3m
Configuration	6 person Canteen / 1 Toilet
Weight	1700kg
Water tank capacity	64L / 14gal. combined
Fuel tank capacity	68L / 15gal.
Waste tank capacity	132L / 29gal. Combined
Power type	Hybrid Solar
External rain shrouds	✓
EcoBoard internal lining to all walls	✓
12v sockets and 12v generator	✓
Low level removable lifting points	✓
Facilities (Canteen/WC/drying/changing room)	✓
Heating system and Auto frost protection	✓
Hot water (Canteen and WC area)	✓
Regulation forearm sink- WC area	✓
Chemical toilet	✓
Hydraulic chassis and towable	✓

MIN 1 WEEK HIRE

Comprising of a 6-man canteen, private WC facilities and drying/ changing/generator room, the Armadillo Eco is a robust and secure mobile welfare unit suitable for even the most remote and demanding of environments.

Each eco welfare unit is solar powered and backed up by a bespoke 12v super silent generator which stops and starts as required.

KEY FEATURES:

- Road towable, self-contained secure steel unit
- Fully lockable security doors
- Canteen for 6 persons
- Auto-frost protection
- Solar powered
- Reduces fuel bills by up to £100 per week
- Hot water boiler and microwave included

OPTIONAL EXTRAS AVAILABLE

- WiFi 
- Fuel, waste & water servicing
- Water dispenser
- Additional hours pack available
- Garic i-SITE Technology

Welfare unit













Neighbour Comments

3 Wainwell Mews Lincoln Lincolnshire LN2 4BF (Objects)

Comment submitted date: Mon 12 Apr 2021

Attn: Mr K Manning - Assistant Director - Planning

I refer to your letter dated 1 April regarding the Extension of Existing Permission 2021/0731/RG3 from 31 March to 12 December 2021 delivered to me at 3 Wainwell Mews, Greetwell Gate.

My points still stand in my original email of 21 October 2020 and I would like to add the following notes of objection:

Highways Safety and Congestion

The visiting vehicles will park on Greetwell Gate if they are unable to enter the site. This will cause obstruction by either parking partly on the pavement or over the white parking area line. These vehicles will obstruct pedestrians passing, families with prams/buggies and children or elderly on walking frames necessitating them to walk in the road. Passing vehicles will have difficulty in negotiating the narrow road space and have to mount the pavement the opposite side of the road.

The way this could be avoided is for vehicles to park in the Langworth Gate car park if unable to enter the site. I understand there is also a proposed law that parking will not be allowed on pavements in the near future.

Noise Disturbance

I believe the welfare unit is to be powered by a generator. If the unit parked currently in the Langworth Gate Car Park is the proposed unit to be installed on the site then the generator makes a considerable noise when running as exhibited during last week for several hours.

I hope you will give these points your serious consideration.

Susan Mendum

3 Wainwell Mews, Greetwell Gate, Lincoln LN2 4BF.

19 Winnowsty Lane Lincoln LN2 5RZ (Objects)

Comment submitted date: Fri 09 Apr 2021

My concerns are as follows:

- 15 vehicles coming in and out per day is a lot of disruption to the local area, especially as this is a main thoroughfare for ambulances from the Country Hospital. It is a tight space on a tight and narrow street.
- pedestrians walking to all the schools in the area will be at risk of the higher

amount of traffic and larger vehicles. The intended location is on a narrow street, next to a tight corner leading into Winnowsty Lane.
- the area is a local conservation area and these facilities would not be compatible to its surroundings

Highway comments



Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
HighwaysBUDsSupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2021/0301/RG3

Proposal: **Extension of existing permission (2020/0731/RG3) for the siting of a mobile unit for use as a temporary welfare centre until 12th December 2021.**

Location: **Land between 1 and 9-11 Greetwell Gate, Lincoln, Lincolnshire, LN2 4AW**

With reference to the above application received 1 April 2021

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

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL

NO OBS

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

Case Officer:
John Clifton
for Warren Peppard
Head of Development Management

Date: 16/04/2021

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Application Number:	2021/0487/PAD
Site Address:	89 and 93 Rookery Lane, Lincoln, Lincolnshire
Target Date:	9th July 2021
Agent Name:	John Roberts Architects Ltd
Applicant Name:	Mrs Maria Clayton
Proposal:	Determination as to whether or not prior approval is required for the demolition of 89 and 93 Rookery Lane.

