

PLANNING COMMITTEE

Wednesday, 23 March 2022

5.30 pm

Committee Rooms 1-2, City Hall

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| 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.

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2. Declarations of Interest

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

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

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present:

Councillor Bob Bushell (*in the Chair*),
Councillor Naomi Twedde, Councillor Bill Bilton,
Councillor Alan Briggs, Councillor Chris Burke, Councillor
Sue Burke, Councillor Liz Bushell, Councillor
David Clarkson, Councillor Thomas Dyer, Councillor
Matthew Fido, Councillor Gary Hewson, Councillor
Andy Kerry, Councillor Jackie Kirk, Councillor
Rosanne Kirk, Councillor Jane Loffhagen, Councillor
Rebecca Longbottom, Councillor Helena Mair, Councillor
Bill Mara, Councillor Ric Metcalfe, Councillor
Lucinda Preston, Councillor Christopher Reid, Councillor
Clare Smalley, Councillor Hilton Spratt, Councillor
Mark Storer, Councillor Edmund Strengiel, Councillor
Pat Vaughan, Councillor Calum Watt and Councillor
Lorraine Woolley

Apologies for Absence:

Councillor Biff Bean, Councillor Adrianna McNulty,
Councillor Laura McWilliams, Councillor Neil Murray and
Councillor Donald Nannestad

57. Introduction/House Keeping Rules

Councillor Bob Bushell welcomed everyone present at tonight's meeting of the City of Lincoln Council Planning Committee.

As Vice Chair of the Committee, he advised that it would be clear why he was chairing the meeting when we came onto the declaration of interest section of the agenda.

He introduced planning officers who would present the application and respond to any questions or points of clarification. Also present were legal representatives who were available to offer guidance to Committee members and officers who would record the minutes of the meeting.

He highlighted that the meeting was being held at the Engine Shed tonight as this venue enabled the Council to accommodate increased numbers of members of the public with socially distanced seating arrangements. This was in accordance with the Council's current Covid-19 risk assessment. In relation to the risk-assessment, it was requested that if possible, visitors wore a face covering when moving around the building and when seated and not talking.

He advised that with regards to other health and safety announcements, in the event of the fire alarm sounding, visitors should leave the building using the nearest fire exit.

He requested that mobile phones be either turned off or put on silent mode.

He advised that all committee members had access to their own microphone. They did not need to press any buttons on the microphone, as it would automatically be made live when members began to speak.

He outlined the process for tonight's meeting as follows:

1. Firstly, all Councillors would be asked to make any declarations of interest;
2. Secondly, the Planning officers would be invited to present the report;
3. Thirdly, objectors who had registered to do so would be invited to address the Committee;
4. The fourth element invited any Ward Advocate who had registered to do so to address the Committee;
5. The fifth part invited the Applicant to address the Committee;

These contributions would be for up to 5 minutes per speaker and would be timed using a traffic light system which started when each speaker began, 4 minutes on the green light, 1 minute on amber and contributions were expected to stop on the red light.

At this stage of proceedings, he planned to hold a twenty minute comfort break before reconvening.

6. The matter would then be opened for debate to the full Planning Committee;
7. Finally, a vote would be taken.

58. Declarations of Interest

Councillor Naomi Tweddle declared a Disclosable Pecuniary Interest with regard to the Western Growth Corridor planning application.

Reason. Her husband worked for the City of Lincoln Council.

She left the building for the remainder of the meeting and took no part in the discussion and vote on the matter to be determined.

Councillor Gary Hewson declared a Personal Interest with regard to Western Growth Corridor planning application.

Reason: He sat as a member of the Upper Witham Drainage Board.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Pat Vaughan declared a Personal Interest with regard to the Western Growth Corridor planning application.

Reason: He sat as a member of the Upper Witham Drainage Board.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable

member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Rebecca Longbottom declared a Personal Interest with regard to the Western Growth Corridor planning application.

Reason: She sat as a member of the Upper Witham Drainage Board.

She had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, she did not consider that her interest was a pecuniary interest. She would therefore be participating in the meeting as a member of the Committee.

Councillor Thomas Dyer declared a Personal Interest with regard to the Western Growth Corridor planning application.

Reason: He sat as a member of Lincolnshire County Council.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the County Council, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Edmund Strengiel declared a Personal Interest with regard to the agenda item titled 'Western Growth Corridor, Skellingthorpe Road, Lincoln'.

Reason: He sat as a member of Lincolnshire County Council.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the County Council, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Hilton Spratt declared a Personal Interest with regard to the agenda item titled 'Western Growth Corridor, Skellingthorpe Road, Lincoln'.

Reason: He sat as a member of Lincolnshire County Council.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the County Council, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

59. Update Sheet

An update sheet was tabled at the meeting, which included additional public responses received within the allotted deadline in relation to the planning application, and not included in the original agenda pack

RESOLVED that the Update Sheet be received by Planning Committee.

60. Application for Development

61. Western Growth Corridor, Skellingthorpe Road, Lincoln

Kieron Manning, Assistant Director of Planning, Simon Cousins, Planning Team Leader, and Lana Meddings, Principal Planning Officer, assisted by Nicola Collins, Senior Planning Enforcement Officer:

- a. advised that outline planning permission was sought for the sustainable urban extension (SUE) of Lincoln on the site of Western Growth Corridor, with all matters reserved except for two points of access
- b. highlighted that this was a joint planning application between the City of Lincoln Council and Lindum Western Growth Community Ltd
- c. reported that at this stage the applicants were seeking to approve the principle of the following uses:
 - Housing development of up to 3,200 dwellings;
 - Local centre comprising community, retail (E, F.2 and Pub or drinking establishment/Takeaway as Sui Generis uses),
 - Employment (E) uses and parking;
 - A primary school;
 - Up to 8 hectares of land (including key infrastructure) for up to 40,000sq.m of E and B2 development;
 - Up to 12 hectares of land (including key infrastructure) for sport, recreation, and leisure (E and F.1 and F.2),
 - A hotel (C1) food and drink outlets (E and Sui Generis) and
 - A new community stadium for Lincoln City Football Club;
 - Areas of formal and informal public;
 - A network of public footpaths and cycleways associated engineering works to inform development platform and drainage system;
 - New transport bridge link over to Beevor Street, and a
 - New public footpath bridge over to Tritton Road.
- d. added that full planning permission was sought for two new access points to the site as follows:
 - The Skellingthorpe Road access/egress and the initial access Spine Road spur into the site.
 - A new signal controlled junction at Tritton Road, including the associated bridge over the railway line.
- e. referred to a suite of documents accompanied by the application, all of which were available online, including:

- Plans for Information
- Illustrative Masterplan
- Design and Access Statement
- Environmental Statement
- Planning Statement
- Drainage Strategy
- Flood Risk Assessment
- Transport Assessment
- Framework Travel Plan
- Design Code
- Health Impact Assessment
- Sustainable Energy Statement

f. advised that:

- Under EIA Regulations, the Proposed Development did not fall within the definition of a 'Schedule 1 development', however, it did fall within Schedule 2, Part 10(a): Industrial Estate development projects and Part 10(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.
- For Schedule 2, Part 10a development, EIA was required where the area of the development exceeded 0.5 hectares and the development was likely to have significant effects on the environment.
- For Schedule 2, Part 10b development, EIA was required where (i) the area of development exceeded 1.0 ha of urban development which was not dwellinghouse development; or (ii) the development included more than 150 dwellings; or (iii) the overall area of the development exceeded 5 ha, and the development was likely to have significant effects on the environment.
- In the case of the proposed development all of these criteria applied and, as such, an environmental statement had been submitted with the planning application.

g. described the location of the Western Growth Corridor application site:

- Extending to 238.5 hectares, located approximately 1.5km southwest of Lincoln City Centre.
- Bounded by the Skellingthorpe Main Drain and the Lincoln to Gainsborough railway line to the north; the Lincoln to Nottingham railway line and Tritton Road to the east, existing residential development around Skellingthorpe Road and the Catchwater Drain to the south and agricultural land to the west with Decoy Farm and the A46 beyond.

h. reported on the current make-up of the site:

- Currently in arable agricultural use divided into rectilinear fields by existing hedgerows and drainage ditches.
- There was an area of woodland within the site towards the southwest, with a larger wooded area around the Skewbridge landfill tip to the northeast (which also fell within the application site).

- i. reported on a variety of land uses surrounding the site:
- To the northwest lay the former Skellingthorpe Duck Decoy (a scheduled ancient monument) with further agricultural land and the A46 dual carriageway beyond.
 - Land to the southwest was mostly in residential use, with several groups of houses lying between the application site boundary and Skellingthorpe Road – one of the main arterial routes into the city from the A46.
 - The Skellingthorpe Recreation Ground lay to the south of the site, with Hartsholme Park beyond to the southwest of Skellingthorpe Road.
 - Further residential development including Swanpool Conservation Area lay south of the site to the east of Stones Park, along with The Priory City of Lincoln Academy.
 - Land beyond the railway lines to the east and northeast was in a variety of retail, commercial and industrial uses, Lincoln City Centre being some 1.4km from the north-eastern corner of the site.
 - Land to the east was mixed-use served off Tritton Road.
 - The area off Beever Street to the north-east included commercial and retail uses as well as the Lincoln Science and Innovation Park and the main University building.
- j. reported in detail on the planning policy for the site which had long been promoted for the creation of an urban extension
- k. detailed the site history of the application site which included:
- An application submitted in 2006 for development of 4,400 dwellings plus employment, leisure and retail uses, open space and a park and ride site on a larger area of land than now proposed, extending further west, beyond the A46, which included land within North Kesteven and the City of Lincoln. This application was subsequently withdrawn.
 - A revised application for 5,100 dwellings submitted in March 2008 and subsequently withdrawn in February 2016.
- l. provided details of the policies pertaining to the application, as follows:
- Central Lincolnshire Local Plan 2017:
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP11: Affordable Housing
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP17: Landscape, Townscape and Views
 - Policy LP20: Green Infrastructure Network
 - Policy LP21: Biodiversity and Geodiversity
 - Policy LP22: Green Wedges
 - Policy LP23: Local Green Spaces and other Important Open Space
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP28: Sustainable Urban Extensions
 - Policy LP29: Protecting Lincoln's Setting and Character

- Policy LP30: Lincoln Sustainable Urban Extensions
 - National Planning Policy Framework 2021
 - National Planning Policy for Waste (2014)
- m. referred to pre application public consultation having taken place in 2017 and again in February 2019 between plan-makers, communities, local organisations, businesses, infrastructure providers and statutory consultees; the applicants had proactively sought engagement of the local community in the evolution of the development proposals giving people the opportunity to obtain information, voice concerns and suggestions and influence the shape of the proposed development prior to a planning application being submitted.
- n. reported that amendments resulting from concerns raised in the 2017 consultation and further transport modelling related discussions included:
- Confirmation that the access from Hartsholme Drive would be a cycle/pedestrian link only
 - Proposed improvement of the Skellingthorpe Road/A46 roundabout
 - Removal of a potential future additional access to/from the A46 in between the Skellingthorpe Road and A57 roundabouts
- o. expanded in further detail on the Masterplan for the planning application as outlined within the officer's report, covering the following areas:
- The Masterplan
 - Site Constraints
 - Phasing and Delivery Strategy
- p. gave further detail on the full planning application including:
- The Skellingthorpe Road Access
 - Tritton Road Access
- q. advised Planning Committee of the main issues to be considered as part of the application as detailed in full within the officer's report, to assess the proposal with regards to:
- Environmental Impact Assessment
 - Landscape and Visual Amenity
 - Ecology and Nature Conservation
 - Cultural Heritage including Archaeology
 - Ground Conditions including Land Contamination
 - Materials
 - Water Resources and Flood Risk
 - Transportation
 - Noise and Vibration
 - Air Quality
 - Socio-Economics
 - Housing Provision
 - Health
 - Education
 - Sport Provision
 - Design and Visual Amenity

- r. outlined the responses made to the consultation exercise, which included a petition submitted by local residents
- s. referred to the Update sheet tabled at the meeting which contained public responses received within the allotted deadline and not included in the original agenda pack
- t. referred also to several comments received after the deadline for information to be included in the 'Update Sheet' 4.00 pm five clear working days prior to the meeting; and the protocol agreed at Full Council on 16 December 2021, although it was noted that the points raised within these additional comments had already been covered within existing objections submitted
- u. referred to a formal consultation response submitted by Lincolnshire County Council as Highways Authority objecting to Phase 1A of the proposed development on grounds of severe impact and lack of alternative sustainable transport modes in accordance with NPPF, which lead to an independent highway's consultancy being employed which gave a third-party opinion as detailed within the officer's report
- v. reported on the extensive issues raised by the public as appended to the officer's report which covered a range of topics, addressed throughout the body of the officer's report; a brief summary of the issues raised being as follows:
 - Traffic congestion
 - Air pollution
 - Flooding
 - Change the character of the area
 - Noise levels
 - Impact on local wildlife and environment
 - Pressure on existing infrastructure
 - Noise and disturbance during construction
 - Large number of heavy construction vehicles
 - Access should come from Tritton Road first
 - Loss of agricultural land
 - Lack of GP services
 - Effect on trees
 - Lack of pedestrian and cycle ways
 - Lack of park and ride
 - Lack of low carbon sustainable design
 - Impact on Skellingthorpe Village
 - Phasing of the proposed accesses into the site
 - Bridge designs
 - Impact on house prices
 - Wrong location for a football stadium
 - Trees subject to tree preservation orders
- w. referred also to letters received in support of the planning application in relation to:

- Delivery of sustainable growth and affordable homes in a sensible location
- New football stadium needed.

x. concluded in relation to the following relevant issues:

- Design
- The applicants had submitted a design code in support of the planning application which was supported by the Local Planning Authority. The aspirations for the overall design of the site were sound and would be in keeping with the NPPF and its requirement to create high quality sustainable places.
- Transport
- Two points of access into the site were applied for in detail, a signal controlled junction at Skellingthorpe Road and a signalled junction at Tritton Road with a bridge over the railway into the site. These detailed elements had been assessed and were acceptable in planning terms. The principle of developing the site as an Urban Extension was supported by Lincolnshire County Council as the Highway Authority at the Local Plan stage prior to allocation. The principle continued to be supported by the Highway Authority. The Highway Authority had objected to the proposed first phase of the development, 300 dwellings off Skellingthorpe Road, due to the impact on Highway Capacity on the local highway network.
- Flooding
- The LPA were satisfied that the applicants had worked closely with the relevant authorities through Multi Agency Group meetings to ensure that the concerns of statutory consultees and local residents were satisfactorily addressed. A significant amount of technical work had been carried out and the EA had confirmed that they were comfortable with the proposed development. The LPA were given confidence by this support that the development would have no adverse impacts on existing residents and that technical matters had either been dealt with or were capable of being dealt with by condition.
- Heritage
- The applicants had sufficiently set out the heritage assets affected by the proposed development. There were both above ground and below ground assets which required consideration. In the case of the above ground impact on listed buildings the applicants had demonstrated that there would be a minor adverse impact. The work carried out to date had confirmed that the archaeological remains below this site were of equivalent significance to scheduled monuments, as confirmed by Historic England. The development of that part of the site would inevitably lead to the total loss of significance of the heritage asset. Added to this was the harm to designated heritage assets identified above (e.g., listed buildings, Swanpool Conservation Area and scheduled duck decoy) The site was allocated for development and would contribute to the overall delivery of the SUE and the 3200 houses and associated infrastructure. The delivery of the development would provide substantial public benefits and, as a consequence, it was considered that, with suitable analysis, investigation and recording, the harm to heritage assets was outweighed and justified.

- Nature/Ecology
- Both the green infrastructure constraints and opportunities identified in the Design and Access statement and the study of biodiversity in the ES had identified the significance of these factors in the overall design of development on the masterplan. The 'green infrastructure' plan set out the way in which development had been planned around these constraints with opportunities being taken to enhance linkages and public access. With particular regard to enhancement of biodiversity, the opportunity was being taken to utilise the areas being excavated for the purposes of development platforms (i.e., the areas in the northern part of the site) for ecological enhancement given they could potentially be wet areas.
- Air Quality
- During the demolition and construction phase, the proposed development had the potential to impact on the level of dust deposition/soiling and short-term concentrations of particulate matter at sensitive receptor locations near to the proposed development site boundary. However, providing that best practice particulate control measures were implemented throughout the construction phase it was predicted that potential impacts should be adequately controlled such that significant effects would not occur. The overall effect of the proposed development on local air quality was considered not to be significant and the development proposals and mitigation measures would ensure the development accorded with local and national planning policy.
- Noise and Vibration
- With the proposed mitigation in place, the external baseline noise levels were anticipated to not exceed the guideline criteria. Therefore, the effect of the baseline noise impacts was classified as minor and not significant. The effect of the baseline vibration impact on the proposed development was classified as minor and therefore not significant. The effect due to the impact of construction noise and vibration on the nearby residential properties would be minor and not significant. The effect due to the noise impact from construction traffic was assessed as negligible and not significant.
- Land Stability
- The Environment Agency had assessed the documents referred to above and had concluded that the proposed development would be acceptable subject to the inclusion of some relevant planning conditions. The development would not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution in accordance with national planning policy and policies 14 and 16 of the Local Plan.
- Landscape and Visual
- The proposed development was particularly successful at considering the context of the site and the sites setting. The masterplan layout had taken into account views of the hillside from the site, views looking down onto the site and how the site would be viewed from the periphery of the site boundary. It was considered that the site could be successfully assimilated into the existing landscape setting whilst still creating a new distinctive development.
- Socio Economics
- Policy LP28 required schemes to contribute to the provision of a wide range of local employment opportunities that offered a range

of jobs in different sectors of the economy and incorporated appropriate schooling dependent on the scale of the urban extension. The LPA were satisfied that these criteria had been met.

