



PLANNING COMMITTEE

**Wednesday, 26 January
2022**

5.30 pm

**Committee Rooms 1-2, City
Hall**

Membership:	Councillors Naomi Tweddle (Chair), Bob Bushell (Vice-Chair), Biff Bean, Chris Burke, Liz Bushell, Gary Hewson, Rebecca Longbottom, Bill Mara, Mark Storer, Edmund Strengiel and Calum Watt
Substitute members:	Councillors Bill Bilton and Neil Murray
Officers attending:	Simon Cousins, Democratic Services, Kieron Manning, Dave Walker and Louise Simpson

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 - 1 December 2021	5 - 16
2. Declarations of Interest	

Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.

3. Update Sheet	To Be Tabled
4. Work to Trees in City Council Ownership	17 - 20
5. Applications for Development	
(a) Lincoln Central Market, Sincil Street, Lincoln	21 - 34
(b) Lincoln Central Market, Sincil Street, Lincoln (LBC)	35 - 42
(c) Land at Beavor Street, Lincoln.	43 - 90

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

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present: Councillor Bob Bushell (*in the Chair*),
Councillor Biff Bean, Councillor Liz Bushell, Councillor
Gary Hewson, Councillor Jane Loffhagen, Councillor
Rebecca Longbottom, Councillor Bill Mara, Councillor
Mark Storer, Councillor Edmund Strengiel, Councillor
Calum Watt and Councillor Bill Bilton

Apologies for Absence: Councillor Naomi Tweddle and Councillor Chris Burke

50. Confirmation of Minutes - 3 November 2021

RESOLVED that the minutes of the meeting held on 3 November 2021 be confirmed.

51. Declarations of Interest

No declarations of interest were received.

52. Update Sheet

An update sheet was tabled at the meeting, which included:

- Additional comments received in relation to Agenda Item Number 5(a) – Land Adjacent to Yarborough Leisure Centre, Riseholme Road, Lincoln.
- A response from Lincolnshire County Council as Highways Authority stating that it had no objections to the development proposed at Agenda Item Number 5 (b/c) – 40-42 Michaelgate, Lincoln

RESOLVED that the Update Sheet be received by Planning Committee.

53. Work to Trees in City Council Ownership

Dave Walker, Arboricultural Officer:

- a. advised the Committee of the reasons for proposed works to trees in the City Council's ownership and sought consent to progress the works identified, as detailed at Appendix A of his report
- b. clarified that although his schedule was dated 3 December 2021, this was a typographical error; the schedule referred to works planned as of 1 December 2021
- c. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required
- d. explained that ward councillors had been notified of the proposed works.

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

54. Applications for Development
55. Land Adjacent To Yarborough Leisure Centre, Riseholme Road, Lincoln

The Planning Team Leader:

- a. described the application for development on land in front of Yarborough Leisure Centre, which proposed the erection of four 2/3 storey buildings fronting Riseholme Road to form townhouses with five 3/4 storey buildings positioned behind
- b. reported that the development would consist of 293 bedrooms of accommodation for students with ancillary on site reception, laundry facilities and warden accommodation
- c. added that a new vehicular access would be formed to Riseholme Road and 17 parking spaces provided within the site for accessible unloading and staff parking only
- d. highlighted that the land in question was allocated as a site for residential development in the adopted Local Plan, currently owned by the City of Lincoln Council with an agreement to sell to the applicants
- e. described the location of the development site currently grassland on the west side of Riseholme Road, with Lincoln Castle Academy and Yarborough Leisure Centre situated to the north and west, residential dwellings fronting Riseholme Road and Yarborough Crescent to the south, the old caretaker's bungalow in private ownership to the north, and a strong line of trees which formed the boundary with Riseholme Road to the east
- f. referred to the site history to the application site; proposals for 295 bedspaces together with teaching facilities, support space, an on-site café and academic space, was refused by Planning Committee on 26 February 2020 for the following reason:

"The application as proposed would be harmful to the character and local distinctiveness of the site and its surroundings by reason of the height and massing of the proposed buildings contrary to the provisions of Policy LP26 of the Central Lincolnshire Local Plan."

- g. gave details of an amended scheme now submitted; Bishop Grosseteste University had revised their brief and employed a new design team, making key changes as detailed within the officer's report
- h. provided details of the policies pertaining to the application, as follows:
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP9: Health and Wellbeing
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land affected by Contamination
 - Policy LP26: Design and Amenity

- Policy LP29: Protecting Lincoln's Setting and Character
 - Policy LP32: Lincoln's Universities and Colleges
 - National Planning Policy Framework
- i. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
- Principle of Use
 - Visual Amenity
 - Impact on Residential amenity
 - Traffic and Pedestrian Safety
 - Drainage/SUDs
 - Trees and Landscaping
 - Archaeology
 - Contaminated Land
- j. outlined the responses made to the consultation exercise
- k. referred to the Update Sheet tabled at the meeting which included additional comments received in response to the consultation exercise
- l. concluded that:
- The previous refusal reason relating to height and massing of the buildings had been overcome by the revised application.
 - The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, and design.
 - The proposal allowed Bishop Grosseteste University to continue to develop and ensured that there was little impact on their neighbours and the wider City.
 - Technical matters relating to highways, contamination, archaeology, and drainage were to the satisfaction of the relevant consultees and could be further controlled as necessary by conditions.
 - The proposals would therefore be in accordance with the requirements of CLLP Policies and the NPPF.

Mr John Noone, local resident, addressed Planning Committee in objection to the application, covering the following points:

- He was speaking tonight on behalf of Lincoln Civic Trust, his neighbours, and local residents to the proposed development.
- Issues had been raised in detail within the agenda pack which represented a groundswell of objectors.
- A previous planning objection submitted for this same site had been unanimously rejected by Planning Committee in 2020.
- According to the consultation document the scale of the build had been reduced and it was mainly 2-storey in nature, however, this was untrue as 3 and 4 storey blocks were also planned.
- The height and density of the proposed development was not in keeping with the area and would have a negative impact on its nature.
- Members should ignore the fanciful artists impressions provided before them to consider instead the impact of the proposed building blocks in terms of scale, height, and density and the 2 metre high security fencing.
- This area represented one of the entries to our beautiful City.

- In terms of landscaping, retention of the trees on the site frontage would not screen the development, if they even survived the building process.
- It was questionable whether further purpose-built accommodation was needed. Bishop Grosseteste University already had land on its own campus it did not use, and other accommodation which remained vacant. The pandemic had resulted in changes to lifestyles in terms of sustainability of life with shifting demographics and changes to expansion plans/reviewed priorities.
- The proposed development would destroy public open green space in uphill Lincoln.
- Would members be happy to support student accommodation in an area awash with it already?
- This planning application compromised the provision of green space for local wellbeing which was also beneficial in terms of climate change. This was at the expense of financial gain.
- The development was inappropriate for this site.
- Scale/massing/density was far too great.
- He hoped members would support local residents' concerns and reject planning permission.

Mr Scott Fleming, Deputy Vice Chancellor at Bishop Grosseteste University addressed Planning Committee in support of the proposed development, covering the following main points:

- His portfolio was responsible amongst other things for 'student experience in the learning community'.
- The Bishop Grosseteste University (BGU) took its values and responsibilities to its neighbours and the surrounding community very seriously.
- The revised planning application now submitted had followed a long process, working with specialist agents and local teams along the way.
- It was a different much improved planning application this time around.
- The design principle had been the sole reason to refuse the previous planning application for the same site.
- The development now contained 2 and 2 ½ storey buildings set amongst a green frontage.
- In terms of concerns raised regarding car parking, students were not permitted to bring vehicles to University unless they had access needs. Only 10 such approvals had been granted this year.
- 40% of students commuted daily into University; the staff would work with them to encourage use of public transport etc.
- The development would ease the pressure on the need for students to travel to the campus, therefore reducing the need for bringing cars to University.
- The development would be beneficial to the wider community.
- The scheme would provide an exclusive student experience to enhance learning.
- BGU was widening its offer particularly to students with additional care needs, together with provision of purpose built private student accommodation across the city as a priority.
- The scheme would increase the offer of accommodation services to students and decrease the need for private accommodation that could be used for families.
- It would provide a more attractive gateway to the north of the city.

- 24/7 security measures would be provided on site together with resident staff members.
- The University had a good record in the community with students rarely needing to be disciplined.
- He hoped members would offer their support to this development.

The Committee considered the content of the report in further detail.

The following comments emerged in support of the planning application:

- This was an improved planning application, allowing the trees to be retained along the frontage of the scheme.
- There was less mass to buildings.
- Home owners did not buy a view when they purchased a house.
- As a former student, accommodation with 24 hour security was considered one of the best forms of student life.
- The proposed accommodation was close to the University and also close to town. It would be an ideal location as it would negate the need for students to use a car.
- It was noted that the NHS had requested a financial contribution towards GP services

The following concerns emerged from discussions held:

- Would demand on housing in the City be affected should the proposals for purpose built accommodation be refused, forcing students to find alternative places to live which impacted on other local residents seeking a home?
- There was still an issue concerning car parking on local streets. The University would need to work with their local neighbours to address this.
- Visitors would still come here in cars even if the students weren't allowed to keep one.
- In terms of sustainability of the build, life was changing, students may prefer to work from home rather than utilise this type of accommodation.
- The cost of rent had to be reasonable to make the venture sustainable.
- Students were not liable for council tax/business rates.
- Resident's concerns regarding lack of green space were acknowledged.
- A large scale development was proposed here, much greater than the accommodation on site across the road at Wickham Hall/Constance Steward Hall.
- Modifications in terms of trees/landscaping would help in terms of biodiversity gain, potentially utilised across the other BGU sites.
- Grassland did have a value and members should be guarded by this statement in determining their decision.
- Concerns were raised about access to the site.
- Concerns regarding the future use of the accommodation should it be no longer required in future years due to changes in lifestyles.
- Student accommodation was better located in commercial areas and not residential communities.
- Recreational improvements such as benches/ rest areas would enhance the area for local residents.
- The Transport Strategy needed to offer assistance to residents in uphill Lincoln in relation to lack of bus services.
- The Council was the landlord for this site; opportunities for a better bus

- service should be utilised.
- A better bus service would assist students to commute.

The following questions emerged from discussions held:

- How would the objector's rights be affected who currently had direct gated access to the site, a right which many local people had enjoyed for decades?
- Why was there no reference to solar panels/climate change aspirations as part of the scheme?
- Was it possible for the planning application to be refused for additional reasons to those outlined at the previous refusal?
- How would the security fence affect the amenity of the area?
- To what extent was a heat pumps system part of the scheme?
- Was the condition requested by Lincolnshire County Council to operate additional bus services in the area from Monday to Friday to be met by the developer, and if not, why not?

(In the interest of transparency, Councillor Strengiel highlighted that he sat on the Highways Committee as an elected member of Lincolnshire County Council)

As a point of clarification, Councillor Strengiel advised that the City Council or County Council had no powers to enforce Stagecoach to provide further bus services.

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

- Any S106 requests must relate to the application before us and used to cushion any impact from the development, hence why a contribution towards NHS provision was appropriate here. The impact from this development to necessitate the provision of extra bus services Monday-Saturday was not so significant to be considered as justifiable. A Friday and Saturday service was already in operation. The development was also close to the City Centre and University.
- The ownership of the site was not a matter to be taken into account from a planning perspective. Officers did not consider it to be reasonable to impose a condition requiring additional bus services unless members were minded differently.
- A security fence would be installed to the front of the development, behind the existing hedge, with secondary fencing covering the rest of the site.
- Access to the site currently in existence from a neighbouring property was a private matter and not a planning issue.
- Public right of way across the site did not exist, officers had taken legal advice on this matter.
- In terms of biodiversity gain, a tree planting and landscaping strategy condition could be tailored in subject to grant of planning permission to focus on this area; mandatory requirements would be brought into planning legislation in the future; however, this was not yet lawfully binding.
- Heat pumps were not the sole source of heating proposed for the development but would support the heating system.
- Should the development remain empty any proposal for change of use would need to come back to Planning Committee.

The Assistant Director of Housing responded on whether it was possible to impose additional reasons for refusal of planning permission other than the previous refusal. It was not in his gift to influence members views; however, the key material consideration here was to determine whether the reasons for previous refusal on this site had been addressed.

A motion was proposed, seconded, and carried that an additional condition be imposed, subject to grant of planning permission requiring an enhanced landscaping condition to be imposed to pursue biodiversity on the site.

A motion was proposed, seconded, and carried that an additional condition be imposed, subject to grant of planning permission requiring the provision of increased public transport services (bus service), at the responsibility of the developer, from Mondays-Saturdays, continuing for 3 years post final completion of the development, prior to occupation of the student accommodation.

The Planning Team Leader offered advice that provision of 293 student flats did not generate the need for a Monday-Saturday bus service.

RESOLVED that planning permission be granted subject to the signing of an S106 agreement securing a contribution to additional NHS services in the vicinity and subject to the conditions as set out below.

Conditions

- Development to commence within three years
- Hedge and tree protection to be in place at all times during construction
- Materials
- Highway conditions
- Archaeology
- Remediation shall be implemented in accordance with submitted remediation strategy
- Submission of construction management plan
- Retention of parking spaces at all times
- Development to proceed in accordance with submitted Travel Plan
- Landscaping to be implemented in accordance with the submitted landscaping plan
- Enhanced landscaping condition to pursue biodiversity
- Responsibility of developer to provide increased public transport services from Mondays-Saturdays, continuing for 3 years post final completion of the development, prior to occupation of the student accommodation.