Background - Site Location and Description

The application seeks to confirm whether prior approval is required for the demolition of a No. 89 and No. 93 Rookery Lane. Consent has been previously granted under 2020/0785/RG3 for the demolition of these properties and for the erection of 36 dwellings and 6 apartments to the rear of No. 89-93.

The previously granted scheme was subject to various pre-commencement conditions. Whilst the pre-commencement conditions do not directly relate to the demolition of 89 and 93, these conditions would still need to be discharged before the properties can be demolished. The applicants wish to start the development through the demolition and have therefore applied for prior approval separately.

The application is to determine whether prior approval is required and should be granted for the method of demolition and the restoration of the site.

The application is brought to Planning Committee as it is submitted by the City of Lincoln Council on Council owned land.

Issues

Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 requires applicants to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site.

Consideration

Method of Demolition

The applicant's contractor has stated that the demolition will be via a soft strip followed by mechanical demolition. The debris and rubble created by the demolition will be removed from the site.

Restoration of the Site

The buildings will be removed in their entirety including foundations. The works are to enable the new development to the rear of the site therefore the area will remain vacant until development on the main site commences.

Prior approval is required for the demolition, however the applicant has provided adequate information of the proposed method of demolition and reinstatement of the land and these are considered acceptable. It is therefore recommended that prior approval is required and approved.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

Prior approval is required for the demolition, however, the applicant has provided adequate information of the proposed method of demolition and reinstatement of the land and these are considered acceptable. Prior approval is therefore required and approved.

Application Determined within Target Date

Yes.

Recommendation

That the application is Prior Approval Required and Approved subject to following standard conditions

Standard Conditions

- 01) The development must be begun not later than the expiration of five (5) years beginning with the date of this permission.

Reason: As required by Part 11 Section B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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

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



Site plan



No 89 and 93 Rookery Lane



No 89 and 93 Rookery Lane

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Application Number:	2021/0153/RG3
Site Address:	394 High Street, Lincoln, Lincolnshire
Target Date:	2nd July 2021
Agent Name:	City of Lincoln Council
Applicant Name:	City of Lincoln Council
Proposal:	Replacement of 1 Timber rear door to UPVC and replacement of 2 Timber rear windows to UPVC.

Background - Site Location and Description

The application proposes the replacement of 1 Timber rear door to UPVC and replacement of 2 Timber rear windows to UPVC. The application property is 394 High Street. The property is a two-storey building with retail at ground floor and residential accommodation above.

The application is brought to committee as it is an application by the City Council for a City council owned property.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 14th June 2021.

Policies Referred to

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

To assess the proposal with regards to:

- Planning Policy
- Impact on Visual Amenity and Character and Appearance of Conservation Area No. 2
- Impact on Residential Amenity
- Highway Safety

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	No Objections
Environmental Health	No Objections
Lincoln Civic Trust	Comments Received

Public Consultation Responses

No responses received.

Consideration

Planning Policy

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

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

Visual Amenity and the Character and Appearance of the Conservation Area

Within the wider area there is a mix of window types and materials. A large number of properties have installed replacement windows, many without the benefit of planning permission. The approach adopted for assessing applications is that whilst exact replica timber windows are preferred, UPVC is considered an acceptable alternative.

Although lacking the definition and detailing of timber windows they are not dissimilar to a large number of windows within the wider area. Located to the rear, the windows would be open to limited public views however, officers are satisfied that the design of the proposal would be appropriate.

The property currently has a timber door to the rear elevation which would be replaced with a more modern UPVC door. Whilst the loss of the original material is regrettable there are various examples of UPVC replacements in the vicinity. Located to the rear the door would be open to limited public views.

Therefore, on balance, it is not considered that the replacement windows and doors are unacceptably harmful enough to the character of the area to warrant refusal of consent. As the scale of harm is not considered to be unacceptable the development is therefore considered to be in accordance with Local Plan Policy LP25 and the guidance within the National Planning Policy Framework (NPPF).