- Housing
 - The application proposed to deliver the full allocation for the SUE of 3200 houses. It also proposed to deliver the policy compliant requirement for affordable housing and the Delivery Report that the LPA had had independently evaluated demonstrated that the site was viable, and that delivery could be reasonably expected.
- y. gave a conclusion in relation to compliance with the main Local Plan Policies LP28 and LP30 pertaining to the planning application dealing with the location and approach to the Sustainable Urban Extensions (SUEs) as detailed at Paragraph 5.2 and 5.3 of the officer's report
- z. further offered a conclusion in respect of the planning balance in relation to The Central Lincolnshire Local Plan as detailed at Paragraph 5.4 of the officer's report.

Becky Melhuish, representing Lincolnshire County Council (LCC), addressed Planning Committee in objection to the planning application, covering the following points:

- LCC could support the application for the whole development, subject to agreeing detailed mitigation and further technical checks and clarifications as identified in this response.
- However, LCC objected to Phase 1A on the grounds of severe impact and lack of alternative sustainable travel modes in accordance with NPPF as follows:
- Phase 1A
- Traffic surveys of the existing highway network were undertaken in Feb 2020. These surveys showed the observed turning movements and queues, the survey results showed that Skellingthorpe Road in particular experienced lengthy queues especially in the am peak rush hour. Throughout the peak hour these queues were over 100 vehicles and reaching around 200 vehicles at times.
- The Phase 1A proposals were forecasted to add a further 81 vehicles to this eastbound movement in the am peak hour. The existing surveyed flows were 447 for this link and therefore this would be an increase of around 18%. This was a significant increase in demand to a link which was already operating over-capacity.
- Capacity improvements on Skellingthorpe Road were not possible due to physical constraints and the applicant had proposed mitigation on an alternative route into the City from Birchwood via Doddington Road and Tritton Road in the form of junction improvements.
- These junction improvements could provide increased capacity, however, they would not provide relief for the residents of the new development, and it was questionable how many existing residents from Birchwood would reallocate to Doddington Road, given the existing distribution, journey times and destinations. Furthermore, was it acceptable in sustainability terms to be providing extra capacity on a route which was considerably longer to access the City Centre?
- Phase 1A was a development which did not adequately promote alternative sustainable modes, there was no improvement for walking and cycling. The bus services would be adversely affected by additional traffic

on the local network and the pinch point of Skellingthorpe Road was not addressed. The development added 18% additional car traffic to a link which was already under severe stress, operating at capacity with frequent extensive queuing and suppressed demand manifested in demand and queues extending beyond the peak hours.

- The Local Planning Authority had commissioned BSP to provide an opinion on traffic impact, no further evidence or assessment had been undertaken by BSP. However, BSP concluded that even with an 18% increase on an already over capacity link the proposal did not result in a “Severe” impact provided that the junction improvements at Birchwood and Doddington were implemented.
- Members needed to decide whether the traffic from a further 300 houses on Skellingthorpe Road would cause a severe impact given the existing traffic conditions and the fact that no mitigation in the area was proposed.
- Whole Development
- LCC could support the development subject to agreeing detailed mitigation and further technical checks and clarifications as set out in its consultation responses.
- LCC agreed that the spine road through the site, with a new bridge over the railway linking Skellingthorpe Road to Tritton Road, would provide a significant improvement to the highway network. The proposals would also ensure that sustainable modes would gain the most benefit from this new link.
- Conclusion
- The officer report concluded that the traffic impact of Phase 1A would be “short term impact on the local highway network pending the delivery of the bridge over the railway to Tritton Road and the construction of the link road within the site” (Page 113).
- However, the proposed consent only required the bridge to be provided prior to the 301st house, and there was therefore no guarantee that the bridge would be delivered.
- Approving this application could mean that the impact on the local highway network of the first 300 houses remained in perpetuity without the necessary mitigation of the bridge link.
- Given the significant costs involved for a new railway bridge, circa £20M, and the timescales to gain the necessary agreements and construct the bridge, it was likely to be many years before the bridge was provided, if at all.
- LCC therefore requested that Members did not grant the consent for this development as proposed. LCC considered that this important allocated site could be delivered, but the proposals needed to be phased such that mitigation was provided early and that there was no excessive adverse impact on the highway network.

Mr Ian Whiting, local resident, addressed Planning Committee in objection to the proposed development, covering the following main points:

- He thanked everyone for allowing him the opportunity to speak.
- He was opposed to this development. He represented a significant number of local people (through Skellingthorpe Road Community Residents Action Plan).
- He was not against development in general – he developed businesses for a living, he loved the city, especially how it had maintained green spaces

but was very concerned about democracy, sustainability, and life in Lincoln.

- He stated that he and councillors should be on the same side. No doubt members had been sold how fantastic this proposed development was by their Leadership Team, however, that influence should not drive decisions on this or any vote.
- He understood that some members had a long-held pre-disposition to vote in favour of a development on this site, but please, this was a huge, controversial decision. The Members' role here was to represent the public. He had high expectations that members of the committee would challenge such policy decisions on behalf of the people whom councillors represented.
- The LGA Councillor Code of Conduct committed councillors to; *Respect for the people you represent, Objectivity, Openness, Transparency, Honesty and Impartiality in exercising your responsibilities in the interests of the local community of the people you represent.*
- There were something like 250 objections to this proposed development from those people councillors represented. Many of those objections contained multiple, well-argued and evidenced issues. It would be interesting to know how many of the councillors had read those detailed public objections?
- The objectors (the councillors public) had not had any official dialogue with councillors or the planners regarding those objections or concerns. It had been a *Black Hole*! He questioned whether councillors had been told those objections were unfounded, invalid or dealt with, if so, that was a misrepresentation.
- If members of the committee were to vote in favour, abstain or decline to vote against this development today, they would not have discharged their duty to the people they represented. They would not have demonstrated impartiality, which did not align with their Code of Conduct. He requested that a record be taken to show how each member of the Committee voted.
- This should not be 'us & them', councillors vs. members of the public. Councillors should be working with the public, hence the reason why the public elected them. This was their duty. To be clear 250 or so objections may seem a small number, but the effort required to actually access and read through over 700 documents and then create and submit planning rule relevant responses was gargantuan.
- Members should be amazed that so many people managed to jump through the hoops and barriers necessary to actually respond. Many, many people gave up. Furthermore, more, most people in Lincoln did not even know about this proposed development because this Council's consultation process had been so very poor.
- It appeared that the public were not encouraged to be truthfully informed, and certainly when those did respond, you ignored us.
- We were given just 5 minutes to speak. We could not even touch on the detail in 5 mins - and we could not use anything visual.
- Just two of the core issues; - High Flood risk area. Only originally proposed in the last century because there were 'No alternatives'. Now there were many alternative, safer, easier, lower cost development options in the local area. This development could adversely affect flood risk to the existing low-lying housing in Lincoln. Think of the risk to Central Lincoln, Boutham, Moorland, Carholme, etc.

- Transport; the Council's publicists talked of a through road and relief for the traffic between the city and its outskirts, but the plan did not include a genuine through road.
- Was there Network Rail permission for the railway bridges? If later approved, who would pay? It looked pretty much like the council taxpayers of Lincoln.
- The build was planned in phases. It was probable that development would cease after early phases because the plan was not commercially viable. No through road. None of the glossy infrastructure. Additional congestion, pollution, lots of cost and no benefits to the residents which members represented.
- The Highway Authority objected to this plan. They were the experts. Why did the Council not stop to assess the real situation here? Because you had already sunk more than £2m of Council taxpayers' money into a seriously flawed scheme. The Council's own paid consultants admitted that there would be more queuing traffic on roads that were already close to or already at capacity (and they had ignored the additional rail traffic that we hear was likely).
- Drivers were asked to take significantly longer routes, past schools, shopping areas and pedestrian and cycle routes in order to get into and out of town. In various parts of Lincoln. Hartsholme, Birchwood, Boultham, Moorland. - proper traffic mitigation was not possible-the Council's own consultants said that.
- There were at least 10 key development deliverables signed up to be complied with as a council, that were directly broken by this proposal.
- The proposal was a departure from the Central Lincolnshire Plan which had been agreed in 2017. For example, boundaries had been changed without consultation.
- The public really did not understand why the Council continued to pursue this development. There were just so many deep flaws. People could be apathetic about this, but it must be remembered, it was not all 'over' once it was decided to proceed.
- The problems would start to affect communities very quickly and constituents would be a lot more interested then about why the Council had let this happen.
- Please, if members really cared about the future of Lincoln and the people they represented, they should take this opportunity to do what was right. This plan was still not fit for a yes vote.

Ray Shooter, local resident, addressed Planning Committee in objection to the proposed development, covering the following main points:

- He had lived on Birchwood for nearly 55 years and involved in the local Scout Group for over 40 years.
- He walked his dog daily across the proposed development site, when it was not ankle deep in water of course.
- Most people he had spoken to seemed to know little about the current plan or its impact on their daily lives.
- About a third of the city lived in the 4 affected wards, Birchwood, Hartsholme, Boultham and Moorland.
- When told about the plans, Boultham residents were concerned about the "no right turn" from Dixon St onto High St; three number 9 buses an hour would have to use Rookery Lane or go through town.

- Moorland residents were very concerned by the extra traffic this scheme would generate through their ward.
- To expect Birchwood residents to divert to Doddington Road when the traffic was just as bad if not worse than Skellingthorpe Road and affected by a railway crossing was too much.
- It took up to 35 minutes to reach Sainsburys supermarket from the Birchwood area already. When the new Aldi was completed at the Moorland Centre the traffic along Tritton Road would be much worse. Also added by the construction traffic, entering via Skellingthorpe Road and Birchwood Avenue and more barrier down time, this was ludicrous.
- The traffic from Skellingthorpe village had not been considered. There were currently 600 houses under construction on two sites in the village with 1400 more being proposed by 2036.
- Quite a few of these residents would use Skellingthorpe Road and Doddington Road, none of this had been taken into consideration.
- Many Skellingthorpe residents now had to come to Birchwood to visit the doctor's surgery and for schooling.
- There would be more road traffic and more children needing to cross the A46 70mph dual carriageway at Skellingthorpe Road, however, there were no plans for pedestrian bridges or underpasses. The opportunity to gain those safety features had been lost.
- If ever completed, the planned through road from Birchwood Avenue to Tritton Road would have bus gates to prevent cars from using it.
- The third exit via the bridge into Beever Street would be for buses only from the development. For 3200 homes there would only be one main exit.
- As for flooding, did members believe in climate change? This area would flood. Since the 2017 plan, everything had changed. This area's use must be reconsidered. There was now a new Environment Act in place since the submission was made.
- The Upper Witham Internal Drainage Board, who kept our homes dry, wanted to keep this area free from development, they called it a "safety valve" for Lincoln itself. He guessed members knew better, although he was not sure Boultham, Moorland, Hartsholme, Carholme and City residents would be re-assured by that.
- His greatest concern about this current application was how it had been "advertised to the public".
- How could the public comment on these proposals if they had not been made aware of them.
- Access to planning proposals should be open, transparent, and widely advertised to enable contributions by the public to be considered as part of the planning process, especially for such a large development.
- He did not feel that a couple of one-sided press releases in the weekly local paper or on The Lincolnite were sufficient to inform the residents.
- This whole process had been rolled out over Christmas and New Year containing over 700 documents, this was undemocratic and bordering on dishonesty. It was hard to believe members of this committee had read and understood some of the paperwork.
- Councillors not the planning officers would vote and were accountable for the outcome of this and would be held to task when the reality sank home.
- What was needed were proper, public presentations and debates in all areas that were going to be affected.
- These should have been carried out before these plans were even considered by Planning Committee so that the residents could question the planning officers in more detail as to what was really being put forward

to the large number of residents who would have to experience its outcome daily for many years to come.

Tom Wilkinson, representing Decoy Farm, addressed Planning Committee in objection to the proposed development, covering the following main points:

- He jointly owned Decoy Farm directly adjacent the A46 (Lincoln Bypass).
- His land was included within the Western Growth Corridor Allocation in the Local Plan but not part of this planning application.
- He supported the principle of development; however, the applicants were missing the opportunity to improve highway solutions without a direct link to the A46.
- The applicants had made no attempt to contact him or his family to discuss a potential link through his land. They paid a visit after the application was submitted to try to convince them that a new link onto the A46 was not necessary and why the token improvements they proposed to the Skellingthorpe roundabout would be sufficient.
- He was not convinced by the applicant's reasoning for not having a direct link road to the A46 and the token alterations they proposed to Skellingthorpe Roundabout were laughable.
- His farm access was directly off Skellingthorpe roundabout via a fifth arm squeezed in between the A46 west bound carriageway and Skellingthorpe Road. They ran a caravan site, horse livery business and farming activities which generated significant vehicle movements every day, in and out of this inadequate access.
- The highway consultants representing the applicants had made a number of assumptions about traffic movements, walking, cycling, bus use etc, then put the numbers into a computer model to come up with figures which they claimed showed the development could go ahead, with the highway solutions proposed.
- He was not a highways expert. He looked at this from a practical common sense point of view. He did not believe 3,200 houses, 50 acres of commercial land and a new football stadium could be built, with all the associated construction traffic, using the access points proposed, without causing significant congestion and misery to those already living on Skellingthorpe Road, Birchwood Avenue and the wider area.
- The applicants had costed a new junction over the railway line onto Tritton Road at approximately £17 million pounds and a future additional access over the railway line onto Beever Street at another £15 million pounds instead of building two access points over the railway line.
- Would it not be better to delete one of those and use the money saved to build a direct link onto the A46. This would:
 - Open up more land for development, leisure use and open space
 - Divert traffic away from the already congested Skellingthorpe Road and Birchwood Avenue
 - Reduce air pollution in those existing residential areas
 - Allow Decoy Farm to close off the unsafe access onto the Skellingthorpe roundabout.
- In summary his land was included in the Western Growth Corridor's allocation in the local plan. It was available for development, and he was willing to work with developers to bring forward a viable solution to the highway's issues on this site. He could see the development had potential to bring a great benefit to the community, but he believed more time must be given to fully explore the best access points for this site.

Fen Kipley, local resident, addressed Planning Committee in objection to the proposed development, covering the following main points:

- As a local advocate for those whose opinions and crucial local knowledge had not been heard, and as a critical friend, she offered some informed observations in relation to the Western Growth Corridor proposals.
- In 2017, the development team stated: “We will involve communities in the planning, governance and ownership of the scheme...”
- Apparently, community involvement meant:
 - A5 leaflets in a tiny white font printed on a black background only distributed to 6,000 properties.
 - Hundreds of jargon-laden planning documents only available online.
 - Small print planning notices loosely tied to a few lamp posts.
- All development team press releases were reproduced in the media as if the proposals were irrefutably a welcome asset to the city.
- There were a series of public engagement events despite the times and places being restrictive to many; those in work, carers, teenagers, families with young children, folks with mobility, hearing, visual, literacy and language barriers.
- She was sorry to report that council and private consultancy staff often outnumbered the public present, whom, when offering their opinions, were frequently interrupted with a “yes, but”.
- It didn't look like community involvement; it seemed to be an exercise in providing justification for a decision already made.
- The Local Government Association published a vast range of guidance on effective community engagement, it said:
- *Community engagement helps local government improve the efficiency, legitimacy and transparency of their decision making. By encouraging participation, they can make more informed decisions by engaging with, and carefully mapping out the needs, opinions and visions of local communities on issues that matter to them. This can increase trust in local councils to make better public decisions.*
- In relation to the planning application, there remained serious concerns about the lack of a thorough and up to date Environmental Impact Assessment, especially relating to local heritage, geographical, ecological, and archaeological aspects; nor had these been addressed in the 2019 amended application.
- More recently, UK planning and environmental law had substantially changed. Findings by the Intergovernmental Panel on Climate Change and COP 26 had drilled home the importance of how everybody needed to adapt and mitigate for worsening climate effects locally and globally.
- The current planning proposal was no longer future proof; as sea levels rose elsewhere and adverse weather conditions increased, it would severely impact upon food distribution and its availability here in Lincoln.
- In the local neighbourhoods, there was already genuine food and fuel poverty; heat or eat was a daily decision for many. This would worsen as energy prices soared. Even working families were now reliant on the city's foodbanks.
- Covid-19 affected how people used and valued their local green spaces. Hartsholme and Boultham Parks could not cope with the increased demand, so many more local people discovered the fantastic walks, wildlife and views within the proposed planning site. This land would become even more crucial not only as a vital green lung, a safe haven for

wildlife, a washland, a place for recreation and for growing food locally, but a key site for developing innovative conservation and environmental management skills for our young people.

- Job creation was much needed, especially among those not academically inclined. There were greater training and employment opportunities in adapting, retrofitting and creating resilient, energy efficient and accessible homes within the current housing stock. This included use of brownfield land and empty spaces above shops. By improving the overall health and wellbeing of our existing neighbourhoods, and providing unique, affordable homes right in the heart of the city, everyone benefitted.
- She knew and respected that many of the committee genuinely believed in helping those less fortunate and truly understood what their young people and grandchildren, would face within the next 30 years. The plan needed to be changed to take account of climate science.
- A more robust, open and fairer consultation was needed across the whole of the city including surrounding villages, so everyone's voice was heard. People could no longer put profit and privilege over people and the local environment.

