

PLANNING COMMITTEE

Wednesday, 11 August 2021

5.30 pm

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

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

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

A G E N D A

| SECTION A | Page(s) |
|--|----------------|
| 1. Confirmation of Minutes - 14 July 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. Work to Trees in City Council Ownership | 11 - 16 |

| | |
|--|----------------|
| 4. Tree Planting | 17 - 22 |
| 5. Applications for Development | |
| (a) Land to The Rear of 116 High Street, Lincoln | 23 - 68 |
| (b) The Parachute Regimental Association Memorial Garden, Castle Hill, Lincoln | 69 - 78 |

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Biff Bean, Councillor Bill Bilton, Councillor
Chris Burke, Councillor Liz Bushell, Councillor
Thomas Dyer, Councillor Gary Hewson, Councillor
Rebecca Longbottom, Councillor Bill Mara, Councillor
Mark Storer and Councillor Calum Watt

Apologies for Absence: Councillor Bob Bushell and Councillor Edmund Strengiel

6. Confirmation of Minutes - 30 June 2021

RESOLVED that the minutes of the meeting held on 30 June 2021 be confirmed.

7. Declarations of Interest

No declarations of interest were received.

8. Update Sheet

An update sheet was tabled at the meeting, which included an additional objection received in relation to Minute 12(a) – *The Moorland Centre, 3 Moorland Way, Lincoln.*

9. Confirmation of Tree Preservation Order No.160

The Planning Team Leader:

- a. advised members of the reasons why a temporary tree preservation order made by the Assistant Director for Planning under delegated powers should be confirmed at the following site:
 - Tree Preservation Order 160: 2 Thuja Trees and 1 Hornbeam Tree in the rear garden of The Orangery, 5 Manor House Gardens, Ancaster Avenue, Lincoln LN2 4AY
- b. provided details of the individual trees to be covered by the order and the contribution they made to the area
- c. reported that the initial 6 months of protection would come to an end for the Tree Preservation Order on 14 October 2021
- d. confirmed that the reason for making a Tree Preservation Order on this site was at the request of the occupants of the property
- e. added that the Arboricultural Officer following a site visit with the occupier of the property had identified the trees to be suitable for protection under a Tree Preservation Order, stating that the trees were of a high amenity value and that their removal would have a significant effect on the aesthetic appearance of the area
- f. advised that following an extended 11-week period of consultation, no objections had been received to the making of the order

- g. reported that confirmation of the tree preservation order here would ensure that the trees could not be removed or worked on without the express permission of the council which would be considered detrimental to visual amenity and as such the protection of the trees would contribute to one of the Councils priorities of enhancing our remarkable place.

Members asked/commented as follows:

- How much more work was involved in protection of trees under a Tree Preservation Order in comparison to trees situated in a Conservation Area?
- It seemed unusual for the owners of the property to request the imposition of a Tree Preservation Order on their land as it may affect the future sale of their property.

Simon Cousins, Planning Team Leader advised that protection of a tree under a Tree Preservation Order fell under different legislation to that of a tree in a Conservation Area. A Tree Preservation Order protected the specimen indefinitely and identified the tree as being of extra significance. A tree needed to be of sufficient special interest, of good health, be to public benefit and sufficient in size to be protected in this way.

RESOLVED that Tree Preservation Order No 160 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

10. Confirmation of Tree Preservation Order No.161

The Planning Team Leader:

- a. advised members of the reasons why a temporary tree preservation order made by the Assistant Director for Planning under delegated powers should be confirmed at the following site:
- Tree Preservation Order 161: 1 Purple Leaved Beech (*Fagus Sylvatica* 'Purpurea') Tree in the front garden of 18 Drury Lane, Lincoln LN1 3BN
- b. provided details of the individual tree to be covered by the order and the contribution it made to the area
- c. reported that the initial 6 months of protection would come to an end for the Tree Preservation Order on 14 November 2021
- d. confirmed the reason for making a Tree Preservation Order on this site due to the tree providing a contribution to the visual amenity of the area and that the unauthorised removal of the tree would be detrimental to visual amenity
- e. added that the Arboricultural Officer having received a request to impose the Tree Preservation Order, located within Conservation Area No 1- Cathedral and City Centre, had identified the tree to be of extremely high amenity value (using the Helliwell System) and therefore considered to be suitable for protection under a Tree Preservation Order and that its

removal would have a significant effect on the aesthetic appearance of the area

- f. advised that following an extended 55-day period of consultation, no objections had been received to the making of the order
- g. reported that confirmation of the tree preservation order here would ensure that the tree could not be removed or worked on without the express permission of the council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to one of the Councils priorities of enhancing our remarkable place.

RESOLVED that Tree Preservation Order No 161 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

11. Confirmation of Tree Preservation Order No.162

The Planning Team Leader:

- a. advised members of the reasons why a temporary tree preservation order made by the Assistant Director for Planning under delegated powers should be confirmed at the following site:
 - Tree Preservation Order 162: 2 Mulberry (Morus Nigra) Trees in the rear garden of 3 Greestone Place, Lincoln LN2 1PP
- b. provided details of the individual trees to be covered by the order and the contribution they made to the area
- c. reported that the initial 6 months of protection would come to an end for the Tree Preservation Order on 10 November 2021
- d. confirmed the reason for making a Tree Preservation Order on this site due to the tree providing a contribution to the visual amenity of the area and that the unauthorised removal of the tree would be detrimental to visual amenity
- e. added that the Arboricultural Officer had received a request to impose the Tree Preservation Order, located within Conservation Area No 1-Cathedral and City Centre; following a site visit with the occupier of 3 Greestone Place he had identified both trees to be of high amenity value and therefore considered to be suitable for protection under a Tree Preservation Order and that their removal would have a significant effect on the aesthetic appearance of the area
- f. advised that following an extended 51-day period of consultation, no objections had been received to the making of the order
- g. reported that confirmation of the tree preservation order here would ensure that the trees could not be removed or worked on without the express permission of the council which would be considered detrimental to visual amenity and as such the protection of the trees would contribute to one of the Councils priorities of enhancing our remarkable place.

In response to a question, the Committee was advised that members could individually request that a tree be given a Tree Preservation Order if approached by a member of the public on their behalf.

RESOLVED that Tree Preservation Order No 162 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

12. Applications for Development

(a) The Moorland Centre, 3 Moorland Way, Lincoln

The Planning Team Leader:

- a. described the details of the application for the demolition of the existing Moorland Centre to provide a foodstore, two retail units, and a drive-thru restaurant (all Use Class E), together with alterations to the existing car park, creation of a new car park and associated external works, including landscaping
- b. advised that this application was almost identical to the previous application approved by Members of Planning Committee on 27 January 2021 (2020/0662/FUL)
- c. confirmed that the application had been resubmitted as the Council had received a legal challenge against the previous application, by way of a Judicial Review, brought by Asda Stores Limited (Asda), which held in abeyance the previously approved application
- d. reported that whilst respectful of the Judicial Review and not wanting to pre-empt the outcome, the applicant had chosen to resubmit this application for re-consideration by the Local Planning Authority to address some of the concerns raised by this challenge, namely that an Environmental Impact Assessment (EIA) screening opinion had not been undertaken and that the previous committee report did not refer to the Swanholme Lakes Site of Special Scientific Interest (SSSI), as detailed later in this report
- e. advised that the submitted plans were almost identical to the previous application save some minor changes outlined in the report, namely revised block and site plans received during the process of the application to illustrate the proposed barriers to the car park
- f. added that all of the supporting technical documents were as per the previous submission with the exception of the Planning and Retail Statement and Transport Assessment which included updated data, and the addition of an Archaeological Desk Based Assessment//Biodiversity Net Gain Assessment, however, the conclusions of both reports remained the same
- g. described the existing Moorland Centre building as vacant, formerly occupied by Downtown, which sat at the north corner of the application site with the existing car park to the south; the proposed foodstore, Aldi would sit towards the north corner of the site , together with the two adjoining retail units, however with a significantly smaller footprint than the existing building

- h. stated that a new car park would be created to the front, south east of the building and an additional access point from Moorland Way to the north east, with the proposed drive-thru restaurant located beyond the car park, adjacent to the existing access
- i. advised that the site was located to the north west of Tritton Road, accessed via Moorland Way; the 'entry only' access off Moorland Way to the north east of the site also served the Elite Fish and Chip Shop restaurant to the south east of the application site as well as the M & S Foodhall and Co-operative Travel to the west, with the exit from the main car park, which also could be used as an access was located to the north west of the site, which returned customers onto Moorland Way
- j. advised that this was an acceptable proposal, very similar to the previous application, however, it must be considered on its own merits
- k. 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 LP6: Retail and Town Centres in Central Lincolnshire
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land Affected by Contamination
 - Policy LP21: Biodiversity and Geodiversity
 - Policy LP25: The Historic Environment
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework
- l. advised the Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
- Policy Context, Principle and Sequential Test
 - Visual Amenity
 - Trees and Landscaping
 - Impact on Residential Amenity and Neighbouring Uses
 - Access, Parking and Highways
 - Flood Risk and Drainage
 - Contaminated Land
 - Archaeology
 - Swanholme Lakes SSSI
 - EIA Screening Opinion
 - Biodiversity Net Gain and Green Infrastructure
 - Other Matters
- m. highlighted that screening for an Environmental Impact Assessment had concluded that as the proposed scheme was not an EIA development an Environmental Statement was not required, also that consultation with Natural England in respect of Swanholme Lakes Site of Special Scientific Interest (SSSI) had resulted in no objections being raised
- n. outlined the responses made to the consultation exercise

- o. referred to the update sheet which contained an additional representation from an objector in respect of the proposed development
- p. concluded that:
- The principle of the uses on this unallocated site was considered to be acceptable and the application had demonstrated that it had met the policy requirements of the sequential and retail impact tests.
 - The layout, scale and design of the development was acceptable, complementing the architectural style of the local surroundings.
 - With appropriate conditions it was not considered that the amenities of neighbouring residential properties or neighbouring uses would be unduly harmed by the proposal, either during its construction or as a result of its operation.
 - Matters relating to highways, surface water drainage, foul water drainage, contamination, archaeology, trees, landscaping, biodiversity net gain and green infrastructure had been appropriately considered by officers and the relevant statutory consultees, and could be dealt with as required by condition.
 - The development would not have a significant adverse impact on the Swanholme Lakes SSSI, a designated site.
 - The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP6, LP13, LP14, LP16, LP21, LP25 AND LP26 as well as guidance within the National Planning Policy Framework.

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

- Time limit of the permission.
- Development in accordance with approved plans.
- Contamination
- Surface water drainage scheme
- Foul water drainage scheme
- Tree protection measures
- Details of materials
- Site levels and finished floor levels
- Landscaping scheme (to include biodiversity net gain recommendations).
- Details of an electric vehicle charging scheme
- Construction Environmental Management Plan
- Restriction on hours for demolition/construction/delivery
- Assessment of off-site impact of lighting
- Details of any extraction/filtration systems associated with the drive-thru use
- Restriction on hours for waste collections
- Delivery Management Plan
- Restriction on opening hours of retail units and drive-thru
- Restriction on retail use
- Removal of trees/hedgerows/shrubs outside of nesting season.

SUBJECT: WORK TO TREES IN CITY COUNCIL OWNERSHIP

DIRECTORATE: DIRECTOR OF COMMUNITIES AND ENVIRONMENT

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

1. Purpose of Report

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

2. Background

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

3. Tree Assessment

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

4. Consultation and Communication

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

5. Strategic Priorities

5.1 Let's Enhance our Remarkable Place

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

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

i) Finance

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

ii) Staffing N/A

iii) Property/Land/ Accommodation Implications N/A

iv) Procurement

All works arising from this report are undertaken by the City Council's grounds maintenance contractor. The Street Cleansing and Grounds Maintenance contract ends August 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 6 / SCHEDULE DATE: 11/08/2021**

| Item No | Status e.g. CAC | Specific Location | Tree Species and description/ reasons for work / Ward. | Recommendation |
|----------------|------------------------|--|---|---|
| 1 | N/A | 2 Bentinck Street | <u>Abbey Ward</u> 1 x Acacia <u>Fell</u> This tree is in close proximity to a partitioning wall and has the potential to cause structural damage. | Approve works – replace with 1 Spindle; to be planted within the amenity grassland to the rear of Napier Street. |
| 2 | N/A | Boultham Park – Bandstand grassland area | <u>Boultham Ward</u> 1 x Maple <u>Fell</u> This tree has been in decline for a number of years and is currently retained as standing deadwood. | Approve works – replant with a replacement Maple; to be located in close proximity to the position of the original. |
| 3 | N/A | Sobraon Barracks - to the rear of the cricket outfield | <u>Castle Ward</u> 4 x Elm <u>Fell</u> These trees are succumbing to Dutch Elm Disease and pose a hazard due to their instability. | Approve works – replace with 4 Hornbeam; to be planted within the immediate area. |
| 4 | TPO | 19 Wedgewood Road | <u>Hartsholme Ward</u> 1 x Rowan <u>Prune to clear lamp column and undertake canopy lift</u> 2 x Field maple <u>Reduce canopy to remove boundary over-hang.</u> 1 x Birch | Approve works. |

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| | | | <u>Reduce canopy to remove property overhang.</u> | |
| 5 | TPO | 44 Abingdon Avenue | Hartsholme Ward 1 x Birch (T1) <u>Remove lowest scaffold branch back to the branch bark ridge.</u> 1 x Birch (T2) <u>Reduce canopy to remove property overhang.</u> | Approve works. |
| 6 | TPO | 200 Fulmar Road | Hartsholme Ward 1 x Oak <u>Fell</u> This tree is causing direct damage to the property boundary and is in close proximity to the main residential structure. | Approve works – replant with a replacement Oak; to be located in a suitable position along the side of the adjacent pathway. |
| 7 | N/A | St Columba's Church - footpath alongside, leading to Brant Road | Witham Ward 1 x Elm <u>Fell</u> This tree exhibits severe decline which is associated with Dutch Elm Disease. | Approve works – replant with 1 x Broad-Leaved Cockspur thorn: to be located within the amenity grassland within the cul-de-sac at Foyle Close. |

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| SUBJECT: | TREE PLANTING |
| DIRECTORATE: | COMMUNITIES AND ENVIRONMENT |
| REPORT AUTHOR: | STEVE BIRD, ASSISTANT DIRECTOR, COMMUNITIES AND STREET SCENE |

1. Purpose of Report

1.1 To respond to a request by Planning Committee to set out the Council's policy on tree replacements, and specifically to consider the planting of more trees, or larger replacement trees.

2. Executive Summary

2.1 The benefits of trees being well known, the Council seeks to find a way to balance the difficulties of growing trees in tight urban situations, and the inherent demands on space.