(a) 40 - 42 Michaelgate, Lincoln

The Assistant Director of Planning:

- a. described the location of the application for development at 40-42 Michaelgate, a grade II listed building located on the east side of Michaelgate, close to the junction with Steep Hill and Bailgate
- b. added that it adjoined The Harlequin, 20-22 Steep Hill to the east, also a grade II listed building, with a yard to the south of the building beyond at 36 Michaelgate

- c. advised that the property was located within the Cathedral and City Centre Conservation Area
- d. reported on observations made by the City Council's Conservation Officer as follows:
- The building had historically been two distinct properties, as suggested by the address, and by the various dates of construction.
 - No. 42, to the north, had been a house and shop dating from the mid and late 18th century. Constructed from brick with a stone plinth, at two storeys plus garrets, it included a late C18 glazing bar shop window with pilasters and cornice.
 - No. 40, to the south, was a domestic property and potentially dated from the 14th century with 18th, 19th, and 20th century alterations. The half-timbered structure sat on a dressed stone and brick ground floor plinth. The gable framing had curved braces and corner posts and the half-timber work was also expressed internally.
- e. added that there was currently access through a party wall that linked the two buildings as a single unit and in recent years the property had been a holiday let, managed by the National Trust, vacant since 2018; the application proposed to reinstate the historic use of the building as two distinct dwellings and it was intended to continue the existing holiday let arrangement with the two dwellings
- f. gave further detail of the proposed external and internal living arrangements for the building as outlined within the officer's report
- g. confirmed that internal and external alterations were proposed to facilitate the subdivision of the building, which also included repair and enhancement works; whilst these works did not require the benefit of planning permission, an accompanying application (2021/0759/LBC) for listed building consent would consider these with regard to the impact on the building as a designated heritage asset
- h. highlighted that both the full planning permission and listed building consent applications were being presented to Members of Planning Committee for determination due to the application property being in the ownership of the City Council
- i. referred to the site history to the application site as detailed further within the officer's report
- j. provided details of the policies pertaining to the application, as follows:
- Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed-Use Area
 - National Planning Policy Framework
- k. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:

- Policy Context and Principle of Use
 - Visual Amenity and Character and Appearance of the Conservation Area
 - Residential Amenity
 - Parking and Highways
- l. confirmed that consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018
- m. highlighted at the time of writing this report that the consultation period was still underway and to date no statutory or public consultation responses had been received relating to this full application; the consultation period would have expired prior to the committee meeting and any comments received would be provided within the update sheet.
- n. noted, however, that the same consultations had been undertaken for both the full and listed building consent applications; therefore, the responses to the listed building consent application that were relevant to this full application were referenced within the associated report considered next at tonight's meeting
- o. referred to the Update Sheet tabled at the meeting which included a response from Lincolnshire County Council as Highways Authority stating that it had no objections to the proposed development
- p. concluded that:
- The sub-division of the property, re-instating its historic use, was welcomed and would neither result in the area losing its mixed-use character nor would it detract from the vitality or viability of the primary shopping area.
 - The external works associated with the sub-division, although not requiring planning permission, would be an improvement to the building and would enhance the character and appearance of the conservation area.
 - The application would not cause undue harm to the amenities of neighbouring properties.
 - The application would therefore be in accordance with the requirements of CLLP Policies LP25, LP26 and LP33 and guidance within the NPPF.

The Committee considered the content of the report in further detail.

RESOLVED that planning permission be granted subject to the conditions as set out below.

Conditions

- Time limit of the permission
- Development in accordance with approved plans

56. 40 - 42 Michaelgate, Lincoln (LBC)

The Assistant Director of Planning:

- a. outlined an application submitted for Listed Building Consent at 40-42 Michaelgate Lincoln requesting:
 - Internal and external alterations to facilitate subdivision of an existing C3 dwelling (used as holiday let) to two C3 dwellings (to be used as two holiday lets).
 - Internal alterations including new partitions, re-pointing of stone walls with lime mortar, replacement of brick wall with reclaimed bricks, new limecrete floor, damp proof works, removal of staircase and alterations to retained staircase.
 - External alterations including re-roofing of a single storey flat roof off-shoot and installation of conservation rooflight, replacement timber windows, refurbishment of windows and dormer, removal of render from the south east elevation to expose a timber frame, replacement of concrete slabs with Yorkstone paving and refurbishment of gates. (Listed Building Consent).
- b. described the location of the application for development at 40-42 Michaelgate, a grade II listed building located on the east side of Michaelgate, close to the junction with Steep Hill
- c. added that it adjoined The Harlequin, 20-22 Steep Hill to the east, also a grade II listed building, with a yard to the south of the building beyond at 36 Michaelgate
- d. advised that the property was located within the Cathedral and City Centre Conservation Area
- e. reported on observations made by the City Council's Conservation Officer as follows:
 - The building had historically been two distinct properties, as suggested by the address, and by the various dates of construction.
 - No. 42, to the north, had been a house and shop dating from the mid and late 18th century. Constructed from brick with a stone plinth it was two storeys plus garrets and included a late C18 glazing bar shop window with pilasters and cornice.
 - No. 40, to the south, was a domestic property which potentially dated from the 14th century with 18th, 19th, and 20th century alterations. The half-timbered structure sat on a dressed stone and brick ground floor plinth. The gable framing had curved braces and corner posts and the half-timber work was also expressed internally.
- f. added that there was currently access through a party wall that linked the two buildings as a single unit and in recent years the property has been a holiday let, managed by the National Trust, vacant since 2018; the application proposed to reinstate the historic use of the building as two distinct dwellings and it was intended to continue the existing holiday let arrangement with the two dwellings
- g. gave further detail of the proposed external and internal living arrangements for the building as outlined within the officer's report
- h. confirmed that this listed building consent would only consider the proposed internal and external alterations with regard to the impact on the

building as a designated heritage asset; an accompanying application (2021/0871/FUL) for full planning permission would consider the principle of the use and matters relating to visual amenity, the character and appearance of the conservation area, residential amenity, and parking

- i. highlighted that both the full planning permission and listed building consent applications were being presented to Members of the Planning Committee for determination due to the application property being in the ownership of the City Council
- j. referred to the site history to the application site as detailed further within the officer's report
- k. provided details of the policies pertaining to the application, as follows:
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed-Use Area
 - National Planning Policy Framework
- l. advised Planning Committee of the main issue to be considered as part of the application to assess the proposal with regard to impact on the building as a designated heritage asset
- m. confirmed that consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018
- n. outlined the responses made to the consultation exercise
- o. concluded that:
 - The proposals did not involve activities or alterations prejudicial to the special architectural or historic interest of the listed building, its fabric or setting, and would indeed be of benefit to the building, safeguarding its future.
 - The proposals would therefore be in accordance with CLLP Policy LP25 and guidance within the NPPF.

The Committee considered the content of the report in further detail.

RESOLVED that planning permission for Listed Building Consent be granted subject to the conditions as set out below.

Conditions

- Time limit of the permission
- Development in accordance with approved plans
- Methodology for removal of modern render
- Methodology for preparation and application of new render
- Sample of new lime render
- Repointing methodology and mortar mix to be agreed
- Replacement handmade brick sample

- Details of rooflight in kitchen
- Details of new external flue
- Details of new mechanical extract fan
- Scope and methodology for refurbishments of gate
- 1:5 joinery details for new window
- 1:5 joinery details of new handrail to stairs
- 1:5 joinery for new balustrade.

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

1. Purpose of Report

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

2. Background

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

3. Tree Assessment

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

4. Consultation and Communication

- 4.1 All ward Councillors are informed of proposed works on this schedule, which are within

their respective ward boundaries.

- 4.2 The relevant portfolio holders are advised in advance in all instances where, in the judgement of officers, the matters arising within the report are likely to be sensitive or contentious.

5. Strategic Priorities

5.1 Let's enhance our remarkable place

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

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

i) Finance

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

ii) Staffing N/A

iii) Property/Land/ Accommodation Implications N/A

iv) Procurement

All works arising from this report are undertaken by the City Council's grounds maintenance contractor. The Street Cleansing and Grounds Maintenance contract ends August 2026. The staff are all suitably trained, qualified, and experienced.

6.2 Legal Implications including Procurement Rules

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

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

6.3 Equality, Diversity and Human Rights

There are no negative implications.

7. Risk Implications

- 7.1 The work identified on the attached schedule represents the Arboricultural Officer's advice to the Council relevant to the specific situation identified. This is a balance of assessment pertaining to the health of the tree, its environment, and any legal or health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications.

These can be outlined by the Arboricultural Officer pertinent to any specific case.

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

8. Recommendation

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

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

1

List of Background Papers:

None

Lead Officer:

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

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 1 / SCHEDULE DATE: 26th JANUARY 2022**

<i>Item No</i>	<i>Status e.g., CAC</i>	<i>Specific Location</i>	<i>Tree Species and description/ reasons for work / Ward.</i>	<i>Recommendation</i>
	N/A	16 Clarendon Gardens – rear garden	<u>Castle Ward</u> 1 x Lebanon Cedar <u>Fell</u> This tree has overgrown the available space to the rear of this property and is not a species that can be managed well through extensive pruning.	Approve works and replace with 1 x Bird cherry, to be located in the communal grassland area to the front of the property.
	TPO	6 Finningley Road	<u>Hartsholme Ward</u> 3 x English Oak <u>Reduce canopy overhang</u> These trees are located at edge of a woodland strip and have therefore grown asymmetrically towards the adjacent property.	Approve works
	N/A	76 St Peters Avenue	<u>Moorland Ward</u> 1 x Leyland cypress <u>Retrospective notice</u> This tree was felled as it possessed a significant shear crack at the base of the main canopy union which placed it at risk of unpredictable failure.	Replace tree with 1 x English Oak, to be planted within Boultham Park in a suitable location between the Bandstand and Spinney.

Application Number:	2021/0849/FUL
Site Address:	Lincoln Central Market, Sincil Street, Lincoln
Target Date:	14th December 2021
Agent Name:	John Roberts Architects Ltd
Applicant Name:	Maria Clayton
Proposal:	Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west.

Background - Site Location and Description

Application is for planning permission for the erection of a new substation to the side/rear of the Central Market building and additional kitchen extraction equipment including a new external cowl flue to the roof and new louvers to existing windows. The previously approved external bin store is also subject to some minor revisions.

An accompanying application for listed building consent has also been submitted 2021/0850/LBC.

Planning permission and listed building consent was approved by Planning Committee for the wholesale refurbishment and extension of the existing market building, including the insertion of a mezzanine and also the opening up of the blind arches, to enable the market to provide a retail and food offering more in line with current commercial needs and welcomed investment into the listed building. 2021/0257/LBC and 2021/0256/FUL granted June 2021.

The property is grade II listed and is located within the Cathedral City Centre and Conservation Area No.1,

The site lies within the Central Mixed-Use Area and is also part of the primary shopping street as identified in the CLLP.

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

Site History

Reference:	Description	Status	Decision Date:
2021/0850/LBC	Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west. (Listed Building Consent).	Pending Decision	

Case Officer Site Visit

Undertaken on 10th January 2022.

Policies Referred to

- Policy LP25: The Historic Environment
- Policy LP26: Design and Amenity
- Policy LP27: Main Town Centre Uses - Frontages and Advertisements
- National Planning Policy Framework

Issues

- National and Local Planning Policy
- Effect on Visual Amenity
- Effect on the Setting of the Listed Building
- Highway Safety
- Extraction Flue/ Air Intake Noise and odours
- Bin Storage

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Lincoln Civic Trust	Comments Received
National Grid	No Response Received
Highways & Planning	Comments Received

Public Consultation Responses

No responses received.

Consideration

Policy

Policy 25 and 26 are relevant LP25 of the CLLP and states that;

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

Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

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

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

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

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

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

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

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

Sub Station

The proposed substation is a standard design by Western Power Distribution. The Design and Access statement indicates that the new substation will be finished in either a beige or grey colour. It has been requested with the agent that the substation is painted grey. This can be subject to condition if not agreed prior to Committee.

The sub station is to be sited within part of the adopted highway. The County Council as the Highway Authority raises no objections to the proposal indicating that the new sub station will not hinder public access or deliveries to the area. The Highway Authority has advised that the applicant should apply to the SoS for Transport for a stopping up order on this part of the highway through a section 247 application. The agent has been advised on the procedure for this.

The substation is a functional piece of apparatus which is required for the successful operation of the improved Central Market building.

The Design and Access Statement indicates that the new plant and equipment proposed for the application is required in order to remove the existing gas fired services from the building, which in turn places an additional load on the existing electrical supply. This load cannot be provided through the current electrical supply serving the building and as such a new substation is required.

Given the location of the new sub station to the rear/ side of the building in the service yard area of the site, public views of the structure are limited. Whilst the substation is rather utilitarian in appearance, given the location of the substation and the justification for its requirement, the effect on the visual amenity of the area and character and appearance of the conservation area and overall setting of the listed building is limited.

Addition of New Ventilation Louvres

New external ventilation louvres are to be installed within the apertures of the existing high-level windows which are located on the East and North elevations. The design of the louvres is such to fit in within the existing steel window frames.

Pre application discussions considered a variety of colour finishes for the louvres, being black, grey, and bronze. It was concluded that the light grey louvres is the preferred option, being a subservient colour contrasting with the existing black framed windows, thereby allowing the original fenestration of the windows to continue being read independently. Again, the specific colour should be subject to a condition.

The inclusion of the new louvres to the rear of existing window apertures will not detract from the visual amenity of the area.

Additional Air Intake Ventilation Cowl to Roof

A new air intake cowl is required for the additional ventilation works at the site. A new cowl is to be added to the west facing hip of the existing market building roof facing towards the service yard, away from public view.

The Design and Access Statement indicates that the proposed size, colour, and position of the cowl on the roof has been considered to ensure that it will be visually minimally intrusive.

The Cowl is reinforced polyester coloured goosewing grey as standard but can be finished in any RAL colour. The cowl should therefore be conditioned to be a dark grey to reflect the colour of the roof into which the cowl will be set. The roof cowl is a small addition to the roof to a side elevation and will therefore not detract from the visual amenity of the area or the wider conservation area.