Councillor Biff Bean addressed Planning Committee as Ward Advocate in objection to the proposed development, covering the following main points:

- Tonight, he was here personally to object to the proposed WGC development.
- He was also here to object on behalf of the people of Hartsholme.
- He had been aware of this piece of land all his life and played there as a young boy.
- He grew up on the Hartsholme estate, his family had moved there in 1963.
- Hartsholme today was very different to how it was back then. Over recent decades the traffic congestion on Skellingthorpe Road and Doddington Road had become a nightmare for local residents.
- Whether you lived or worked in the area, which he did, it was not unusual to be sat in traffic for 20 or 30 mins or even longer.
- Changes to the road infrastructure were difficult to address with two sets of train barriers that constantly held up the flow of traffic.
- Without dropping or raising the track the community was stuck with this problem for the foreseeable future.
- When the WGC project was revived a few years ago, he thought if the design was right, we could use the site to ease the traffic congestion for the people of Hartsholme and Birchwood.
- He got involved and fed some of his ideas into the many debates and consultations held over the years, hoping to create a road infrastructure plan that could quickly get people into the city centre and alleviate the bottlenecks on Skellingthorpe and Doddington Road.
- He wrote a traffic report back in January 2018 with lots of ideas to address congestion throughout the city.
- Unfortunately, it had not worked out that way, this application fell well short of helping the situation on those roads. He believed this application would make congestion worse.
- There was no up-front funding for this development, so it could take over 20 years to complete. That was 20 years of disruption and added congestion.

- This would mean there would be no emphasis on completing the road infrastructure which was crucial to getting traffic congestion relief in our communities.
- Added in the confusion as to when the two road bridges would get permission and funding it was clear why people were sceptical of this application.
- As local Councillor for Hartsholme, he had spoken to hundreds if not thousands of people over many years about the WGC. Many of them would be sat in this room tonight. 95% of the people he spoke to were against building on this site.
- Flooding was also a massive issue along with wildlife concerns and loss of green spaces.
- He spoke very recently to those people who lived closest to the proposed development to see if they had a change of heart. If anything, they were more determined that this application be rejected.
- The size of the petition also showed that this project had not convinced local people that it was the right project for this area.
- As local Councillors they had a duty to listen to our constituents. He asked members to think about that before they made their decisions tonight.
- He did understand the need for more housing, and the leisure facilities would be a welcome addition for the city of Lincoln. But on the whole, and in his opinion, the project had more negatives than positives. So, it was back to the drawing board for him.

Kate Ellis, Strategic Director, Major Developments, City of Lincoln Council addressed Planning Committee in support of the proposed development, covering the following main points:

- She was responsible for leading the delivery of the Council's priorities in addressing Climate Change and inclusive economic growth. This involved shaping visions, developing strategies and turning that policy into deliverable outcomes that made Lincoln an even better place. On this scheme, she led the Council's separate land-owning team acting as developer.
- Lincoln was her home. She had lived in this beautiful city for over 25 years and for the last 20 years she had lived on Doddington Road as a Moorland resident, raising a family and travelling most days past this site into the city centre.
- It mattered to her what the Council did in Lincoln.
- The city had a well-recognised and evidenced need now and in the future for more housing of all types and tenure; more locations for businesses, more and better-paid jobs; better leisure provision; improved highway infrastructure for all forms of movement, where the benefits of a central rail station were not negated by increasing travel congestion and unreliability and frustration.
- The Council had a duty to not only plan for how that need was met, but that it also facilitated, enabled and delivered against that need. The Council for several decades had held development of Western Growth Corridor in both its strategic policy documents and its corporate delivery plans such as Vision 2020.
- This was not a site for uninspiring, tokenistic development with units crammed into a sea of tarmac to maximise profit. It was a complex and challenging site, where the Council's masterplan showed the wonderful existing hedgerows and tree shaping where development went, where

wetlands and rich ecology were enhanced and where sustainability in every sense of the word dominated to create a flourishing, connected and integrated community.

- The principle of development on this site had already been agreed historically and reaffirmed following a robust and comprehensive review as part of establishing the current Local Plan - this included independent evidence of need, several rounds of public consultation and a public examination by the Planning Inspectorate which she attended, representing the Council as landowner.
- Whilst there remained some strong and emotive views and concerns about building on this site, there was no other sites allocated in the plan, it had already been agreed that development would happen here.
- It was also accepted this would mean the development would start with a first phase of around 500 homes (which the Council had reduced to 300), accessed from Skellingthorpe Road, accepting the impact on existing traffic issues until the next phase of development was in place.
- It was therefore not a question of “if” or “should”, or even a question of “how much “, but a question of whether what was proposed appropriately delivered national and local planning policy requirements.
- We had spent thousands of hours with experts, reading reports, analysis, listening to, hearing and understanding valid concerns and issues, working with others to identify solutions, successfully securing funding from Homes England to help open up the site for housing delivery to ensure that it delivered the best the Council could, as Lincoln deserved.
- The Council had negotiated with national housebuilders and stood firm when proposals had not been good enough, when profit had driven choices. Quality of design, the value of the environment, building communities and quality homes for people in the city drove the Council’s choices not profit. It was no accident that today the joint applicant was a local developer and construction group.
- The Council had spent the vast majority of the past 4 years trying to agree with the Highway Authority a deliverable highways access plan both within the development and in terms of its impact on the surrounding area. Alongside the Council’s expert team, the Council had spent thousands of hours modelling, examining, even bringing in additional highway consultants to test whether there was a better solution, to then continue testing, revising, reviewing, modelling, problem- solving, and testing because the Council were and remained so committed to getting the best workable solution it could.
- The Council could not deliver this overnight, and frankly, no-one could do that without temporary disruption. The Council could not put £50 million of infrastructure in from day one without building any homes to finance it, as much as we would want to.
- What the Council could do was deliver a policy compliant exemplar sustainable community for the city.
- So, she was therefore particularly proud to be advocating this scheme for members consideration tonight.

Harry Flexman, representing Connect Transport Consultants, addressed Planning Committee in support of the proposed development, covering the following main points:

- He was an Associate Transport Planner at Connect Consultants, a specialist firm of transport planning and highway design consultants.

- He held a master's degree in Physics and was a member of the Chartered Institute of Highways and Transportation.
- He had more than 14 years' experience in highway engineering, traffic engineering and transport planning.
- Connect were brought in to work with City of Lincoln Council and Lindum on the Western Growth Corridor in 2018, in order to review the transport approach at the time and whether changes to that approach would better balance the needs of the development and of the transport network.
- Connect held multiple meetings and corresponded with Lincolnshire County Council highways department, and National Highways (who looked after the A46) and numerous technical reports had been submitted to both highway authorities during our lengthy discussions.
- Some changes Connect made were:
- Previous traffic modelling assumed a direct route for all vehicles through the site and predicted that a lot of non-development traffic would drive through the site.
- The Lincoln Transport Strategy was brought in which shifted focus away from just providing more traffic capacity, towards sustainable transport measures (like bus, cycle and walking).
- Encouraged by this, Connect changed the site layout so the main connection between Skellingthorpe Road, Tritton Road and Beever Street was for bus priority, with the vehicular route being mainly for access in and out, but also to act as a relief valve if needed.
- At the Skellingthorpe Road access Connect showed that either a roundabout or traffic lights could be suitable.
- Both provided traffic capacity, and assisted pedestrians and cycles (via crossings).
- Connect presented both options to the County who had a very strong preference for traffic lights and that was the determining factor.
- Connect integrated bus priority on the approach from Birchwood Avenue
- The traffic effect of the full scheme had been tested using the County's own strategic traffic model.
- To assess the early phases of the development, a new set of traffic surveys were done (before COVID and not during school holidays or unusual conditions).
- He then watched 1,000s of hours of CCTV footage of roads, junctions, queues, slow-moving vehicles, pedestrians and cyclists. Although there were obvious delays along Skellingthorpe Road, this should not taint opinion by the occasions when there may be abnormally high levels of queuing.
- Using industry standard methods, Connect calculated 139 traffic movements exiting the Phase 1a development during the morning peak hour, 11 travelling northwest to the A46, 47 travelling southwest along Birchwood Avenue, 81 east along Skellingthorpe Road, and some existing traffic would consider a different route.
- To help this route choice, and mitigate the 81 vehicles, Phase 1a included: signalisation of a junction, lane widening, yellow box markings, re phasing of traffic lights and other related improvements, as listed in the committee report.
- These added upwards of 100 vehicles' worth of capacity, which more than mitigated the 81 traffic movements in the morning peak hour.
- There were multiple, long term residual benefits - not only to traffic management, but bus priority, and new cycle and pedestrian crossings.

- On this basis Phase 1a was well conceived, for the short, mid and long term.
- The existing problems along Skellingthorpe Road could not be solved without the bridge and connections through the site (otherwise it would have been done by now)
- Without this development, the issues would only get worse.
- If the development did not happen, houses would need to be built elsewhere which would add to the traffic without providing suitable mitigation.
- The transport elements of the application had been independently assessed (on behalf of the planning authority) by consultants BSP.
- It was clear that BSP had read all of the information, they had responded in detail about every element, and agreed with our assessment methodology, findings, mitigation, and conclusions.
- National Highways also agreed with our assessment and welcomed the benefits that the A46 improvements would deliver including the pedestrian/cycle crossings.
- The County was supportive of full development, as they knew it would provide significant benefits over the long term.
- In summary, this proposal had been subject to a very rigorous and lengthy assessment and review, every step of the process had been followed to industry standards.
- There were no short-term significant detriments, and huge mid to long term benefits particularly when measured against the existing situation and the unsavoury possibility of the houses being provided elsewhere, with the city having to deal with all the traffic, without the bridges and connections through the site.
- He hoped this provided the committee with confidence that the traffic and transport effects had been fully investigated, and that the right measures were being delivered as part of the development.

Mike Smith, representing Aecom Consultants, addressed Planning Committee in support of the proposed development, covering the following main points:

- He was an Associate Director at AECOM, a global infrastructure consultancy, and would talk today about flood risk.
- AECOM had been working with City of Lincoln Council and Lindum for a number of years in developing the proposals for Western Growth Corridor.
- By background, he was a chartered civil engineer, with a specialism in flood risk and sustainable drainage infrastructure and had worked on many large scale, mixed use developments across the midlands and the north of England.
- The site benefitted from existing flood defences in the form of raised flood embankments along three separate watercourses that were adjacent to the site. These defences were maintained by the Environment Agency and would protect the site from flooding due to extreme river levels up to and including a 1 in 100 year event.
- There were also watercourses to the north of the site managed by Upper Witham Internal Drainage Board (IDB), with water levels controlled by downstream pumping stations.
- The IDB's pumping stations were capable of preventing any flooding within the site from these watercourses for rainfall events up to and including a 1 in 100 year event, including the impacts of future climate change.

- In the worst case scenario, if the IDB's pumps were to fail, and this coincided with a 1 in 100 year event, an area to the north of the site would be at risk of flooding. However, no development was proposed for this part of the site. He could also confirm that the development was not situated within a functional flood plain.
- The Environment Agency (EA) historically objected to the previous, much larger, version of the scheme in 2006 on the grounds of flood risk. As a result, a flood risk technical working group was formed, including members from the EA, the IDB and the County Council as Lead Local Flood Authority, to determine the safe, sustainable extent of development that could be delivered within the site.
- Flood modelling work undertaken on behalf of the Technical Working Group, using the EA's approved flood model, determined that two areas of land raising could safely be undertaken within the southern part of the site, so that even if the existing flood defences were to fail, the proposed development would be above the flood water level and there would be no negative impact on surrounding areas.
- Following this flood modelling work, the site allocation was retained in the 2017 Local Plan, with the inspector concluding that *"the risks to both new and existing development could be adequately mitigated as part of the final design"*.
- Further iterations of the EA's flood model were run to refine the extent of the development shown on the masterplan, including the addition of two wetland areas to the north of the site, where ground levels would be lowered, providing around 180 million litres of extra flood storage, more than 5 times the volume of Hartsholme Lake.
- As the proposed properties would sit above the potential extreme flood level, the land would be classified by the EA as not being in a flood zone, meeting the requirements of the Association of British Insurers, so that residents would not pay higher rates for home insurance due to flood risk.
- Small areas of standing water observed in some of the farmers' fields within the site following heavy or prolonged periods of rainfall was due to poor drainage in these areas and completely normal for agricultural land.
- The development proposals offered improved drainage across the site. Developed with the technical working group, the proposed drainage strategy would include sustainable drainage systems, allowing water to be safely stored during extreme rainfall events.
- The surface water drainage proposals had been modelled using the IDB's own hydraulic model to confirm that the existing drainage infrastructure would have sufficient capacity to take flows from the development, without having any negative impacts elsewhere.
- Funding would be provided for the upgrade of the IDB's existing pumping stations, improving their resilience and benefitting not just Western Growth Corridor, but also the existing homes currently served by the IDBs infrastructure. The Local Plan Inspector concluded that *"upgrading existing pumps and improved management practices would reduce, rather than increase the likelihood of localised flooding."*
- Following completion of the detailed modelling work, and analysis of all potential sources of flood risk to the local area, culminating in the submission of the Flood Risk Assessment as part of the planning application, the EA had now raised no objections to the development. Whilst AECOM noted that the IDB had maintained its statutory and historic objection to the development, they had and continued to work closely with us to help shape the proposals for the site.

- AECOM continued to liaise with all members of the technical working group to keep them updated on the scheme and to agree the next steps required to bring the development forward in a safe and sustainable manner.

Mark Foster, representing Lindum Group, addressed Planning Committee in support of the proposed development, covering the following main points:

- He was the Land and Planning Director with Lindum and the joint applicants planning lead for the scheme.
- With a planning application of this scale, it was no surprise that a lot of comment and speculation had been put forward. He was grateful for the opportunity to provide some facts, detail and evidence that supported this huge investment into the city, with a particular focus on why the project would start at Skellingthorpe Road.
- This site had been allocated within the Local Plan since 2017. Going even further back, the site had been allocated since the 1990s. Whilst the amount of development had been significantly scaled back and the transport strategy altered at various stages, one of the main constants had been that the first phase of development would be accessed from Skellingthorpe Road.
- This had always been the case on economic grounds because, irrespective of where the other access points were in relation to the site, they all involved substantial bridge and road structures, of significant upfront cost which in themselves had been a key factor in preventing this investment into the city coming forward.
- As part of the examination process associated with the Local Plan in 2017, the proposed allocation was considered in detail. This included the highway impact of the scheme and, in allocating the site, the Inspectors report concluded that; *'Lincolnshire County Council confirm that recent work with site promoters has shown that access could be taken from Skellingthorpe Road without the residual cumulative impacts becoming severe'*.
- The Inspectors report noted that a planning application for Phase 1 *'would be relatively infrastructure light'*. This could only be the case if the first phase was from Skellingthorpe Road and this *'infrastructure light'* first phase was critical to evidencing deliverability of development on the site in the short term, and a central reason for its allocation, the Inspector being convinced that the proposals could feasibly be delivered and be delivered quickly.
- This highlighted the inextricable link between phasing and deliverability, as provided as detailed evidence within THE application. To start at the Tritton Road end would cost around five times more, at approximately £50 million, than starting at the Skellingthorpe Road end, at around £10 million. The difference was stark, but it was not just the headline costs which rendered this unfeasible.
- Starting at Skellingthorpe Road provided much needed initial revenue to enable finance to be secured against the remainder of the site, which would fund delivery of the spine road and Tritton Road bridge. With no revenue being created first, the sheer size of the cost, the complexity and risk of starting at the Tritton Road end would make this virtually impossible to fund in isolation. Some revenue and value needed to be created first to secure funding against, and this was typical of how developments of this nature were funded, enabling infrastructure to be brought forward.

- The overall deliverability of the scheme had been assessed independently by the Planning Authority's appointed viability consultants Aspinall Verdi. One of the key questions the planners asked the consultants related to the likelihood of the development not continuing past the first 300 units.
- Lindum Group had always been very clear that it would make no sense to stop after the first 300 and not deliver the critical pieces of infrastructure as they were key to the success of the scheme, opening up the majority of the land and enabling a return on our investment.
- Aspinall Verdi confirmed this in their independent report, stating that *'it is very unlikely they could walk away after Phase 1A'* They continued, *'there should be little risk that the developers wouldn't continue the development...and.. they would have to continue past Phase 2 to secure the return on their investment from the scheme'*.
- We had always been clear it would make no sense to stop after the first 300, this had now been independently verified by expert viability consultants.
- The applicants had other equally compelling reasons to continue the development beyond the 1st phase – Kate Ellis had already outlined some of these and Paul McSorley would talk about this more next. Lindum Group's reputation was at stake here, and the success of the scheme in its totality was of upmost importance to everyone.
- Personally, he was Lincoln born and bred and it mattered to him what Lindum Group did here. Professionally, he had been in development now for 20 years, and had never seen such a unique opportunity to deliver such a significant investment into Lincoln, all as part of the delivery of a truly special sustainable urban extension so close to the heart of the city. Lindum Group therefore hoped that Members resolved to grant the application this evening to enable the opportunity to be realised

Paul McSorley, representing Lindum Group, addressed Planning Committee in support of the proposed development, covering the following main points:

- He joined Lindum Construction as a year out trainee surveyor in 1987. In the 30 years leading up to the Examination in Public we had built and invested in numerous local projects including much of Brayford North,
- He was Deputy Chairman in 2016 and deciding to buy a farm within the Lincoln by-pass and become a delivery partner on the Western Growth Corridor was definitely the biggest decision the Lindum Group had made.
- As a successful local building contractor, consistently in the top 100 companies to work for, Lindum Group's reputation was everything. Coupled with the scale of the development, the commercial risks and its importance to the city it would have been easy to step back.
- However, the decision was taken by the senior management team - unanimously - that this was something that needed to come forward and Lindum Group should be involved if it could be. This was not a decision based on commercial return; Lindum Group had made key land available to the City's previous partners on an open book (non-ransom) valuation basis, to try to help delivery.
- So why?
- Lindum Group Head Office was less than 2 miles from the site, Lindum Group had 386 employees living in the LN1-LN6 areas; the dozens of red Lindum vans seen every day needed to get in, out and around the city for Lindum Group to effectively carry out its construction activities for its local clients.