2.2 The Council's Open Space and Tree Management Policy currently sets out that the council will plant at least one tree for every tree removed, so as to protect the number of trees in the city.

2.3 This report defends that policy, highlighting the reasons that larger trees would not bring proportionate benefits, and why guaranteeing to plant more than one tree for each tree lost would be problematic.

3. Background

3.1 For many years the Council has had a tree planting policy of 'one for one'. That is to say, for each tree removed a tree will be planted. This is stated in the Council's existing Open Space and Tree Management Policy, 4.2 (g). Section 4.2 (f) also states that the council will give "priority to the planting of native species".

3.2 In more recent years the Council has been asked to reconsider if 'one for one' is reasonable, and if more trees, or larger trees, should be planted, so as to offset carbon footprint impacts.

3.3 This report seeks to clarify the reasoning behind the existing policy.

4. Consideration of the Options and Policy.

4.1 The questions posed are twofold after a tree is removed. Can we plant more trees? Can we plant larger trees?

- 4.2 Both of these questions have at their heart one aim, which is to mitigate the impact that the loss of a tree has on the ability of the city's tree population to absorb carbon.
- 4.3 In very simplistic terms, all plants, through the process of photosynthesis, use the energy of the sun to take in carbon dioxide (CO₂) from the air, and water from the ground, to grow. In so doing they release oxygen. In trees, this growth includes forming wood which effectively 'locks' the carbon into the trunk for many years.
- 4.4 The absorption of carbon, and the release of oxygen are just two of the many reasons why trees are important in a city, and why the council has had a policy in place to make sure that every tree lost, for whatever reason, is replaced.
- 4.5 However, there are many problems with tree planting in tight urban environments, not least because they are generally hostile places for trees to grow, but also because, whilst many people like trees, they don't want them near their property, or dropping leaves in their gutters, or blocking TV reception, or encouraging insects to drop sap on their car etc. etc. Members will be aware that almost every enquiry for work to a tree usually starts with the phrase "I like trees but...."
- 4.6 Indeed, the recent citizens' survey showed that the amount of work undertaken to trees was seen as a measure for how well the council was maintaining trees, and conversely, the lack of annual work to trees on roadsides (even when not required), was seen as a measure of negligence.
- 4.7 For this reason, the city council's arboricultural staff have a difficult job, balancing the desire to encourage a healthy tree population with the needs of the urban community.
- 4.8 It was this enduring conflict that led to the existing council policy for trees, underpinning the basic need to maintain a difficult balance; the balance between how many we have, and how many people will tolerate.
- 4.9 The Council's current practice is therefore to plant trees of species and sizes that are considered to be appropriate for the conditions, based on the judgement of the arboricultural officer. The arboricultural staff will draw on their knowledge and expertise.
- 4.10 There is substantial evidence to suggest that there is no real advantage to planting larger trees in terms of time it takes for the trees to fully establish. In fact studies have shown that younger trees often have the ability to adapt to their environment faster than larger specimens; which may be due to a reduction in transplanting shock which is brought about as a result of the smaller trees lower demand for limiting factors, including water. As smaller trees tend to establish more successfully than larger specimens, especially in urban settings.
- 4.11 Larger trees do of course have greater immediate impact in a setting, so they have their place in a landscape design context, and there are factors that can be undertaken to mitigate the effects of transplanting larger trees, but not only are the larger specimens more expensive, but so is their protection and aftercare.

- 4.12 Very small trees, often referred to as 'whips', whilst widely planted in forestry and agricultural settings, are not considered suitable in most urban environments. Their small size makes them low cost, but they do not provide amenity impact, and are more vulnerable to loss due to vandalism.
- 4.13 As a result, the arboricultural officer will consider all options and choose accordingly, most usually selecting something between the two options above. These are referred to as 'standard' trees. That is to say they are a young tree of about 2m in height and have a clear stem. These are graded according to the diameter of the stem at 1m height, with the Council usually having 10-12cm stock. Others are used at times, 8-10cm, 12-14 cm. 'Standard' trees do have immediate presence but do require guards for protection.
- 4.14 It is worth noting here that the cost of a tree is not directly proportionate to its size. Something twice the size of a 10-12 standard will be considerably more than twice the cost, not only to buy but also to transport and plant. This means that should the council set a policy of only planting larger trees than those currently selected it would have several impacts: Firstly, costs would escalate, and greater budget would be required. Secondly it would impact the number of locations where planting could be possible. Larger equipment would be required to plant larger trees. Sometimes limiting access.
- 4.15 For the above reasons it is not recommended that the Council move to a blanket decision to plant larger trees.
- 4.16 In terms of planting more than one tree each time a tree is lost, this too has real practical difficulties.
- 4.17 The following are taken from notes of a group currently considering how the council might undertake a large tree planting scheme, outside of the one for one policy. Examples are:
- a) Finding enough suitable spaces to plant trees
 - b) Making sure that planting trees on an area does not damage an existing habitat
 - c) Making sure that planting trees does not prevent/remove another valuable use e.g. a community recreational facility or a development site
 - d) Finding sources of large numbers of trees with suitable biosecurity (ideally local provenance)
 - e) Finding funding for large scale planting
 - f) Finding funding for maintaining large scale plantings.
- 4.18 Having addressed the replacement tree question, it is worth noting here the efforts to ensure tree survival.
- 4.19 It is true to say that each year, due to a range of factors, a percentage of the trees planted each winter are lost. The number varies each year, but is usually down to such as drought, and vandalism. The numbers lost, whilst regrettable, are small as a percentage of what is planted. Any lost are replanted the next winter season.

- 4.20 Moving to the question of reducing these losses, this is something that we have in hand. Whilst losses are low, and some must always be expected, we are keen to reduce this figure to as low a number as possible.
- 4.21 We are currently working on a Tree Policy, and within that there will be specific mention to tree choice options, and planting /after care arrangements. Whilst the basics of tree planting will probably remain unchanged, we will be reconsidering as such our guarding and protection policy and use of such as mycorrhizal fungi when planting to try and enhance survival rates.
- 4.22 As a footnote to this section, members might want to reflect on the fact that all trees in the city are of course living assets, and as such they all have a life cycle. Each year the ability to absorb carbon increases naturally as existing trees get larger, so the loss of one tree specifically will automatically be offset by others.
- 4.23 Their life cycle is slower than ours, so we tend to imagine that trees will live to a very old age and are shocked when they have to be removed before they become over mature. In an urban setting, for safety reasons they can seldom be allowed to decay slowly, shedding branches as they might in a field setting.
- 4.24 They will all grow and die at some time, so having an ongoing planting plan of trees of various species and at various stages of development is an important part of having a healthy tree stock in the city.

5. Strategic Priorities

5.1 Let's Enhance our Remarkable Place / Let's Address the Challenge of Climate Change.

The benefits of trees, and indeed plants and open spaces, are extensively documented. The council seeks to enhance its basic tree planting policy whenever possible. It is also giving consideration to how a larger scale of tree planting might be accommodated in the near future.

6. Organisational Impacts

6.1 Finance

Trees are not low cost to plant and maintain. Any increase in planting would require an increase in budgets accordingly long term.

The allocation of any additional resources would need to be set in the context of the council's overall financial position.

6.2 Legal Implications

As an asset of the Council trees have to be properly maintained by qualified staff to ensure safety and covered by suitable insurance.

6.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

6.4 Land, Property and Accommodation

The council has extensive assets, with an enormous tree asset, not just on large open spaces, but within housing and industrial developments.

6.5 Significant Community Impact

Generally, trees are seen positively by communities as a whole, but negatively by individuals if they are near to a specific individual's property. Specific larger trees can become a part of a community as a meeting place or landmark and are often fiercely defended accordingly.

6.6 Corporate Health and Safety implications

The Council is required to have in place a tree care system that is reasonable in the eyes of the law, and acceptable to our insurers.

7. Risk Implications

7.1 (i) Options Explored

As set out in the report.

7.2 (ii) Key risks Associated with the Preferred Approach

Continuing with the existing policy does not increase carbon sink capacity (but noted that the council is considering an alternative tree planting programme rather than an adjustment to the 'one for one' policy).

8. Recommendation

8.1 That Planning Committee note the report.

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? None

List of Background Papers: None

Lead Officer:

Steve Bird ADCSS
Telephone (01522) 873421
Email address: steve.bird@lincoln.gov.uk

| | |
|----------------------------|--|
| Application Number: | 2021/0343/FUL |
| Site Address: | Land to The Rear of 116 High Street, Lincoln, Lincolnshire |
| Target Date: | 13th August 2021 |
| Agent Name: | CK Architectural |
| Applicant Name: | Sarwar Aziz |
| Proposal: | Erection of a two-storey building to accommodate 4 self-contained flats and acoustic enclosure to existing air conditioning units. (Revised description) (Revised plans) |

Background - Site Location and Description

The application site is land to the rear of 116 High Street. The currently vacant site comprises unmade ground and gravel, located to the west of the High Street properties. The land in between the rear of these properties and the site forms the service yard to 116 High Street, which includes a single storey metal clad store and some air conditioning units. The site would be accessed from Gaunt Street, between no.s 7 and 11, across the existing service yard.

To the south of the site are the rear boundaries with properties on Gaunt Street, namely no.s 11 to 21. The boundary is defined by a substantial 3.2m high wall. To the north are the rear boundaries of 23, 25 and 27 Anchor Close, which are defined by an approximately 1.8m high fence. To the west of the site is a low-level laurel hedge which defines the boundary with Woodburn Place, a 1 ½ storey building fronting Gaunt Street which accommodates flats. Beyond the boundary is a small courtyard and recessed entrance, providing access to three of the flats, which in turn is accessed via a footpath that runs within the site adjacent to the south boundary.

The wider area is characterised by a mix of two storey traditional terraces along with 1 ½, 2 and 3 storey blocks of flats and more modern 2, 2 ½ and 3 storey dwellings as part of the Anchor Quays development to the north.

The application proposes the erection of a two-storey building to accommodate four, two-bedroom flats. The application also proposes an acoustic enclosure to the existing air conditioning units to the rear of 116 High Street.

The acoustic enclosure was added to the proposal during the application process and is included on the revised plans. At the request of officers, and to attempt to address some of the concerns of neighbouring properties, the revised plans also identify the position of all neighbouring properties on the elevations, sight lines from neighbouring properties towards the development, the outline of a previously approved development and the position of a new 2m high fence adjacent to the west boundary. Again, in response to the concerns of objectors, officers also requested that the agent provide information to demonstrate that the neighbouring properties would not be unduly impacted from loss of sunlight. A Daylight and Sunlight Report has been provided, as has a Noise Impact Assessment requested by the City Council's Pollution Control (PC) Officer. All neighbours and Ward Councillors have been re-consulted on these plans and additional information. Some additional comments from neighbours have been received, which are detailed within the report.

Planning History

While each application should be considered on its own merits the application site has

been subject to a number of applications, which officers have outlined for the information of Members.

Application reference 2013/1049/F proposed a terrace of six dwellings facing north and extending across almost the full width of the application site. This was refused due to the impact on the occupants of 23-25 Gaunt Street and 23-27 Anchor Close. It was considered that the proposal would cause loss of light and appear overbearing due to the scale, position, proximity, and height. It was also considered that the site constraints led to a compromised design, which in turn resulted in a poor standard of amenity for future occupants.

A resubmission (2014/0890/F) for an almost identical scheme was refused for the same reasons. This was also dismissed at appeal.

Subsequent to this, the application site along with the host property 116 High Street, has received two planning permissions. An application (2016/0083/F) was approved by Members of the Planning Committee for the erection of a part three/part four storey building to accommodate 12 self-contained flats (91 student bed spaces) and 1 two-storey and 1 three-storey dwelling. The element of the proposal which related to the current application site was a two-storey house accommodating five bedrooms, to be occupied as an HMO. This had a much smaller footprint than the previously refused terrace and therefore was considered to have an acceptable relationship with neighbouring properties.

The most recent application (2018/1329/FUL) was approved for the erection of a two-storey rear extension to 116 High Street to facilitate the conversion of the first floor to a Snooker Club (Use Class D2) and Bar (Use Class A4). The application also approved the erection of 2no. semi-detached dwellings to rear, on the current application site. This building is annotated in green on the proposed floor and elevation plans by way of a comparison to the current proposal. This development could still be implemented as the permission does not expire until February 2022.

The Design and Access Statement (D&A) has noted that, prior to this current application being submitted, there has been extensive pre-application discussions between officers and the agent. The D&A states that this process “comprised of a number of revisions to the scheme from the original 3 storey flat roofed, 9 unit apartment building, to a more modest 2 storey pitched roof, 4 unit building. During this process consideration and concessions on the size, scale, massing, proximity, accommodation, and appearance of the proposals have been made, which result in the scheme currently being proposed.”

Site History

| Reference: | Description | Status | Decision Date: |
|---------------|---|--------------------------|-------------------|
| 2018/1329/FUL | Erection of a two-storey rear extension to facilitate the conversion of first floor to Snooker Club (Use Class D2) and Bar (Use Class A4) and erection of 2no. semi-detached dwellings to rear. | Granted Conditionally | 4th February 2019 |

| | | | |
|-------------|--|-----------------------------|--|
| 2016/0083/F | Demolition of a 2-storey building and erection of a part three/part four storey building to accommodate 12 self-contained flats (91 student bed spaces), 1 two-storey and 1 three-storey dwellings with retail (Class A1) at ground floor. | Granted Conditionally | 22nd July 2016 |
| 2014/0890/F | Erection of 6 2-storey dwellings (Resubmission) (Revised location) | Refused Appeal dismissed | 17 th February 2015 12 th August 2015 |
| 2013/1049/F | Erection of 6 two storey dwellings. | Refused | 16 th December 2013 |

Case Officer Site Visit

Undertaken on 16th June 2021.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land affected by Contamination
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Principle of use
- Visual amenity
- Residential amenity
- Noise
- Access and highways
- Archaeology
- Drainage
- Land contamination and air pollution

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 |
| Anglian Water | Comments received |
| Lincolnshire Police | Comments Received |

Public Consultation Responses

| Name | Address |
|----------------------|--|
| Mrs Caroline Leggott | 25 Anchor Close Lincoln LN5 7PE |
| Jordan Scurr | 27 Anchor Close Lincoln Lincolnshire LN5 7PE |
| Mr Stefan Richards | 18 York Way Bracebridge Heath Lincoln LN4 2TR |
| David Scurr | 27 Anchor Close Lincoln Lincolnshire LN5 7PE |
| Martinas Petrauskas | 2 Woodburn Place Lincoln Lincolnshire LN5 7AH |
| Diane Scurr | 27 Anchor Close Lincoln Lincolnshire LN5 7PE |

| | |
|-------------------|--|
| Timothy Gowrie | 29 Anchor Close Lincoln Lincolnshire LN5 7PE |
| Ashley Chapman | 31 Anchor Close Lincoln Lincolnshire LN5 7PE |
| Laura Galluccio | 23 Anchor Close Lincoln Lincolnshire LN5 7PE |
| Riccardo Martino | 4 Woodburn Place Lincoln Lincolnshire LN5 7AH |
| Michal Kazana | 3 Woodburn Place Lincoln Lincolnshire LN5 7AH |
| Kristina Gelvich | 2 Woodburn Place Lincoln Lincolnshire LN5 7AH |
| Melissa-Sue Ryan | 1 Woodburn Place Lincoln Lincolnshire LN5 7AH |
| Isabella Ferrante | 21 Anchor Close Lincoln Lincolnshire LN5 7PE |
| Bill Taylor | Landlord of Woodburn Place |

Consideration

Principle of Use

Central Lincoln Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Officers are therefore satisfied that the principle of the residential use is wholly appropriate in this location. Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and

planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

The application site also has the benefit of planning permission for two semi-detached dwellings, which could be implemented until February 2022, and therefore supporting the principle of the residential development would also be consistent with this approval.