Revisions to Bin Store

An external bin store was approved under the previous applications for the Central Market works. This application seeks to revise the external appearance of the previously approved bin store. The previous bin store comprised of horizontal aluminium powder coated dark grey louvres.

The revised proposal is for vertically installed Larch hit and miss boarding in place of the previously approved grey aluminium horizontal louvres. The bin store is located within the

'service yard' area created to the west of the site where therefore, public views are limited. Given the urban location of the bin store, the timber store should have a paint finish in dark grey and subject to a condition if not agreed prior to Committee. The revisions to the external appearance of the bin store will not be harmful to the wider character or appearance of the Conservation area.

No objections are raised by the Civic Trust, whilst the response of the Highway Authority is also no objections and discussed in more detail above.

Environmental Health has raised no objections to the proposals.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed sub station is required for the successful operation of the refurbished market building. The sub station is located to the rear of the site where public views are limited. The proposed additional air intake system is again required to enable the successful function of the building. Views of the external cowl will be limited and will not detract from the setting of the listed building, the visual amenity of the area or the character or appearance of the wider Conservation Area.

The proposal is therefore in accordance with both national and local planning policy.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally.

This page is intentionally blank.



Location of the previously approved bin store. New ventilation cowl to be added to this west facing hipped section of the roof, facing the service yard.



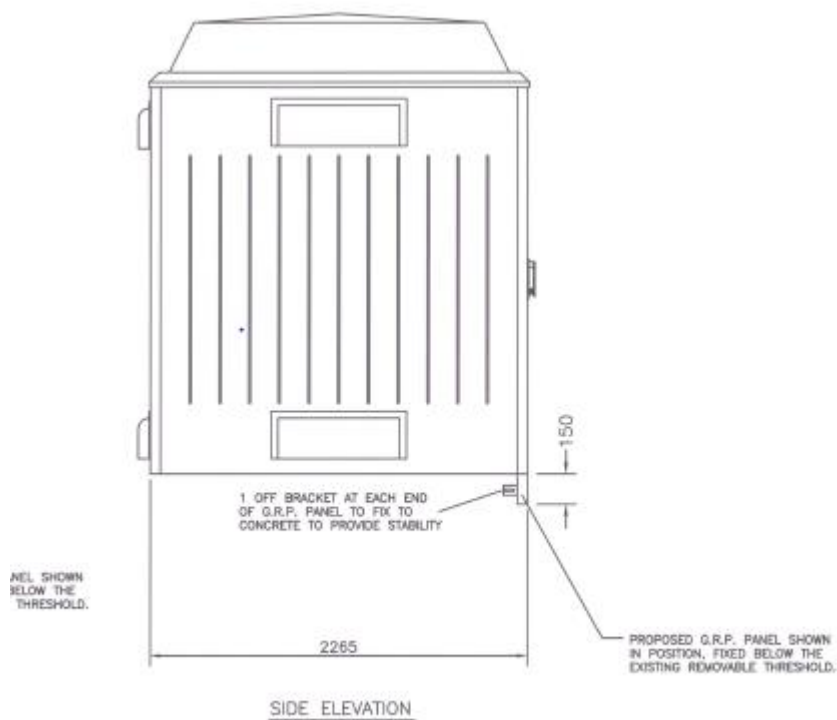
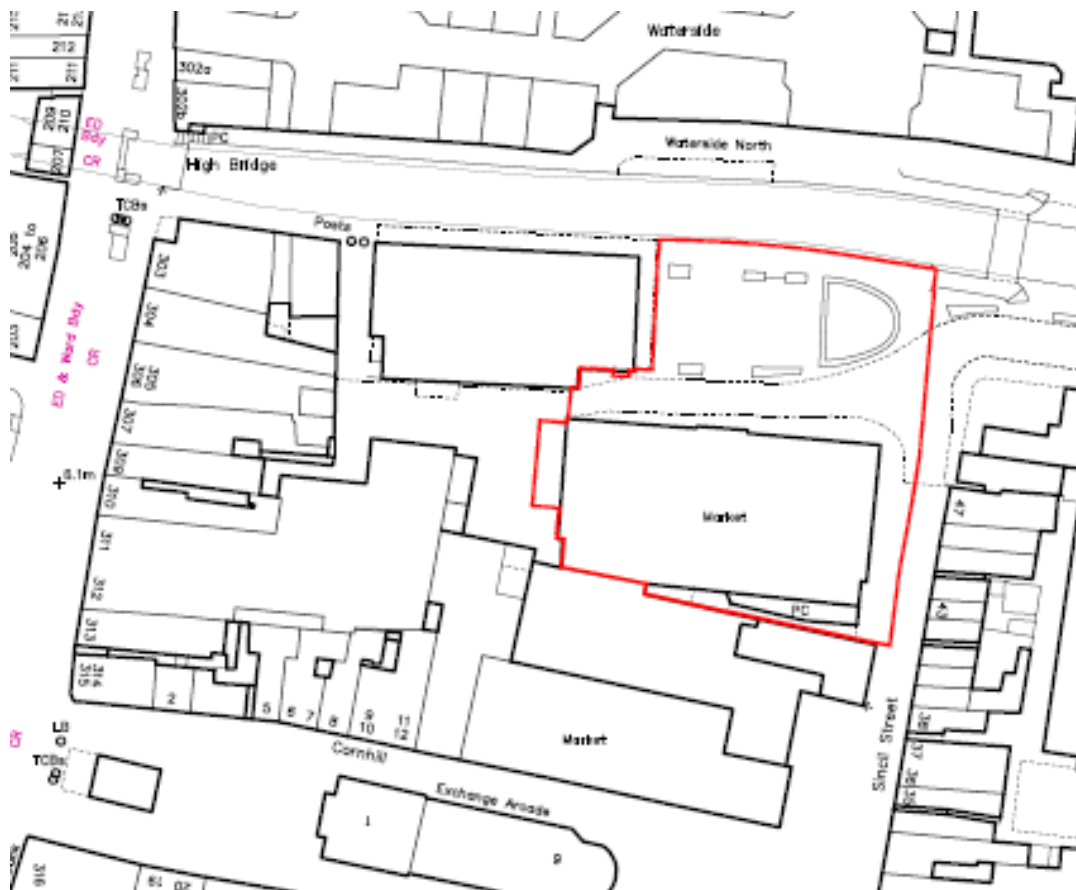


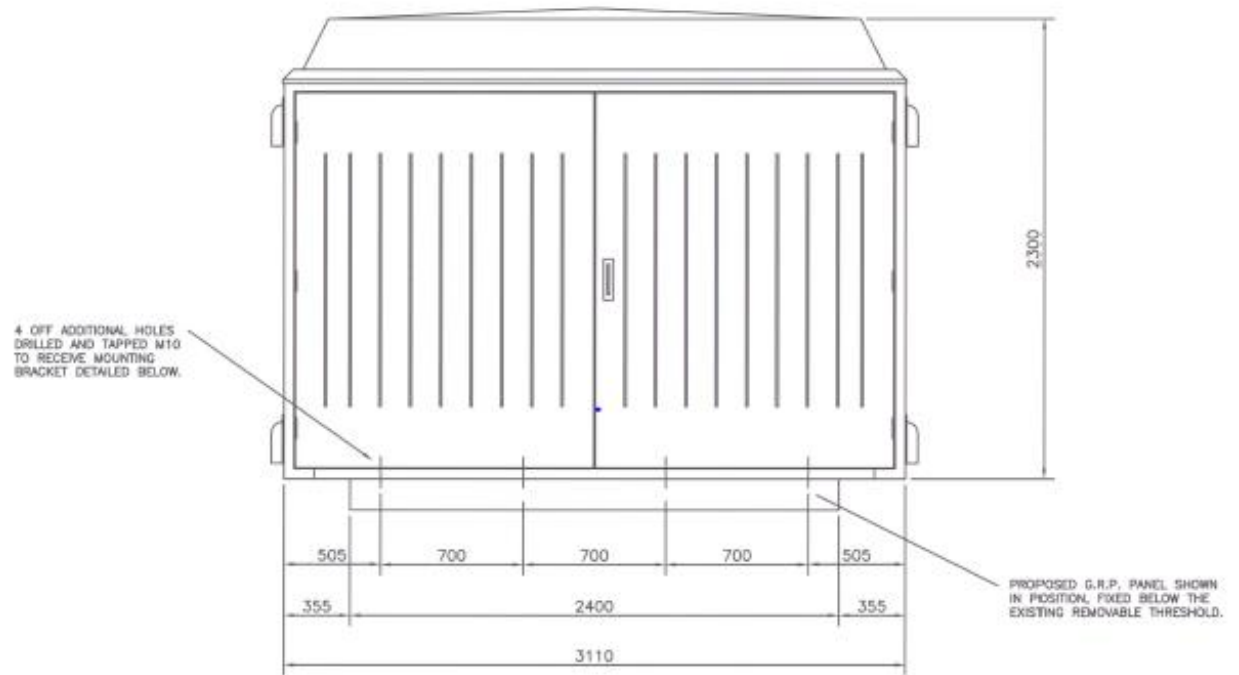
Proposed location of the new electricity sub station



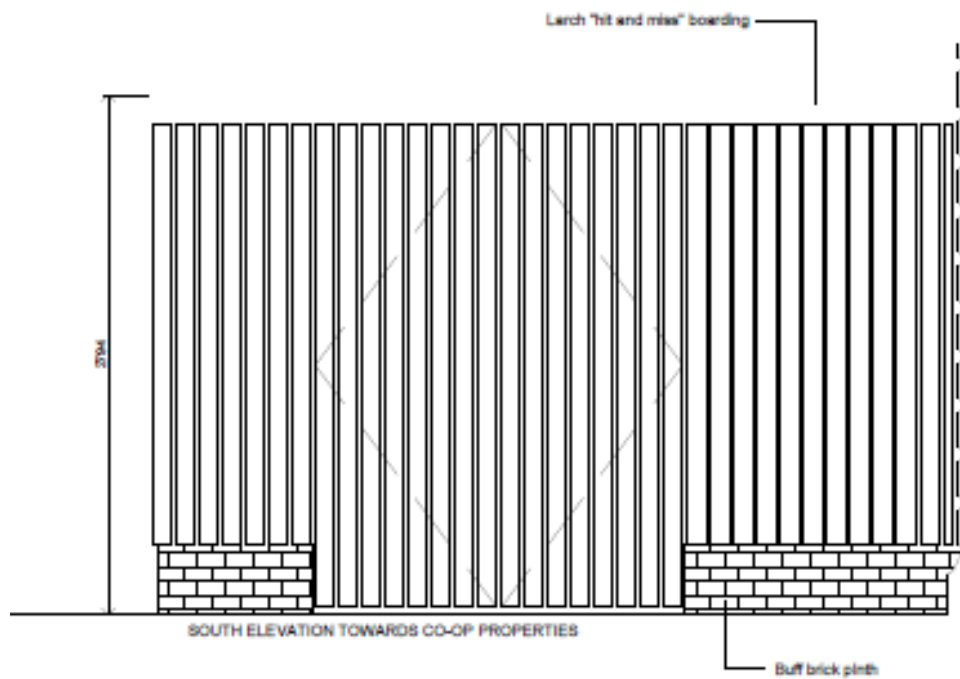


Proposed location of the new louvres to be added to the windows behind the existing black frames.

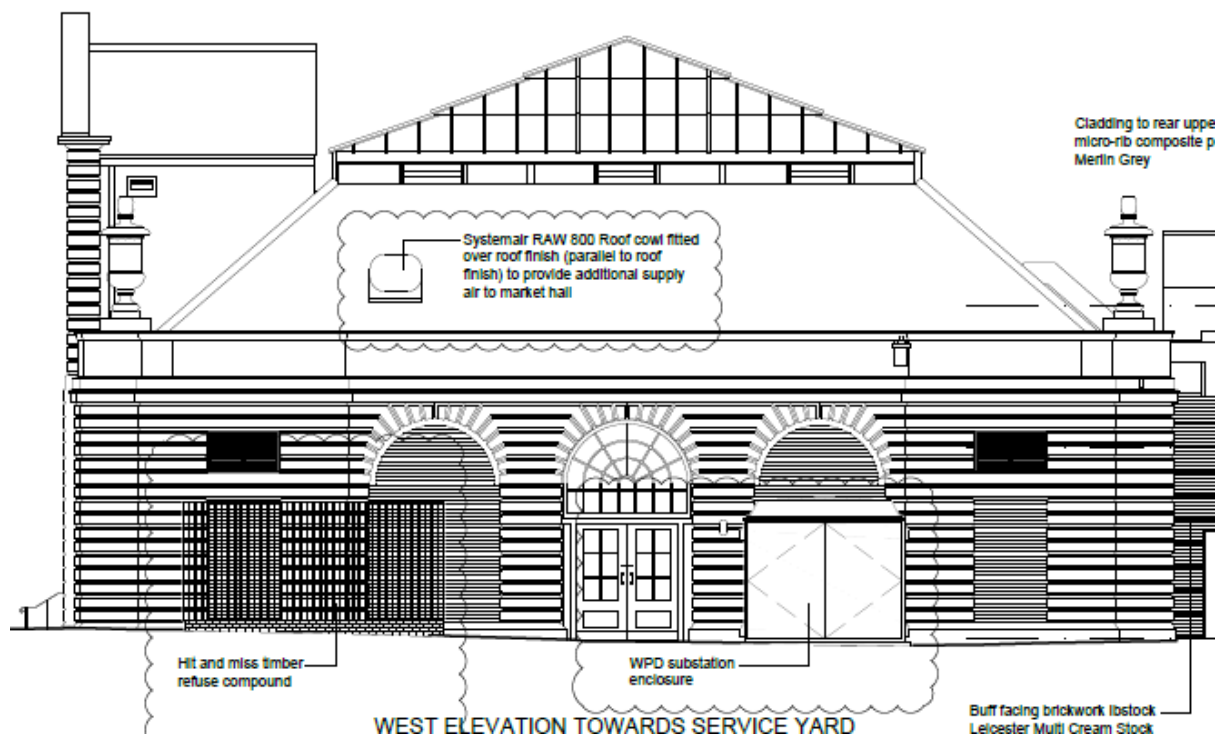




Proposed sub station



Revisions to the previously approved bin store



Proposed West elevation to show position of new roof cowl and sub station

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: 2021/0649/FUL

Proposal: Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west

Location: Lincoln Central Market, Sincil Street, Lincoln

With reference to the above application received 18 October 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 proposed location of the bin enclosure and electricity sub-station to serve the Central Markets is within the public highway.