- If the Western Growth Corridor did not happen; if there were no bridge over the railway line, things would get much worse, especially if the houses needed had to be built elsewhere, surrounding the city and putting added pressure on the same failing infrastructure.
- He stated that when Kate Ellis and he had sat with the Inspector at the Examination in Public, together with the County Council and other stakeholders they were clear this was the right thing to do. They could create the community they all believed in, if they could phase the project as envisaged and proposed, starting on Skellingthorpe Road. He also understood why two local organisations, with the City's interests at heart could make the proposal work, when there had been so many false starts.
- However, there could be no compromises, no short cuts. A fully compliant application where we could contribute to the creation of a truly sustainable urban extension.
- Lindum Group's success was intrinsically linked with the vitality and prosperity of the city, with which Lindum Group shared its name. Thousands of hours spent with consultants, where they asked for honest answers - not what they wanted to hear - the positive technical and financial support of Homes England, Network Rail's clear understanding as to the mutual benefits of the proposals - had all reinforced Lindum Group's belief that this was the right development; one which was needed without further delay.
- There were no alternatives here and things were getting worse. This proposal could not solve all the City's existing issues, but it could make an incredibly positive difference.
- This was before the huge benefits and investment the scheme would bring were considered, the affordable homes (both social and market housing), a new primary school, a neighbourhood centre, hundreds of acres of natural habitat and farming land protected. An incredible opportunity.
- Finally: they had not moved the goal posts here; not only was this the right development and proposal, but it was also a comprehensive, fully compliant application done correctly.

At this stage proceedings were halted for a short comfort break of 20minutes from 7.22pm to 7.42pm, then reconvened.

The Chair advised he would take five questions from Members at a time allowing officers to respond without opportunity for the questions to get lost in the process as the evening progressed.

Members discussed the content of the officer's report and the individual statements made in support and against the planning application as set out below.

Councillor Ric Metcalfe commented as follows:

- This decision was easily the biggest and most challenging known to him in his 40 years on the Council.
- They were reminded tonight that this was a major sustainable urban extension to Lincoln, forming an important foundation stone to the adopted Local Plan.
- The Local Plan was supported by the City Council, County Council and their two district council neighbours for many years, approved by the government led Planning Inspectorate at the examination of the plan in public in 2016.

- They were informed the proposals were designed to meet the anticipated growth in population, homes and jobs in the city, and to allow the infrastructure for this to be delivered in a sustainable way.
- Despite this, as a Planning Authority the Council was bound in law to examine rigorously the merits of this application and any adverse impact on local residents.
- Concerns had been raised about the impact on local residents from additional traffic generated by this development.
- He wished to offer a reassurance to everyone that he had read all 731 pages of the planning application including the 500 pages of objections.
- He recognised that views expressed by local residents were strongly and sincerely held and did need to be weighed in the balance in the decision made tonight.
- This was all the more reason to test to the limit the evidence provided by planning officers on the impact on traffic issues from the proposed development.
- Questions
- The Committee had been told the first 300 properties would generate approximately 81 additional vehicles at morning rush hour on an already very congested Skellingthorpe Road eastbound carriageway, assuming traffic emerging from the new development was allowed to turn left at the new signalised Skellingthorpe Road junction. The applicant proposed other mitigation measures in the form of junction improvements at other locations in the area to reduce traffic travelling east on Skellingthorpe Road by approximately 100 vehicles. Was it correct therefore the result was a net reduction of 19 vehicles travelling east at peak rush hour on Skellingthorpe Road?
- The Highways Authority view was that this reduction may not all be achievable by the applicant's mitigation measures. Had the Highway Authority provided evidence to support this view or was it an opinion that there would not be a 100 vehicle reduction by way of the mitigations?
- There had been discussions in respect of a ban on vehicles emerging from the new development turning left onto the eastbound carriageway of Skellingthorpe Road. Was this a condition that could be imposed on the applicants, and would this offer mitigation to the worsening of the current congestion on Skellingthorpe Road?
- After Phase 1 it was claimed further road infrastructure would bring relief to hold ups at the railway line at Skellingthorpe Road via two new connections to the City Centre, and there would then be a modal shift towards walking/cycling and bus usage. What conditions would be imposed to ensure these measures took place?
- Could planning officers explain in layman's terms the advice given by Aspinall Verdi consultants to contradict the potential incentive for the applicants to walk away from further development after the first 300 houses were built, without the remaining infrastructure/development not going ahead?

Councillor Hilton Spratt commented as follows:

- He and Councillor Metcalfe were the only Members present this evening also on the Council in the 1980's when WGC came forward.
- The formation of the WGC had developed over time to a considerable degree.
- There were some commendable elements.

- It encouraged growth and jobs in the local economy, bus, cycle, walking routes, extra housing and additional income from Council tax.
- There needed to be extra housing somewhere.
- He accepted the mitigation provided within the report on historical and wildlife/flora protection.
- He had also read all the agenda papers and accepted there were a considerable number of objections.
- Those who had not been involved in this planning application would think how marvellous it was, however, realistically this was not the case.
- He wished to address some of the concerns he held regarding the proposed development.
- The traffic situation in Lincoln as everyone accepted was horrendous.
- Adding these numbers of houses even over 22-23 years would result in a vast increase in the number of vehicles on the roads, even though the city was already swamped with cars.
- It was pleasing the report talked positively about cycle paths, walking paths and bus routes, however, planners failed to accept that the car remained a reality, as it was convenient and cheaper than public transport in the city.
- Dwellings would be allocated 1.5 car parking spaces. Several homes in his Ward had two or three cars per household and had to park on the road. The spaces were much bigger too in previous years.
- The police also stated that generally putting car parking spaces together in one 'lot' encouraged theft.
- Deliverability - the development would take 22 years to complete.
- He was not persuaded by speakers tonight who claimed the development would reach conclusion. Once the first tranche of, houses was erected, no developer would stick to the plans as a long term development, due to infrastructure costs.
- As for the bridge and social housing – let us just watch this space.
- The development was situated on a flood plain like a number of areas of the city. In 2007/08 the east end of the city was nearly totally flooded off Monks Road area and in early 2001/2/3 there was flooding in Witham Ward.
- Most people accepted we had global warming. However, when houses were built in areas liable to flooding, constituents would not be happy to be told by officers it was a 1 in 100 year event when it had happened the previous night.

Kieron Manning, Assistant Director of Planning, offered clarification to points raised so far as follows:

- In relation to additional vehicle movements onto Skellingthorpe Road from the first 300 dwellings, and the assessment of a net reduction of 19 vehicles, this was not entirely the case. It was more an issue that it created that additional capacity to enable road users to take alternative routes not specifically related to Skellingthorpe Road.
- Lincolnshire County Council as statutory consultee for the Highway Authority had not provided any contrary modelling evidence to substantiate their objection to the planning authority. This had led to the rationale of seeking third party advice from BSP as highways consultants.
- An additional condition on the grant of planning permission to prevent vehicles turning left from the new development onto the eastbound carriageway of Skellingthorpe Road was an option for members if so

mindful, however it was important to be mindful that requisite tests must be met when imposing planning conditions, one of which was 'to be necessary'. It had not been proposed or negotiated with the Highway Authority. Evidence available and advice from consultants was that it was not necessary and therefore he advised it would fall short of meeting this essential test.

- In terms of what conditions would be imposed to ensure that modal shift took place, condition number 37 went some way to address this issue. Modal shift had very much been an inherent factor in the evolution of this scheme, certainly to the principal link through this site, which was altered to prioritise bus routes through it following detailed workshop sessions held with the applicant and with the Highway Authority present. Additional modal shift measures would be implemented through the travel planning process, but fundamentally within the detail of reserved matters planning applications coming through on a phase-by-phase basis, should outline permission be granted this evening.
- In terms of concerns raised regarding the development not progressing after the initial first phase of 300 houses, this was covered in his presentation and by several of tonight's speakers. The likelihood of the required infrastructure not happening was a key question that needed answering. The applicants informed the Committee that they were absolutely committed to full delivery of the scheme, however, as planning authority, we sought validation through an external third party, Aspinall Verdi, consultants. This company also assessed the viability of the Central Lincolnshire Local Plan and were aware of the area, the Western Growth Corridor and issues surrounding it. The consultants expressed a high level of confidence that the applicants would not walk away, primarily, from a commercial viability point of view. All developments needed a return, and in order to open up the site and its required infrastructure, the applicant would need to progress beyond the initial 300 dwellings to make a return on their investment. Otherwise, there would be a financial loss to the scheme.
- In relation to available car parking spaces per dwelling, 1.5 cars was an average allocation for the whole development and hence produced an odd number of vehicles. It was compiled to industry standards. There would be a full range of accommodation types such as large family homes, starter homes, apartments etc, with a range of car parking requirements. Some dwellings would have 2 to 3 car parking spaces and some areas would potentially be car free.
- In terms of flood risk, technical information was provided within the officers' report and given at the meeting. The area was not a functional flood plain, it was an area at risk of flooding if flood defences failed. There was a key difference. This was also the case for many parts of central Lincoln. There were flood risk issues, however. development platforms would be established to allow some properties to be raised out of that flood zone. At this time of year standing water did appear, as a drainage issue and not a flood risk in itself. Measures such as Sustainable Urban Drainage (SUD's) principles would go into the site as it developed first and foremost, to resolve this issue as required by the County Council as lead Flood Authority.

Councillor Jane Loffhagen commented as follows:

- She reassured people who expressed some doubts as to whether all councillors would read the papers and take the issues seriously. She had

never met a councillor of either persuasion who was not dedicated to the role and did not prepare properly for meetings.

- She thanked officers and everyone involved in the successful planning of this event which was very helpful in answering some of the issues she had. She attended tonight in her capacity as a Planning Member having an open mind, her duty to do so.
- Question
- She was aware of the duty of the Council to provide opportunities for houses to be built. What was the difference between this development jointly applied for by the City of Lincoln Council and a local firm, and other developments that may be outside of the City Council and the city?

Councillor Calum Watt commented as follows:

- It was a pleasure to be back in this building where he studied politics as a student several years ago, saying things that were not always popular.
- This building was also the centre of the railways project, which people had been sceptical about to begin with but soon realised how railways changed their lives.
- When he first looked at this planning application, he was somewhat alarmed they were going to build another car dependent suburb, however, after having read all the papers, spoken to officers, attended briefings etc, he was very confident it would not be that.
- The most impressive part of the development was the spine road. People by nature took the quickest and easiest route to get to their destination whether it be by car, public transport or cycling. A spine road designed in this way was impressive and very forward looking, setting a precedent for other locations.
- He would not dwell on the drainage issue, which had been covered elsewhere to his satisfaction.
- He noted that some people thought this area would eventually be under the sea, if that happened so would the place they were standing in now, which was a much bigger issue than they could look at here.
- They could deal with global issues in adapting the way they lived through modal shift. They could reduce traffic on Skellingthorpe Road through the modelling he had seen to provide a quicker link into the city for people living in the area and address the hold ups every morning there.
- He did have some reservations. He was surprised that a modern Highway Authority had recommended in his view a downgrade of a roundabout to a signalised junction.
- He had not grown up in the city, he was from Stevenage, a town mainly made up of roundabouts where traffic lights or indeed traffic jams were rarely seen. However, he was assured the signal junction could be changed if it did not work.
- He was also surprised as part of the plans it would not be possible to drive a private car from one end to the other at all in preference to a convoluted route, however, this again could be changed, and traffic measures put into place if it did not work.
- He sincerely hoped the development would not take 23 years to be built, housing was badly needed. Planning Committee had approved yet another infill for two flats squeezed between a few buildings recently, which he voted against, this scheme was a much better solution providing decent living for future residents and would probably get his vote for this reason.

- Question
- Would cycle routes be fully separated as all should be, starting from scratch?
- If we were to have different circumstances in coming years such as a change in government and the economy, would this enable the speed of delivery for the scheme to be increased?

Councillor Edmund Strengiel commented as follows:

- It would have been easy for him to act as Ward Advocate at the meeting as a Birchwood councillor, however, this would exclude him from voting on the planning application and he had chosen to sit as a member of Planning Committee for this reason.
- He thanked officers for a very in- depth report; it took a lot of reading but was well worth it.
- To date he had been inundated with e mails from constituents regarding the application, raising concerns in relation to issues such as road congestion, loss of open space, wildlife habitat, and flooding, to name just a few.
- He had responded ensuring that he had not fettered his discretion through predetermination. He wished to make this clear
- In 1991 when he first became a Birchwood councillor, a similar project was proposed to deliver 5,000 dwellings onsite called the Skewbridge or Swanpool project, which did not go ahead. In 2006, it was later scaled back to 4,500 properties by the City of Lincoln Council, incorporating a business park on the western edge through North Kesteven District Council land. The developer was Taylor Wimpey.
- He remembered sitting with Councillor Metcalfe in a Senior Management Team meeting in 2007 viewing the scheme on a large map.
- At that time there were plans for a slip road midway, off the by-pass between Skellingthorpe and Carholme roundabouts.
- No mention was made of access or egress from the Skellingthorpe Road/Birchwood Avenue junction.
- Going back to the mid 1990's, he advocated that the 'free for all' T-Junction at Birchwood Avenue be changed to a traffic light junction
- If the current application was granted, he would be happy it remained as a signalled junction.
- The former application posed no issues for him at the time apart from its close proximity to Ward residents living on the north side of Skellingthorpe Road.
- That development also extended into Boutham and Hartsholme area with another road proposed off Hartsholme Drive.
- The Environment Agency was totally against the development at that time, due to risk of flooding, however it had now changed its mind.
- This project also fell through as the developer pulled out.
- More recently the development had been brought back by the City of Lincoln Council using Lindum Construction to deliver 3,200 properties.
- Living in the area for 35 years he had witnessed continuous pressure on the road infrastructure. Better traffic outlets were required in this proposed development area being equivalent to a good-sized town.
- The area was of high density and high population.
- His problem with the WGC development centred on the issues of road infrastructure and ensuing traffic congestion.

- He had lobbied over the years to improve Skellingthorpe Road roundabout. He was always told by Lincolnshire County Council it was outside their area, being within the North Kesteven District Council boundary and owned by National Highways.
- Improvements to Skellingthorpe roundabout linked to the WGC scheme would not be sufficient to mitigate excess traffic on Skellingthorpe Road caused by the development.
- Peak time traffic was horrendous in the area, an impediment in journeys for people living south or immediately north of Skellingthorpe Road which ever route they chose to take.
- The speaker from Lincolnshire County Council had reiterated the problems of 81 additional cars due to issues with the road infrastructure.
- The average number of car parking spaces was set at 1.5, however 300 houses with only one vehicle amounted to 300 cars and 450 at 1.5 spaces. This was greater than 81.
- New residents would use the local shopping centre, both surgeries and pharmacies in Birchwood, schools etc, the mitigation measures put forward would not happen overnight.
- He preferred the development to start from the Tritton Road/Beevor Street end and worked inwards to the development, as there were no residents in that area to be impacted upon.
- He was told this was not possible based on cost. However, two bridges would be built at Beevor Street and Tritton Road at a cost of £20 million each.
- He was concerned as to how much return the applicant would get from each of the 300 houses.
- Question
- Who would pay for the bridges?
- Why could the development not be started from Tritton Road end, perhaps with a loop system to provide access and egress around Tritton Road/Beevor Street?
- He could not support the proposed development due to its impact on current residents in Birchwood, Boultham and Hartsholme.

Kieron Manning, Assistant Director of Planning, offered clarification to further questions raised as follows:

- The cycle routes would be fully separated/segregated routes, as part of reserved matters detail.
- Potentially, the development could be built more quickly in the event of planning policy changes, or market/economic conditions, although he could not confirm this.
- In terms of the difference between this development jointly applied for by the City of Lincoln Council and a local firm, and other developments that may be outside of the City Council, as a Planning Authority it was completely autonomous and had to be by law. All applicants were treated exactly the same.
- Discussions were being held about funding streams for the two bridges forming part of the development, Homes England in particular. This was an issue for the applicant to resolve, although not necessarily a material planning consideration relevant to the decision this evening.
- The development could not start from Tritton Road with the access bridge, due to consideration of financial constraints for the applicant in terms of delivering that first as opposed to the Skellingthorpe Road access point.

The proposed development was included in the current adopted Local Plan, to be built and opened from Skellingthorpe Road end. No objections were received from the Highways Authority. They were also tasked with considering the planning application in front of us this evening.