Visual Amenity

The proposal would sit towards the east boundary of the site, with a grassed area to the west, accommodating cycle storage. The grassed area would continue to the north in a strip between the elevation and adjacent boundary. While each application should be considered on its own merits, it is worth noting that the footprint of the proposal is similar to the current permission for the site. This is demonstrated as a green dashed line on the proposed site layout and indicates that the building would be set approximately 1.7m further east than the approved scheme, increasing the separation to the Woodburn Place properties.

The application proposes a two-storey building, although the first floor is partly within the roof, and therefore appears as a 1½ storey structure. The building would measure 4.3m high to the eaves and 6.6m high to the ridge. Again, while each application should be considered on its own merits, the height is comparable to the current permission for the site.

Objections have been received from the occupants of 21, 23, 25, 27, 29 and 31 Anchor Close and 1, 2 and 4 Woodburn Place. An objection has also been received from the occupant of 18 York Way, Bracebridge Heath. The objections have raised concern regarding the excessive footprint of the development, and that the height and scale is too large, particularly when compared to surrounding constructions.

Officers consider that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated access, garden areas and bin/cycle storage. The development represents a good use of land. It would put to use a site that often becomes overgrown and neglected and would therefore visually be an improvement on the current arrangement. Officers also consider that the height of the development is not unacceptable in this location. The elevations illustrate heights of neighbouring properties in relation to the proposal. While the proposal would sit higher than Woodburn Place, which is also on a slightly lower land level, it would sit below the ridge height of the 2 ½ storey terraces on Anchor Close and also below the ridge of the two storey terraces on Gaunt Street.

Officers are therefore satisfied that this in-fill proposal would relate well to the site and surroundings in relation to siting, height, scale, and massing.

The proposed building would have a frontage to the east and west elevations, with covered entrances providing access to the two ground floor flats. The flats to the first floor would be accessed via a third covered entrance to the south. It is cited by some objectors that the design and appearance of the scheme is poor. However, officers are of the opinion that the design is acceptable; which is a simple and modern approach. The proposal would be constructed with red brick and grey concrete roof tiles with dark grey UPVC windows. Elements of off-white render would be used on the elevations and around

some of the windows to add interest. The windows give the building vertical emphasis, which is welcomed, although are also configured in different ways to add interest and also to protect the amenity of neighbouring properties. The site is not open to public view, notwithstanding this, officers consider that the modern design and palette of materials is acceptable. Conditions would require samples of the proposed materials for approval and the setting of windows and doors within reveal to ensure the overall finish and quality of the development is to a high standard.

A brick structure is proposed to the east of the site, to act as an acoustic enclosure to the existing air conditioning units. Officers have no objection in principle to the size or design of this. Detail of the size and design of the adjacent refuse store and the cycle store within the garden area will be required by condition.

With regard to boundary treatments, it is intended to erect a hit and miss fence to the west boundary adjacent to the existing laurel hedge. Officers have no objection to this from a visual point of view.

Landscaping on the site is limited to the grassed areas previously mentioned, with the hard surfacing proposed to be paving. Some objectors consider that there is a lack of greenery on the site. While officers consider that the implementation of a formalised grassed area would be an improvement to the current arrangement, it is considered that there is an opportunity to incorporate some areas of low-level landscaping. Officers would therefore propose that a landscaping scheme be conditioned on any grant of consent.

The proposal would therefore be in accordance with CLLP Policy LP26 and paragraph 130 of the NPPF, which requires that developments should make effective and efficient use of land, add to the overall quality of the area and be sympathetic to local character.

Residential Amenity

The objections from neighbouring properties raise concern regarding the height, scale and proximity to boundaries and properties. It is considered that this would result in an overbearing and enclosing impact, also causing loss of light to gardens and properties. Overlooking and loss of privacy to houses and gardens is also cited as a ground for objection, with specific reference made to the overlooking from windows and roof lights. One of the objectors notes that the site has the benefit of the 2018 permission, but considers this pushes the boundaries too far to the detriment of neighbouring properties. Two objectors have referenced the refusal reasons relating to the application for a terrace of six dwellings, suggesting that this permission should also be refused for the same reasons.

In addition to the comments already made, the occupants of 23 and 27 Anchor Close have submitted further responses following the re-consultation exercise. Both responses raise issue with the content and conclusions of the Daylight and Sunlight report, with suggestions that there are discrepancies. The objection from no. 23 also includes photographs to demonstrate the current loss of light experienced and states that their solar panels on the roof will be overshadowed.

The landlord of Woodburn Place has also made comments following the re-consultation, considering that the un-frosted windows in the west elevation overlook into the garden of 1-5 Woodburn Place and that the proposed fence is too high. He also notes that the porch entrance on the south elevation overhangs the access path to Woodburn Place, however,

this is within the application site and is therefore a legal matter, and not one that can be considered as part of the application.

The north boundary of the site forms the rear boundaries of 23, 25 and 27 Anchor Close, which are 2 ½ storey terraced properties. The north elevation of the proposal would be located approximately 1.2m from this boundary, which is defined by an approximately 1.8m high fence. The proposed garden area would sit opposite the rear of 27 Anchor Close, with the proposed building therefore being off-set from this neighbouring property. The building would be located 8.7m from the single storey kitchen window of 25 Anchor Close, with this distance increasing to 9.8m to the main rear elevation. These separation distances increase slightly towards the rear of 23 Anchor Close given the angled position of the proposal. The proposal would measure 4.3m high to the eaves and 6.6m high to the ridge.

While the proposal clearly has a close relationship with the neighbouring properties on Anchor Close, officers are satisfied that the relatively modest height with the roof sloping away from the boundary would ensure that it would not appear unduly overbearing or enclosing. The impact certainly wouldn't be sufficiently harmful to warrant refusal of planning permission, particularly when the site has permission for a development of a comparable height.

The site is located to the south of the Anchor Close properties and there will accordingly be some impact on the neighbouring occupants from the loss of direct sunlight. The Daylight and Sunlight report attempts to detail the extent of this, although objectors have raised issue with the content and conclusions. Notwithstanding this, officers do not consider that the level of loss of light from the proposed development would be sufficiently harmful to warrant the refusal of the application. There would be no overshadowing to the solar panels on the roof of 23 Anchor Close, as the ridge of the proposed 1 ½ storey development would sit below the eaves of this neighbouring 2 ½ storey property.

Within the north facing elevation of the proposal a kitchen and two bedroom windows are proposed at the ground floor level, although any overlooking from these would be mitigated by the existing boundary fence to the Anchor Close gardens. There are no windows above this at first floor level, only roof lights. A section through the proposed building demonstrates that the bottom of the rooflights will sit over 2m above the internal floor level, so direct overlooking will not be possible. Officers are therefore satisfied that the development would not cause loss of privacy to the neighbouring Anchor Close properties.

The south elevation of the proposal would be positioned approximately 1.4m from the boundary with properties on Gaunt Street, no.s 11-21. The separation of the development to the single storey off-shoots of these properties and the main rear elevation would be over 8m and 11.5m respectively. A key factor when assessing the relationship of the proposal with these properties is the position of the existing 3.2m high boundary wall. The eaves of the proposal would sit just over 1m above this and the ridge 3.45m above, with the roof sloping away. Officers therefore do not consider that the proposal would appear unduly overbearing or, given the location of the site to the north, would it result in loss of direct sunlight.

The boundary wall would mitigate any issues of overlooking from the ground floor windows and the entrance. At first floor there is a window serving the communal staircase, however, this will be obscure glazed. Rooflights are proposed, but as above, the height of these

above the internal floor level is such that overlooking from here is not possible.

To the west of the site is the recessed entrance and courtyard to Woodburn Place. There are three entrance doors here and a small window, with two rows of three rooflights above. The proposal would be located 3.9m from the boundary and 8.2m from the neighbouring elevation. The boundary is currently defined by a low hedge, although the application proposes to erect a 2m high hit and miss fence adjacent to this. Despite the neighbouring property sitting on a slightly lower land level and being only 1 ½ storeys in height, it is not considered that the proposal would appear unduly overbearing or enclosing given the separation distance. Only sunlight in early to mid-morning would be impacted as a result of the development, which is not considered to be unacceptable. It is worth noting that the approved 2018 development would be over 1.5m closer to these properties than the proposal.

The proposed fence would limit any overlooking from the ground floor windows and also from the first-floor lounge and bedroom windows towards the courtyard. With regard to the rooflights officers are satisfied that the angle of these and the separation from the proposal would limit any issues of direct overlooking. The landlord of Woodburn Place has suggested that the size of the lounge window could be reduced. However, as officers do not consider that this would overlook it would not be reasonable to request that this be altered. Officers do not consider that the fence would appear unduly overbearing to the neighbouring occupants, and it is worth noting that the fence could be located here under permitted development rights.

There would be no impact on the rear garden of 7 Gaunt Street to the east of the site given the separation from the development and that the boundary is defined by a wall measure in excess of 2m.

In terms of light impact, a concern raised by objectors, this has been discussed with the City Council's PC Officer. He notes that he would normally only raise an issue with this in the case of either commercial premises or for residential uses with shared parking and where there are proposals to install external lighting, which he doesn't believe is the case for this development. However, he states that if there is concern that external security lighting could become an issue, he would suggest a condition that requires an assessment of the impact of any external lighting before it is installed. This condition will be applied to any grant of consent, as will a condition requiring details of the existing land levels and finished floor levels to ensure that the height of the proposal as built is as per the proposed elevation plans.

Officers have therefore carefully considered the relationship of the proposal with neighbouring properties, taking account of the objections received. Officers are satisfied that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development through either loss of light, overlooking or the creation of an overbearing structure. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

Noise

Some of the objections have raised concern regarding noise and disturbance from the occupants of the development and have also cited that there is a current issue with noise associated with the existing air conditioning units at 116 High Street. While noise from future occupants is to be expected with any residential development the PC Officer did

raise an initial concern in relation to noise from the air conditioning units and the potential impact on the occupants of the proposed development. He noted that the proposed development has a close relationship and includes bedroom windows facing the units.

It was therefore requested that the agent undertake and submit a Noise Assessment in relation to the air conditioning units. This was submitted and includes recommendations in terms of noise mitigation, namely the enclosure proposed as part of this application. The PC Officer was satisfied that this would ensure there would not be an undue impact on the occupants of the proposed development. The design shown on the elevations does not strictly accord with the recommendations of the Noise Assessment and the agent has been requested to amend this, specifically by adding a roof and changing the louvres to the door. If this is not changed prior to determination then these changes will be required by condition. The PC Officer is satisfied with this approach and confirms that his concerns have been addressed.

It is therefore considered that the level of amenity for future occupants of the development would be acceptable, and the measures proposed would also improve the current situation for existing neighbours.

Parking and Highways

The D&A advises that, due to the proximity of the site to the town centre, on site vehicle parking has not been provided, however, vehicle access can be gained for deliveries and drop offs via the existing site access from Gaunt Street. Pedestrian access is provided via a designated and established route through the existing car park/service area.

The lack of on-site parking is a concern for neighbouring objectors and it is considered that the parking of future occupant's vehicles on the street will add to the parking pressures already experienced on and around Gaunt Street. They are also concerned regarding the increase in traffic.

Lincolnshire County Council as Local Highway Authority has raised no objection to the application in any of these respects. They state that the site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.

Officers would concur with this assessment and have no objection to the application in this respect as it is located where travel can be minimised and the use of sustainable transport modes maximised, in accordance with CLLP Policy LP13.

Archaeology

The City Archaeologist has advised that there is a high likelihood of groundworks associated with the development affecting archaeological remains of local, and potentially regional significance. However, he is satisfied that this can be dealt with through the imposition of the standard archaeological conditions, which require a Written Scheme of Investigation, along with a condition requiring details of the foundation design. These will be duly applied to any grant of consent and officers are therefore satisfied that the proposal would meet the requirements of CLLP Policy LP25 and section 16 of the NPPF.

Drainage

The application form indicates that the mains sewer will be used for the disposal of surface water drainage.

The Lincolnshire County Council in their capacity as Lead Local Flood Authority are only required to provide a statutory planning consultation response with regard to surface water drainage on major applications, and have therefore not provided comments on this minor application.

Officers have discussed the application with Anglian Water, and they have advised that they are unable to offer comment at this stage as there is no drainage information provided as part of the application. Officers would therefore recommend a condition to require details of a surface water drainage scheme, which has also been requested by the Upper Witham Internal Drainage Board. With the approval of an appropriate scheme by condition officers are satisfied that the objections to drainage from neighbouring properties would be addressed and that the requirements of CLLP Policy LP14 would be met.

Land Contamination and Air Pollution

Some of the objections from neighbouring properties state that the site was formerly occupied by a petrol station and there is accordingly concern regarding contamination.

The City Council's PC Officer has been made aware of these comments but is satisfied that this matter can be appropriately dealt with by the standard contaminated land conditions; by requiring the submission of a site characterisation and a remediation scheme for approval, and the implementation of the approved remediation scheme. Officers are therefore satisfied that the development would meet the requirements of CLLP Policy LP16.

Objections from neighbours have also raised concern regarding air pollution, however, the PC Officer has made no comment in this respect.

Other Matters

Bin and Cycle Storage

An area for bin storage is identified towards the east of the site, with the site layout plan indicating the detail and size of the covered store is to be confirmed. No comments have been received from the City Council's Community Contracts Manager, although officers are satisfied that there is sufficient space to accommodate the required bins with easy access available directly to Gaunt Street. Officers would recommend that this matter be conditioned to enable the design and size of the store to be agreed in consultation with the Community Contracts Manager.