The siting of these permanent structures will not impede access to or manoeuvrability around this servicing area.

LCC as HLLFA request that this area (within the red line boundary on the proposed site layout) is stopped up, to no longer serve as public highway.

NO OBS

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

Case Officer:

Date: 8 November 2021

Becky Melhuish

for Warren Peppard
Head of Development Management

Consultee Comments for Planning Application 2021/0849/FUL

Application Summary

Application Number: 2021/0849/FUL

Address: Lincoln Central Market Sincil Street Lincoln Lincolnshire

Proposal: Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west.

Case Officer: Alex Leatherland

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

NO Objection

Application Number:	2021/0850/LBC
Site Address:	Lincoln Central Market, Sincil Street, Lincoln (LBC)
Target Date:	14th December 2021
Agent Name:	John Roberts Architects Ltd
Applicant Name:	Maria Clayton
Proposal:	Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west. (Listed Building Consent).

Background - Site Location and Description

Application is for listed building consent for the erection of a new substation to the rear/ side of the Central Market building and additional kitchen extraction equipment including a new external cowl flue to the roof. The previously approved external bin store is also subject to a revision.

An accompanying application for planning permission has also been submitted 2021/0849/FUL.

Planning permission and listed building consent was approved by Planning Committee for the wholesale refurbishment and extension of the existing market building including the insertion of a mezzanine and also the opening up of the blind arches, to enable the market to provide a retail and food offering more in line with current commercial needs and welcomed investment into the listed building. 2021/0257/LBC and 2021/0256/FUL granted June 2021.

The property is grade II listed and is located within the Cathedral City Centre and Conservation Area No.1,

The site lies within the Central Mixed-Use Area and is also part of the primary shopping street as identified in the CLLP.

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

Site History

Reference:	Description	Status	Decision Date:
2021/0849/FUL	Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west.	Pending Decision	

Case Officer Site Visit

Undertaken on 10th January 2022.

Policies Referred to

- Policy LP25 The Historic Environment
- National Planning Policy Framework

Issues

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

Consultations

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

Statutory Consultation Responses

Consultee	Comment
National Grid	No Response Received
Highways & Planning	Comments Received
Lincoln Civic Trust	Comments Received

Public Consultation Responses

No responses received.

Consideration

Policy

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

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

Policy LP25 of the CLLP is relevant and states that;

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

Permission to change the use of a Listed Building or to alter or extend such a building will be granted where the local planning authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

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

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

Sub Station

The proposed substation is a standard design by Western Power Distribution. The Design and Access statement indicates that the new substation will be finished in either a beige or grey colour. It has been requested with the agent that the substation is painted grey. This can be subject to condition if not agreed prior to Committee.

The substation is a functional piece of apparatus which is required for the successful operation of the improved Central Market building.

The Design and Access Statement has provided justification for the new equipment indicating that the new plant and equipment proposed is required in order to remove the existing gas fired services from the building, which in turn places an additional load on the existing electrical supply. This load cannot be provided through the current electrical supply serving the building and as such a new substation is required.

Given the location of the new sub station to the rear/ side of the building in the service yard area of the site, public views of the structure are limited. Whilst the substation is rather utilitarian in appearance, the substation is freestanding and does not physically affect historic fabric. It is considered therefore that the effect on the special architectural and historic interest of the listed building and setting of the listed building is minimal. Justification for the works has been provided and the proposals help secure the long-term viability and use of this large, listed public building, in accordance with the requirements of Policy 25 of the CLLP.

Addition of New Ventilation Louvres

New external ventilation louvres are to be installed within the apertures of the existing high-level windows which are located on the East and North elevations. The design of the louvres is such to fit in within the existing steel window frames.

Pre application discussions considered a variety of colour finishes for the louvres, being black, grey, and bronze. It was concluded that the light grey louvres is the preferred option, being a subservient colour, contrasting to the existing black framed windows, thereby allowing the original fenestration of the windows to continue being read independently.

Again, the specific colour should be subject to a condition.

Additional Air Intake Ventilation Cowl to Roof

A new air intake cowl is required for the additional ventilation works at the site. A new cowl is to be added to the west facing hip of the existing market building roof, facing towards the service yard.

The Design and Access Statement indicates that the proposed size, colour, and position of the cowl on the roof has been considered to ensure that it will be visually minimally intrusive.

The Cowl is reinforced polyester, coloured goosewing grey as standard but can be finished in any RAL colour. The cowl should therefore be conditioned to be a dark grey to reflect the colour of the roof in to which the cowl will be set.

Additional internal ductwork will be required as part of the additional air intake system to accompany the external cowl. As with the new internal ductwork required by the previous applications for the refurbishment of the Central Market, the details of the ductwork including position, appearance and method of attachment should be subject to condition to be considered as a comprehensive approach to the ductwork system.

Revisions to Bin Store

An external bin store was approved under the previous applications for the Central Market works. This application seeks to revise the external appearance of the previously approved bin store. The previous bin store comprised of horizontal aluminium powder coated dark grey louvres.

The revised proposal is for vertically installed larch hit and miss boarding in place of the previously approved grey aluminium horizontal louvres. The bin store is located within the 'service yard' area created to the west of the site where public views are limited. Given the urban location of the bin store, the timber store should have a paint finish in dark grey and again subject to a condition if not agreed prior to Committee.

No objection is raised by the Civic Trust.

The proposal has also been considered by Environmental Health and the Highway Authority and no objections are made.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed substation is required for the successful operation of the refurbished market building. The substation is freestanding and located to the rear of the site where public views are limited. The proposed additional air intake system is again required to enable the successful function of the building. Views of the external cowl and louvre inserts to the existing window apertures will be limited and have been carefully considered with regard to their position, colour, and finish. The proposed works are not therefore considered to detract from the special architectural or historic interest of the listed building and is therefore in accordance with both local and national planning policy.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally

This page is intentionally blank.

Consultee Comments for Planning Application 2021/0850/LBC

Application Summary

Application Number: 2021/0850/LBC

Address: Lincoln Central Market Sincil Street Lincoln Lincolnshire

Proposal: Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west. (Listed Building Consent).

Case Officer: Alex Leatherland

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

NO Objection

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

To: Lincoln City Council

Application Ref: 2021/0850/LBC

Proposal: Installation of kitchen extract equipment including extract louvres to north and east elevations and air intake unit to roof to west. Construction of electricity sub station and alterations to approved bin store in service yard to west. (Listed Building Consent).

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

With reference to the above application received 18 October 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 proposed location of the bin enclosure and electricity sub-station to serve the Central Markets is within the public highway.

The siting of these permanent structures will not impede access to or manoeuvrability around this servicing area.

LCC as HLLFA request that this area (within the red line boundary on the proposed site layout) is stopped up, to no longer serve as public highway.

NO OBS

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

Case Officer:

Date: 8 November 2021

Blecky Melhuish

for Warren Peppard
Head of Development Management

Application Number:	2021/0543/HYB
Site Address:	Land at Beevor Street, Lincoln.
Target Date:	28th January 2022
Agent Name:	Heronswood Design Ltd
Applicant Name:	Mr Ben Martin
Proposal:	Hybrid application for mixed use development to consist of industrial units for flexible Use Classes B2, B8 and E(g) (to be considered as full planning permission) and offices within Use Class E(g)(i) (to be considered as outline including details of scale). (Revised plans).

Background - Site Location and Description

This is a hybrid application for a mixed use development on land to the north of Beevor Street. The full element of the application proposes five industrial buildings, comprising a total of 21 units, for the flexible use within Use Classes B2, B8 and E(g). The outline element of the application proposes offices within Use Class E(g)(i), with details of scale to be considered.

The full application includes Building A, which is a large unit with ancillary offices located close to the entrance to the site. The remaining four buildings; B, C, D and E, would be located along the south west boundary, each subdivided into five units. The buildings will be for the purposes of general industrial use (B2) and storage and distribution (B8), with ancillary office space (E(g)). The units will be served by a total of 43 car parking spaces, cycle parking, landscaping and two areas for landscaped SuDS features.

The outline element of the application proposes two offices buildings. An indicative plan identifies the proposed footprint and position of these, although only the matter of scale is to be considered as part of the application. The indicative plan also proposes associated car parking, cycle parking and areas of landscaping, including a further SuDS feature.

The application site is an irregular shaped parcel of previously developed land. The site is relatively flat and comprises areas of concrete and stone hardstanding associated with the former use as a storage and distribution yard. Areas of soil and scrub are present towards the north and west of the site.

A bund and woodland strip wrap around the north and west boundaries of the site, and directly beyond this is the railway line. To the east are offices within Hestia House and also a vacant site, which has the benefit of outline consent for a mix of offices, laboratories, and workshops. This will form Phase II of the Lincoln Science and Innovation Park (LSIP). To the south west of the site is European Metal Recycling (EMR). In the wider area there is further commercial, industrial and employment development.

The site is located within Flood Zones 2 and 3.

Revised plans and information have been submitted during the process of the application to address comments and concerns from officers, the Environment Agency (EA), the City Council's Pollution Control (PC) Officer and the Lincolnshire County Council (LCC). These will be detailed later within the report.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 10th November 2021.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP5 Delivering Prosperity and Jobs
- 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

- Policy Context and Principle
- Environmental Impact Assessment Screening Opinion
- Visual Amenity
- Impact on Neighbouring Uses and Residential Amenity
- Noise
- Highway Matters
- Flood Risk
- Surface Water and Foul Drainage
- Dust and Air Quality
- Contaminated Land
- Archaeology
- Trees
- Design and Crime

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Natural England	Comments Received
Highways & Planning, LCC	Comments Received

Environment Agency	Comments Received
Lincoln Civic Trust	Comments Received
Anglian Water	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Lincolnshire Police	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received

Public Consultation Responses

Name	Address
Mr Simon Gillott	European Metal Recycling Ltd Capella House Delta Crescent Westbrook Warrington WA5 7NS

Consideration

Policy Context and Principle

Central Lincolnshire Local Plan (CLLP) Policy LP1 advises that the authority will take a positive approach to development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Planning applications that accord with the policies in the Local Plan will be approved without delay. CLLP Policy LP2 goes on to advise that the Lincoln urban area will be the principal focus for development in Central Lincolnshire, including office and other employment development.

CLLP Policy LP5 advises that the Central Lincolnshire authorities will, in principle, support proposals which assist in the delivery of economic prosperity and job growth to the area. The CLLP proposals map identifies the area in which the site is located as a Strategic Employment Site (SES). Policy LP5 states that proposals for new uses falling within B1 (Business), B2 (General Industry) and B8 (Storage and distribution) will be supported within this SES.

Changes to the Use Classes Order in September 2021 retained the B2 and B8 Use Classes, although the B1 class was removed and now falls within the wider scope of the new E Use Class, specifically E(g). The full component of the application proposes

industrial units for flexible uses within the B2, B8 and also E(g) Use Classes. The principle of the proposed uses are therefore wholly appropriate in this location.

The outline proposals are for offices within Use Class E(g)(i); offices to carry out operational or administrative functions. As outlined above this would fall within the former B1 Use Class and is therefore also considered to be appropriate in this location.

Subject to a condition to restrict any changes to other, potentially unacceptable uses within Class E, officers are satisfied the principle of the proposals would be in accordance with CLLP Policy LP5.

Environmental Impact Assessment Screening Opinion

The proposal falls under 'Urban Development Projects' within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Schedule 2, Section 10. The development exceeds threshold 10(a), proposing over 0.5ha of industrial estate development, and in 10(b)(i), proposing urban development in excess of 1 hectare, which is not dwellinghouse development. This requires that the development be screened to determine whether the application should be accompanied by an Environmental Impact Assessment (EIA). This process involves considering the location, scale, and characteristics of the development to determine whether a development is likely to have a significant effect on the environment and therefore require an EIA. Key issues to consider are scale, potential contamination, potential increase in traffic, emissions, and noise.

The conclusion of the screening process was that the development would not result in significant effects on the environment. The proposed development is of a scale that is unlikely to be of more than local significance. The potential, localised impacts of the development can be appropriately considered as part of the normal application process. The council therefore adopted the screening opinion that the proposed development is not EIA development and therefore the submission of an Environmental Statement is not required.

Visual Amenity

The site will utilise the existing access to the south, directly from Beever Street. A new boundary wall and security gate is proposed adjacent to this, set back from the highway. From this point Access Road 1 will directly serve Building A, a single unit with ancillary office space. This building has the benefit of 15 car parking spaces, including one electric vehicle (EV) parking space. Access Road 1 goes on to connect to Access Road 2 to the west, which will serve the remaining four buildings, B-E, adjacent to the south west boundary. The buildings will each be sub-divided into five units. They will be served by a total of 28 car parking spaces, split into two groups of 14, with an additional two EV parking spaces at the head of Access Road 2.