Councillor Andrew Kerry commented as follows:

- A long time ago a decision was made to convert soggy agricultural land into desirable new dwellings, which would cause much grief and disquiet to so many for so long.
- The development raised concerns due to the impact of the increase of potentially 450+ additional cars into the junction at Skellingthorpe Road. As the Highway Authority had pointed out, there would not be a maximum of 81 extra cars at any one time.
- The Council had always said there was a need for new houses, but this was not an ideal site. It was wet most of the time.
- The whole development had changed since 2008, with the financial crisis and housing crash. The plans changed, the dwellings changed, North Kesteven District Council withdrew, and with this a chance of a link to the A46.
- The potential return also nose-dived due to a reduction in the number of houses from 4,500 to 3,200, not good in a global crisis.
- One of the suggestions to deal with the flooding problems was to raise the land.
- The problem here was the number of lorry journeys required to bring in soil to make that transition.
- They were told a Transport Plan would be put in place to prevent overcrowding of the local roads. Residents were not convinced.
- During the period the development was not ongoing, he felt the eye had been taken off the ball somewhat although discussions were ticking over in the background.
- Local residents felt misinformed and that they were not being updated on the proposals.
- He attended several Council workshops, suggestions and comments were listened to with a polite smile; before the officer launched into a rehearsed script prepared in case of awkward questions.
- Councillor Davies of Lincolnshire County Council had stated at its Executive the other day that the amount of extra traffic generated on Skellingthorpe Road from the proposed development would be unacceptable, and this was the reason for raising an objection. He stated that as a local authority the residents had to be their first priority.
- Many of the residents he had spoken to in his ward agreed.
- 300 additional homes would trigger nothing more than a signalled junction and a road onto Birchwood Avenue.
- 600 houses would trigger nothing more than a bridge over Tritton Road railway line.
- If there was another global crisis, should the project stall again due to raw worldly economics without the centre link being built, then Skellingthorpe Road would bear the brunt of it.
- The Director of Major Developments quoted in the Lincolnite 23 March 2019 that the developer was confident the new road through the development connecting Skellingthorpe Road to Tritton Road via a new bridge would play a major part in reducing current traffic issues in bypassing the congestion at the railway crossing.

- On 15 September 2020 the Lincolnite reported large parts of the development's spine road would be for buses, pedestrians and cyclists only with a 20 mph speed limit put in place throughout the development. Also, Project Planning Director, Mark Foster, said we had listened to comments made and were confident the updated proposals mitigated the transport impacts to the scheme and maximised sustainable transport opportunities for the proposed residents of the development.
- As an Elected Member, he did not think this development would change the current traffic problems they had.
- An independent report was commissioned which concluded that traffic could cope.
- It was often said that if you looked hard enough you could always find an expert that agreed with you.
- If the independent report had not backed up the position of the managing group, he suggested it would have been discarded and forgotten about completely.
- The Highway Authority was against the proposals in their current format, also our MP, local residents and Ward Councillors.
- So, we had a development where never had there been the potential to impose misery on so many for the benefit of so few.
- The development should be looked at again, incorporating a link road not dedicated to buses/cycles and pedestrians to alleviate some of the issues.
- Everyone who lived at houses 1-300 of the new development and did not want to head into town would exit on Skellingthorpe Road and go up Birchwood Avenue or Doddington Road to take the shortest route even if the road link was in place.
- As a Ward Councillor he needed assurances for his residents that traffic issues would be addressed and there would be no more misery.
- He had also chosen not to speak as a Ward Advocate to enable his vote to be counted.
- He could not support the planning application before us this evening as it inflicted more misery than that we currently had.

Councillor Matthew Fido commented as follows:

- Building houses was a good thing. There were more people in our cities and country than ever before. They needed good quality; well insulated homes fit for the future.
- What did the future hold? Climate change was a huge threat to our way of life and the standards they had become accustomed to.
- Polar ice caps were melting leading to rising sea levels in a world similar to little mermaid under the sea. Temperatures were rising together with more frequent extreme weather conditions, which had a knock-on effect on the eco systems.
- The proposed development was located in a flood risk area. Was it wise to build on a flood risk area even with the mitigation measures proposed?
- December 15, 2015 was the wettest month of the century. An estimated 16,000 homes in England alone were flooded, amounting to £1 billion in insurance pay outs.
- If this development went ahead, what assurances would be made by insurance providers in the private sector to offer affordable policies with broad enough coverage for homeowners.
- Unless he was mistaken, he had not seen any assurance in writing within the officer report from the Association of British Insurers that this was the

case, although Mike Smith had given assurances in his speech. Could this assurance be obtained before any permission was granted to avoid burden on taxpayers further down the line?

- A scheme between the government and UK insurers called FloodRE offered affordable cover to homeowners in flood risk areas in place until 2039, but only applied to homes built before 1 January 2009.
- The opportunity of being able to purchase an affordable home local to where we lived and worked was a sweet reward. Many young people in the city aspired to own their own home.
- More homes were badly needed but people must feel safe and secure in those homes. If people did not have insurance security and the worst happened, thousands of families could be left without a home or any financial means to help themselves out.
- Was this flood risk going to be a problem 20-40 years down the line? They spoke about industry standards for flood risks, but industry standards were followed in the past in relation to such things as cladding, and where had this left them as a country now?
- There was no such thing as government money, only taxpayers' money and where was that going to go?

Councillor Alan Briggs commented as follows:

- He thanked officers for their comprehensive presentation and the relevant printed documents made available to everyone.
- 731 pages for 33 Councillors amounted to 24,123 pages.
- He also took the option not to act as Ward Advocate to enable him to vote on this planning application on behalf of his Birchwood residents.
- There had been so many written objections and various petitions circulated.
- He had been inundated with e mails detailing various objections/observations, some being substantially factual.
- The main objections were flooding, air and noise pollution, environmental damage and traffic congestion.
- The traffic congestion objections were not nimbyism; they were based on residents' personal experience, often after many years of suffering long delays on a daily basis.
- After attending a number of organised meetings over the last four years, he had always kept an open mind on the viability/objectives of this project.
- As a resident of Skellingthorpe Road himself, he had many times tirelessly endured the endless traffic congestion.
- The Western Growth Corridor was an ambitious project, but the present proposals did not outweigh these issues only exacerbated them.
- The spine road and bridges were key to this scheme being a success and should be built first not last in six years' time prior to completion of the final phase in 20 years' time.
- Question
- Why could funding not be obtained for the bridges?
- In respect of mention of no-right turn at the end of Dixon Street, this would cause mayhem on Rookery Lane and further congestion on Newark Road at peak times.
- He quoted from BSP consulting transport advice note 19 April 2021, section 4 which stated that the existing bus routes 6 and 9 currently used Dixon Street, however, only the number 9 service would benefit from

proposed bus improvements to the Dixon Street/High Street junction. That equated to one bus every 20 minutes whilst the number 9 was running.

- Other bus services serving southern areas of the city would benefit from the proposed bus lane on High Street as quoted in mitigation package B.
- Overall, it looked like the consequences of the proposed development were worse than the potential benefits, which was difficult to rationalise in light of the Council's declaration of a climate emergency.
- For these reasons, he would be unable to support this project like a number of his colleagues.

Kieron Manning, Assistant Director of Planning, offered clarification to further comments/questions raised as follows:

- In terms of considering the application again in a different form in relation to the link road, he referred again to a workshop held by officers, the applicant side and the Highway Authority, which centred on that route and its function. The County Council as Highway Authority suggested that the route be engineered in such a way to prioritise buses and other modal shift means and requested that it function in that way through the scheme. The vehicular route would be a longer and slightly slower route through the site. The route evolved in that way as presented to Planning Committee this evening largely due to this request from the Highway Authority at that time. We were also tasked with a remit to consider the planning application in front of us this evening.
- In relation to an assurance that the highways issues would be dealt with, data had been examined by officers tirelessly over the last three years and longer than that at pre application stage trying to resolve all the issues for this site, principally the highways issues. As a local planning authority, they were now satisfied with the proposed scheme having also taken third party advice. As part of the planning balance, whilst it was clear there would be a short-term impact, it was not considered to be in itself severe and would improve once the link road was in place within the scheme.
- In terms of insurance cover and the flood risk issue for the site, it was an area at risk of flooding being in a flood zone although not a flood plain, the works to raise the land levels would result in the development platforms no longer being in a flood zone. This was the trigger point for residents in obtaining insurance. This matter was not a material planning consideration on which members could form the basis of decision making this evening.
- In relation to the cost of the railway bridges, there were discussions ongoing to obtain funding streams although not necessarily material to this planning application. These discussions would not alter the phasing of the scheme to allow Tritton Road to be delivered first, however it may bring forward development of that Tritton Road link.

Councillor David Clarkson commented as follows:

- He had read through all the planning papers and listened to all the comments made with interest so far.
- The planning application told them Skellingthorpe Road was one of the main arterial routes into the city from the A46, however it had never intended to be as a narrow B road.
- The joint footpath/cycleways along the sides were not wide enough or fit for purpose. In the winter fallen leaves from overgrown vegetation caused slippery surfaces not safe for cyclists. He spoke as a cyclist.
- The road had been congested for years and kept worsening.

- Despite extensive developments in the area over many years, the only highway improvement had been the installation of traffic lights at Birchwood Avenue. There was no room for any further improvement although badly needed
- A packed public meeting to discuss traffic congestion from the then proposed initial 600 houses in the area was held on 7 February 2019 almost three years ago at Alive Church, Birchwood.
- They were told at the meeting there would be a link road to avoid the level crossing, the source of the congestion from Skellingthorpe Road to Tritton Road and Beevor Street, although it was unclear when the bridges would be built.
- There had been no further public meetings since that date, although the proposal had changed significantly since then.
- That link road was now a spine road with significant portions of it buses only, cycling and walking.
- Any other traffic would have to divert from the spine road through residential areas and re-join the spine road the other end.
- They had been told at meeting this was intentional to stop the spine road being used as a rat run. Local residents in Birchwood and Hartsholme had been promised a link road.
- The spine road would not be built for 6 years, but we had no idea when these other residential areas and roads would be built to give private access to vehicles.
- We were told the spine road was not for through traffic but at the same time a contradictory statement said that congestion on Skellingthorpe Road would be reduced as a result of it.
- Traffic on Skellingthorpe Road was more horrendous than could be imagined.
- Much was made of the Transport Assessment although it was not included in the agenda documents.
- The Transport Assessment formed the basis of the justification for a mitigation scheme to alleviate congestion on Skellingthorpe Road.
- The document stated that the spine road would provide a faster, more direct route for buses, cycles and pedestrians and an alternative route for cars into the city from the A46 and Birchwood Avenue. It would provide a more reliable journey, with regular delays at Skellingthorpe Road railway crossing being bypassed providing an alternative route in the event of unexpected incidents on the road network. To achieve this, it would need to be a proper road.
- Although the bridge and connected spine road would not be finished for another 6 years, 300 homes and all construction traffic would access and exit the site via Skellingthorpe Road.
- The Transport Assessment stated that traffic surveys were conducted in February 2020 at 9 road junctions to assess traffic impact on the early development phases 1a and 1b using spreadsheet models. The data was used to arrive at projected extra traffic levels. However, the surveys were carried out on only one day. A queueing survey was also conducted using cameras recording the longest queue in any 5 minute period. Traffic flows were judged as low to moderate on Birchwood Avenue to the A46 roundabout and from Birchwood Avenue to Skellingthorpe Road during peak hours, and no queue through the Birchwood Avenue/Skellingthorpe Road junction. This was not the reality of what he saw every day.
- Everyone who lived in the area saw long queues every day of the week at any time of day, not to forget the rat run through narrow residential roads

at Ashby Avenue and Hemswell Avenue which the traffic survey failed to mention.

- Were the queues just ignored, did they not happen, but then why would the bus lane onto Birchwood Avenue be required?
- The traffic survey gave no mention of the root cause of the daily delay at the A46 Skellingthorpe roundabout, or covered the projected proposed alterations to it, perhaps due to using cameras rather than human records.
- The Greater Lincoln Traffic Model was quoted regularly in the traffic survey, described as a computer software package to forecast changes in traffic movements. In terms of the Skellingthorpe Road crossing the document stated this software package was not designed for modelling activity at railway junctions and was coded as a signalised junction instead. There was no similarity between the two, the data did not provide certainty, only approximations.
- The accuracy of the data should be treated with scepticism.
- The predictions did not take account of the substantial housing development taking place in Skellingthorpe village.
- Mitigation measures proposed for package A claimed to create extra capacity for 100 vehicles, improving the situation, which included traffic lights and pedestrian crossings at Birchwood Avenue junctions. However, it stated that the proposal to put in a yellow box junction at Doddington Road had not been analysed for capacity, another guesstimate, even though this was proposed as an alternative route for vehicles instead of Skellingthorpe Road.
- Changes were also proposed to the Tritton Road/Doddington Road approach to avoid blockages caused by vehicles turning right from Whisby Road. This was due to traffic being slow moving when the lights turned red with stationary traffic across the junction. Yellow box junctions were not adhered to and largely ignored.
- The alternative route along Doddington Road to avoid congestion was much longer than accessing the city along other routes, it still required drivers to negotiate a railway crossing and was just as congested.
- There was no new route to divert motorists.
- Residents told him getting out of Forest Park onto the A46 was a nightmare.
- There were also issues with insufficient bus services. Stagecoach did not respond to the consultation process but stated they would not increase bus services.
- There would be only three buses an hour on the spine road which was bus superiority.
- Cars were here to stay. He called into question the validity of the modelling used, surveys completed on just one day, and calculation of traffic flows and could not support this planning application. His residents would not forgive him.

Councillor Clare Smalley commented as follows:

- She thanked everyone for the information provided this evening, the people who had taken part in the presentation which was incredibly useful as well as all the documents received. She was very pleased many were able to make comments and to contact local councillors to answer their queries.

- She would keep her speech short as a lot of people had already mentioned issues she planned to talk about, particularly in relation to flooding.
- She acknowledged it had been clarified that insurance was not a planning consideration.
- She also referred to the platforms to be built and welcomed the consideration that had been given in the report to potential additional rainfall in the future.
- Questions
- Could officers clarify what increased levels of rainfall had been considered and how fool proof that guarantee would be?
- In terms of the traffic analysis and the fact it was only carried out on one day, in February 2020, not likely to be the busiest day due to the pandemic, should more detailed analysis have been conducted at that point?
- In relation to comments made regarding the risk of the developers pulling out after the first 300 houses had been built, she understood that cost-wise it was more beneficial to build these homes first, however it left them in a vulnerable position. She understood there were assurances but were there any guarantees or penalties in that regard?
- They could be left in a position with 300 non-affordable homes; 20% of affordable housing was welcome, but many people wanting to live in our city struggled to find it. Could an element of the first 300 homes be affordable?
- If the new development was not built to a conclusion, they would be in a position with no new affordable housing.

Councillor Gary Hewson commented as follows:

- He noted comments made by Kate Ellis, during her presentation stating that it was not a matter of when or if this application would take place, it would be delivered without a doubt as a designated area in the Local Plan for housing development. Economic development considerations were also involved.
- If this development was refused, it would be like 'throwing the baby out with the bath water'. The only way to solve the problems on Tritton Road was to build a route over the railway line.
- Councillor Bean had been campaigning to solve problems on Skellingthorpe Road over the years also recognised the issue was the railway line.
- The railway line would not go away, raising it or diverting it underground would not happen.
- This development needed mitigation measures in place to cope with the additional 81 vehicles expected to exit the proposed first stage of the development.
- Questions
- We had been told there was another development further down the road over which this planning authority had no input, to provide 600 homes in Skellingthorpe. Would the developers of that scheme contribute to the building of the bridge over the railway line? A great deal of the vehicles from the site would use Skellingthorpe Road.
- Was the developer allowed to make changes to the highway without the agreement of the Highway Authority? Would the Council as a private

developer be allowed to do this as the Highway Authority was not in support of the mitigation measures proposed?

- It was disappointing that the main bus operator to benefit from this scheme had failed to make any comments.
- He referred to the Travel Plan for the proposed development contained within the agenda documents designed to encourage people to use alternative forms of transport. Could the bus operator encourage people to make that change by providing discount ticket for commuters? For a young family it was much cheaper to travel by car and park in the city centre than use the local bus service.
- There had to be encouragement from the operators who would benefit from the development having bus lanes to get people into the city centre more quickly, otherwise local people would not use the service.
- He thanked officers for their fine presentation.
- He thanked all those people who had contacted him by e mail with concerns regarding flood risk and transport issues, he felt that all the concerns had been answered correctly this evening and he had no problem in supporting the proposed development on the table.
- He had not heard anything from the County Council representative tonight regarding mitigation measures it would put in place as Highway Authority to deal with the traffic congestion it was well aware of on Skellingthorpe Road. It had failed to do anything about it.
- He felt the Highway Authority recognised too the only way to address the traffic problems was a route over the railway line. This application gave them the chance to take advantage of that opportunity. Those councillors expressing concerns about the proposed development must support this view.
- The railway line was here to stay. Nobody wanted freight to be transported on the road network. They had to look forward.
- All governments recognised new houses were needed.
- This planning development had been taken very seriously. Two previous developers had walked away because they were not prepared to agree to the type of scheme they wanted on that site.
- The council had spent a great deal of money to arrive at the application being brought forward tonight.
- He urged for a push to get the bridge and spine road to come into fruition before six years.
- He urged everyone to work together with the developer and Highway Authority to move this development forward, not to stand still.
- It was needed for housing, employment and economic prospects.
- He urged acceptance of the application.

Councillor Chris Burke commented as follows:

- He thanked officers for all their hard work and partners including Lindum Construction Group for working alongside the City of Lincoln Council.
- Officers should not be put off by negative comments received tonight, although he wanted to thank those who made such comments as there was no doubt, they all cared about this development and their city, including those people making contributions from the floor.
- If he had learnt anything about Planning Committees during his time here and at Lincolnshire County Council, it was that planners were capable of bringing radical change if they had the courage.