The application also includes a location of the cycle store, however, no details are provided. Officers would therefore recommend that the requirement for details of this be incorporated in the aforementioned bin storage condition.

Construction

Comments have been received from the neighbouring objectors with concerns regarding noise and dust from the building works. While issues relating to the construction phase are not a material planning consideration officers would recommend that a condition restricting the hours of construction and deliveries be applied to any grant of consent to attempt to limit the potential impact on neighbouring properties.

Deign and Crime

The D&A advises that 'Secured by Design' principles have been considered, and it states that the proposal would encourage an element of natural surveillance from neighbouring homes and businesses. The Lincolnshire Police has raised no objections to the application in this respect.

Loss of Value to Property

Some of the comments from neighbours have noted this as a ground for objection, however, this is not a material planning consideration.

Conclusion

The principle of the use of the site for residential purposes is considered to be acceptable, a use which has also been established by previous permissions. The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design. The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Technical matters relating to noise, access and parking, contamination, archaeology and drainage are to the satisfaction of the relevant consultees and can be dealt with as necessary by condition. The proposals would therefore be in accordance with the requirements of CLLP Policies LP1, LP2, LP13, LP14, LP16, LP25 and LP26 and the NPPF.

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
- Contaminated land
- Archaeological WSI and foundation design
- Surface water drainage scheme
- Land levels and finished floor levels
- Samples of materials
- Landscaping scheme
- Bin and cycle storage details
- Design of acoustic enclosure (as required)
- Implementation of boundary treatment
- Assessment of off-site impact of external lighting prior to installation

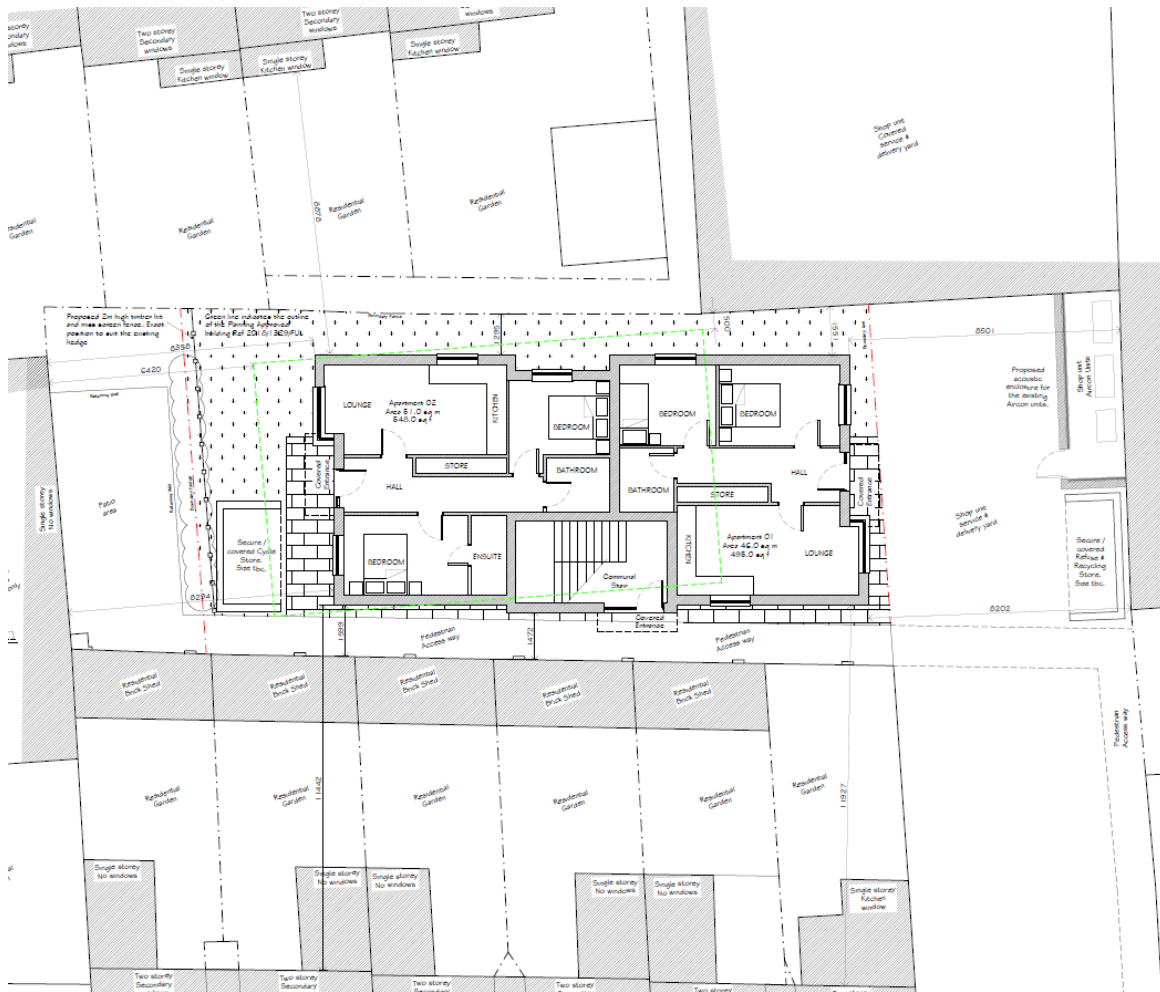
- Construction of the development (delivery times and working hours)
- Windows and doors set in reveal

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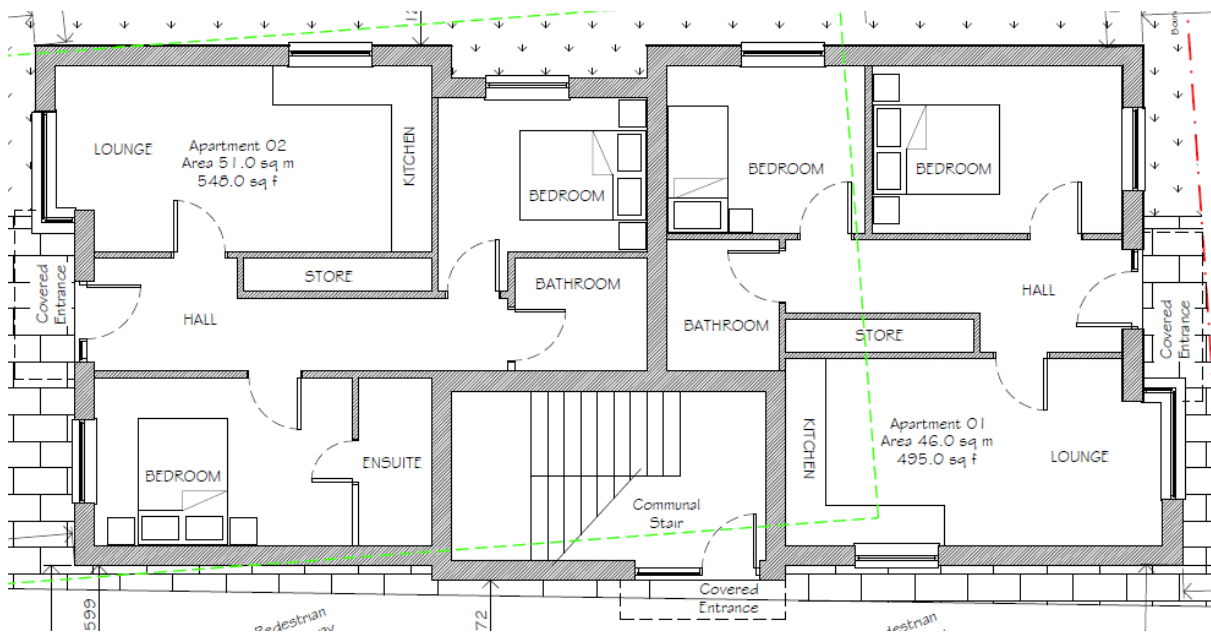
Rear of 116 High Street plans and photos



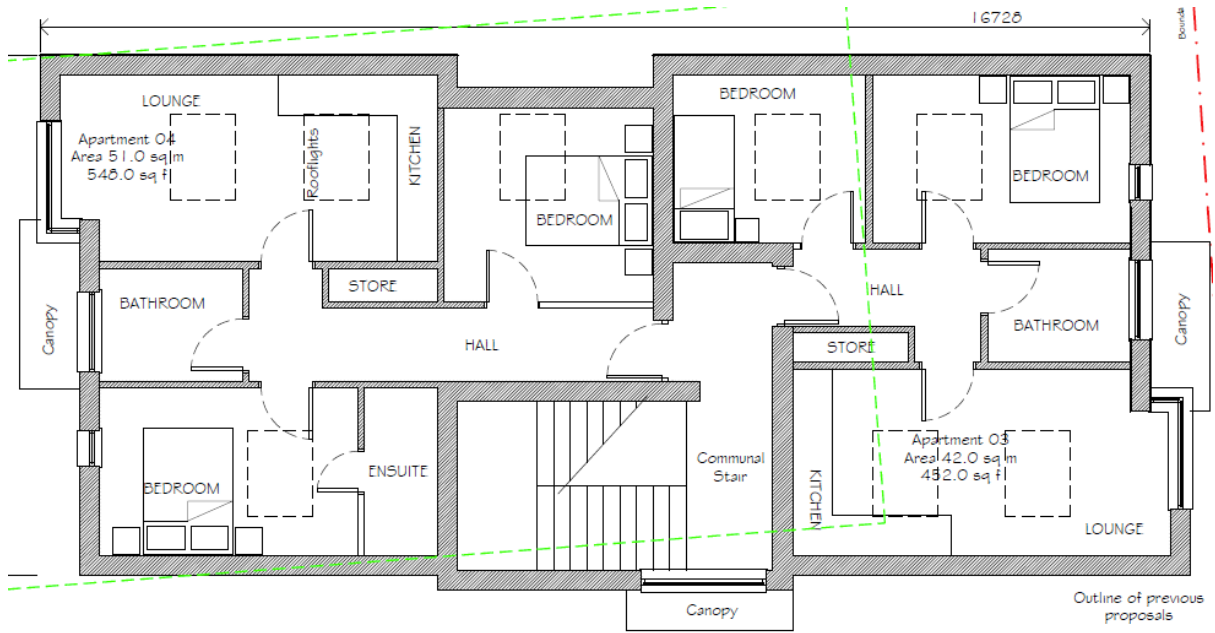
Site location plan



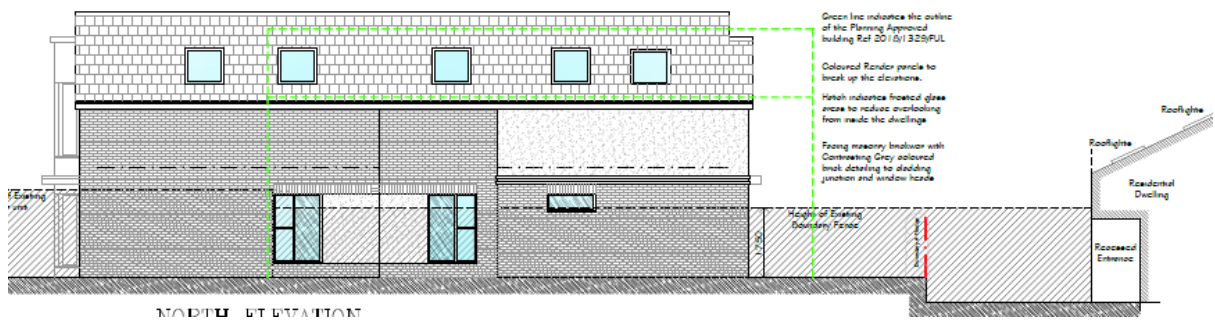
Proposed site layout



Proposed ground floor plan



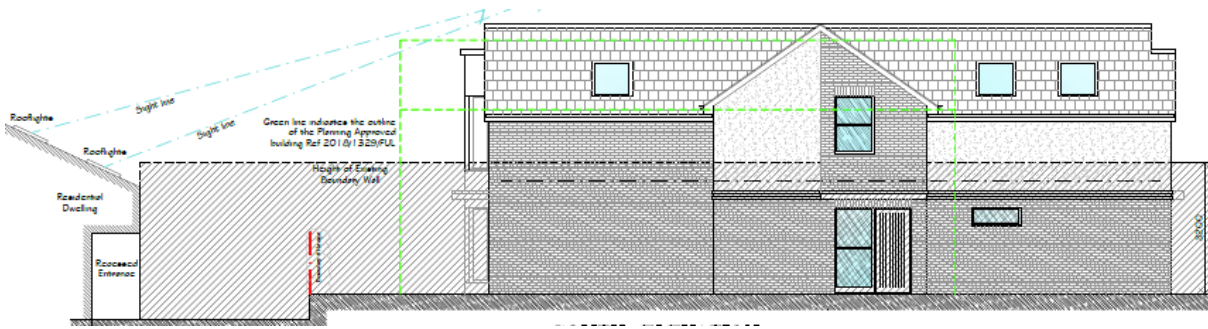
Proposed first floor plan



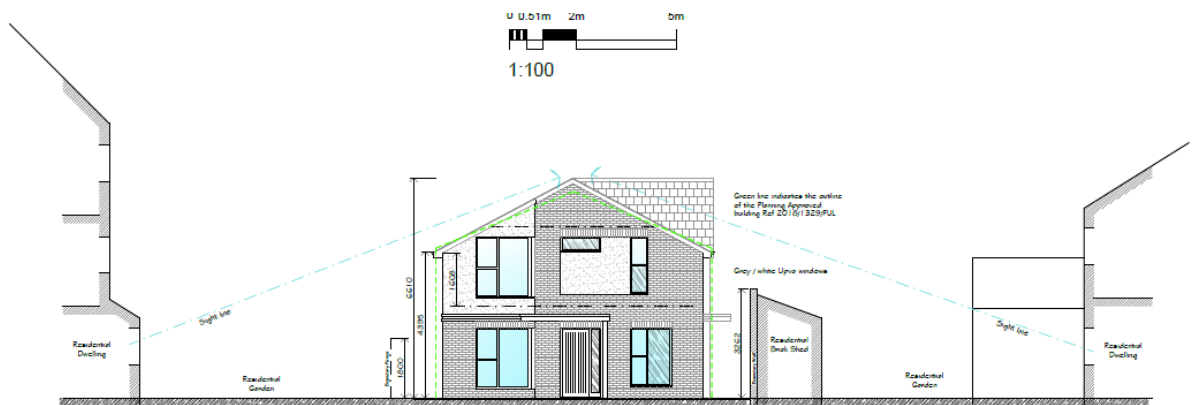
Proposed north elevation (Woodburn Place to the right)