Residential Amenity

The proposal is for the replacement of existing windows and doors, it is therefore considered that the residential amenity of the neighbouring properties would not be harmed. As such, the proposals would not unacceptably harm the living conditions of the residents of neighbouring properties and therefore would be in accordance with the amenity requirements of Policy LP26 of the Central Lincolnshire Local Plan.

Effect on Highway Safety

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

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The replacement windows and doors are considered to be acceptable and would not cause undue harm to visual amenity or the character and appearance of the conservation area, in accordance with Local Plan Policy LP25 and LP26 and guidance contained within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

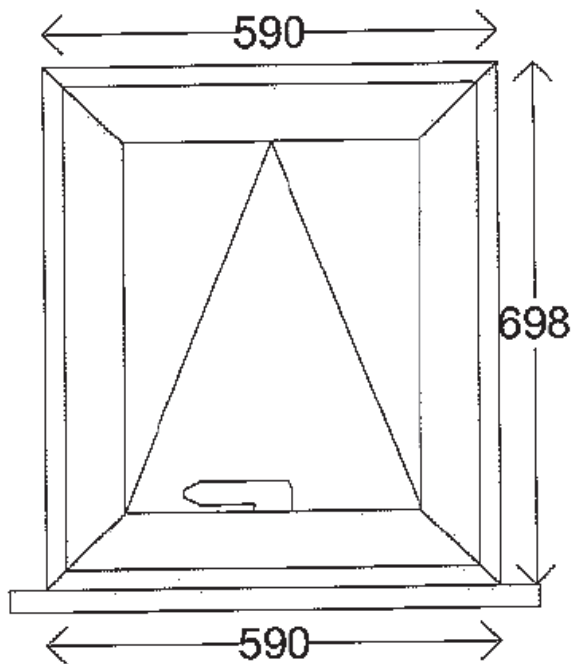
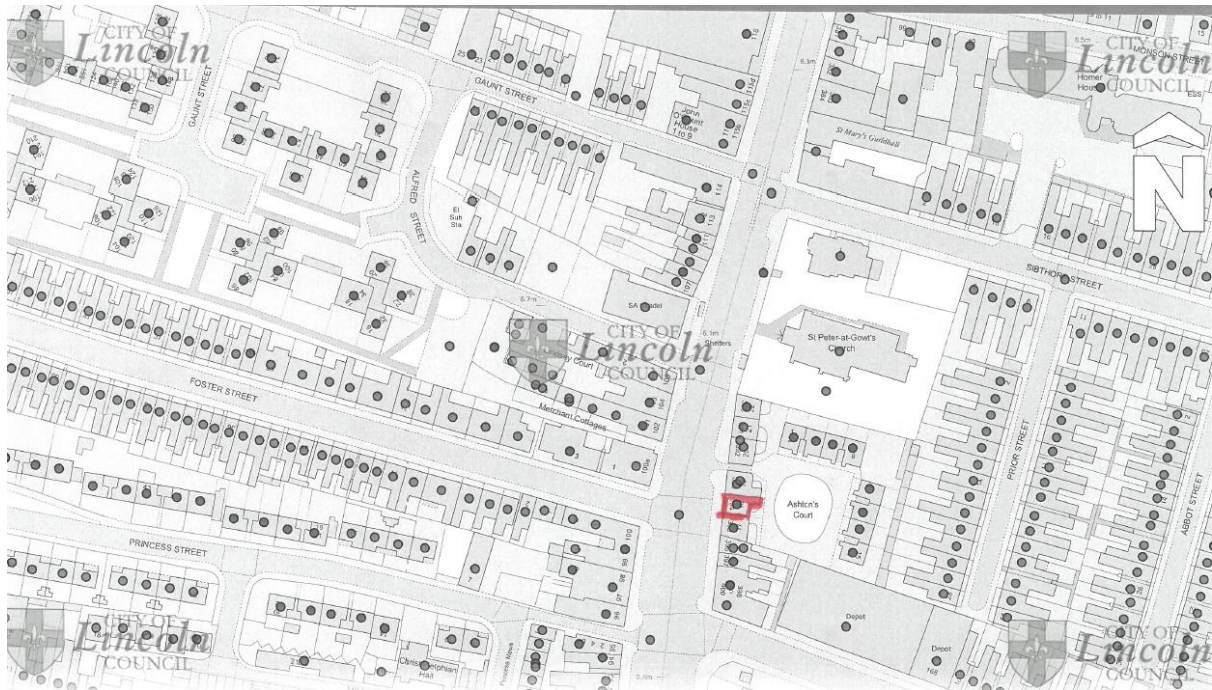
Recommendation