- Councillor Hewson had made inspiring comments and encapsulated much of what he was going to say.
- They all needed to have the courage of our convictions.
- The County Council as Highway Authority needed to stand up to the mark here
- In his opinion this County Council as Highway Authority should take its responsibilities seriously, then the public transport of this City would be transformed, and fewer cars required.
- In his Ward many residents were lucky to have a car at all and were desperately reliant on defective public transport.
- Question
- Could officers expand on the car-free element of the proposals. It was not an automatic assumption that they would always be reliant on motor cars.
- Changes to move to electric cars had started, fewer people would own cars eventually as pressure increased for public transport to be improved
- If they failed to have the courage to build this housing development those aspiring homeowners referred to would always remain as such,
- Would officers agree if these homes were not built there would be more appalling levels of infill developments?
- Changes made by the government made it very difficult for them to refuse infill developments even if they knew they were a bad idea.
- To support their children and grandchildren who were struggling for housing, they must support this huge project.
- The project did have imperfections. It was the biggest one he had seen in his lifetime, but he believed the mitigation levels proposed particularly around issues of the flood plain had been ably answered by experts.
- He had made the decision based on the professional advice of officers and partners that this was a crucial development which we all should support.

Kieron Manning, Assistant Director of Planning, offered clarification to further comments/questions raised as follows:

- In terms of flood risk and the robustness of information used in respect of levels of rainfall, this was in accordance with Environment Agency's projections. All the work pertained to flood risk had been done in cooperation with the Environment Agency both at pre application stage and as statutory consultee during the application stage.
- It was not possible for the Planning Authority to give any guarantee about delivery beyond the first 300 houses at Phase 1 of the scheme. It was in the gift of members to consider this on balance considering all the evidence provided, however, it was the belief of the planning authority that it would be delivered. The application team and independent specialist advice was also saying this. As the application team included the City Council, there were routes and mechanisms for Members to drive that agenda forward should it not be going in the direction they saw fit.
- It was regrettable that the first 300 homes would not be affordable, however the planning authority was tasked to provide sustainable development. Deliverability and viability were part of the consideration as to whether the development was acceptable. There were mechanisms within the conditions of the scheme as a whole for a minimum of 20% affordable homes to be provided across the site. Some phases may be well above 20% even as much as 100% in areas with registered social landlord schemes. The Planning Authority gave an assurance that a

minimum of 20% affordable housing would be provided across this scheme.

- Developers could not carry out works to the highways network without permission. There was a legal consent process to be followed seeking agreement from the Highway Authority. In the event that the County Council were against any proposals, caselaw suggested a requirement for the Highway Authority to cooperate in matters where it objected to a scheme which was subsequently approved planning permission.
- In terms of car ownership, in some situations they may see some car free development across the site although there were no guarantees. In order to arrive at the global phasing of the site, some homes would see more off street parking and others less.
- In response to being asked whether they would see more infill developments if planning permission was refused tonight, this was not for him to comment. However, should the application be refused, there would need to be 3,200 dwellings worth of sites found across Central Lincolnshire.

Councillor Dyer reminded Mr Manning, Assistant Director of Planning that he had not responded to many of the points made by Councillor Clarkson. Was he able to do this or would he like Councillor Clarkson to repeat them?

Mr Manning responded that he would not request Councillor Clarkson repeated his points verbatim. A number of pertinent technical comments were made. He was not aware of any specific questions asked. In response to the issues raised, the methodology used for the traffic assessments conducted was in consultation and agreement with the Highway Authority. We ourselves were not highway experts. They sought advice from our statutory consultee and commissioned an external appraisal of the sustainability of the scheme. Together with the mitigation measures proposed they were in support of it. The Highway Authority was not disputing the data, it was that it did not agree with the applicant and considered the severity of the impact from the first 300 dwellings was too great. It was the remit of Members of Planning Committee to decide as to whether or not they agreed with this.

Councillor Thomas Dyer commented as follows:

- It was wonderful to see City of Lincoln Council finally live streaming a meeting.
- He had just checked, he wanted to thank the circa 160 people watching the proceedings from their homes.
- He thanked all those people still here in the audience for bearing with them.
- There was no doubt this was a significant decision to be made tonight, having lasting implications on our City and the world once they had departed.
- There was without a doubt significant demand for more housing, leisure space and business space.
- Councillor Metcalfe suggested no left turn onto Skellingthorpe Road from the development; he was pleased to hear this suggestion would not go ahead.
- During the opening remarks of the Planning Committee, it was stated that engagement with statutory consultees and the public had been an important part of this application. However, what was the point of the

consultation process if mass objections from members of the public and statutory authorities such as the County Council were ignored.

- The transport implications were the main objection from residents; however, the link road would not be constructed until Phase 2 of the scheme was completed, many years ahead with unsuitable mitigation to that point.
- Planning officers had confirmed during the meeting that the link road and associated bridges could be built, they all wanted them to say they 'will be built' In his view this could not be guaranteed 100%.
- In respect of flood risk, it was noted that linear channels would be widened within the development
- Question
- Would these channels be riparian channels maintained by the City Council or by the land owning residents?
- One speaker raised uncertainty over Network Rail approving the bridge. Could officers confirm the situation in this respect?
- Another speaker referred to the Environment Act, which he would speak to later.
- He thanked Miss Kipley for her interesting verbal and written comments.
- He could not find a car parking space on a visit to Hartsholme Park recently, would there be any improvements to green spaces and leisure facilities in that area?
- He wished to focus on the objection to Phase 1a by the Highway Authority and a comment by Mr Manning stating it was debatable whether the funding of the Tritton Road link was material. The recommendation before them was based on the confidence of the Tritton Road bridge being constructed before the 301st dwelling, so fundamental to the planning authority's confidence that any highway impact was short lived. Therefore, funding of the link must be material?
- The report accepted there would be some impact on local roads, the key consideration was to determine suitable mitigation measures to alleviate the congestion.
- The local residents knew the area best, and he hoped all members had read all their concerns.
- Proposed improvements to Doddington Road whilst welcome were insignificant to problems on Skellingthorpe Road where no improvements were proposed. Was this a suitable mitigation measure encouraging motorists to take a longer route bearing in mind implications on climate change?
- The Highway Authority supported construction of the spine road before any of the homes were occupied, in his view a matter wanted by many local residents.
- The Highway Authority maintained our road network, he agreed with their analysis of the situation over a third-party consultant with no long term obligation to the people of Lincoln, or residents of Birchwood and Hartsholme.
- The consultants outlined their deliverability assessment at page 43 of the report based completely on finances, ignoring the political reality of the government's White Paper and that local government reorganisation may result in the City Council no longer in existence in 2 years' time, let alone 30 years' time.

The Chair instructed Councillor Dyer to refrain from making political comments within his speech.

Councillor Dyer continued:

- Rather than find an expert who agreed with the applicant, both the applicants and the planning authority should take the concerns raised by the Highway Authority very seriously to ensure appropriate mitigation was carried out first rather than wait for Phase 1b of the scheme.
- Should the application be approved this evening, potentially they could be left in a few years' time with 300 properties, no link road and further congestion on Skellingthorpe Road, and the developers would still be within their remit for planning consent.
- He was unable to vote in favour of the proposed development if the vote was to disregard the objections made by the Highway Authority in relation to infrastructure issues.
- If the planning application was to ensure the appropriate infrastructure as set out by the County Council was constructed as requested, it was highly likely he would have taken a different view.
- He was open to any alternative proposal or amendment put forward by members tonight.
- The Local Plan was currently being updated. The Environment Act casted significant demands on our decision making, however, the proposed development was not required to meet the new ambitious environmental criteria set out in the proposed amended Local Plan as it was a live application.
- For such a large-scale development, the applicant had fallen well short of the standards they would expect developers to adhere to in the forthcoming months.
- He could not vote in support of this application in good conscience as it disregarded the serious objections made by the Highway Authority and he hoped colleagues had the same view.
- Despite all the taxpayer's money, time, effort, condescending comments from all the various experts, the application did not have the support of key stakeholder, local residents, local councillors in the development area, or support of local county councillors, or their MP.
- Based on all the information before him he would not be supporting the application.

Councillor Lucinda Preston commented as follows:

- She thanked officers for the superb organisation of the meeting. She particularly thanked officers calm and patient responses to questions. It was a showcase for officers which the public did not always get to see, she was personally grateful for this.
- She referred to a point made this evening that the car was not going anywhere.
- They had talked about the various ways they mitigated the impact of cars such as electric charging points etc.
- Since Covid-19 the way they lived their lives was changing.
- There had been a lot of discussion on the impact from this development on traffic both shorter and longer term.
- More and more businesses were changing to remote working since Covid-19, many people worked partly from home now as they saw from their own Council.
- Online shopping had also increased.

- Question
- Given all these factors, what were the views of officers on the impacts on traffic over the next twenty years with fewer car journeys?

Councillor Christopher Reid commented as follows:

- There was no doubt further housing was needed in Lincoln and beyond.
- However, they must consider this scheme on its merits.
- It had to be the right housing in the correct location at the right time.
- Comments made on page 29 of the report referred to HGV movements onto the site. It was stated there would be a negligible environmental impact given that HGVs would already be on route carrying HGV traffic. However, that HGV traffic was not already going into the development site roads, so he questioned this reasoning.
- It also stated the level of 250 units a year being constructed was not anticipated to generate an environmental impact from HGV movements. He assumed this had been miswritten. To claim that the 4,000 HGV movements predicted had no impact was hard to understand if officers wished to explain.
- It was clear to him from what he had heard this evening that the way the Council had gone about this application had resulted in a breakdown in public trust, particularly in the affected areas of Boultham, Birchwood and Hartsholme. This was clear from the countless number of objections received.
- The proposed conditions offered by the Highway Authority within their objection would go some way to try to resolve that.
- At the moment no one was happy to take the Council's word on future infrastructure.
- A speaker for the applicant stated the traffic issues on Skellingthorpe Road could not be solved without the bridge. Lindum stated they needed the bridge to move forward to solve the traffic issues. He totally agreed and the bridge should be constructed first.
- The applicants had stated this evening these were not profit delivered choices, however when asked why the bridge would not be built first, it was due to cost.
- Similar to comments made by Councillor Smalley regarding affordable houses, if it was not about profit why was there none in the first part of the scheme.
- He agreed that a no left turn onto Skellingthorpe Road from the development would cause problems.
- He referred to the deliverability report with several comments made that the applicants would not walk away after the first phase because they had not made any money. At what point in this scheme would this cease to be the case? Was there any likelihood they would ever make money out of the scheme given the first phase was less financially draining than the bridge, link road and affordable housing to follow.
- Officers commented regarding the potential 81 vehicles coming from the site not being mitigated by the measures on Doddington Road, and that there was no modelling given by the County Council in this respect. Was there any modelling by the applicants about the number of cars using Skellingthorpe Road going forward, or was this opinion? The applicant's research should be based on actual evidence.
- Question

- Comments were made that traffic issues would be short-term to be mitigated by the bridges in the future, however 6 years' time was not short-term. If the development did not proceed after Phase 1 this would mean forever. Where would officers draw the line on short-term?
- He could not support this planning application as there was no mitigation for the problems it would cause for the city.

The Chair advised that he would ask Mr Manning to respond to further comments raised. After this, unless there was any member wishing to speak who had not already done so he would then move to the vote.

Kieron Manning, Assistant Director of Planning, offered clarification to further comments/questions raised as follows:

- The drainage channels would be sustainable urban system drainage channels adopted by Lincolnshire County Council as lead Flood Authority.
- The construction of the bridges had agreement in principle from Network Rail. The detail would follow in terms of the conditions attached to the planning consent.
- Improvements to green space adjacent to the site included additional play space in Hartsholme Country Park as part of early delivery of the scheme.
- As a point of clarification, the delivery of the bridge link from Tritton Road and the funding required as part of that was a material planning consideration, however he had referred earlier to the source of the funding which was not in itself a material consideration.
- The applicants had not challenged viability for Western Growth Corridor, and had ensured it was a policy compliant scheme in totality
- In relation to post Covid-19 and the rising of the home working movement, all of the assessments and modelling in relation to traffic movements were carried out pre-covid, and as such based on a worst case scenario. They did not have more recent data on the impact on Covid-19 other than anecdotal data from them as residents to the effect that there had been a reduction in traffic.
- The HGV movements referred to by Councillor Reid were part of the consideration under the Environmental Impact Regulations, to assess the significance of the scale and level of impact. The information quoted in the report was accurate and not a mistake at 7 HGV movements over the course of a day as it equated to 4,000 over the course of the development. It was considered this number was not significant in terms of environmental impact.
- In response to at what point short-term was considered no longer short-term, this was not defined in planning terms. Over the course of an urban extension of 22-23 years anticipated delivery, six years was short-term in relative terms. Members must decide whether they agreed with this assessment.
- In terms of deliverability work undertaken by Aspinall Verdi, their advice centred on the concerns around the first 300 homes, he could not give a specific number of dwellings or financial sum at which point the development would realise a profit for the developer. However, the first 300 homes was a trigger point for the planning authority for the scheme to move forward to see the delivery of the wider structure.
- Specific modelling by Lincolnshire County Council to argue against the proposed development had not been provided. However, significant modelling work had been produced by the applicants in support of the

development, as agreed by Lincolnshire County Council as Highway Authority.

The Chair requested they moved to the vote given there were no additional members wishing to speak.

Councillor Thomas Dyer suggested that a recorded vote be taken, which was supported by Councillor Ric Metcalfe, and agreed by members of the Committee.

The recommendations as detailed in the report were duly moved, seconded, and put to a vote, with the results of the vote recorded as follows:

| For | Against | Abstention |
|-----------------------|----------------------|-------------------|
| Councillor Bilton | Councillor Briggs | |
| Councillor C Burke | Councillor Clarkson | |
| Councillor S Burke | Councillor Dyer | |
| Councillor B Bushell | Councillor Fido | |
| Councillor L Bushell | Councillor Kerry | |
| Councillor Hewson | Councillor Mara | |
| Councillor J Kirk | Councillor Reid | |
| Councillor R Kirk | Councillor Smalley | |
| Councillor Loffhagen | Councillor Spratt | |
| Councillor Longbottom | Councillor Storer | |
| Councillor Mair | Councillor Strengiel | |
| Councillor Metcalfe | | |
| Councillor Preston | | |
| Councillor Vaughan | | |
| Councillor Woolley | | |
| Councillor Watt | | |

RESOLVED that:

1. The petition from local residents be received.
2. Planning permission be granted subject to the following conditions:

Full Application

- Carried out within 3 years
- Carried out in accordance with the plans
- Tritton Road Bridge built prior to occupation of 301st dwelling

Outline Application

- Reserved Matters (RM) standard conditions
- Carried out in accordance with Design Guide
- Each RM to include an Ecological Appraisal
- Each RM to include an Archaeological Written Scheme of Investigation
- Phasing Plan to be submitted prior to commencement of development
- Each RM to have a Construction Management Plan
- Detailed drainage phasing plan
- Contaminated Land conditions
- Stadium Traffic Management plan

- Parking plan
- Highway Construction Management Plan
- Estate Road Phasing and Completion Plan
- National Highways Construction Traffic Management Plan
- Site wide Travel Plan
- Scheme to secure NHS places
- Scheme to secure enhanced bus connectivity
- Scheme to deliver a primary school on site
- Details of the link road
- Design for a piece of play equipment at Hartsholme Park
- Scheme for off-site Gypsy and Traveller provision
- Open Space management and maintenance strategy
- Leisure Strategy
- Design details for the Beevor Street bridge
- Updated Air Quality Assessment
- Details for a Mobility Hub
- Scheme for affordable housing phasing and delivery
- Outline Drainage Strategy
- Veteran tree buffer zones

Background Papers

BSP Transport Advice Note April 2021

Aspinall Verdi Deliverability Report September 2021

Glossary of Acronyms

EA – Environment Agency

EIA – Environmental Impact Assessment

ES – Environmental Statement

IDB – Internal Drainage Board

LCC – Lincolnshire County Council

LPA – Local Planning Authority

NPPF – National Planning Policy Framework

SUE – Sustainable Urban Extension

WGC – Western Growth Corridor

Present: Councillor Naomi Tweddle (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor
Alan Briggs, Councillor Liz Bushell, Councillor
Gary Hewson, Councillor Rebecca Longbottom,
Councillor Bill Mara, Councillor Edmund Strengiel and
Councillor Calum Watt

Apologies for Absence: Councillor Chris Burke and Councillor Mark Storer

62. Confirmation of Minutes - 1 December 2021

RESOLVED that the minutes of the meeting held on 1 December 2021 be confirmed and signed by the Chair as a correct record.

63. Declarations of Interest

Councillor Naomi Tweddle declared a Disclosable Pecuniary Interest in relation to Minute 66(b) – *Lincoln Central Market, Sincil Street, Lincoln* and Minute 66(c) – *Lincoln Central Market, Sincil Street, Lincoln (LBC)*, as her husband worked for Major Developments at the City of Lincoln Council. Councillor Tweddle advised that she would leave the meeting for the consideration of these items.

Councillor Gary Hewson declared a Personal Interest with regard to Minute 66(a) – *Land at Beever Street, Lincoln*, as he served as a member of the Upper Witham Drainage Board. Councillor Hewson advised that he had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Rebecca Longbottom declared a Personal Interest with regard to Minute 66(a) – *Land at Beever Street, Lincoln*, as she served as a member of the Upper Witham Drainage Board. Councillor Longbottom advised that she had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, she did not consider that her interest was a pecuniary interest. She would therefore be participating in the meeting as a member of the Committee.