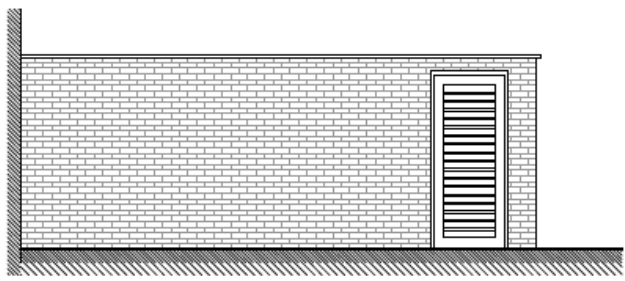
Proposed east elevation



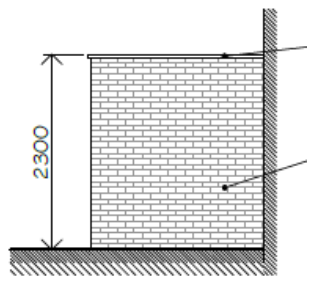
Proposed south elevation (Woodburn Place to the left)



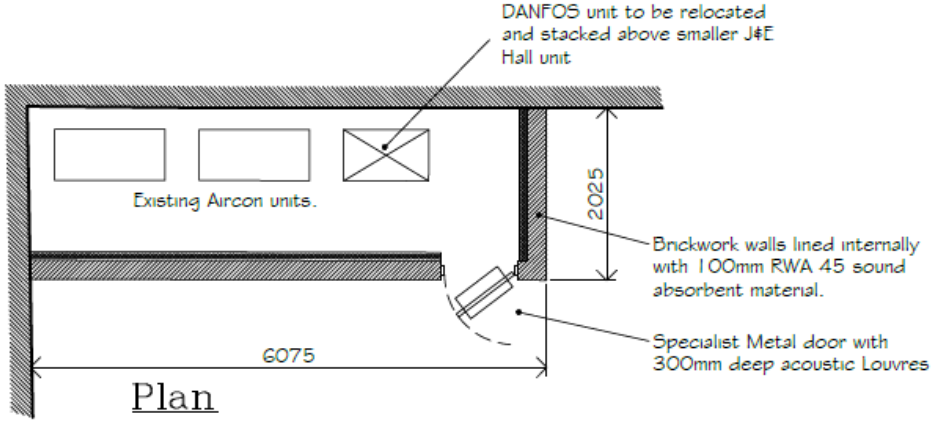
Proposed west elevation (Anchor Close properties to the left, Gaunt Street to the right)



Front Elevation.

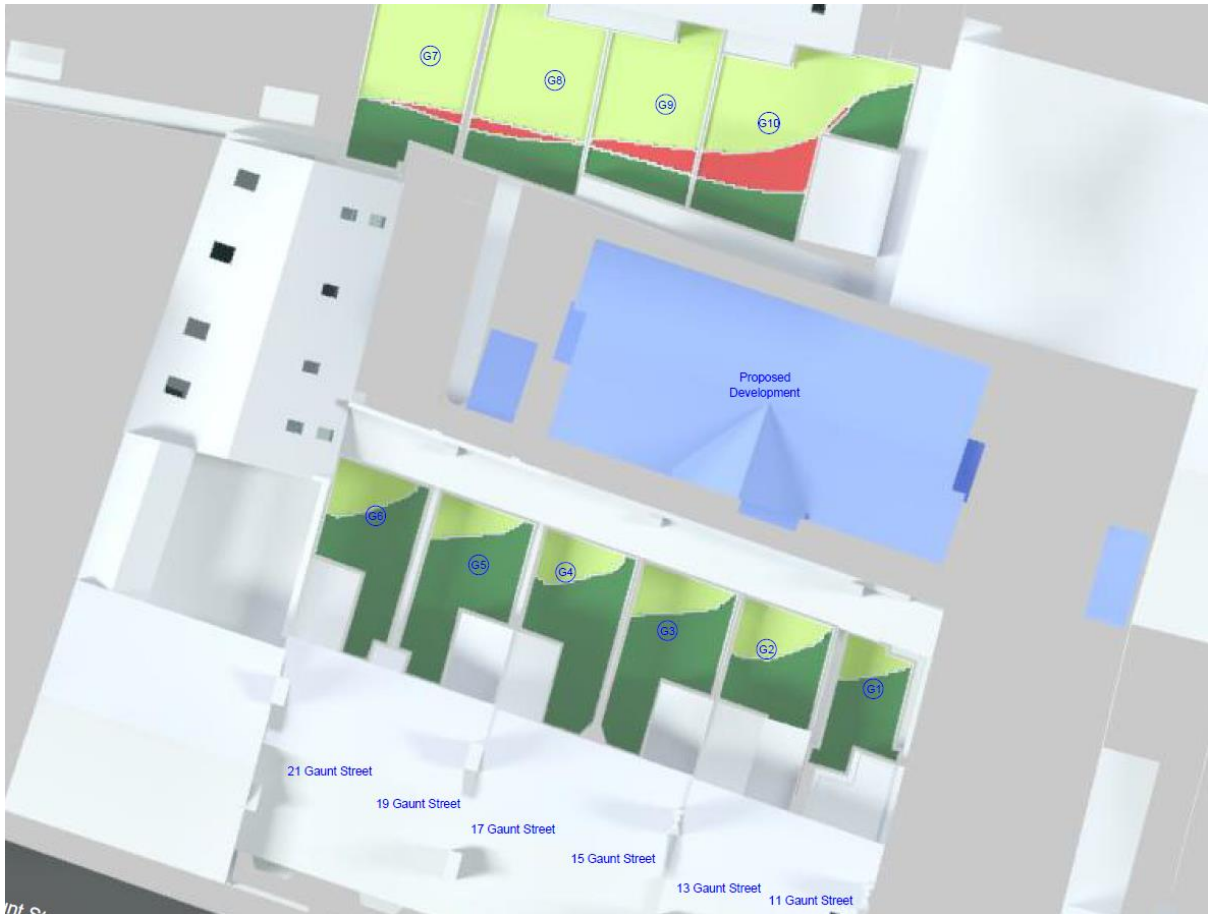


Side Elevation



Plan

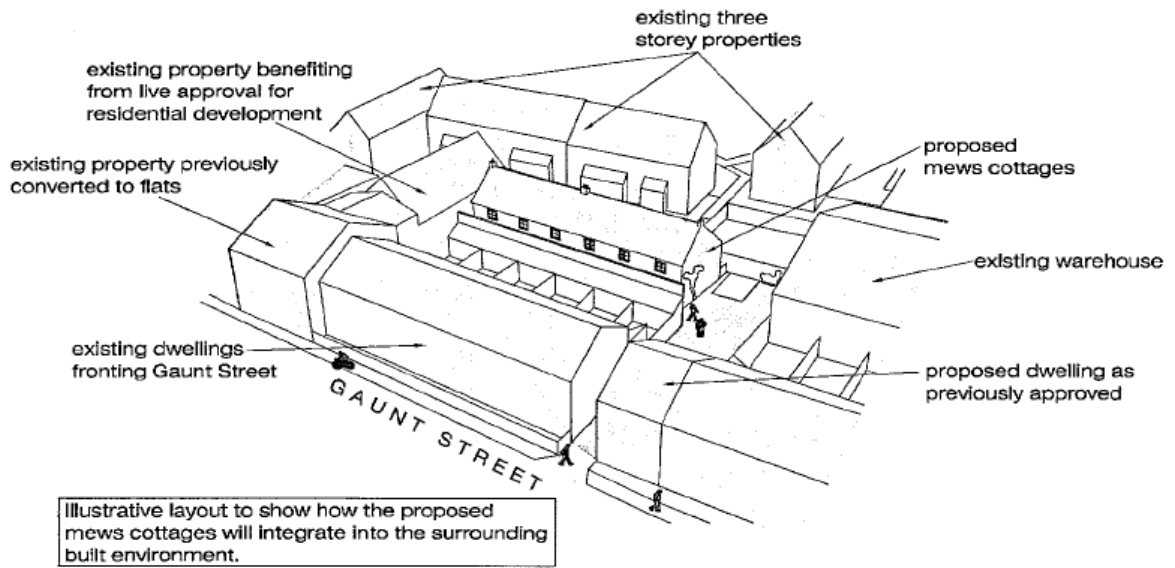
Proposed acoustic enclosure



Key

- Receives under two hours sunlight on 21st March before and after the development.
- Receives under two hours sunlight on 21st March before the development; but will receive at least two hours sunlight on 21st March after the development (light improved).
- Receives at least two hours sunlight on 21st March before the development; but will receive under two hours sunlight after the development (light loss).
- Receives at least two hours sunlight on 21st March before and after the development.
- G1 Neighbouring Gardens and Amenity Areas

Overshadowing to gardens and open spaces plan and key from Daylight and Sunlight report



ILLUSTRATIVE PERSPECTIVE

Visual of refused 2013/1049/F application for the erection of a terrace of six dwellings



Visual of approved 2016/0083/F application for the erection of a two storey, 5 bed HMO



Visual of approved 2018/1329/FUL application for the erection of a two semi-detached dwellings



Entrance to the site from Gaunt Street



Rear of 116 High Street and existing air conditioning units



View east across the site towards the rear of 116 High Street



Anchor Close properties to the north



Additional view of Anchor Close properties to the north



View west across the site towards Woodburn Place



Courtyard and entrance to Woodburn Place



South boundary with Gaunt Street properties



Additional view towards Gaunt Street properties

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Rear of 116 High Street consultation responses

27 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 27 Apr 2021

Dear Mr Walters,

I am writing to you in regard to a letter issued on April 19th by the Development Team of the Lincoln Council and that I received on April 22nd. The letter advises that an application for Planning Permission has been submitted to your office with the following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN5 7PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 27 Anchor Close and the rear of my house, including my back garden, faces the land object of the proposed development. The rear of two neighbouring properties (Anchor Close, n. 23 and n. 25) also face the site of potential development.

I have downloaded and inspected the proposed plan and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives.

I completed my purchase of 27 Anchor Close on April 22nd 2021. Had I been aware of this planning permission application, I may not have purchased the property. A potential build of a two storey property on the proposed site will have a serious impact on the light available to our houses, as well as cause an increase in noise levels.

Our houses (23, 25 and 27 Anchor Close) have been built 'garden to garden' to preserve privacy and maximise light and that on this basis I strongly object to the proposed build.

Yours sincerely,

Diane Scurr

27 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 27 Apr 2021

Dear Mr Walters,

I am writing to you in regard to a letter issued on April 19th by the Development Team of the Lincoln Council and that I received on April 22nd. The letter advises that an application for Planning Permission has been submitted to your office with the following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN5 7PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 27 Anchor Close and the rear of my house, including my back garden, faces the site of the proposed development. The rear of two neighbouring properties (Anchor Close, n. 23 and n. 25) also face the site of potential development.

The suggested development will have a substantial detrimental effect on the quality of my life, as the proposed development is at a scale and height that it will overlook my house and garden. This will also cause a loss of light to my property.

The potential build of a two storey property would also increase noise levels and disturbance.

I strongly object to the proposed build and would ask that you consider my comments.

Yours sincerely,

Jordan Scurr

23 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 27 Apr 2021

Dear Sir/ Madam,

My name is Laura Galluccio and I am writing to you in regard to a letter issued on April 19th by the Development Team of the Lincoln Council and that I received on April 22nd. The letter advises that an application for Planning Permission has been submitted to your office with the following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 23 Anchor Close and the rear of my house, including my back garden, faces the land object of the proposed development. The rear of two neighbouring properties (Anchor Close, n. 25 and n. 27) also face the site of potential development.

I have downloaded and inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. In more detail, there are several elements of concern, as follow.

1. The scale and height of the proposed building are twice as big as the 1 storey buildings in the east neighbouring land of the proposed development site. The considerable size of the building will impede the sunlight from reaching the rear of my and my neighbours' properties resulting into an almost complete loss of sunlight in my rear garden, living room and bedroom. I specifically bought the property as the rear was exposed to the sunlight for the entire day, as I suffer of vitamin D deficiency, which affects my bones and I constantly need to be in the sun (I have recently broken my hip at the age of 38, due to the fragile nature of my bones). The lack of sun will also affect the trees and plants in my and neighbours' gardens, which will not receive the necessary light for their living activities.
2. The rear of my property will also be overlooked, if the new building will be built. In fact, despite what stated in the plan, there are still windows in the top floor from which people will be able to look into my property. I bought the house as there was no one overlooking and no big buildings around taking the air and the light away, and this suggested project will totally invalidate my choice.
3. Another important point of concern regards air and soil pollution. In more detail, when I bought my house, while investigating with the different agents the area in which it was located, I found out that the land on the rear of 116 High Street is contaminated as a petrol station was previously located in that land. I was always told that due to the presence of these contaminants, no planning permission could be approved unless the land would be decontaminated first. In the documents submitted for the proposed plan, there is no mention of land decontamination. Furthermore, any decontamination and related construction work, will potentially lift in the air any dangerous contaminants and generate high levels of air pollution, which will have a detrimental effect on our health.
4. Another element of concern is the noise and disturbance, which the building site will generate. We are currently already in a dispute with the activities of the Super Links supermarket that create nuisance in the area 24/7 (see with nuisance office at Lincoln Council), which is already quite draining, therefore, having also the noise of the building site, would be really much unbearable. This is especially considering that I work from home.
5. Least, but not last, the suggested development plan will affect the value of my property, which will substantially decrease, due to the reduction in light inside and outside the house and the very close, overlooking building. In fact, based on the plan documents, there is only 1.5m distance between the potential new building walls and the fence dividing the land from my property, whilst other houses on my estate have been built 'garden to garden' to preserve privacy and maximise light.

I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

The present email is also attached as formal letter in .pdf format. I would be glad if you could acknowledge reception of this email and attachment and let me know if you also need a letter via post or this is enough for my comments to be taken into consideration during discussion.

Look forward to hearing from you.

Yours faithfully,

Laura Galluccio

18 York Way Bracebridge Heath Lincoln LN4 2TR (Objects)

Comment submitted date: Thu 29 Apr 2021

The present e-mail is to object about the above.

I am a designer and keen architect enthusiast with an interest in environmentally friendly housing and I think that the plan that has been submitted does not fulfil basic environmental and social aspects, as follows.

- o No use of solar panels and more in general of renewable energy sources.
- o No use of natural or recycled materials.
- o Further impact of drainage, surface water and subsurface water on the area.
- o Air and soil pollution: based on past records, the land is classified as contaminated, due to a petrol garage that once was on the site. No decontamination plan is included in the development plan submitted.
- o Boundaries: based on the project, only 1.5m separate the potential new built from the fence, and neighbouring housing, resulting into:
 - o loss of sunlight for the neighbouring properties and vegetation,
 - o narrow pathways for emergency services,
 - o potential issues with pathways lighting overnight,
 - o loss of privacy of the neighbouring properties.
- o Poor design and appearance: size and height of the building strongly contrasts with the surrounding constructions.
- o Noise and disturbance to local area.