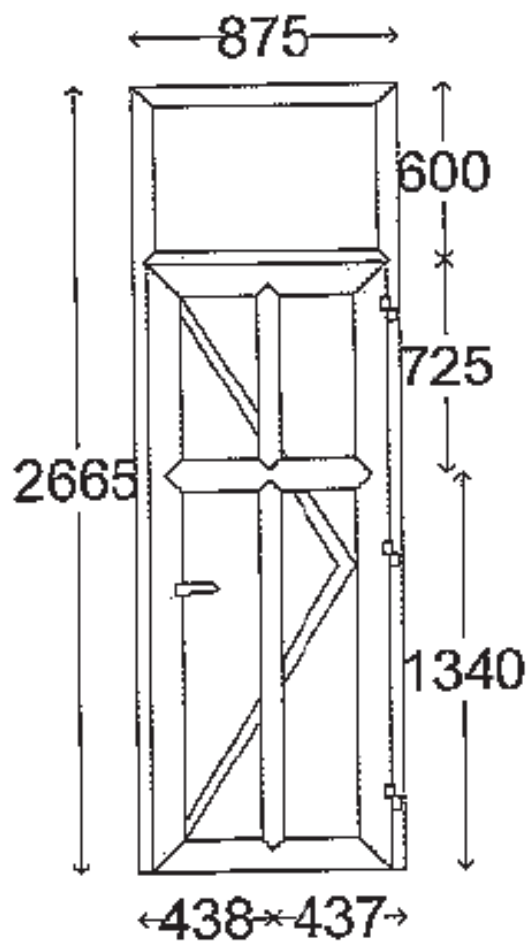
That the application is granted conditionally

Conditions

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

2021/0153/RG3 – 394 High Street, Lincoln, LN5 7SS





Photographs







Consultation Responses

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

NO Objection

Comment It would appear that there are two windows adjacent to each other at the rear and the one being replaced will of a totally different design to the other and hence suggest that either the other is changes in the same design or it should be redesigned to match the other window.



Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
HighwaysSUDsSupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2021/0153/RG3

Proposal: Replacement of 1 Timber rear door to UPVC and replacement of 2 Timber rear windows to UPVC.

Location: 394 High Street, Lincoln, Lincolnshire, LN5 7SS

With reference to the above application received 25 March 2021

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

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL

NO OBS

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

Case Officer:
John Clifton
for Warren Peppard
Head of Development Management

Date: 12/04/2021

Application Number:	2021/0154/RG3
Site Address:	1 Fulbeck House, Turner Avenue, Lincoln, Lincolnshire
Target Date:	1st May 2021
Agent Name:	City of Lincoln Council
Applicant Name:	City of Lincoln Council
Proposal:	Replacement of 1 Timber Front Door to UPVC.

Background - Site Location and Description

The application property is located within Fulbeck House. Turner Avenue runs to the west and Moorland Avenue to the south. The property is currently in use as a fish and chip shop.

Permission is sought to change the front door from timber to Upvc.

The application is brought to committee as it is an application by the City Council for a City council owned property.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 30th March 2021.

Policies Referred to

Local Plan Policy LP26 – Visual Amenity

Issues

- Local Plan Policy
- Visual Appearance

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	No Objections

Public Consultation Responses

No responses received.

Consideration

It is proposed to replace the existing brown timber door with a white Upvc alternative. A picture of the proposed door is included within this report.

Policy LP26 of the Central Lincolnshire Local Plan requires all development, including alterations to existing buildings, to take into account the local area and the design of the proposal. It is considered that the proposed replacement door would be an acceptable change and would have no adverse impacts on the visual amenity when taking into account the context and setting of the property.

Conclusion

The proposed door would be an acceptable visual change to the property and would be in accordance with local plan policy.

Application Determined within Target Date

Yes.