64. Update Sheet

An update sheet was circulated in advance of the meeting, which included:

- Proposed conditions for Lincoln Central Market, Sincil Street, Lincoln 2021/0849/FUL and 2021/0850/LBC

RESOLVED that the update sheet be received by the Planning Committee.

65. 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. highlighted that the list did not represent all the work undertaken to Council owned trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required.
- c. explained that ward councillors had been notified of the proposed works.

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

66. Applications for Development
67. Land at Beevor Street, Lincoln.

The Assistant Director of Planning:

- (a) advised that this was a hybrid application for a mixed use development on land to the north of Beevor Street. The full element of the application proposed 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 proposed offices within Use Class E(g)(i), with details of scale to be considered.
- (b) highlighted that the full application included Building A, which was 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 would be for the purposes of general industrial use (B2) and storage and distribution (B8), with ancillary office space (E(g)). The units would be served by a total of 43 car parking spaces, cycle parking, landscaping and two areas for landscaped SuDs features.
- (c) confirmed that the outline element of the application proposed two office buildings. An indicative plan had identified the proposed footprint and position of these, although it was highlighted that the matter of scale was to be considered as part of the application. The indicative plan also proposed associated car parking, cycle parking and areas of landscaping, including a further SuDS feature.
- (d) explained that the application site was an irregular shaped parcel of previously developed land. The site was relatively flat and comprised areas of concrete and stone hardstanding associated with the former use as a storage and distribution yard. Areas of soil and scrub were present towards the north and west of the site.
- (e) highlighted that the site was located within Flood Zones 2 and 3.

(f) also highlighted that revised plans and information had been submitted during the process of the application to address comments and concerns from officers, the Environment Agency, the City Council's Pollution Control Officer and Lincolnshire County Council. These were detailed within the report.

(g) provided details of the policies pertaining to the application, as follows:

- Policy LP1: A Presumption in Favour of Sustainable Development;
- Policy LP2: The Spatial Strategy and Settlement Hierarchy;
- Policy 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; and
- National Planning Policy Framework.

(h) confirmed that consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

(i) outlined the responses made to the consultation exercise.

(j) concluded that:

- the site was located as a Strategic Employment Site within the Central Lincolnshire Local Plan, and the principle of the proposed uses were acceptable.
- the layout, scale, height and design of the industrial units, the subject of the full element of the application, were considered to be appropriate.
- while the layout, access, external appearance, and landscaping in relation to the outline element of the proposal were all reserved for later consideration, officers had no objection in principle to the indicative details provided.
- the scale of the offices had been considered, to which there was no objection.
- it was considered that the developments would make effective use and efficient use of land and would reflect the architectural style of the local surroundings.
- the proposal would not have an undue impact on neighbouring uses and properties.
- matters relating to highways, flood risk, surface water drainage, foul water drainage, dust, air quality, contamination, archaeology, and trees had been appropriately considered by officers and the relevant statutory consultees, and could be dealt with as required by condition.

The Committee was provided with an opportunity to ask questions, where the following points were noted:

- It was confirmed that the proposals would not impact on the proposed bridge for the Western Growth Corridor spine road, as the landing point for the bridge would be further east;

- Members of the Committee recognised that the proposed changes were much needed and could result in an increase in jobs within the City.
- The life of the buildings was queried, and it was advised that it was difficult to put a life span on such buildings owing to the materials used, particularly as they had brick bases. However, it was emphasised that the building proposals were as sustainable as they could be.
- The design of the SuDS would form part of a landscaping condition.
- It was queried whether the number of proposed e-parking spaces were adequate for the future. In response, it was advised that new regulations were anticipated in 2023 which would introduce a ratio for e-parking and electronic vehicle charging points.
- It was highlighted that EMR had raised concerns over potential noise, and it was advised that this would be addressed as part of reserved matters. Similarly, any concerns with regards to security would be addressed at the reserved matters stage.

RESOLVED that planning permission be granted subject to the following conditions with delegated authority granted to the Assistant Director of Planning to secure the financial contributions as required by Lincolnshire County Council through a S106 Agreement:

Conditions

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

68. Lincoln Central Market, Sincil Street, Lincoln

(Councillor Naomi Tweddle left the room for the rest of the meeting at this stage of proceedings, having declared a disclosable pecuniary interest in the remaining items to be considered. She took no part in the discussion or vote on the matters to be determined.)

(Councillor Bob Bushell took the Chair for the remainder of the meeting.)

The Planning Team Leader:

(a) outlined an application submitted for:

- the erection of a new substation to the rear / side of the Central Market building;
- additional kitchen extraction equipment, including a new external cowl flue to the roof.
- the previously approved external bid store was also subject to a revision.

(b) highlighted that an accompanying application for listed building consent had also been submitted, as detailed at Minute 66(c).

(c) advised that planning permission and listed building consent had been approved by the Committee in June 2021 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.

(d) confirmed that the property was grade II listed and was located within the Cathedral City Centre and Conservation Area No.1.

(e) advised that the site was situated within the Central Mixed-Use Area and was also part of the primary shopping street, as identified in the Central Lincolnshire Local Plan.

(f) provided details of the policies pertaining to the application, as follows:

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

(g) highlighted that the application was submitted by the City of Lincoln Council, as owners of the building.

(h) confirmed that consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

(i) outlined the responses made to the consultation exercise.

(j) concluded that:

- the proposed substation was required for the successful operation of the refurbished market building, which would be freestanding and located to the rear of the site where public views were limited.
- the proposed additional air intake system was required to enable the successful functioning of the building. Views of the external cowl and louvre inserts to the existing window apertures would be limited and had been carefully considered with regard to their position, colour and finish.
- the proposed revision to the bin store as for vertically installed larch hit and miss boarding in place of the previously approved grey aluminium horizontal louvres, would be located to the rear of the site where public views were limited.
- the proposed works were not therefore considered to detract from the special architectural or historic interest of the listed building and were therefore in accordance with both local and national planning policy.

In response to a question, it was confirmed that it was proposed that the bin store would now be made from wood, opposed to aluminium, which had been deemed appropriate for a listed building.

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

Conditions

- 1) Prior to works commencing on site to install the substation, details of the colour finish for the substation shall be submitted to and approved by the City of Lincoln Council, as Local Planning Authority. The substation shall be installed in accordance with the approved colour details.

Reason: In the interests of the visual amenity of the area and the setting of the listed building.

- 2) The bin store and roof cowl shall be finished in RAL 7024 at installation and shall be retained as such at all times.

Reason: In the interests of visual amenity and the setting of the listed building.

69. Lincoln Central Market, Sincil Street, Lincoln (LBC)

The Planning Team Leader:

- (a) outlined an application submitted for Listed Building Consent (LBC) at Lincoln Central Market, Sincil Street, Lincoln requesting:

- the erection of a new substation to the rear / side of the Central Market building;
 - additional kitchen extraction equipment, including a new external cowl flue to the roof.
 - the previously approved external bin store was also subject to a revision.
- (b) advised that planning permission and listed building consent had been approved by the Committee in June 2021 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.
- (c) confirmed that the property was grade II listed and was located within the Cathedral City Centre and Conservation Area No.1.
- (d) advised that the site was situated within the Central Mixed-Use Area and was also part of the primary shopping street, as identified in the Central Lincolnshire Local Plan.
- (e) provided details of the policies pertaining to the application, as follows:
- Policy LP25 The Historic Environment; and
 - National Planning Policy Framework.
- (f) highlighted that the application was submitted by the City of Lincoln Council, as owners of the building.
- (g) confirmed that consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.
- (h) outlined the responses made to the consultation exercise.
- (i) concluded that:
- the proposed substation was required for the successful operation of the refurbished market building, which would be freestanding and located to the rear of the site where public views were limited.
 - the proposed additional air intake system was required to enable the successful functioning of the building. Views of the external cowl and louvre inserts to the existing window apertures would be limited and had been carefully considered with regard to their position, colour and finish.
 - The proposed revision to the bin store as for vertically installed larch hit and miss boarding in place of the previously approved grey aluminium horizontal louvres, would be located to the rear of the site where public views were limited.
 - the proposed works were not therefore considered to detract from the special architectural or historic interest of the listed building and were therefore in accordance with both local and national planning policy.

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

Conditions

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

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

- 2) Prior to the installation of the louvres to the existing windows, details of the grey colour for the louvres shall be submitted to and approved by the City of Lincoln Council as LPA. The louvres shall be installed in accordance with the approved colour details.

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

- 3) The bin store and roof cowl shall be finished in RAL 7024 at installation and shall be retained as such at all times.

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

Present: Councillor Bob Bushell (*in the Chair*),
Councillor Biff Bean, Councillor Alan Briggs, Councillor
Chris Burke, Councillor Liz Bushell, Councillor
Gary Hewson, Councillor Rebecca Longbottom,
Councillor Mark Storer, Councillor Edmund Strengiel,
Councillor Pat Vaughan and Councillor Calum Watt

Apologies for Absence: Councillor Naomi Tweddle and Councillor Bill Mara

70. Declarations of Interest

Councillor Alan Briggs declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Land Adjacent to Yarborough Leisure Centre, Riseholme Road, Lincoln'. Reason: He knew one of the objectors as a friend.

He left the room during the consideration of this item and took no part in the deliberations or vote on the matter to be determined.

Councillor Edmund Strengiel declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Land Adjacent to Yarborough Leisure Centre, Riseholme Road, Lincoln'. Reason: He knew one of the objectors as a friend.

He left the room during the consideration of this item and took no part in the deliberations or vote on the matter to be determined.

Councillor Mark Storer declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Land Adjacent to Yarborough Leisure Centre, Riseholme Road, Lincoln'. Reason: He knew one of the objectors as a friend.

He left the room during the consideration of this item and took no part in the deliberations or vote on the matter to be determined.

71. Update Sheet

An update sheet was tabled at the meeting, which included a further response received in support of Agenda Item Number 5(a) -137 High Street, Lincoln.

RESOLVED that the update sheet be received by Planning Committee.

72. 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. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required

- c. explained that ward councillors had been notified of the proposed works.

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

73. Confirmation of Tree Preservation Order No. 167

The Arboricultural Officer:

- a. advised members of the reasons why a temporary tree preservation order made by the Assistant Director for Planning under delegated powers should be confirmed at the following site:
 - Tree Preservation Order 167: 1no Quercus Robur (Oak) tree in the back garden of 37 Eastbrook Drive, Lincoln, LN6 7ES
- b. provided details of the individual tree to be covered by the order and the contribution it made to the area
- c. reported that the making of any Tree Preservation Order was likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees, however, this was contained within existing staffing resources
- d. reported that the initial 6 months of protection for this tree would come to an end for the Tree Preservation Order on 2 June 2022
- e. confirmed that the reason for making a Tree Preservation Order on this site was at the request of a member of the public to ensure the long-term protection of the tree in the future
- f. advised that the Arboricultural Officer had identified the tree to be suitable for protection under a Tree Preservation Order; it had a high amenity value, and its removal would have an effect on the aesthetic appearance of the area
- g. advised that following an extended 39-day period of consultation to cover the Christmas period, no objections had been received to the order
- h. advised that confirmation of the tree preservation order here would ensure that the tree could not be removed or worked on without the express permission of the council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to one of the Councils priorities of enhancing our remarkable place.

Councillor Vaughan suggested that the tree in question was very close to an adjacent house on Bowden Drive?

Dave Walker, Arboricultural Officer advised that the tree had undergone some canopy reduction work and was away from the apex of the property at 2 Bowden Drive.

RESOLVED that Tree Preservation Order No 167 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

74. Applications for Development
75. 137 High Street, Lincoln

The Planning Team Leader:

- a. advised that retrospective planning permission was sought for change of use of premises at 137 High Street, Lincoln from retail (Use Class E) to hot food takeaway (Sui Generis) and installation of an extraction flue to the rear
- b. highlighted that the use had not yet commenced, however, the applicant had installed the extraction flue and air conditioning units to the rear, which formed the retrospective element of the application
- c. described the location of the application property at 137 High Street, part of a former Co-Operative store built in 1892, having a traditional shop front and part of a larger building of three units at ground floor on the west side of High Street
- d. highlighted that the rear of the property was accessed via Tanner's Court and the yard to the rear of Nos 137-141 High Street
- e. reported that the building was located within Conservation Area No 6 'West Parade and Brayford'
- f. 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
- g. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Planning Policy
 - Consultation Responses
 - Principle of Use
 - Visual Amenity and Character and Appearance of the Conservation Area
 - Impact on Neighbouring Uses
 - Highway Safety
- h. outlined the responses made to the consultation exercise, which included a petition received from local residents
- i. referred to the Update Sheet tabled at the meeting which included an additional response received in support of the proposed development

j. concluded that:

- The principle of the use was acceptable in this location and would not result in the area losing its mixed use character, nor would it detract from the vitality or viability of the primary shopping area.
- The use and the associated fume extraction would not cause harm to residential amenity or the local environment.
- The flue would also not have an unacceptable visual impact and the character and appearance of the conservation area would be preserved.
- The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP25, LP26 and LP33 and guidance within the National Planning Policy Framework.

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

The following comments emerged from discussions held:

- Considering the location of this site south of Portland Street was in the Central Mixed Use Area, it included multiple takeaways and barber shops, therefore it was not predominantly mixed use.
- There was no need for another takeaway in the area, although in this case the business was moving from across the road and therefore acceptable.
- It must be sad for residents having to live in this area with so many food outlets.
- Following a site visit, it was noticed that the flue was still a shiny silver colour although the applicant had agreed to paint it matt black to reduce visual impact. This should form part of the conditions of planning permission if the scheme was granted.
- Concerns were raised regarding rats and vermin at the rear of the premises. On visiting the site, a lack of refuse bins was observed. Disposal bins would be crucial to the operation of the business and should be conditioned accordingly.
- It was rather presumptuous to see that the applicant had already erected signage at the front and side of the building, without permission for change of use of the property.
- It was very disappointing that the work had been started without permission.
- The amount of retail outlets in this part of the High Street was a disgrace.
- In reality, these types of shops must be needed as if the public didn't use them, they would be closed. It would be a welcome change to see more quality independent retail outlets although this was not a legitimate reason to refuse this application, subject to relevant planning conditions.
- Retrospective planning applications were an insult to this Committee and local residents. The applicant should be fined.
- We were now too far down the road having so many takeaways in the area to refuse permission for this one.

Councillor Longbottom referred to a study she had seen which referred to areas with high amounts of takeaways being linked to poor health. It was important for us to look at our objectives as a local council in respect of the concentration of food takeaways in our Central Mixed Use areas. Improving the health of the residents of our city was an important consideration here.

Councillor Vaughan emphasised that in the late 1990's he and Councillor Strengiel voted against all these takeaways at Committee. It should have ended years ago.

Members asked whether the extraction flue was fitted to proper specifications?

The Planning Team Leader responded to members concerns, questions and comments as follows:

- The extraction flue was constructed to specifications laid down by our Environmental Health colleagues.
- A condition could be imposed on grant of planning permission for the flue to be painted black if members were so minded, perhaps within a timescale of 3 months.
- There was a dedicated area proposed for bin storage units, the bins to be provided by BIFFA. Environmental Health colleagues were satisfied with its location to the rear of the property and would enforce its proper use.
- He understood members concerns regarding the concentration of hot food takeaways in this area in terms of health of the residents of the city. It was difficult to say that this business in itself affected the Mixed Use Area, as it was relocating from across the road. He would take the comments made in this respect back to officers to bear in mind in response to further similar requests for planning permission.

A motion was proposed, seconded, voted upon, and

RESOLVED that a condition be placed on grant of planning permission for the flue to be painted black within 3 months' time.

RESOLVED that:

1. The petition submitted by residents, as appended to the officer's report be received.
2. Planning permission be granted subject to the conditions as set out below.

Conditions

- Development carried out within 3 years
- Development in accordance with the submitted plans
- Extract system installed in accordance with details and not to be changed without written consent of the LPA
- Extraction flue to be painted black within 3 months' time
- Retention of refuse storage area

76. The Old Dairy, Church Lane, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for the erection of a two-storey side extension following demolition of an existing detached garage at The Old Dairy, Stonefield Close, off Church Lane, Lincoln

- b. described the location of the existing application property at the northern end of Stonefield Close, being a converted 19th century former dairy building, situated within a large plot accessed via a private drive through the grounds of Lincoln Minster Preparatory School, with Ockbrook Court, low-rise flats to the north of the site accessed off Williamson Street and Middleton's Field to the west
- c. highlighted that the dwelling had been altered over the years, most recently in 2010 with the erection of a two-storey extension, a two-storey flat roofed rear extension and single-storey extensions
- d. reported that the site was located within Newport and Nettleham Road Conservation Area No 9
- e. highlighted that during the application process a meeting was held on site with the Case Officer and Conservation Officer and negotiations had secured amendments during the course of the application resulting in revised plans received
- f. referred to the site history for the application site as detailed within the officer's report
- g. provided details of the policies pertaining to the application, as follows:
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- h. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Planning Policy
 - Consultation Responses
 - Principle of Use
 - Visual Amenity and Character and Appearance of the Conservation Area
 - Impact on Neighbouring Uses
 - Highway Safety
- i. outlined the responses made to the consultation exercise
- j. concluded that:
 - The proposed development was of an appropriate design that would not materially harm the character and appearance of the building or conservation area, in accordance with the duty contained within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, policies LP25 'The Historic Environment' and LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and guidance within the National Planning Policy Framework.
 - The proposal would not be detrimental to the residential amenities of the surrounding neighbours and was therefore in accordance with Policy LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

The following comments emerged from discussions held:

- Reference was made to trees to the rear garden of Ockbrook Court (detailed at Page 71 of the report), which were overhanging the wall to the application property. It was suggested these trees be pruned, to avoid damage during construction work and after. Was it possible for this work to be conditioned?
- Concerns were raised regarding access for construction traffic through the school grounds in terms of health and safety of the children.
- The Civic Trust had offered its support to the scheme apart from concerns regarding access through Middleton's Field for construction traffic, and this issue had been addressed within the officer's report and conditioned accordingly.
- Surprise was expressed that Lincolnshire County Council as Highways Authority and lead Flood Authority were happy not to restrict planning permission, despite objections outlined in a resident's objection letter regarding flooding issues at Middleton's Field.