I hope my comments will be taken on board and the proposed development plan will be rejected. Alternatively, a playground for children, currently lacking in the area, would be a welcomed alternative to utilise the land.

Yours faithfully,

Stefan Richards

2 Woodburn Place Lincoln Lincolnshire LN5 7AH (Objects)

Comment submitted date: Tue 04 May 2021

Dear Sir/ Madam,

My name is Kristina Gelvich and I am writing to you in regard to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 2 Woodburn Place Gaunt Street and my and my neighbours' flats are adjacent to the land object of the proposed development.

I have inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. This is for the following reasons.

1. The scale and height of the proposed building are too big compared to the surrounding constructions. This will impede the sunlight and air from reaching our flats. The total loss of sunlight will affect our lives and we will have to move away from our apartments as it will be unhealthy to live in a place without sun.
2. Our houses will also be overlooked, if the new building will be built.
3. Air and soil pollution. The land on the rear of 116 High Street is contaminated and no decontamination plan is included in the development plan submitted. Potential decontamination activity and construction work will lift in the air dangerous substances, which will have a detrimental effect on our health.
4. The building site will also generate noise and disturbance, as well as dust and superficial water drainage, which will all come straight into our houses and this will be detrimental to the quality of our lives.
5. The lack of any green area between the properties and the very close nature of the potential building with the surrounding brick walls and fences (1.5m only) will generate an unhealthy and claustrophobic environment, in which no one will be able to live.

I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

Yours faithfully,

2 Woodburn Place Lincoln Lincolnshire LN5 7AH (Objects)

Comment submitted date: Tue 04 May 2021

Dear Sir/ Madam,

My name is Martinas Petrauskas and I am writing to you in regard to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 2 Woodburn Place Gaunt Street and my and my neighbours' flats are adjacent to the land object of the proposed development.

I have inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. This is for the following reasons.

1. The scale and height of the proposed building are too big compared to the surrounding constructions. This will impede the sunlight and air from reaching our flats. The total loss of sunlight will affect our lives and we will have to move away from our apartments as it will be unhealthy to live in a place without sun.
2. Our houses will also be overlooked, if the new building will be built.
3. Air and soil pollution. The land on the rear of 116 High Street is contaminated and no decontamination plan is included in the development plan submitted. Potential decontamination activity and construction work will lift in the air dangerous substances, which will have a detrimental effect on our health.
4. The building site will also generate noise and disturbance, as well as dust and superficial water drainage, which will all come straight into our houses and this will be detrimental to the quality of our lives.
5. The lack of any green area between the properties and the very close nature of the potential building with the surrounding brick walls and fences (1.5m only) will generate an unhealthy and claustrophobic environment, in which no one will be able to live.

I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

Yours faithfully,

27 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 04 May 2021

David Scurr
27 Anchor Close
Lincoln
Lincolnshire
LN5 7PE
3rd May 2021

Dear Mr Walters,

I am writing to you concerning a letter issued on April 19th by the Development Team of the Lincoln Council received April 22nd 2021. The letter advises that an application for Planning Permission has been submitted to your office with the following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN5 7PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

27 Anchor Close is our family home and the rear of our house, including our back garden, faces the site of the proposed development. The rear of two neighbouring properties (Anchor Close, n. 23 and n. 25) also face the site of potential development.

I have downloaded and inspected the proposed plan and foresee that the proposed development will have a wide-ranging detrimental effect on my family's quality of life as well as our neighbours' lives. My wife Diane Scurr has need to work from home on a regular basis. She is likely to be significantly disrupted by the additional noise of the development. My son Jordan Scurr will be starting his degree through the University of Lincoln this year. I foresee that if the proposed development were to proceed this would cause substantial disruption and stress to him as it erodes the efficacy of his home study environment.

My wife and I agreed on the purchase of 27 Anchor Close which completed on April 22nd 2021 having performed all necessary searches to reassure ourselves of the property's suitability in terms of light, privacy, quiet, having a south-facing garden, and so on. Had we been aware of this planning permission application, we would not have purchased the property. A potential build of a two storey, four flat, property on the proposed site will have a serious impact on the light available to our houses, as well as cause a substantial and disruptive increase in noise levels. In addition, our privacy will be significantly reduced, as it will be directly overlooked by multiple occupants of the proposed dwellings. These factors will in turn most likely reduce the value of the property in relation to the prevailing market prices, thereby reducing our capital and future accommodation prospects.

Our house and those of some of our affected neighbours (23, 25 and 27 Anchor Close) have been built 'garden to garden' to preserve privacy and maximise light and that on this basis I strongly object to the proposed build.

Yours sincerely,
David Scurr.

1 Woodburn Place Lincoln Lincolnshire LN5 7AH (Objects)

Comment submitted date: Tue 04 May 2021

Dear Sir/ Madam,

I am writing to you in regard to following planning application: reference number 2021/0343/FUL. The address of the proposed development is the land to the rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate four self-contained flats.

The present letter is to comment and object to the above-mentioned development plan.

I live at 1 Woodburn Place, LN57AH, which is to the rear of Gaunt Street. My flat, and those of my neighbours, are adjacent to the land in the proposed development. I have read in detail the proposed plan that was sent to me and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my, as well as my neighbours', lives. This is for the following reasons:

1. The scale and height of the proposed building is too large considering the close proximity to the neighbouring structures, i.e., my home. This size of new building will impede the sunlight and air from reaching our flats. Loss of sunlight and adequate ventilation will have a detrimental effect on the quality of our lives. Lack of these factors is linked to poor health outcomes, both physical and mental. I, myself, will seriously consider moving away if the project goes ahead.
2. My house, in particular, will be overlooked by the larger structure, if the new building is built. I am already surrounded on three sides by housing developments. I do not wish to be completely enclosed.
3. Air and soil pollution is something that does not seem to have been considered in the development plan. The land on the rear of 116 High Street is poorly maintained, as it is currently used as a parking lot-/ trash area for the supermarket on High Street. It is full of weeds, rubbish, potholes, and muddy areas. No decontamination plan is included in the development plan submitted. Furthermore, potential decontamination activity and the eventual construction work could release dangerous substances into the air, which will have a further detrimental effect on our health.
4. The building site will also generate significant noise and disturbance, as well as dust and superficial water drainage, which will be transmitted to our homes and have a negative effect on our quality of lives, particularly those working from home or with small children. Noise pollution will make working from home virtually impossible during the daylight hours.
5. The lack of any green area between the properties and the very close nature of the potential building with the existing surrounding brick walls and fences (1.5m only) will generate an unhealthy and claustrophobic environment, in which no one will be able to live. As reiterated above, I will put significant though into moving if the proposed project goes ahead.

We hope that the above points will be considered when the presented development plan is discussed by the Local Planning Authority and that the project is not given permission to proceed.

Yours faithfully,

Melissa-Sue Ryan

4 Woodburn Place Lincoln Lincolnshire LN5 7AH (Objects)

Comment submitted date: Wed 05 May 2021

Dear Sir/ Madam,

My name is Riccardo Martino and I am writing to you in regard to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 4 Woodburn Place and my and my neighbours' flats are adjacent to the land object of the proposed development.

I have inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. This is for the following reasons.

1. The scale and height of the proposed building are too big compared to the surrounding constructions. This will impede the sunlight and air from reaching our flats. The total loss of sunlight will affect our lives and we will have to move away from our apartments as it will be unhealthy to live in a place without sun.
2. Our houses will also be overlooked, if the new building will be built.
3. Air and soil pollution. The land on the rear of 116 High Street is contaminated and no decontamination plan is included in the development plan submitted. Potential decontamination activity and construction work will lift in the air dangerous substances, which will have a detrimental effect on our health.
4. The building site will also generate noise and disturbance, as well as dust and superficial water drainage, which will all come straight into our houses and this will be detrimental to the quality of our lives.
5. The lack of any green area between the properties and the very close nature of the potential building with the surrounding brick walls and fences (1.5m only) will generate an unhealthy and claustrophobic environment, in which no one will be able to live.

I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

Yours faithfully,

Riccardo Martino

25 Anchor Close Lincoln LN5 7PE (Objects)

Comment submitted date: Sun 09 May 2021

I note that the site already benefits from permission 2018/1329/FUL granted 4 Feb 2019 and feel this new application is an attempt to further push the boundaries in the pure pursuit of increased profit regardless of the detrimental effect on neighbouring properties. The proposed development in this new application is of a scale and height not fitting its immediate surroundings and is excessive for the footprint of the land it occupies. While the design has made attempts to minimise overlooking of neighbouring properties, in particular 23 25 27 and 29 Anchor Close, they will nonetheless suffer, and their small south facing gardens will be shaded (loss of light) for significant periods every morning and evening. Parking is already an issue on/around Gaunt Street affecting access to Anchor Close, Riverside Drive and Witham Mews, and it would be naive to think that 4 extra properties will not generate increased traffic and parking pressures. The application should be refused.

3 Woodburn Place Lincoln Lincolnshire LN5 7AH (Objects)

Comment submitted date: Mon 10 May 2021

Dear Sir/ Madam,

My name is Michal Kazana and I am writing to you in regard to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 3 Woodburn Place Gaunt Street and my and my neighbours' flats are adjacent to the land object of the proposed development.

I have inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. This is for the following reasons.

1. The scale and height of the proposed building are too big compared to the surrounding constructions. This will impede the sunlight and air from reaching our flats. The total loss of sunlight will affect our lives and we will have to move away from our apartments as it will be unhealthy to live in a place without sun.
2. Our houses will also be overlooked, if the new building will be built.
3. Air and soil pollution. The land on the rear of 116 High Street is contaminated and no decontamination plan is included in the development plan submitted. Potential decontamination activity and construction work will lift in the air dangerous substances, which will have a detrimental effect on our health.
4. The building site will also generate noise and disturbance, as well as dust and superficial water drainage, which will all come straight into our houses and this will be detrimental to the quality of our lives.
5. The lack of any green area between the properties and the very close nature of the potential building with the surrounding brick walls and fences (1.5m only) will generate an unhealthy and claustrophobic environment, in which no one will be able to live.

I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

Yours faithfully,

Michal Kazana

31 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Mon 10 May 2021

Dear Sir/ Madam,

My name is Ashley Chapman and I am writing to you in regard to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 31 Anchor Close and the rear of my house, including my back garden, faces the land of the proposed development. The rear of two neighbouring properties (Anchor Close, n. 23, 25, 27, 29, and 33) also face the site of potential development.

I have downloaded and inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. In more detail, there are several elements of concern, as follow.

1. The scale and height of the proposed building are too big compared to the surrounding constructions. The considerable size of the building will impede the sunlight from reaching the rear of my and my neighbours' properties resulting into an almost complete loss of sunlight in my rear garden, living room and bedroom.
 2. Our houses will also be overlooked, if the new building will be built.
 3. The noise and disturbance that the potential building site will generate will add on the top of the noise that the Super Links Supermarket activities already generate 24/7, which will make the life in our properties unbearable and very stressful. We are currently already suffering from nuisance from the owners of the land in question (see nuisance case with Lincoln Council Nuisance officer) and adding further noise on top of that will certainly not help, especially considering that I work from home and so do many of my neighbours.
 4. Air and soil pollution. The land on the rear of 116 High Street is contaminated as a petrol garage was previously situated in the area and currently all the rubbish from Super Links Supermarket is deposited on the land in question. No decontamination plan is included in the development plan submitted. Moreover, potential decontamination activity and construction work will lift in the air dangerous substances, which will have a detrimental effect on our health.
 5. The suggested development plan will affect the value of my property, which will substantially decrease, due to the reduction in light inside and outside the house and the very close, overlooking building. Only 1.5m separate the potential new building from the fence, which contrasts with other houses, which are built 'garden to garden' to preserve privacy and maximise light.
- I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

Yours faithfully,

Ashley Chapman

29 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 11 May 2021

Dear Sir/ Madam,

My name is Timothy Gowrie and I am writing to you in regard to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object about the above presented development plan.

I live at 29 Anchor Close and the rear of my house, including my back garden, faces the land object of the proposed development. The rear of two neighbouring properties (Anchor Close, n. 23, 25, 27, 29, 31 and 33) also face the site of potential development.

I have downloaded and inspected the proposed plan in detail and strongly believe that the suggested development will have a substantial detrimental effect on the quality of my life as well as my neighbours' lives. In more detail, there are several elements of concern, as follow.

1. The scale and height of the proposed building are too big compared to the surrounding constructions. The considerable size of the building will impede the sunlight from reaching the rear of my and my neighbours' properties resulting into an almost complete loss of sunlight in my rear garden, living room and bedroom.
 2. Our houses will also be overlooked, if the new building will be built.
 3. The noise and disturbance that the potential building site will generate will add on the top of the noise that the Super Links Supermarket activities already generate 24/7, which will make the life in our properties unbearable and very stressful. We are currently already suffering from nuisance from the owners of the land in question (see nuisance case with Lincoln Council Nuisance officer) and adding further noise on top of that will certainly not help, especially considering that I work from home and so do many of my neighbours.
 4. Air and soil pollution. The land on the rear of 116 High Street is contaminated as a petrol garage was previously situated in the area and currently all the rubbish from Super Links Supermarket is deposited on the land in question. No decontamination plan is included in the development plan submitted. Moreover, potential decontamination activity and construction work will lift in the air dangerous substances, which will have a detrimental effect on our health.
 5. The suggested development plan will affect the value of my property, which will substantially decrease, due to the reduction in light inside and outside the house and the very close, overlooking building. Only 1.5m separate the potential new building from the fence, which contrasts with other houses, which are built 'garden to garden' to preserve privacy and maximise light.
- I and my neighbours hope that the points above will be considered when the presented development plan will be discussed by the Local Planning Authority and we hope that, based on the above, the plan will be rejected.

Yours faithfully,

Timothy Gowrie

23 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 11 May 2021

Dear Sir/ Madam,

O

I live at 23 Anchor Close, LN57PE and I am writing to you in regards to the Planning application with following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

In addition to the point raised in my previous letter, I would like to highlight another very important element, which I only recently discovered. In fact, the above planning application shows the potential development of a building construction which is much higher and with a much wider footprint than a previous planning application that was submitted and rejected in December 2014 (Application No: 2014/0890/F).

From the Decision notice document No 584593, which can be found at the link below,

https://development.lincoln.gov.uk/online-applications/files/CF2342C61776020CA10EE3014F4AE3E1/pdf/2014_0890_F-DECISION_NOTICE-584593.pdf

It is clearly stated the following:

The issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible. The City of Lincoln Council hereby gives notice that planning permission is refused for the development described above and shown on the plans submitted with the application. The reasons for the Local Planning Authority's refusal are:-

1 The proposal by reason of its position, height, length and proximity to the boundary would unacceptably harm the residential amenities of the occupants of the approved dwellings to the rear of 23-25 Gaunt Street, through the creation of an overbearing structure and loss of natural light contrary to Policies 34 and 56A of the City of Lincoln Local Plan and the national Planning Policy Framework particularly paragraphs 17 and 64.