An area of landscaping to the north of Building A and a landscaping buffer along the south west boundary are proposed. Two further areas of landscaping incorporating SuDS features are also proposed: one opposite building A, on the other side of the main access road, with the other to the north east of Building E. In addition to the practical function of the SuDS, these and the other areas of landscaping are welcomed as they will enhance the development and benefit the character of the wider area. Further details of the landscaping scheme will be required by condition of any consent.

Officers are therefore satisfied that the layout of the full application site, including the position of the buildings, access roads, parking, and landscaping, is appropriate. The development would be an effective and efficient use of land and would contribute to the character of the area, as required by CLLP Policy LP26.

The Supporting Planning Statement notes that each of the proposed Buildings A-E have been designed to correspond with the variety of development which abuts the application site, whilst also seeking to make a positive contribution to the overall visual appearance of the surrounding area. Buildings B-E are almost identical, measuring 40m wide x 18m deep by 6.6m high to the top of the shallow pitched roof. They will be constructed with a red brick base with sections of horizontal and vertical cladding in complementary anthracite, goosewing grey and straw finishes. Roller shutter doors will serve each of the units. Building A is of a similar scale but is not sub-divided, so the front elevation only includes one roller shutter door, with no other doors or fenestration. It is clear that the use of the building has dictated this functional design, although the elevation is broken up somewhat by the materials. Interest is also added by the smaller extension for the office space, which wraps around the south corner of the building and includes a number of windows. These measures therefore improve the appearance of the building as it is viewed from the entrance to the site.

Within the wider area buildings range in scale, architectural styles, and material, however, all are commercial or industrial in their nature. Officers therefore have no objection to the scale or the functional design of the proposed buildings when considered in this context. It is therefore considered that the proposals would relate well to the site and surroundings. This element of the application would therefore be in accordance with CLLP Policy LP26.

With regard to the area of the site to the north, which is the subject of the outline element of this application, two office buildings, parking and a landscaped SuDS feature are proposed. All matters aside from scale are reserved for later consideration. The proposed site layout is therefore indicative although this suggests the creation of Access Road 3 as a continuation of Access Road 1, with the site also accessible from Access Road 2. Building G would be the smaller of the two fronting the road with the east boundary of the site to the rear. Building F, the considerably larger building, would be a curved design positioned adjacent to the north boundary and continuing into the site to the south west. Parking would be accommodated within a large central car park, within a smaller car park to the rear of Building G and also within undercrofts of both buildings. In principle officers have no objection to the proposed layout although this, along with the access and landscaping, would be considered in detail as part of the subsequent reserved matters stage.

The proposed scale of the buildings would be four storey- the undercroft with three storeys of office accommodation above up to a maximum height of 17m. Officers raised some concern regarding the acceptability of this, as much of the development in the immediate area is two and three storey. Following discussions with the agent a further plan has been submitted which includes a scale and massing assessment. This has taken account of the existing built environment as well as the scheme with the benefit of outline consent on the adjacent LSIP Phase II site. This demonstrates that, while the proposal would be slightly taller than the indicative heights of the LSIP site and Hestia House to the east, there are a number of comparable and taller buildings in the wider area, particularly along the railway corridor entering the city. The agent also notes that it is not unusual to see taller buildings at the edge of the urban area. On balance, officers are therefore satisfied that the proposed four storey height of the buildings would be acceptable.

While the external appearance of the buildings is reserved for later consideration, officers did have some initial reservations regarding the length of Building F, with concerns how it could be designed in a way that broke up the façade and didn't appear dominant. Concerns were also raised regarding the undercroft parking. While this is clearly proposed due to flood risk constraints, the lack of fenestration, detailing and activity at ground floor associated with undercrofts is often a design challenge, which would be exacerbated in this case by the building's length. In response the agent has submitted some additional information, including examples of successful undercroft parking, sketch ideas and also details of design elements to break up the elevations and add interest at ground floor. Ultimately this matter will be considered in detail at a later stage, although officers are more comfortable with the principle of the proposed arrangement.

Officers are therefore satisfied that the indicative outline proposals would make effective and efficient use of land and could be designed in a way that adds to the local character. Officers have been convinced that the scale of the development is appropriate and would respect the topography and character of the area. The principle of the outline proposals would therefore be in accordance with CLLP Policy LP26.

Impact on Neighbouring Uses and Residential Amenity

The site is abutted by Hestia House to the east, which is occupied as offices. The proposed Building G, also offices, would have the closest relationship with this neighbouring premises, although the separation is over 30m. Beyond the east boundary is also the LSIP Phase II site, with the indicative site layout from the approved outline consent for this development suggesting a building will be positioned parallel to the adjoining boundary. Building G would be located over 30m from this, with a separation of over 50m to the proposed Building A, an industrial unit.

The proposed offices would be four storey although, given the separation distances, officers do not have any concerns that they would have a detrimental effect on the neighbouring premises through loss of light, overlooking or an overbearing impact. There would be no impact from the physical scale or position of the industrial buildings on these premises to the east or on the EMR site to the south west.

The closest residential properties are within Campus Court, over 120m to the north east, with the railway line in between. To the east of the site is Proctor Mews and Hornsby Mews, located over 150m away with built development in between. Given these considerable separation distances there is no concern regarding the impact on the residential amenities of the occupants from the development.

In accordance with CLLP Policy LP26, it is therefore considered that the amenities which the occupants of neighbouring buildings and properties may reasonably expect to enjoy would not be unduly harmed by or as a result of the development.

Noise

The application is accompanied by an Environmental Noise Assessment (ENA), which includes noise monitoring results from 2018. The ENA establishes both the noise levels arising from the proposed development and the impact of the adjacent activities, namely the railway and EMR, upon the proposed development. The report considers that existing sensitive receptors are located a substantial distance from the proposed development with

the railway line and Fosdyke Navigation in between. Accordingly, it is concluded that the development would have a negligible impact. With regard to the impact on the development from existing noise sources, it is concluded that the incorporation of noise attenuation measures within the office buildings at the detailed design stage would mitigate any unacceptable impact.

Policy LP26 requires that proposals for development adjacent to, or in the vicinity of, existing 'bad neighbour' uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site. An objection in this respect has been received on behalf of EMR.

The objection suggests that the applicant has failed to consider 'agent of change' consequence in accordance with NPPF paragraph 187, which identifies that "existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established". The objection considers that the ENA is inadequate; specifically, that it is out of date, the noise surveys were not for a sufficient period, the assessment doesn't consider the impact on the upper floors of the offices and there is no assessment upon external receptors.

The Civic Trust also echo these concerns regarding noise.

Officers have made the City Council's PC Officer aware of the EMR objection, which was considered as part of his assessment of the application. The officer has raised no objections in principle in terms of the compatibility of the proposed uses and the adjacent EMR scrap yard, providing that sufficient mitigation can be put in place to ensure that future occupants are not unreasonably affected by activities at the neighbouring site. He did, however, have some issues with the noise assessment, similar to those highlighted by EMR. He noted that the noise assessment appears to be based on survey data, which is approximately three years old, with no updates as to whether there have been any significant changes to the noise environment in the intervening period. The noise survey also consisted of a single day's monitoring. For these reasons he questioned whether the report was truly representative of the existing noise climate, particularly given the varied activities and associated noise that can take place at the scrap yard.

He also had some reservations as to whether the measurement positions fully reflected the potential noise impact at Block A at the entrance to the site, which is likely to be the most sensitive of the buildings proposed as part of the full application given the ancillary office use and the extent of glazing. He therefore recommended that a new noise survey was undertaken to address these issues.

The applicant has since submitted a supplementary ENA. This includes the findings of two further noise surveys undertaken on 24th and 29th November and attempts to address the concerns of the PC Officer.

The PC Officer has considered this report and he has noted that the additional data collected from the recent noise monitoring indicates that the acoustic environment is similar to when the original noise survey was undertaken in 2018. It also confirms that noise levels at Building A are lower than elsewhere on the site. Therefore, in terms of the full application for the industrial units, he has no further objections in terms of noise. However, in terms of the offices proposed as part of the outline application, he recommends that a condition is attached to any grant of consent to require an updated

noise assessment as part of the reserved matters application. This will enable the noise environment to be re-assessed and, assuming that the industrial units are likely to come forward first, will take account of whether the position of these provide any mitigation to the noise from the EMR site and whether their operation creates any additional noise issues. The agent has no objection to this condition.

The requested condition will be duly applied to any grant of consent and therefore, in accordance with the PC Officer's advice, officers are satisfied that matters relating to noise have been appropriately considered and can be mitigated as necessary. The proposals would accordingly meet the requirements of Policy LP26 and paragraph 187 of the NPPF.

Highway Matters

The site is accompanied by a Transport Assessment (TA) and a Framework Travel Plan (FTP). The site will be accessed from the existing access point to the south of the site, directly from Beever Street. Access roads within the site continue north and west to serve the proposed industrial units and offices. The full application provides 43 car parking spaces, a total of 24 cycle parking spaces within covered shelters and three motorcycle spaces. The indicative layout for the outline application originally proposed over 330 car parking spaces, although this since been revised to 216 at the request of the LCC as Local Highway Authority, which will be detailed shortly.

The Supporting Planning Statement advises that the site is considered to have a good level of accessibility by means of both public and private transport. The presence of high quality, sufficiently wide footways ensures that pedestrian connectivity to and from the surrounding area is good. It is also noted that the site is serviced by a dedicated cycle lane which connects the site to LSIP, Lincoln University and beyond, via Ruston Way. There is tactile paving and dropped kerbs in place at each of Beever Street's respective junctions between Poplar Way and Tritton Road. The Beever Street/Tritton Road junction is served by a Toucan crossing, affording safe and direct access to the wider city for both pedestrians and cyclists.

The submitted TA considers traffic impact as well as the sustainability and accessibility of the site. It concludes that the proposed level of car parking provision is sufficient to cater for the potential car parking demand generated by the proposed development and, as a result, would therefore not create a demand for on-street parking within the area. The site lies in a highly sustainable location with numerous opportunities for staff and customers to arrive to the site by walking, cycling and public transport. The assessment concludes that it is not anticipated that the development will result in any significant increase in the number or volume of journeys made on the local highway network. Accordingly, the development proposals are not anticipated to result in a significant detrimental impact on the operation of the adjacent highway network.

The Civic Trust has raised several concerns in respect of highways, specifically that there is only one point of access which will have an impact on traffic on Tritton Road.

An initial response from the LCC requested justification for the high level of parking proposed, as restricting the amount of car parking available on site for a development, along with Travel Plan measures, will often incentivise staff to utilise other modes of transport. Further information and clarification was also requested in respect of the internal roads, the provision of covered cycle parking and proposals for servicing and refuse collection. A Road Safety Audit was also requested, and it was suggested that a S106

financial contribution would be expected.

Following detailed discussions between the LCC and the agent, private car parking provision has been reduced across the outline element of the site. Revised site layout plans have been submitted to reflect this, which also identify the additional covered cycle stands. A revised FTP has also been submitted, which the LCC note in their latest response strengthens travel planning measures to encourage and incentivise modal shift.

In addition, the LCC has had discussions with the agent regarding improvements to the pedestrian crossing facilities on Beever Street and also the provision of Hirebikes within the outline element of the site, to provide site users and visitors with further sustainable travel options. These measures will be secured by a S106 agreement prior to the occupation of the offices that are the subject of the outline application. Specifically, this will require £10,000 towards upgrading of the pedestrian facilities at the signalised crossing at the junction of Beever Street and Tritton Road. It will also require a further financial contribution of £10,000 towards the provision of a Hirebike station within the site, to cover the capital cost of purchasing the bikes and initial operating costs. Finally, the S106 agreement will also secure an additional £1,000 per annum over five years as a fee for the LCC to monitor the FTP, which will be required prior to the occupation of any part of the development. The applicant has no objection to these requests.

With these revisions and measures in place the LCC conclude that the site is “situated in a highly sustainable location with good amenities within the immediate vicinity. There is adequate pedestrian and cycle infrastructure surrounding the site, and bus service provision and infrastructure is conveniently available for site users. The applicant is proposing a good level of private cycle parking provision within the site”. The response also notes that the access proposals have been subject to a Stage 1 Road Safety Audit, which has found no concerns.

Officers are therefore satisfied that highway matters have been appropriately considered by the LCC in their professional capacity. The site is in a location where travel can be minimised and the use of sustainable transport modes maximised, and the development would offer a range of transport choices for the movement of people, in accordance with CLLP Policy LP13.

Flood Risk

The application site is located within Flood Zones 2 and 3. The application is accompanied by a Flood Risk Assessment and Drainage Strategy (FRA).

The EA raised an initial objection to the application on the grounds that the FRA was not fully compliant with guidance and failed to consider raising finished floor levels to protect against the risks identified. The EA requested that a revised FRA be submitted which addresses these issues and demonstrates that the development will be safe, not increase risk elsewhere and, where possible, will reduce flood risk overall.

A revised FRA has been submitted. This has been reviewed by the EA and they consider that it satisfactorily addresses their earlier concerns. Subject to a condition requiring the development be built in accordance with the mitigation measures suggested within the FRA, including finished floor levels for the industrial buildings and the office buildings to have car parking only on the ground floor, the EA have withdrawn their objection.

The Upper Witham Internal Drainage Board objects in principle to any development in the flood plain (Zones 2 and 3) and considers that there should be no re-modelling of the ground profile of the site. However, they note that it is up to City of Lincoln Council as the Planning Authority in consultation with the LCC as Local Lead Flood Authority to grant planning permission. They have also noted that the FRA is included in the application that contains appropriate mitigation, including flood resilience measures to the ground floor.

Additional correspondence from the board takes account of the subsequent response from the EA, and it is accepted that this is reasonable but that there should be no general ground raising. Existing site levels are provided as part of the application and officers will condition details of proposed site and floor levels on any grant of consent.

Surface Water and Foul Drainage

Anglian Water has considered the submitted FRA. In respect of surface water disposal, they have confirmed that this is acceptable at the proposed rate. They have also made comments in relation to foul drainage and used water, confirming the systems have available capacity for these flows.