Recommendation

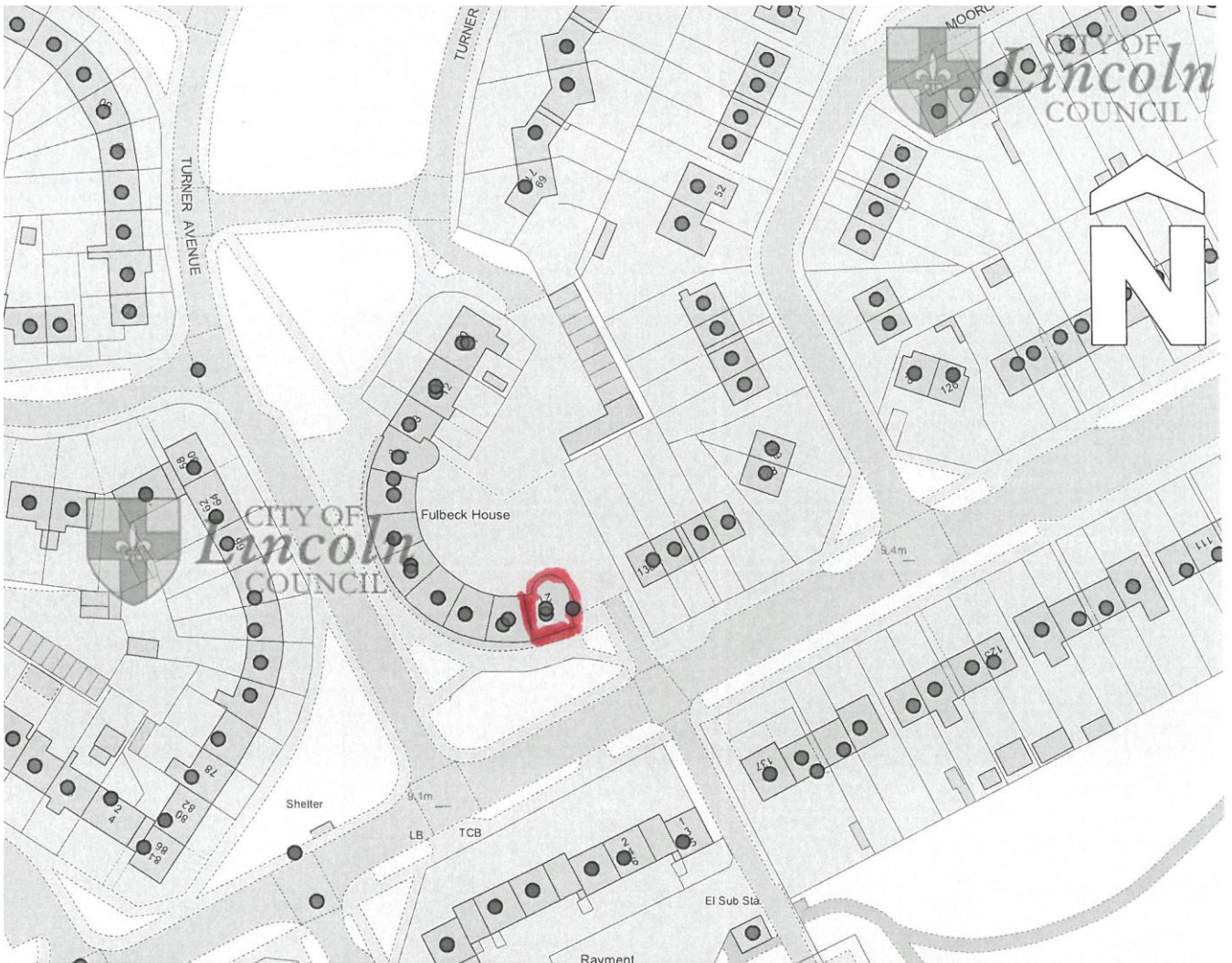
That the application is granted conditionally

Conditions

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

Plans

Site Location Plan



Existing Door



Proposed Door

Open in resi door (Style 2)

900 mm wide x 2100 mm high



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Consultee Comments

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



To: Lincoln City Council

Application Ref: 2021/0154/RG3

Proposal: Replacement of 1 timber front door to UPVC

Location: 1 Turner Avenue, Lincoln, Lincolnshire, LN6 7LZ

With reference to the above application received 9 March 2021

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.

For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

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:
Sarah Heslam
for Warren Peppard
Head of Development

Date: 9 March 2021

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