2 The proposal by reason of its orientation, position, height, length and proximity to No. 23-27 Anchor Close has the potential to unacceptably harm the residential amenities of the occupants of these properties through the creation of an overbearing structure and loss of natural light contrary to Policies 34 and 56A of the City of Lincoln Local Plan and the National Planning Policy Framework particularly paragraphs 17 and 64.

3 The proposal fails to demonstrate that six two storey dwellings could successfully be accommodated on the site. The constraints of the site have led to a compromised design of the rear elevation which leads to the potential occupants of the dwellings having a poor standard of living accommodation with limited natural light. There is limited space on the site for bin storage and amenity space which would indicate an overdevelopment of the site. The development therefore conflicts with Local Plan Policy 56A and Policy 34, and is contrary to the National Planning Policy Framework particularly Paragraph 17.

I firmly believe that if that plan in 2014 was clearly rejected for the important impact on the adjacent properties in Anchor Close and Gaunt Street, the current presented plan, which would be impacting the properties even more, should likewise be rejected.

Yours faithfully,

Laura Galluccio Ph.D.

Senior Geologist and Regional Manager

21 Anchor Close Lincoln Lincolnshire LN5 7PE (Objects)

Comment submitted date: Tue 11 May 2021

Dear Sir/ Madam,

REFERENCE: 2021/0343/FUL

DEVELOPMENT: ERECTION OF A TWO-STOREY BUILDING TO ACCOMMODATE 4 SELF-CONTAINED FLATS

LOCATION: LAND TO THE REAR OF 116 HIGH STREET, LINCOLN, LINCOLNSHIRE, LN5 7PR

The submitted plan highlights the potential development of a building construction with a higher elevation and a much wider footprint than a previously rejected application in the same land. Application No: 2014/0890/F – December 2014.

The Decision notice document No 584593, stated the following:

'The issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible. The City of Lincoln Council hereby gives notice that planning permission is refused for the development described above and shown on the plans submitted with the application. The reasons for the Local Planning Authority's refusal are:-

1 The proposal by reason of its position, height, length and proximity to the boundary would unacceptably harm the residential amenities of the occupants of the approved dwellings to the rear of 23–25 Gaunt Street, through the creation of an overbearing structure and loss of natural light contrary to Policies 34 and 56A of the City of Lincoln Local Plan and the national Planning Policy Framework particularly paragraphs 17 and 64.

2 The proposal by reason of its orientation, position, height, length and proximity to No. 23–27 Anchor Close has the potential to unacceptably harm the residential amenities of the occupants of these properties through the creation of an overbearing structure and loss of natural light contrary to Policies 34 and 56A of the City of Lincoln Local Plan and the National Planning Policy Framework particularly paragraphs 17 and 64.

3 The proposal fails to demonstrate that six two storey dwellings could successfully be accommodated on the site. The constraints of the site have led to a compromised design of the rear elevation which leads to the potential occupants of the dwellings having a poor standard of living accommodation with limited natural light. There is limited space on the site for bin storage and amenity space which would indicate an overdevelopment of the site. The development therefore conflicts with Local Plan Policy 56A and Policy 34, and is contrary to the National Planning Policy Framework particularly Paragraph 17.'

If in 2014 a less impacting plan was not approved, the current presented plan, should certainly be refused. I strongly object to the plan for the impact that it will have on the neighbourhood and our lives, for the reasons already highlighted in the past.

Regards

21 Anchor Close LN57PE

Comment submitted date: Fri 30 Jul 2021

Dear Sir/ Madam,

My name is Diane Scurr and I am writing to you in regard to the letter issued on July 22nd by the Development Team of the Lincoln Council and that I received on July 26th. The letter advises that further documents have been uploaded regarding the application for Planning Permission with the following reference number: 2021/0343/FUL.

The address of the proposed development is the Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR and comprises the development of a two-storey building to accommodate 4 self-contained flats.

The present letter is to comment and object on the additional documents provided.

I live at number 27 Anchor Close, LN5 7PE and the rear of my house faces the land object of the proposed development.

Below are the critical points identified in the new submitted documentation and based on which I still firmly believe that the planning application should be rejected.

Comments to Daylight_and_sunlight_report-633409.

1. The parameters used from the BRE-guide to assess the impact of the submitted development on sunlight and daylight only partially investigate the situation. In fact, no detailed analysis of the Average Daylight Factor (ADF), Annual Probable Sunlight Hours (APSH), Transient and Permanent Overshadowing is carried out. This results into an incomplete evaluation, which in our view is not sufficient to ensure that our life quality is not affected by the proposed development. I believe that this approach heavily affects the results of the survey showing a much lower impact of the development on the sunlight than could happen in reality. As it stands, the report seems biased to support the approval of the development plan.
2. At points 3.5.3 and 4.3.1 the report refers to a parameter that considers acceptable to have 2 hours a day of sun for the property. Each of us has bought the properties to have a south facing garden with all day long sunlight. The assumption is that we should now accept 2 hours sunlight a day - that is surely not enough for any of us in the neighbourhood.
3. At points 4.2.1 and 4.2.2 of the report it states that all windows pass the vertical sky component test and the daylight distribution test. But there is no detailed sketch or numerical analysis of how the parameters were calculated. What time a day was considered? Which month?
4. The image at page 14 (Appendix 1 of the report), which should show the shadowing of the proposed development in relation to the rear garden of the properties in Anchor Close, actually does not show the shadow of the potential new built. The following key issues are identified in the image:

a. The shadow of the proposed development is intentionally lighter than any other shadow represented, for example the shadows of the fences and shed can be clearly seen, whilst the shadow of the development is deliberately less evident, such that the impact on the neighbouring properties seems to be negligible.

b. No specification of what time of day or which month this scenario represents. The sun moves during the day and throughout the year and with it the shadows it generates. A more realistic representation of how the shadow would look like in different times a day is could be obtained with a Transient Overshadowing evaluation (not performed by the surveyor).

5. The inaccuracy of the report is also evident when looking at the rest of the plans from page 14 to 18, which show shadows pointing in different directions in the same images for various buildings and chimneys.

6. The BRE-guide states that "it is important to measure the angle to the horizontal subtended by the new development at the level of the centre of the lowest window. If this angle is less than 25° for the whole of the development, then it is unlikely to have substantial effect on the diffuse skylight enjoyed by the existing buildings. If, for any part of the development, this angle is more than 25°, a more detailed check is needed to find the loss of skylight to the existing building. Both the total amount of skylight and its distribution within the building are important" (page 7). In the current report there is no mention about the study of this angle. This angle is also of concern for future residents of the proposed new dwelling, which will have ground floor windows and patio doors only 1.55m away from a fence, which clearly cannot ensure the 25° angle and hence a healthy light penetration in the building.

7. The overshadowing garden and open space reported in Appendix 3 of the report (page 45) is not realistic. What time a day was considered for the measurement?

Comments to the Acoustic Survey dBc 10217Rev2 (file: NOISE_IMPACT_ASSESSMENT-_6TH_JULY_2021-633408).

The written acoustic report that states that the noise generated by the 6 condenser units on the rear of the supermarket creates disturbance and that they should be moved elsewhere or enclosed to minimise the nuisance.

I would like to highlight that at point 1.3 of the report there is mentioned that the City of Lincoln Council commented on the concern about the noise from the adjacent supermarket causing disturbance to future residents. The noise creates already massive disturbance to current residents of neighbouring properties. Thus, even if this planning permission was to be rejected, actions should be still taken by the Lincoln Council to make sure that the supermarket encloses the condenser units to stop the nuisance generated and affecting all the residents of the area.

The building site, if approved, will generate extra noise that will add on the top of the nuisance produced by the supermarket, which will make our lives difficult, especially considering that all of us are now working or studying from home and the noise will disrupt our activities.

Comments to the Revised_Elevations_633405 and Revised_floor_plan_63358.

Comparing the new project with the old one approved in 2018, a higher elevation is noted, which will negatively impact sunlight and overlooking on our properties. Furthermore, the extended footprint of the new proposed plan will also negatively impact sunlight.

As it stands, this plan is merely focused on the profitability of the investment, rather than sustainability and respect for the environment and neighbourhood.

As per previous objection, and based on the new evidences provided above, I re-emphasize that the plan should be rejected.

Yours faithfully,

Diane Scurr

Development Team
Directorate of Communities & Environment
Simon Walters MBA, ACIS, MCMI
City Hall, Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Dr. Laura Galluccio
23 Anchor Close
Lincoln
Lincolnshire
LN5 7PE

Dear Sir/ Madam,

My name is Laura Galluccio and I am writing to you in regard to the letter issued on July 22nd by the Development Team of the Lincoln Council and that I received on July 26th. The letter advises that further documents have been uploaded regarding the application for Planning Permission with the following reference number: **2021/0343/FUL**.

The address of the proposed development is the **Land to the Rear of 116 High Street, Lincoln, Lincolnshire, LN57PR** and comprises **the development of a two-storey building to accommodate 4 self-contained flats**.

The present letter is to comment and object on the additional documents provided.

I live at 23 Anchor Close and the rear of my house, including my back garden, faces the land object of the proposed development. The rear of other neighbours' properties that have previously also objected on the development plan is affected as well. These include houses at number 25, 27, 29 and 31.

Below are the critical points identified in the new submitted documentation and based on which I/we still firmly believe that the planning application should be rejected.

Comments to Daylight_and_sunlight_report-633409.

1. The parameters used from the BRE-guide to assess the impact of the submitted development on sunlight and daylight only partially investigate the situation. In fact, **no detailed analysis of the Average Daylight Factor (ADF), Annual Probable Sunlight Hours (APSH), Transient and Permanent Overshadowing is carried out. This results into an incomplete evaluation**, which in our view is not sufficient to ensure that our life quality would not be affected by the proposed development. Although the BRE-guide clearly states that "*where large building[s] [are] proposed which may affect a number of gardens or open spaces, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year*" (Transient Overshadowing, page 19), in the submitted report at point 3.5.2 is highlighted that any additional plot outside those selected by the surveyors would be of no use. We believe that this approach and assumption heavily affects the results of the survey showing a much lower impact of the development on the sunlight than could happen in reality. **As it stands, the report seems biased to support the approval of the development plan.**
2. **At points 3.5.3 and 4.3.1 the report** refers to a parameter that considers acceptable to have 2 hours a day of sun for the property. Each of us on Anchor close has bought the properties to have a south facing garden with all day long sunlight and now they are telling us that we should accept 2 hours sunlight a day. Well, that is surely not enough for any of us in the

neighbourhood and especially for me, as I suffer of low bone density and I constantly need to be in the sun, hence I bought this property especially for the south facing garden.

3. **All the numerical parameters reported (Appendix 2)** are not explained. Thus, it is unclear how they were calculated, we can only see the result but not the original numbers used for the calculation.
4. **At points 4.2.1 and 4.2.2 of the report** it states that all windows pass the vertical sky component test and the daylight distribution test. But there is no detailed sketch or numerical analysis of how the parameters were calculated. What time a day was considered? What time a year? It is all deliberately very general.
5. **The image at page 14 (Appendix 1 of the report)**, which should show the shadowing of the proposed development in relation to the rear garden of the properties in Anchor Close, actually does not show the shadow of the potential new built. The following key issues are identified in the image:
 - a. The shadow of the proposed development is intentionally lighter than any other shadow represented, for example the shadows of the fences and shed can be clearly seen, whilst the shadow of the development is deliberately less evident, such that the impact on the neighbouring properties seems to be negligible.
 - b. No specification of what time a day or a year this scenario represents. The sun moves during the day and throughout the year and with it the shadows it generates. A more realistic representation of how the shadow would look like in different times a day is provided in figure 1 below and could be obtained with a Transient Overshadowing evaluation (not performed by the surveyor). The sketches below are drawn in proportion to the shadow generated by a small shed situated in my garden. The shed in question is 2.40m high and an image of it with its shadow is reported in figure 3.

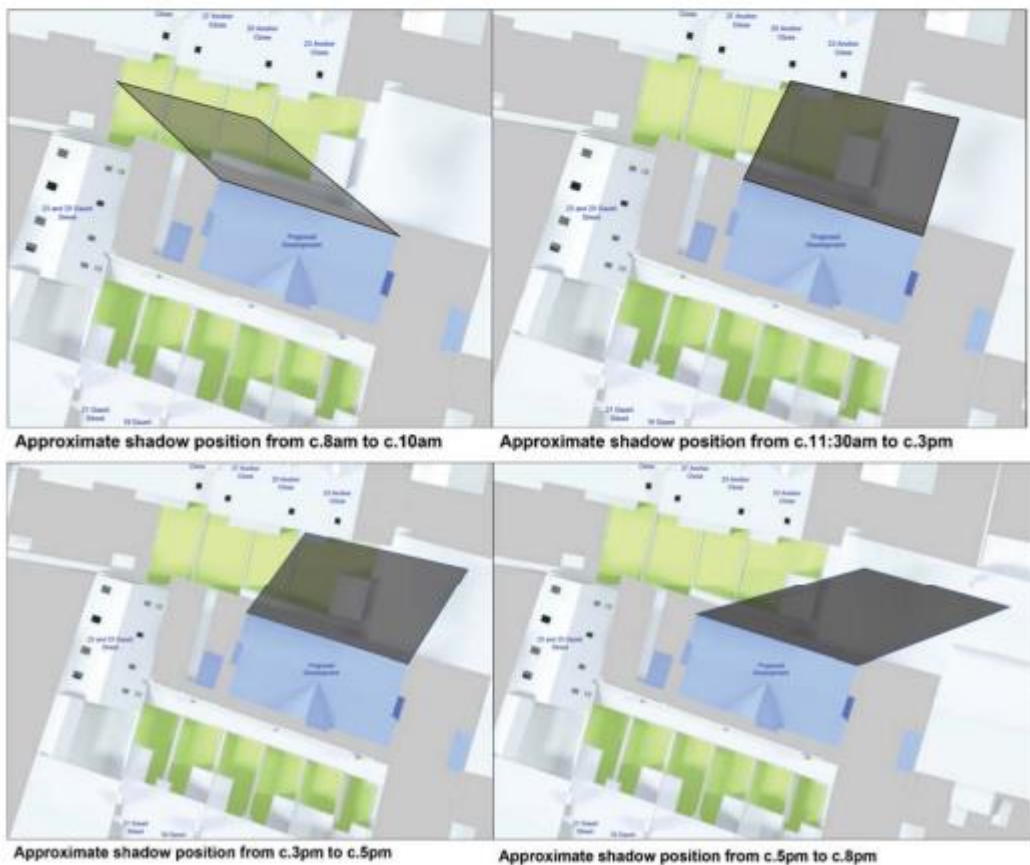


Figure 1. Shadow position during the day (summertime). The shadow increases in length and hence covers a wider area than displayed during winter, due to the lower angle of the sun rays.