In their response the LCC as Lead Local Flood Authority has noted that the surface water drainage strategy will utilise underground storage cells and attenuation ponds within the site, discharging at a restricted rate of 8.5l/s to a main sewer, which ultimately outfalls to Skewbridge Drain North. They have advised that, given this has been approved in principle with the responsible bodies, they have no objection to the application in this respect.

The EA has requested a condition in relation to drainage systems, although this is in respect of land contamination and is therefore detailed below in the relevant section of the report.

Officers are therefore satisfied that proposed development would meet the requirements of CLLP Policy LP14.

Dust and Air Quality

The PC Officer has advised that with the use of the adjacent scrap yard, there is the potential for dust from some of the activities undertaken to affect areas of the development site close to the shared boundary. In particular he noted that the proposed development included a number of parking spaces abutting the boundary, which could be affected by dust deposits. The PC Officer therefore recommended that these six parking bays either be removed from the proposals or be provided with additional screening. The Lincoln Civic Trust also raised concern in relation to dust.

On the basis of this advice the parking spaces have been removed and in two of the locations it is proposed to install covered cycle shelters. Officers are satisfied with this alternative proposal.

In relation to air quality the PC Officer has noted that the NPPF seeks to promote and enable sustainable transport choices and, in doing so, aims to protect and enhance air quality. Paragraph 112 of the revised NPPF states applications for development “should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”. The full application includes three EV charging

points, one within the car park serving Building A and two further points at the end of Access Road 2 for use by buildings B-E. The PC officer is satisfied with the location and number of these. A condition will require details of the specifications for the charging units.

The outline application proposes a further seven EV charging points. The PC Officer has again raised no objection to this provision, however, as this plan is only indicative a condition will require a scheme to be submitted as part of the reserved matters application.

Contaminated Land

CLLP Policy LP16 advises that development proposals must take into account the potential environmental impacts from any former use of the site. The application is accompanied by a Phase 1 Desk Study Report, a Preliminary Contaminated Land Assessment Report, and a Geo-Environmental Assessment report.

These have been considered by the City Council's Scientific Officer as part of the application process. The officer raised some issues with the content of the Geo-Environmental Assessment report, in that he does not consider that the ground conditions at the site have been sufficiently characterised. Updated land contamination information was requested from the agent. However, the officer advised that, even in the absence of this being submitted prior to determination, he is satisfied that the standard set of conditions (site characterisation, submission of a remediation scheme and implementation of the approved remediation scheme) would enable the potential contamination of the site to be dealt with appropriately.

In response the agent has submitted an updated report which is currently with the Scientific Officer for consideration. At the time of writing this report no response had been received, although officers will update Members on this at committee as necessary. In any case this matter can be appropriately dealt with by conditions.

The EA has considered the submitted Geo-Environmental Assessment report and the revised information submitted by the agent. The EA considers contamination in relation to the risk posed to controlled waters. They have raised no objection subject to conditions relating to the reporting of any unexpected contamination and that no drainage systems for the infiltration of surface water to the ground shall be permitted without written consent of the local authority. These conditions will accordingly be applied to any grant of consent.

Officers are therefore satisfied that proposed development would meet the requirements of CLLP Policy LP16.

Archaeology

The application is accompanied by an Archaeological Desk Based Assessment. This has been considered as part of the application process by the Council's City Archaeologist. The City Archaeologist requested additional information relating to the foundation design and excavation depths for services, access roads and SuDS/drainage features. The agent confirmed that this information has not yet been finalised at this stage of the design process, but that they would be willing to accept the standard archaeological conditions should this information not be available prior to determination. With this condition in place officers are satisfied that the proposal would meet the requirements of CLLP Policy LP25 and guidance within the NPPF.

Trees

The City Council's Arboricultural Officer has visited the site and identified that the north and west aspect is bordered by a mixed deciduous woodland strip, which is semi-mature in nature. Within the site to the north and east are areas of woody regeneration, which are to be removed. He has advised that there are no woody species on site which warrant protection by a Tree Preservation Order. He has also not raised any concerns regarding a potential impact on the retained woodland strip from the development.

The officer has also advised that the woodland strip is in proximity to a railway line, which effectively separates it from the larger woodland habitat in the vicinity, known as the Ballast Holes. The woodland strip, whilst providing habitat for vertebrate and invertebrate species, is of limited wildlife value as it is effectively isolated from the adjoining habitat by transportation routes. There is no comment regarding the woody areas on site providing any wildlife value.

Natural England has been consulted on the planning application and in their response advise that they have no comments to make. They note that "the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes".

Design and Crime

A response from Lincolnshire Police raising no objections has been received. The letter, including recommendations, has been forwarded onto the agent for their information.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The site is allocated as a Strategic Employment Site within the CLLP, and the principle of the proposed uses are acceptable here. The layout, scale, height and design of the industrial units, the subject of the full element of this application, are considered to be appropriate. While the layout, access, external appearance, and landscaping in relation to the outline element of the proposal are all reserved for later consideration, officers have no objection in principle to the indicative details provided. The scale of the offices has been considered, to which there is no objection. It is considered that the developments would

make effective and efficient use of land and would reflect the architectural style of the local surroundings.

The proposals would not have an undue impact on neighbouring uses and properties. The submitted noise assessments are to the satisfaction of the PC Officer. A further noise assessment will be required as part of the reserved matters application to ensure that the offices are designed in a way that does not compromise the operation of the existing 'bad neighbour' use and that the amenity of future occupiers of the proposed offices is acceptable.

Matters relating to highways, flood risk, surface water drainage, foul water drainage, dust, air quality, contamination, archaeology, and trees have been appropriately considered by officers and the relevant statutory consultees, and can be dealt with as required by condition. The proposals would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP5, LP13, LP14, LP16, LP25 and LP26 as well as guidance within the NPPF.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally subject to the following conditions with delegated authority granted to the Assistant Director of Planning to secure the financial contributions as requested by the LCC through a S106 agreement:

Full planning permission

- Time limit of the permission
- Development in accordance with approved plans
- Site characterisation, contamination remediation and implementation
- Construction Management Plan
- Archaeological Written Scheme of Investigation
- In accordance with FRA
- No drainage systems installed without consent
- Proposed site and floor levels
- Details of boundary treatments, including wall and gates at site entrance
- Samples of materials
- Landscaping scheme
- Surfacing details
- Implementation of Travel Plan
- Specification for EV charging points
- Restriction on changes to other uses within the Use Class E

Outline consent

- Time limit for submission of reserved matters and implementation of permission
- Submission of reserved matters relating to layout, external appearance, access, and landscaping
- Development in accordance with approved plans
- Site characterisation, contamination remediation and implementation
- Construction Management Plan

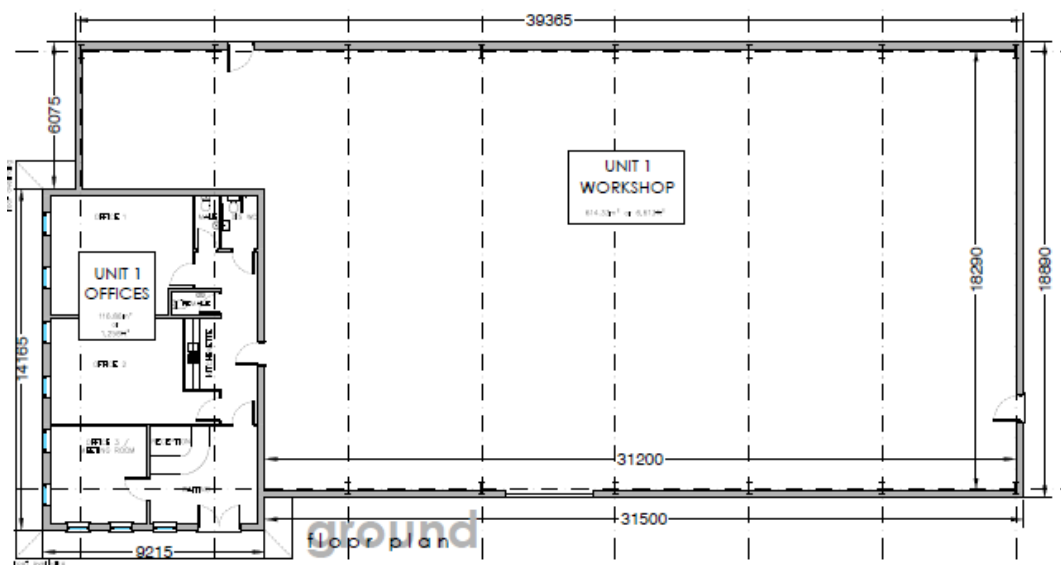
- Archaeological Written Scheme of Investigation
- In accordance with FRA
- No drainage systems without consent
- Noise impact assessment
- Proposed site and floor levels
- Implementation of Travel Plan
- Scheme for EV charging points
- Restriction on changes to other uses within the Use Class E



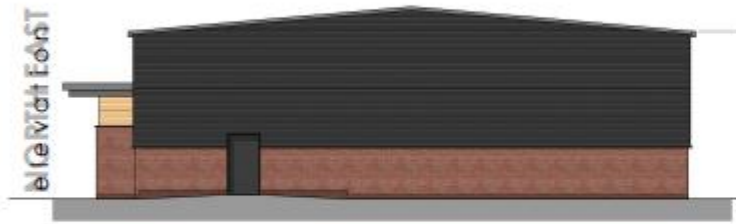
Site layout plan for full application proposals



Indicative site layout plan for outline application proposals



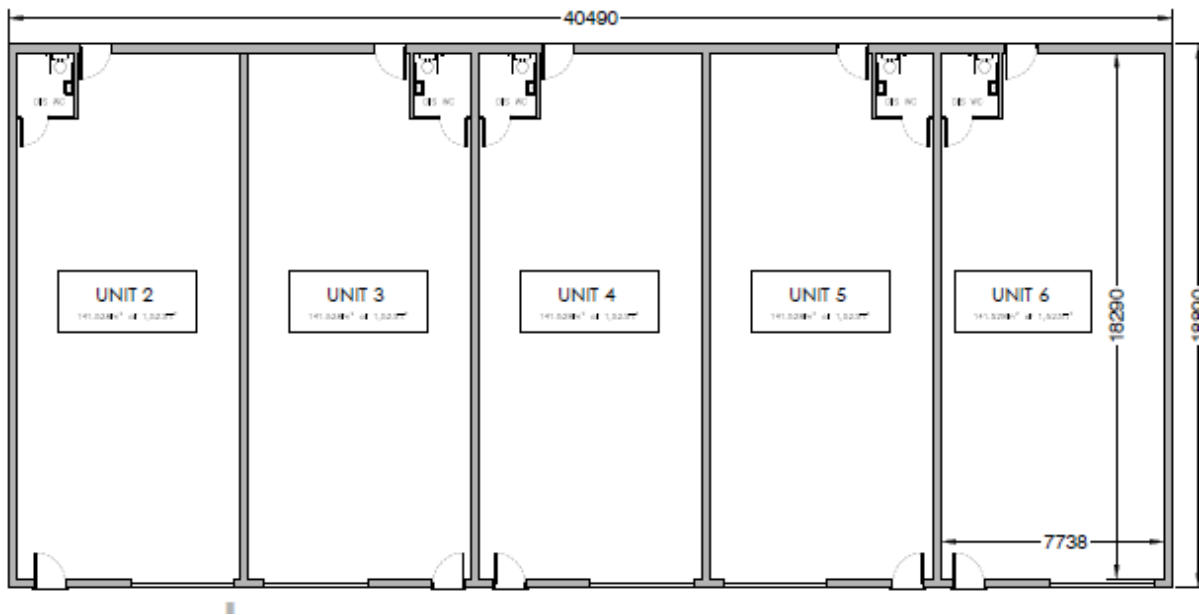
Floor plan for Building A



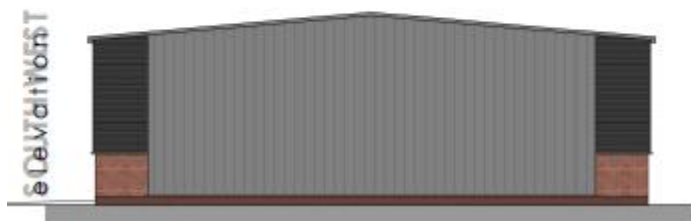
Front and side elevations for Building A



Visual of Building A



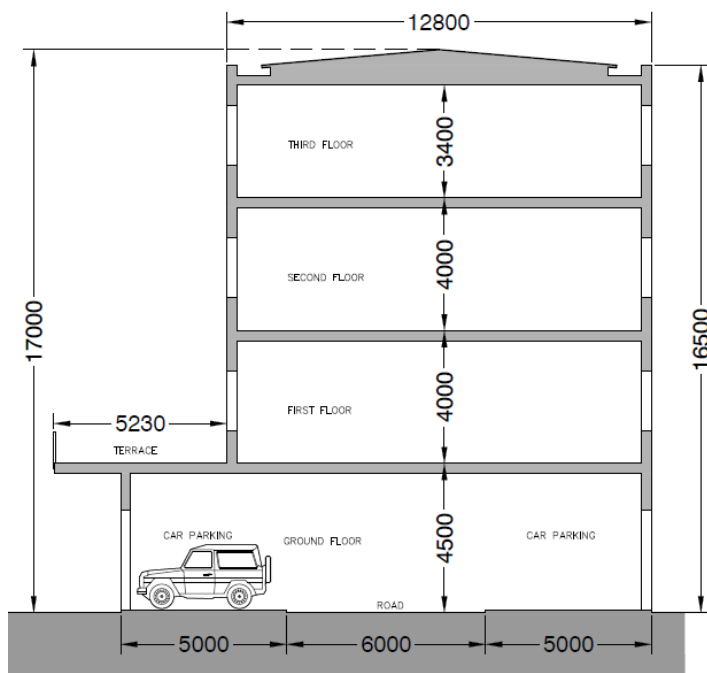
Floor plan for Building B, also typical of Buildings C-E