Shadow of the shed at 2pm 26/07/21 – a small shed (2.40m high) takes half the garden, clearly the shadow of the suggested development will cover the whole garden and windows especially during the afternoon.

The photo displayed in figure 3 was taken at 2pm on July 26th 2021 and clearly shows a shadow that covers half of the garden. It is evident that a building 3 or 4 times higher than this shed would generate a much bigger shadow, which will cover the full garden and the windows at the rear of my property. The situation would be even worse during winter, when normally at 3pm the sun disappears behind the properties at Gaunt Street, which means that with a much closer building, like the new proposed development, my garden and rear of my house will completely lose any sunlight during wintertime. Based on this evidence, it is clear that the report is inaccurate and created on assumptions rather than real data.

6. **The inaccuracy of the report is also evident when looking at the rest of the plans from page 14 to 18**, which show shadows pointing in different directions in the same images for various buildings and chimneys. Furthermore, very strangely, the shadow of the proposed development is never clearly drawn.
7. The BRE-guide states that *“it is important to measure the angle to the horizontal subtended by the new development at the level of the centre of the lowest window. If this angle is less than 25° for the whole of the development, then it is unlikely to have substantial effect on the diffuse skylight enjoyed by the existing buildings. If, for any part of the development, this angle is more than 25°, a more detailed check is needed to find the loss of skylight to the existing building. Both the total amount of skylight and its distribution within the building are important”* (page 7). **In the current report there is no mention about the study of this angle.** This angle is also of concern for future residents of the proposed new dwelling, which will have ground floor windows and patio doors only 1.55m away from a fence, which clearly cannot ensure the 25° angle and hence a healthy light penetration in the building.
8. **The overshadowing garden and open space reported in Appendix 3 of the report (page 45) is not realistic.** What time a day was considered for the measurement? This image, as grand part of the report, is not supported by real data collected on the ground and further

numerical/computer evaluations, as mentioned at point 1 of this letter. What were the assumptions? And how do they compare with the real data?

9. Another important point is that I own solar panels and the impact of the shadow on solar panels is not considered at all in the report, whilst specific guidance regarding solar panels are reported in the BRE-guide (chapter 4). I believe this is something that cannot be ignored as the shadowing of the building could impact the production of electricity from the panels with consequent impact on my finances.

Comments to the Acoustic Survey dBc 10217Rev2 (file: NOISE_IMPACT_ASSESSMENT-6TH_JULY_2021-633408).

I am glad to finally have a written acoustic report that states that the noise generated by the 6 condenser units on the rear of the supermarket creates disturbance and that they should be moved elsewhere or enclosed to minimise the nuisance. I would like to highlight that at point 1.3 of the report there is mentioned that the City of Lincoln Council commented on the concern about the noise from the adjacent supermarket causing disturbance to future residents. **The noise creates already massive disturbance to current residents of neighbouring properties.** Thus, even if this planning permission was to be rejected, actions should be still taken by the Lincoln Council to make sure that the supermarket encloses the condenser units to stop the nuisance generated and affecting all the residents of the area.

The building site, if approved, will generate extra noise that will add on the top of the nuisance produced by the supermarket, which will make our lives impossible, especially considering that all of us are now working or studying from home and the noise will disrupt our activities.

Comments to the Revised_Elevations_633405 and Revised_floor_plan_63358.

Comparing the new project with the old one approved in 2018, a higher elevation is noted, which will negatively impact sunlight and overlooking on our properties. Furthermore, the extended footprint of the new proposed plan will also negatively impact sunlight.

Note that 4 out of 5 properties in Anchor Close, currently complaining about this planning development were sold or put on the market between 2018 and 2019. As a result, the old owners of the houses we have bought were not interested in complaining against the planning permission that was approved in 2018, because that would have meant they had to declare it in the selling documents, with the risk of losing buyers. Us new owners, who just bought the properties, cannot simply ignore the negative impact that this potential new built will have on our lives, hence we will not give up objecting. As it stands, this plan is merely focused on the profitability of the investment, rather than sustainability and respect for the environment and neighbourhood.

As per previous objection, and based on the new evidences provided above, I/we re-emphasize that the plan should be rejected.

Yours Faithfully

Laura Galluccio PhD.

Senior Geologist and Regional Manager


Comments from landlord of Woodburn Place

Thanks for this Marie.

This proposal looks somewhat more sensible. I still have some concerns though:-

1. The unfrosted large storey window on the West Elevation still overlooks into the garden space of 1-5 Woodburn Place. Is there scope to reduce the size of the window so that it doesn't intrude on the privacy of the Woodburn Place residents.
2. The proposed two metre high fence on the boundary next to the hedge is somewhat high given that the garden space of 1-5 Woodburn Place is a further metre below that!
3. The porch for the entrance to the South Elevation overhangs the access path to 1-5 Woodburn Place. (I appreciate that this may be a legal matter as much as a planning issue)

Can you advise if these are valid issues that can be adjusted in the design?

As always I am most directly available on 

Kind Regards
Bill

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: 2021/0343/FUL

Proposal: **Erection of a two-storey building to accommodate 4 self-contained flats**

Location: **Land to the rear of 116 High Street, Lincoln, Lincolnshire, LN5 7PR**

With reference to the above application received 19 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 site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.

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.

Highway Informative 08

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

NO OBS

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

Case Officer:
Sarah Heslam
for Warren Peppard
Head of Development Management

Date: 4 May 2021

County Offices, Newland
Lincoln LN1 1YL
www.lincolnshire.gov.uk



LINCOLNSHIRE POLICE

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

Your Ref: App 2021/0343/FUL

21st April 2021

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Town and Country Planning Act 1990 Consultation on Planning Permission

Land To The Rear Of 116 High Street, Lincoln, Lincolnshire, LN5 7PR
Description of the proposed development:

Erection of a two-storey building to accommodate 4 self-contained flats.
The date by which representations are to be received by the Local Planning

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

Lincolnshire Police has No 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

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

Yours sincerely,

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

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| | |
|----------------------------|---|
| Application Number: | 2021/0474/FUL |
| Site Address: | The Parachute Regimental Association Memorial Garden, Castle Hill, Lincoln |
| Target Date: | 18th August 2021 |
| Agent Name: | Kingsmead Design Ltd |
| Applicant Name: | Mr Paul Aitchison |
| Proposal: | Installation of steel safety railings to the top of the existing parapet wall upstand to a raised access landing. |

Background - Site Location and Description

The application proposes the construction railings on top of an existing parapet wall at the Parachute Regimental Association Memorial Garden.

The area is on a raised piece of land used as a memorial garden located between Castle Square Car Park and the eastern wall of Lincoln Castle. The proposal is located within the Cathedral and City Centre Conservation Area No. 1.

The application is brought before Planning Committee as the applicant is related to a City Council employee.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 29th July 2021.

Policies Referred to

- Policy LP25 The Historic Environment
- National Planning Policy Framework

Issues

Visual amenity and the impact on the character and appearance of the Conservation Area and the setting of the adjacent listed building

Consultations

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

Public Consultation Responses

No responses received.

Consideration

Policy Background

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

Paragraph 192 of the NPPF 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.

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

The railings would be on top of the existing retaining wall. The materials would be galvanised steel with a black painted finish. Detailing within the railings would include Fleur-De-Lys, Pegasus, and the Parachute Cap Badge. The height of the railings above the existing wall would range from between 1m and 0.6m.

The railings would be small scale and of a sympathetic design and they help to understand the more recent history of the specific area. Accordingly, it is also considered that the proposal would preserve the character and appearance of the conservation area, as required by CLLP Policy LP25 and the duty contained within Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990.

Similarly, beyond the site is the castle wall although given the small scale of the proposed railings particularly when compared with the scale of the heritage asset behind it, it is not considered that the proposal would detract from the setting of the castle.

The proposals would preserve the architectural significance of the listed building and therefore are in accordance with the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990.

The City Council's Principal Conservation Officer has raised no objections to the proposal.

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

No.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed railings would preserve the character and appearance of the conservation area in accordance with LP25 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

Standard Conditions

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

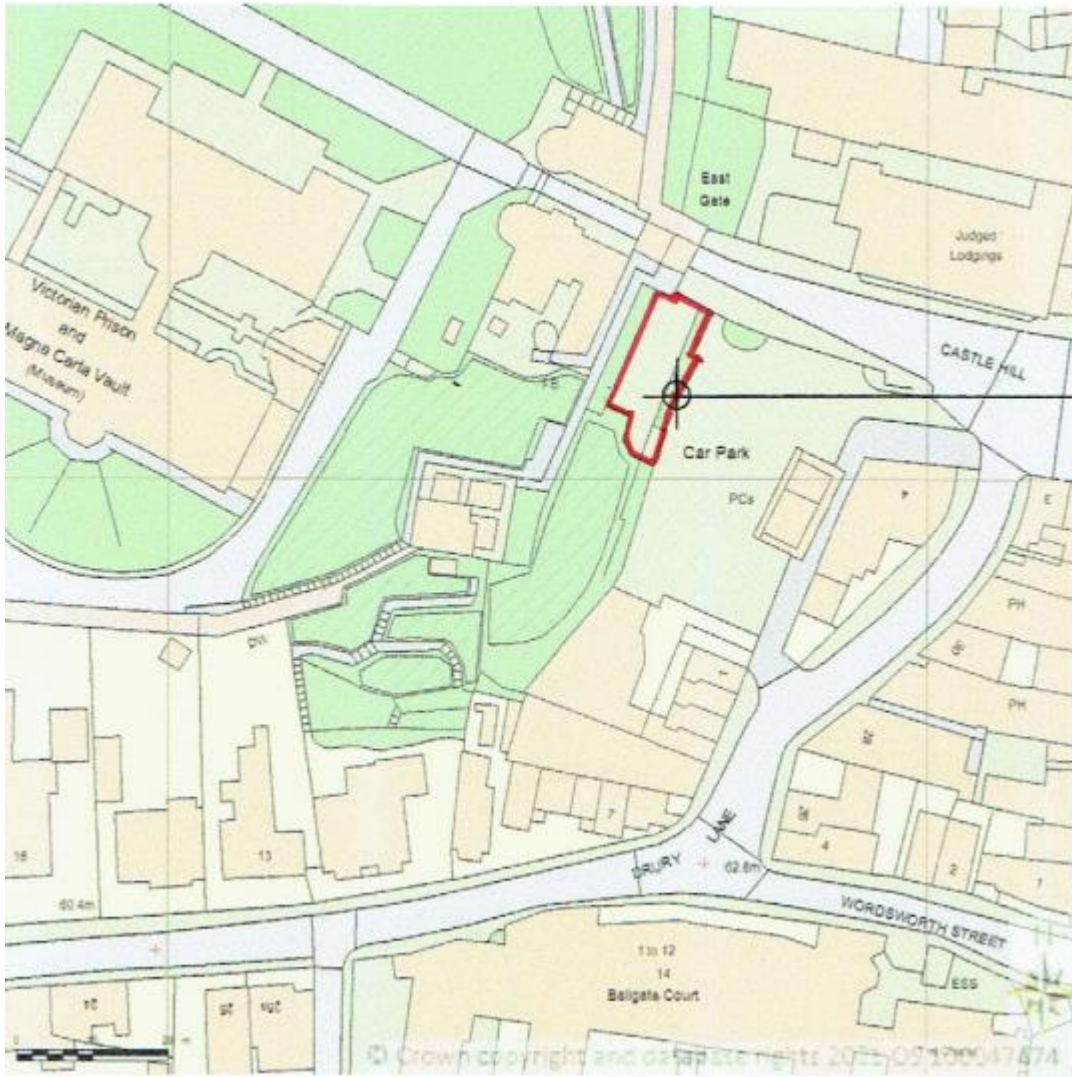
Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 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.

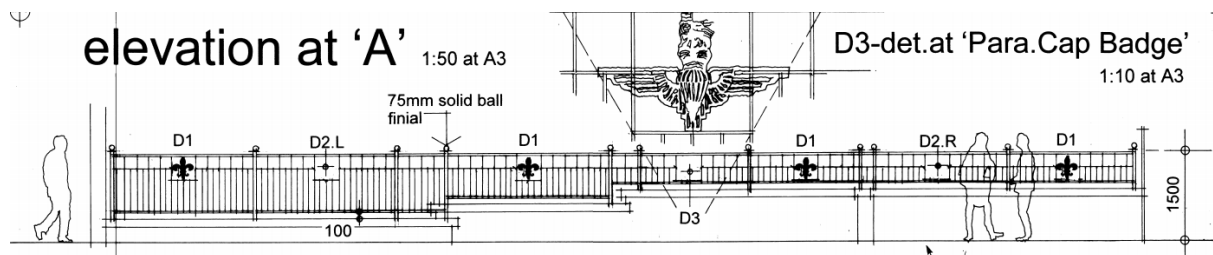
The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

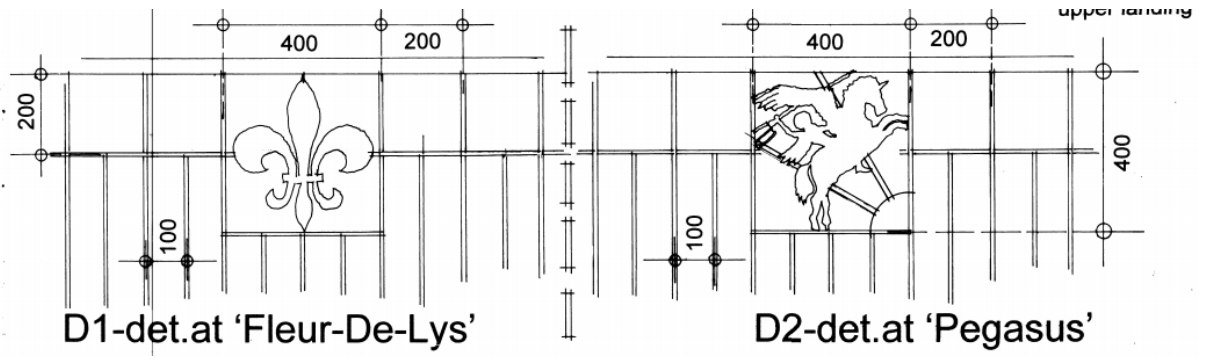
Reason: To ensure the development proceeds in accordance with the approved plans.

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Site location plan





Details of railings







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