Front and side elevations for Building B, also typical of Buildings C-E



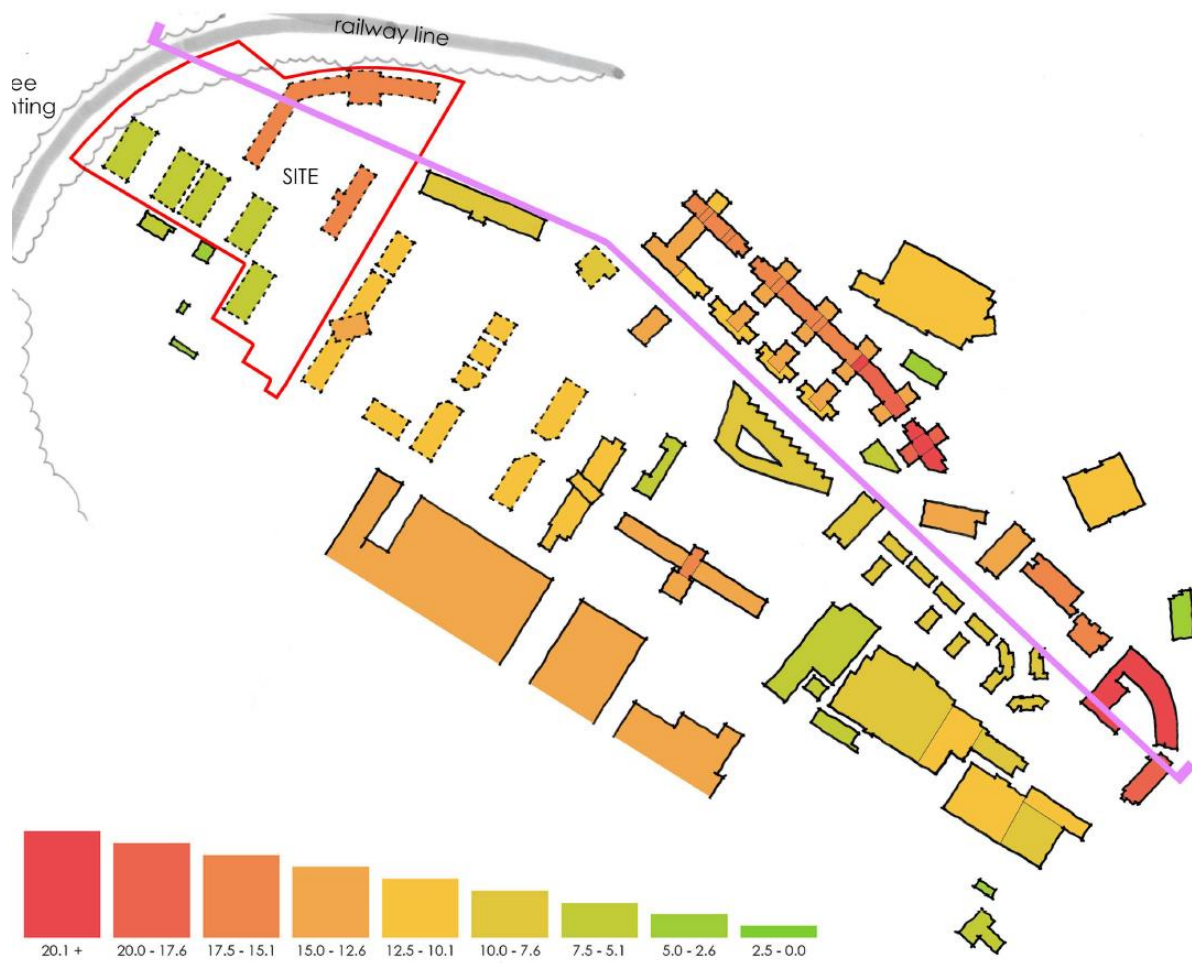
Visual of Building C



Indicative section of Buildings F and G



Wider section looking north east with site and Building G to left of image



Approximate height of existing and proposed buildings



Entrance to the site from Beevor Street



View towards north boundary with east boundary to right of photo



East boundary with vacant LSIP Phase II site beyond



East boundary with Hestia House



View towards west boundary with EMR site to the left of the photo



South west boundary with EMR



East boundary of EMR site

This page is intentionally blank.



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

Sent by email to developmentteam@lincoln.gov.uk

8th September 2021

Dear Mr Manning

Re: Land at Beevor Street, Lincoln Application Ref - 2021/0543/HYB

I write to you on behalf of European Metal Recycling regarding application 2021/0543/HYB for the hybrid application for mixed use development to consist of units for flexible uses classes E, B2 & B8. The application is a full application for the B2 & B8 uses and outline for use class E.

Our site on Beevor Street is located directly to the West of the application site and is a long established and significant waste processing and recycling site, which processes mixed metallic waste from Lincoln and the surrounding areas. The site processes in excess of 50,000 tonnes per annum of ferrous & non-ferrous metal and end of life vehicles.

The scrap metal can then be transported from the site by rail from our rail sidings and taken direct to UK customers or to our facility at Liverpool docks to be exported. The location and proximity to rail sidings is of huge importance to the efficiency of the site and reducing its overall environmental impact.

There is a fundamental failure by the applicant to consider 'agent of change' consequences in accordance with the NPPF paragraph 187 which identifies "*Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.*" This would include any future change or expansion which is not considered. Following case law, any consideration that fails to take this into consideration would be irrational in law and leave the local authority open to legal challenge. It is also indicated the planning authority could become liable for financial losses arising in such circumstances and therefore the Council are asked to confirm they will not consider the acceptability of this development until adequately considering the consequences of the 'agent of change' policy issues. It is noted a complaint by a commercial operator of nuisance from noise would have to be investigated by the Council in the same way as when made by a residential occupier and whilst criteria of acceptability differ, if found to materially interfere with commercial

RECYCLING TO CREATE RESOURCE

European Metal Recycling
Sirius House, Delta Crescent,
Warrington WA5 7NS
T: +44 (0)1925 715400 F: +44 (0)1925 713470/80
E: ukinfo@emrgroup.com Web: uk.emrgroup.com

Registered Office: Sirius House, Delta Crescent, Westbrook, Warrington WA5 7NS.
Registered in England No. 2956623.



use it would be actionable. Any assessment needs to consider the noise emissions arising of use of the EMR site to the full extent of its permitted activities

Furthermore, there is specific National Planning Policy for waste which states that “when determining planning applications for non-waste development, local planning authorities should ensure that the likely impact of proposed, non waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities”.

In terms of waste recycling, at a nation level the Government had a recycling targets of 50% by 2020 and 55% by 2025 which can only be achieved if there are recycling facilities of sufficient capacity available. At a regional level, Local authorities have their own targets to achieve and EMR's facility helps Lincoln to achieve their targets and also ensure that other costs & environmental impacts such as fly tipping of fridges and redundant vehicles is avoided.

Unfortunately the processes involved in metal recycling can be noisy at times and are arguably not compatible with more sensitive uses such as residential or other quieter employment uses as proposed with this application.

Additional points of concern identified by our noise consultants include but are not limited to:

1) The noise survey is well out of date being conducted for less than a day in total during February 2018. There is no evidence it is representative of activity at the EMR site in 2021 or in the future. The periods of measurement are exceptionally short and do not set out what activities (EMR and otherwise) are included. Scrap metal includes a wide range of grades and their noisiness when handled is markedly different for different grades as well as the height of piles when handling and the processing form being undertaken. The survey is simply not reliable or sufficiently informative.

2) The survey misapplies guidance on noise contained within BS8233:2014 which is applied in the noise report to internal office and commercial site spaces for noise arising from "steady" sources. This clearly miss-describes the noise in this case. BS8233 is also clear it does not differentiate pleasant and unpleasant sounds. This is critical to noise annoyance. Furthermore the decibel adjustment made in the noise report to an absolute level of noise as contained within BS8233:2014 but applied by the standard to steady noise, trying to account for its character, is an abuse of the science. The decibel penalties as used are taken from BS4142:2014 and are adjustments used for comparison with masking background sound levels and not absolute noise levels. The latter cannot relate to masking levels and is an obvious misapplication of the science. Such a hybrid method of assessment has been rejected at planning inquiries and is not supported by the main author of BS4142.

RECYCLING TO CREATE RESOURCE

European Metal Recycling
Sirius House, Delta Crescent,
Warrington WA5 7NS
T: +44 (0)1925 715400 F: +44 (0)1925 713470/80
E: ukinfo@emrgroup.com Web: uk.emrgroup.com

Registered Office: Sirius House, Delta Crescent, Westbrook, Warrington WA5 7NS.
Registered in England No. 2756623.



- 3) There is an assumption the sign showing trading hours equates to operating hours. This is not confirmed and is unsafe.
- 4) The assessment relates to ground floor level noise only but the offices proposed are up to 4 storey heights. There is therefore, no assessment of impact at first to third floor level. This will be higher in level as it is not screened to the same extent by the boundary screen.
- 5) Sources of background sound are not appropriately identified or quantified.
- 6) There is no assessment upon external receptors.
- 7) The development is not planned to minimise the effects of noise as required by the NPPF. This could readily be achieved through appropriate orientation, height and layout of some of the buildings.

MAS Environmental, our environmental consultants are preparing a more detailed response on the noise assessment and noise issues which I will issue as an addendum to this letter when available.

I would be grateful if you could please acknowledge receipt of this objection.

Yours sincerely



Simon Gillott MRICS
Property Manager UK

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: 2021/0543/HYB

Proposal: Hybrid application for mixed use development to consist of units for flexible use classes E, B2 and B8 (to be considered as full planning permission) and use class E offices (to be considered as outline planning permission)

Location: Land at Beavor Street, Lincoln, Lincolnshire, LN6 7DJ

With reference to the above application received 18 August 2021

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

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

ADDITIONAL INFORMATION REQUIRED

Could the applicant please advise whether the internal roads are proposed for adoption as public highway.

The submitted plans for the full element of the scheme demonstrate areas dedicated for visitor parking and/ or cycle parking. Dedicated secure, covered cycle parking provision must be provided, independent of any required visitor car parking spaces, to ensure that car parking provision is not prioritised over cycle parking provision by future individual leaseholders/ owners of the units.

The submitted plans for the outline element of the scheme provide a lot of car parking provision. Could further justification please be provided for this level of car parking? Restricting the amount of car parking available on site will often incentivise staff to utilise other transport modes, in addition to Travel Plan measures.

Travel Plan comments as below;

Ref	Travel Plan Reference	LCC Comment
1	Travel Planning Guidance	The primary reader of a Travel Plan is the Travel Plan Co-ordinator (guidance) and/or employee (information) informing them of the developer's commitment and intentions to reduce single occupancy car travel and promote sustainable transport for the site. Whilst planning policy is important it is not required in a

		Travel Plan.
2	TP Administration	<p>The Travel Plan should be monitored for 5 years or one year post final occupation, dependent on the greater.</p> <p>4.4 The document discusses a TPC for the site with TPR's for the different units. Will the 'different units' be required to submit separate travel plans or use the Travel Plan submitted? If the former, the Travel Plans will need to be 'linked' to this Travel Plan and clearly show the relationship between the TPC for the site and the TPR for the business unit.</p> <p>4.6 The TPC will need to liaise with the LCC not the LCoC – all references within document should be amended.</p>
3	Target	Accepting it is difficult to set a 'target' without undertaking surveys, the recommended target of a 10% reduction is accepted.
4.	Measures	The Action Plan (Appendix B) has a comprehensive list of measures some of which are not listed within the document. Some additional ones for consideration: Dedicated Car sharing spaces which could enhance the informal site car sharing scheme; Dr. Bike Sessions; provision of a cycle repair stand; paying cycle mileage rates for staff.
5	Monitoring	LCC will be pleased to welcome the opportunity to work with the TPC using STARS.

Recommendation: That consideration is given to the comments provided and a revised Travel Plan submitted for approval.

Could the applicant please confirm the proposals for servicing, deliveries and refuse collection?

We recommend that the shared footway/ cycleway on Beevor Street is continued into the site, alongside the spine road/s. Footways are not required on both sides of the carriageway, so this space could be reallocated within the corridor to provide a shared footway/ cycleway on one side.

Consideration should be given to whether pedestrian/ cycle connectivity could be provided directly into the adjacent Phase 2 LSIP site.

Could the applicant please undertake a Stage 1 Road Safety Audit for the site access onto Beevor Street.

LCC will be requesting a S106 contribution towards pedestrian crossing improvements at the junction of Beevor Street and Tritton Road. We are presently assessing this ask and will communicate this with CoLC and the applicant as soon as possible.

We note the Environment Agency and Internal Drainage Board's concerns with the proposals and further discussion is required on these matters.

Case Officer:
Becky Melhuish
for Warren Peppard
Head of Development Management

Date: 27 October 2021

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

To: Lincoln City Council

Application Ref: 2021/0543/HYB

Proposal: **Hybrid application for mixed use development to consist of units for flexible use classes E, B2 and B8 (to be considered as full planning permission) and use class E offices (to be considered as outline planning permission)**

Location: **Land at Beevor Street, Lincoln, Lincolnshire, LN6 7DJ**

With reference to the above application received 18 August 2021

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

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

CONDITIONS (INCLUDING REASONS)

The site is allocated within the CLLP as a Strategic Employment Site. This application is a hybrid with units for use classes B2, B8 and E considered as full planning permission and offices considered as outline planning permission.

It is situated in a highly sustainable location with good amenities within the immediate vicinity. There is adequate pedestrian and cycle infrastructure surrounding the site, and bus service provision and infrastructure is conveniently available for site users. The applicant is proposing a good level of private cycle parking provision within the site. Additionally, LCC have discussed with the applicant the provision of Hirebikes within the site, to provide site users and visitors with further sustainable travel options, and improvements to the pedestrian crossing facilities on Beevor Street.

Access to the site is via Beevor Street. The access proposals have been subject to a Stage 1 Road Safety Audit which has found no concerns. Internal roads will be privately owned and maintained and not put forward for adoption as public highway. Refuse collection will take place within the

site curtilage.

Following detailed discussion, private car parking provision has been reduced across the outline element of the site, and travel planning measures to encourage and incentivise modal shift have been strengthened.

The surface water drainage strategy will utilise underground storage cells and attenuation ponds within the site, discharging at a restricted rate of 8.5l/s to a main sewer which ultimately outfalls to Skewbridge Drain North. This has been approved in principle with the responsible bodies.

Highway Condition 00

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

The Construction Management Plan and Method Statement shall include;

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

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

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

Highway Condition 27

The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

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

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk

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. For further guidance please visit our website via the following links:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

S106 Contributions

Prior to occupation of any part of the proposed development:

In order to successfully monitor a Travel Plan the Highways Authority requires a monitoring fee (secured through a Section 106 agreement) to be paid by the developer/occupier to cover officer time and overheads required to coordinate and complete the monitoring process over the lifetime of the Travel Plan. The current charge is £1,000 per annum over 5 years and includes support for the TPC.

Prior to occupation of the outline element of the proposed development, the offices, LCC request S106 contributions as below:

- £10,000 towards upgrading of the pedestrian facilities at the signalised crossing at the junction of Beavor Street and Tritton Road.
- £10,000 towards the provision of a Hirebike station within the site, to cover the capital cost of purchasing the bikes and initial operating costs.

Case Officer:

Date: 11 January 2022

Becky Melhuish

for Warren Peppard

Head of Development Management

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

Our ref: AN/2021/132198/01-L01
Your ref: 2021/0543/HYB
Date: 03 September 2021

Dear Sir/Madam

**Hybrid application for mixed use development to consist of units for flexible use classes E, B2 and B8 (to be considered as full planning permission) and use class E offices (to be considered as outline planning permission)
Land at Beevor Street, Lincoln, LN6 7DJ**

Thank you for consulting us on the above application, on 18 August 2021.

Environment Agency position

In the absence of an acceptable Flood Risk Assessment (FRA) we **object** to the grant of planning permission.

Reasons

The FRA submitted with this application does not fully comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change section, paragraph 030.

In particular, the submitted FRA fails to consider raising finished floor levels to protect against the risks identified.

Although it acknowledges potential flooding of up to 0.5m at the site in case of a defence breach (allowing for climate change), the only mitigation proposed consists of flood resilience measures. The reason given is simply that 'the provision of flood resistance measures for industrial units would not be practical'. Although resilience measures will facilitate recovery after flooding, it would be preferable to prevent internal flooding if practicable to protect people and property.

It is not clear from the submitted drawings whether the buildings are intended to be raised at all above existing site level.

Overcoming our objection

The applicant can overcome our objection by submitting an amended FRA which covers the deficiencies highlighted above and demonstrates that the development will be safe, not increase risk elsewhere and where possible will reduce flood risk overall.

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

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

We would expect as a minimum finished floor levels be raised by 300mm and occupants to have an area of safe refuge to escape to in the event of a sudden onset of flooding.

The FRA should investigate the potential to raise floor levels; if this is not practicable, detailed justification should be provided and the safety of people addressed.

If the developer is in fact intending to raise floor levels, this should be confirmed on the drawings.

Owing to the potential flood risk and danger posed of the site becoming isolated by surrounding flood waters, it is advised that a flood warning and evacuation plan is produced for the development in order to address the residual risks of flooding at site and to confirm the approach that will be taken for safe evacuation of the area.

Groundwater protection

We have reviewed the Geo-Environmental Assessment report (ref: 15-0781.03) by Delta-Simons, dated April 2020, with regard to the risk posed to controlled waters. Should the above objection be overcome, we will recommend conditions to ensure any unsuspected contamination is dealt with and to prevent infiltration drainage through any areas of contamination.

Please re-consult us if an amended FRA is submitted. We will provide you with bespoke comments within 21 days of receiving formal re-consultation.

Yours faithfully

Nicola Farr
Sustainable Places - Planning Specialist

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

End

2

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

Our ref: AN/2021/132198/02-L01
Your ref: 2021/0543/HYB
Date: 19 November 2021

FAO Marie Smyth

Dear Marie

**Hybrid application for mixed use development to consist of units for flexible use classes E, B2 and B8 (to be considered as full planning permission) and use class E offices (to be considered as outline planning permission): updated Flood Risk Assessment and Drainage Strategy
Land at Beever Street, Lincoln, LN6 7DJ**

Thank you for re-consulting us on 2 November 2021 with the updated Flood Risk Assessment (FRA) and Drainage Strategy, following our objection of 3 September 2021.

Environment Agency position

We have reviewed the updated FRA and consider that it satisfactorily addresses our earlier concerns and meets the requirements of the National Planning Policy Framework.

Subject to the conditions below, we therefore **withdraw** our objection.

Flood risk

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) dated October 2021 completed by Siddle Grimley Hage Limited and the following mitigation measures detailed within the FRA:

- Industrial units (A to E) to have finished floor levels set no lower than 5.1m above Ordnance Datum (AOD)
- Office buildings subject to outline permission (units F and G) to include office space at first floor level and above only, with car parking below
- A safe refuge area to be created in unit A above the ground floor office area
- Flood resilience measures to be incorporated into the proposed development as stated

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

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

Cont/d..

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

Reason

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

Informative advice

Due to the potential flood risk and danger posed of the development becoming isolated by surrounding flood waters at this site, it is advised that a flood warning and evacuation plan is produced for the development in order to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area. We support the recommendation in the FRA that the site should register with our Floodline Warnings Direct service.

Please note that our advice covers fluvial flood risk only.

Land contamination

We have reviewed the Geo-Environmental Assessment report (ref: 15-0781.03) by Delta-Simons, dated April 2020, and the revised document dated October 2121, with regard to the risk posed to controlled waters. Based on the available information, we recommend the following conditions.

Condition 2

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

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

Condition 3

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

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

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

Cont/d..

2

Yours sincerely

Nicola Farr
Sustainable Places - Planning Specialist



Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk.

AW Site Reference: 178922/1/0129729

Local Planning Authority: Lincoln District (B)

Site: Land At Beevor Street Lincoln Lincolnshire LN6 7DJ

Proposal: Hybrid application for mixed use development to consist of units for flexible use classes E, B2 and B8 (to be considered as full planning permission) and use class E offices (to be considered as outline planning permission)

Planning application: 2021/0543/HYB

Prepared by: Pre-Development Team
Date: 26 August 2021

ASSETS

Section 1 - Assets Affected

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

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

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

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA April 21 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

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

Anglian Water has reviewed the submitted documents (FRA April 2021) and can confirm that these are acceptable to us at the proposed rate of 8.5l/s. We require these documents to be listed as approved plans/documents if permission is granted.

Section 5 - Suggested Planning Conditions

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

Surface Water Disposal (Section 4)

Note to applicant – Surface Water Hierarchy evidence will need to be submitted at 106 application stage before any connection would be permitted.

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

Next steps

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

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

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

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

Surface water:

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

UD-5784-2021-PLN

Dear Sir/Madam

REFERENCE: 2021/0543/HYB

DEVELOPMENT: HYBRID APPLICATION FOR MIXED USE DEVELOPMENT TO CONSIST OF UNITS FOR FLEXIBLE USE CLASSES E, B2 AND B8 (TO BE CONSIDERED AS FULL PLANNING PERMISSION) AND USE CLASS E OFFICES (TO BE CONSIDERED AS OUTLINE PLANNING PERMISSION)

LOCATION: LAND AT BEEVOR STREET, LINCOLN, LINCOLNSHIRE, LN6 7DJ

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

Previously in this area the ground profile was remodelled in a way to have no change to the flood plain it is essential that no ground raising from the current level (4.8-5.0m) is undertaken to change this.

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However it is up to City of Lincoln Council as the planning Authority granting planning permission. It is noted that a Flood Risk Assessment is included in the Application that contains appropriate mitigation. Including flood resilience measures to the ground floor.

It is also noted that the attenuated surface discharge rate is limited to 8.5l/s discharging to the Anglian Water system.

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

Regards

Guy Hird
Acting Head of Technical & Engineering Services
Upper Witham Internal Drainage Board

UD-5784-2021-PLN

Dear Sir/Madam

I have been made aware that the Environment Agency have commented on this site stating FFLs and ground levels should be above Design Flood Level. For the reason in the original comments below this would not be advisable. *'previously in this area the ground profile was remodelled in a way to have no change to the flood plain'* this was because the lowest part of Lincoln are very close and loss of flood plain will have a direct effect on these areas increasing flood risk.

I would accept that it would be reasonable to have the offices FFL above flood level but there should be no general ground raising and any industrial units should use flood resistant materials as the normal practice.

Regards

Guy Hird
Acting Head of Technical & Engineering Services

Our office is closed to visitors but our staff are still working. Please email or telephone with all enquiries.

enquiries@witham3idb.gov.uk
accounts@witham3idb.gov.uk
planning@witham3idb.gov.uk
consents@witham3idb.gov.uk

Witham First District Internal Drainage Board
Witham Third District Internal Drainage Board
Upper Witham Internal Drainage Board
North East Lindsey Drainage Board

Hi

Many thanks for the below consultation. The County Council has no comments to make in relation to education as the scheme would not have any impact on schools in the locality.

Kind regards

Simon

Simon Challis
Strategic Development Officer
Lincolnshire County Council
County Offices, Newland, Lincoln LN1 1YL

Dear Ms Smyth,

Application ref: 2021/0543/HYB
Our ref: 367825

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Loz BurrIDGE
Natural England

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

OBJECTION. We have commented on the whole of this site on numerous occasions before and our main objection is the access issue. This area is locked by railway lines surrounding it on three sides and hence the only access point is from Tritton Road. If the effects of all the applications in this area are linked and the vehicle movements are collated, they will show a traffic nightmare scenario as they all have to filter on to Tritton Road. The proposed bridge over the railway as part of the Western Growth corridor is still a long way from being certain and there are no proposals to alleviate the situation. We note that the provision of public transport and cycle routes but regrettably most people visiting this site WILL arrive by private transport as many will live outside of the Lincoln catchment area and need their transport in the course of a days work. We feel that until the transport situation is properly addressed, that no further applications for this area should be accepted. A direct link from the site out to the western bypass should be considered.

We would also echo the concerns of the business at the far end of the site who by the nature of the enterprise, will generated noise and dust and must be taken in to consideration when assessing the application.



LINCOLNSHIRE POLICE

POLICE HEADQUARTERS
PO Box 999
LINCOLN LN5 7PH
Fax: (01522) 558128
DDI: (01522) 558118
email
john.manuel@lincs.pnn.police.uk

Your Ref: 2021/0543/HYB

20th August 2019

Our Ref:

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

Town and Country Planning Act 1990 Consultation on

Land at Beavor Street, Lincoln, Lincolnshire, LN6 7DJ

Hybrid application for mixed use development to consist of units for flexible use classes E, B2 and B8 (to be considered as full planning permission) and use class E offices (to be considered as outline planning permission)

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

External Secure Areas

The proposed perimeter fencing detail of the site if not shown should be tested and certified to LPS 1175 Rating 2 to a minimum height of 2000 mm, the vehicular gate should be to the same standard.

Security fencing materials may include welded mesh and expanded metal available in numerous coloured coatings, which are sometimes used in conjunction with timber. Railings of various designs can be used to good effect and all fencing types can be fitted with toppings to deter climbing. It is recommended that security fencing should be effective without creating a 'fortress' impression it is accepted that certain business locations such as this site may actively seek to promote the security of their premises and hence utilise fencing that creates a strong visual deterrent.

If planting is required adjacent to the boundary the use of thorny shrubs should be considered. Examples of this type of planting include pyracantha, berberis and hawthorn.

Signage should make it clear that access to the secure area is restricted and provide direction to:

- Public and private or restricted areas

- Public entrance / reception area

Any fixed bollards should ideally be successfully tested and certified to BS 68:2007 'Specification for Vehicle Security Barriers'

The design, height and construction of any gates within a perimeter fencing system should match that of the adjoining fence and not compromise the overall security of the boundary.

CCTV (If Included)

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

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

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

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

Intruder / Attack alarms systems

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

Lighting

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

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

Car Parking Provision

It is recommended that the developers design the parking provision to the standards and specifications of the 'safer parking Scheme' which will help ensure the safety and security of the parking areas and allow users to have confidence to use the facility.

Details can be obtained from the British Parking Association (BPA) website www.parkmark.co.uk who managed the scheme on behalf of the Police Service in the UK.

Additional guidance and information can be obtained directly from the Lincolnshire police Designing out Crime Officer (DOCO).

Windows

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

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

Cycle & Motorcycle Storage

Secure motorcycle and cycle storage should benefit from all around surveillance from active or occupied buildings and there should be a provision of secure ground anchors (for motorcycles) and the location facility should be well lit during hours of darkness.

Bicycle storage should be ideally contained within a secure roofed building which would be lit and secured during operating hours.

The use of accredited products such as 'Cycle Pods' is to be recommended which offer a higher standard of cycle security and therefore encourage the increased use of cycles. www.cyclepods.co.uk

Roller Shutters and Grilles

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

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

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

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

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

Yours sincerely

John Manuel
Force Designing Out Crime Officer (DOCO)
john.manuel@lincs.pnn.police.uk

This page is intentionally blank.