The Chair raised some concerns over the height of the proposed development and its impact on Ockbrook Court. He was also concerned about the distance from the dividing wall to the proposed extension, which contained windows and a door according to the drawing illustrated.

Councillor Watt shared concerns regarding the height of the proposed extension and asked whether the roof line could be lowered.

The Chair advised that the remit of Planning Committee was to determine the application before us as it stood this evening.

The Planning Team Leader responded to members concerns, questions and comments as follows:

- The windows and door shown on the plans for the north elevation to the proposed extension were within the application building.
- In terms of access for contractors, the applicant had a good relationship with the school, and both parties had come to an arrangement for hours of construction work which would not impact on school activity. Hours of construction were also conditioned.
- In relation to the trees mentioned that were overhanging the wall from Ockbrook gardens, the applicant was responsible for these trees being trimmed down and it was in their best interest to do so.
- The flooding referred to in the consultation responses from a resident at Middleton's Field referred to another planning application which had been withdrawn and was unconnected to this application site.
- Regulations for distances between properties window to window were recommended at least 21 metres, and for window to blank wall/dormer window a distance of 14 metres. The relationship between the proposed two-storey extension and the rear north boundary with Ockbrook Court was 700mm, with the separation between Ockbrook Court and the boundary being 18 metres, which was considered more than reasonable.

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

Conditions

- Development carried out within 3 years
- Development carried out in accordance with the submitted plans
- Samples of Materials
- Archaeology
- Construction traffic access
- Removal of permitted development for new openings within extension
- Hours of construction 8 am to 6pm Monday to Friday 08:00 to 13:00 on Saturdays

77. Land Adjacent to Yarborough Leisure Centre, Riseholme Road, Lincoln

(Councillors Strengiel, Storer and Briggs left the room for the remainder of the meeting having declared a personal and pecuniary interest in the matter to be determined. They took no part in the discussion or vote on the planning application)

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. advised that a previous application was refused by Planning Committee on 26 February 2020 due to height and massing of the proposed buildings
- c. advised that this application was granted planning permission by Committee on 1 December 2021, subject to conditions as detailed within the officer's report included in tonight's agenda papers
- d. reported that the development would consist of 293 bedrooms of accommodation for students with ancillary on site reception, laundry facilities and warden accommodation
- e. 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
- f. 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
- g. 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
- 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 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. 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.
- l. emphasised again that this planning application was already approved by Planning Committee on 1 December 2021, subject to conditions which included 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
- m. highlighted that this condition was proposed by Lincolnshire County Council as Highways Authority at the time to increase an existing bus service operating on a Friday/Saturday evening

- n. advised that the above condition had been found to be unworkable as the previous bus service on Fri /Sat evenings no longer existed, the bus operator would have to buy new buses, the cost for which was disproportionate to the development proposals and not justifiable or financially viable for the bus company in the current economic climate
- o. requested authorisation for removal of the above condition from the previously granted planning permission in order that the development could proceed moving forward.

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

Councillor Hewson recognised the problems highlighted with the increased public transport condition imposed on the original grant of planning permission for this site and why it could not be met. He was happy for the development to go ahead without this additional condition.

Councillor Bean referred to existing problems with sustained bus services in the current economic climate and the fact that the condition was open to fail as the bus service was required to operate for three years

Councillor Watt advised that the condition had been considered as important at the time planning permission was granted and should be part of the development. He asked whether the planning application could be refused on the basis that the condition could not be met.

The Chair advised of the remit of Planning Committee this evening to approve or refuse the planning application before us this evening without the additional transport condition.

RESOLVED that planning permission be granted as previously granted on 1 December 2021, however with the condition imposed regarding the provision of increased public transport services (bus service) at the responsibility of the developer removed. Also 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

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

1. Purpose of Report

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

2. Background

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

3. Tree Assessment

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

4. Consultation and Communication

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

their respective ward boundaries.

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

5. Strategic Priorities

5.1 Let's enhance our remarkable place

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

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

i) Finance

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

ii) Staffing N/A

iii) Property/Land/ Accommodation Implications N/A

iv) Procurement

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

6.2 Legal Implications including Procurement Rules

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

6.3 The Council is compliant with all Tree Preservation Order and Conservation area legislative requirements.

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 3 / SCHEDULE DATE: 23rd MARCH 2022**

| Item No | Status e.g. CAC | Specific Location | Tree Species and description/ reasons for work / Ward. | Recommendation |
|----------------|------------------------|--|--|---|
| 1 | | 27 Snowberry Gardens. | <u>Birchwood Ward</u> 6 x Leyland cypress <u>Fell</u> These trees form a hedge line which encroaches within the boundaries of several adjacent properties; due to the size of the individual canopies remedial pruning is likely to result in the creation of an unviable hedge line. | Approve works – replace with suitable native species such as Spindle or Bird Cherry, to be located on grassland strip between Aberporth Drive and Woodfield Avenue to encourage biodiversity. |
| 2 | | Jasmin Green – wooded bund adjacent to The Lancaster School. | <u>Birchwood Ward</u> 2 x Austrian Pine <u>Retrospective notice</u> The trunks of these trees fractured during storm Dudley causing partial collapse of both canopies. | Replace with 2 x small leaved lime trees, to be located on Jasmin Green, between Aldergrove Crescent and Lyneham Close. |
| 3 | CAC | Mary Sookias House. | <u>Castle Ward</u> 1 x Cherry <u>Fell</u> This tree has an unstable rootplate which places the tree at risk of failure during wind loading events. | Approve works – replace with a suitable Cherry species, to be located as close as possible to the location of the original tree. |
| 4 | CAC | Lillicrap Court – courtyard facing water tower. | <u>Castle Ward</u> 1 x Plum <u>Fell</u> This tree has significant decay fungi attached to the major | Approve works – replace with a suitable Cherry species, to be located as close as possible to the location of the original tree. |

| | | | | |
|---|-----|---|--|--|
| | | | scaffold branches; this places the canopy at a high risk of failure during wind loading events. | |
| 5 | N/A | Newport Cemetery – backing onto Manor Close. | <u>Minster Ward</u> 4 x Leyland cypress <u>Fell</u> These trees overhang a considerable number of memorials; due to the degree of overhang pruning is no longer be a suitable method of management. | Approve works – Replace with native hedging such as Beech. |
| 6 | N/A | 10 Blankney Crescent - Void housing property. | <u>Minster Ward</u> 1 x Whitebeam 1 x Cherry <u>Retrospective notice</u> Both trees had poor form and considerable decay within their trunks which placed them at risk of failure. | Replace with 2 x small Maple cultivars, To be located on the green space located opposite 28 Brattleby Crescent. |
| 7 | N/A | 19 Woodhall Drive - housing property. | <u>Minster Ward</u> 1 x Rhus typhina <u>Retrospective notice</u> This tree failed at its rootplate during storm Dudley | Replace with 1 x Spindle, to be located on amenity grassland outside number 19 Woodhall Drive. |

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|----------------------------|---|
| Application Number: | 2021/0944/FUL |
| Site Address: | 10 - 11 Lindum Terrace, Lincoln, Lincolnshire |
| Target Date: | 25th March 2022 |
| Agent Name: | Wilson Architects Ltd |
| Applicant Name: | Mr Adam Wilson |
| Proposal: | Partial demolition and erection of 2½ storey rear extension, first floor rear extension and glazed link extension to facilitate change of use to 16no. two bedroom and 4no. one bedroom flats. Associated works to alter access from Lindum Terrace, creation of vehicular parking and refurbishment works to existing properties including replacement windows, doors and new rooflights. (Revised description and plans). |

Background - Site Location and Description

The application property is 10-11 Lindum Terrace; two detached, three storey villas which are connected by a flat roof, brick extension. The buildings were most recently occupied as a medical facility, providing a centre for child adolescence services. The buildings have been vacant for over ten years and, while in a state of disrepair and having suffered fire damage, are structurally sound. An application for planning permission was granted in 2018 for the re-development of the properties as part of a wider scheme with neighbouring sites to form a new medical village (2016/1140/FUL). This permission was never implemented and has now lapsed.

The properties sit to the north of Lindum Terrace, approximately 1m higher than the road. A 2m high brick wall defines the front boundary including separate vehicular and pedestrian access points. Behind the front boundary are a number of mature trees, with further trees within and adjacent to the site boundaries to the east and north west. The site continues to slope gently up to the north where the rear boundary is defined by an approximately 4m high retaining wall. This wall abuts Sewell Road, which sits approximately 2m higher than the land level of the application site. To the east of the site is a large area of land which was formerly occupied by 12 Lindum Terrace. This property was demolished as it was considered to be an unsafe structure following a fire. To the west is 9 Lindum Terrace, which is occupied as flats, and to the north west is 30-32 Sewell Road.

The site is located within the Lindum and Arboretum Conservation Area.

The application proposes partial demolition works and the erection of a 2½ storey rear extension, first floor rear extension and a glazed link extension to replace the existing brick link structure. The extensions and associated refurbishment work, including replacement windows, doors and new rooflights, will facilitate the change of use of the properties to 16no. two bedroom and 4no. one bedroom flats. Associated works are also proposed to alter the access from Lindum Terrace and create areas for parking.

The proposals have been revised during the process of the application following extensive discussions between the agent, officers and the Principal Conservation Officer. The revised proposals see the removal of a two storey extension to the side and also the scaling down of the rear extensions, one of which was originally proposed as a three storey addition. These revisions have resulted in the overall number of units proposed reducing from 33 to 20; going from 6no. two bedroom and 27no. one bedroom flats to

16no. two bedroom and 4no. one bedroom flats. Revisions to the design of the extensions have also been made to address officer's concerns regarding their appearance and also the impact on the conservation area and residential amenity. These will be detailed further within the report.

All neighbours and statutory consultees have been re-consulted on the revised proposals.

Site History

| Reference: | Description | Status | Decision Date: |
|---------------|---|-----------------------|-------------------|
| 2016/1140/FUL | Creation of new medical village, to include a flexible mix of primary and secondary health care services (Use Classes D1 (Non-residential Institutions) and C2 (Residential Institutions) of the Town and Country Planning Use Classes Order 1987, as amended). Refurbishment, conversion and extension of Nos. 10, 11 and 12 Lindum Terrace, including some demolition; erection of a two storey building with additional accommodation linking the existing buildings and undercroft parking beneath. Alterations to existing access to Sewell Road and Lindum Terrace; provision of parking and bicycle, motorcycle and ambulance bays; and associated soft and hard landscaping. (REVISED PLANS). | Granted Conditionally | 30th January 2018 |

Case Officer Site Visit

Undertaken on 11th January 2022.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP9 Health and Wellbeing
- Policy LP11 Affordable Housing
- Policy LP12 Infrastructure to Support Growth
- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP37 Sub-Division and Multi-Occupation of Dwellings within Lincoln
- National Planning Policy Framework

Issues

- Principle of use
- Developer contributions
- Visually amenity and character and appearance of the conservation area
- Residential amenity
- Access, parking and highway matters
- Trees
- Archaeology
- Surface water and foul drainage

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|---|-------------------|
| Lincs Bat Group | Comments Received |
| NHS England | Comments Received |
| Highways & Planning | Comments Received |
| Education Planning Manager, Lincolnshire County Council | Comments Received |
| Anglian Water | Comments Received |
| Upper Witham, Witham First District & Witham Third District | Comments Received |
| Lincolnshire Police | Comments Received |

| | |
|--------------------------|-------------------|
| Historic England | Comments Received |
| Councillor Clare Smalley | Comments Received |

Public Consultation Responses

| Name | Address |
|------------------------------------|---|
| Mr Frederick Hackett | St Annes House 27 Sewell Road Lincoln Lincolnshire LN2 5RY |
| Robert Gregory | Flat 2 Sewell Court Sewell Road Lincoln Lincolnshire LN2 5QU |
| Michael Leary And Nicholas Clinton | 15 Lindum Terrace Lincoln Lincolnshire LN2 5RT |
| Ian And Kim Wishart | 9 Eastcliff Road Lincoln Lincolnshire LN2 5RU |
| Dr Philippa Casares | 29 Magdalen Road St. Leonards-On-Sea TN37 6EP |
| Christopher King | 41 Broadway Lincoln Lincolnshire LN2 1SG |
| Mrs Frances Halse | 17 Lindum Terrace Lincoln Lincolnshire LN2 5RT |
| Miss Paula West | 15 Wragby Road Lincoln Lincolnshire LN2 5SH |

| | |
|-------------------|---|
| Guy Bart-Smith | Flat 6 14 Lindum Terrace Lincoln Lincolnshire LN2 5RT |
| Jennifer Williams | 29 Sewell Road Lincoln Lincolnshire LN2 5RY |

Consideration

Representations have been received from Cllr. Smalley and residents on Lindum Terrace, Eastcliff Road, Sewell Court, Sewell Road, Wragby Road and Broadway. While Cllr. Smalley and a number of residents welcome and support the principle of the re-development, comments and objections have been made in relation to various issues, which will each be addressed within the relevant sections of the report.

Further consultation responses were received from 15, 16 and 17 Lindum Terrace and Cllr. Smalley following the re-consultation on the revised proposals. While most of the responses welcome the reduction in the scale of the development, all consider that the revisions do not address their original concerns.

Principle of Use

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

CLLP Policy LP37 relates to the conversion or change of use of existing dwellings and buildings in other uses to self-contained flats or shared accommodation. This advises that such proposals will be supported where:

- the existing dwelling is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area;
- in the case of an existing dwelling, it can be demonstrated that there is an established lack of demand for the single family use of the property concerned;
- the development will not lead to or increase an existing over-concentration of such uses in the area; and
- adequate provision is made for external communal areas, bin storage and collection and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre.

The requirement in respect of over-concentration only relates to Houses in Multiple Occupation (HMOs), as the authority has a dataset of existing HMOs that can be

interrogated to determine the existing concentration in an area. Accordingly, this does not apply in this case as the application is for the change of use to flats. The requirement to demonstrate an established lack of demand for the single family use of the property is also not relevant given the previous commercial use.

While some of the objections have questioned whether the use of the properties as flats and the number of bedrooms proposed are appropriate here, officers have no objection in principle to this, an approach which would be supported by LP37. Providing a number and range of homes would also support the delivery of one of the key objectives of the NPPF, within paragraph 8.

Matters relating to amenity, communal areas, bin storage and parking as required by LP37 will be covered later within the report.

Developer Contributions

In accordance with CLLP Policies LP9, LP11 and LP12 and the Central Lincolnshire Developer Contributions Supplementary Planning Document (SPD) the proposed development would be expected to contribute towards delivering new and improving existing infrastructure.

With regard to affordable housing the 20 dwelling scheme would be expected to provide, either on site or through a financial contribution, the equivalent of five affordable units. However, the applicant has taken the opportunity to apply for Vacant Building Credit (VBC). The NPPF and national policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace, to be off-set against the affordable housing contribution which would otherwise be sought by the authority. The purpose of this is to encourage developers to consider the re-development of existing vacant buildings more favourably.

The VBC only applies where the building has not been abandoned, and to determine this authorities should take into account circumstances such as the condition of the property, the period of non-use, whether there has been an intervening use and any evidence of the owner's intention.

The agent has accordingly submitted a VBC Statement as part of the application, which puts forward a case for the building. Despite being vacant for almost ten years and suffering from fire damage and vandalism, the building is still in a usable condition, and is therefore considered by the agent to be vacant rather than abandoned. There have also been previous efforts to seek an alternative use for the building, with the approval of the 2016 application for the medical village. On this basis officers are satisfied that the building has not been abandoned and qualifies for VBC.

The agent's VBC Statement includes the calculation for the amount of VBC that should be applied to the development. Officers are satisfied that the calculation has been applied correctly and, on this basis, the affordable housing contribution for the development is reduced from five units to one unit. This will be secured through a Section 106 Agreement (S106) as a commuted sum for the amount of £101,890 (figure from the July 2021 update of the SPD).

The S106 will also secure a contribution of £12,650 requested by NHS Lincolnshire towards the expansion in capacity of existing facilities within the IMP Primary Care Network (PCN), at the Abbey Medical Practice, Minster Medical Practice and Lindum Medical Practice. This will address the additional demands the development would put on the existing GP services for the area. It is advised that the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

In addition, the S106 will secure contributions of £5,418 for play space and £13,992.36 for local green infrastructure.

The Lincolnshire County Council Education Planning Manager has not made a financial request in relation to education, as it is advised that there is sufficient capacity in the locality for the children generated by the scheme.

These requests would be in accordance with CLLP Policies and the SPD. The applicant has no objection to meeting these and officers would recommend, if Members are in support of the application, that this matter be delegated to the Planning Manager to negotiate and secure.

Visual Amenity and Character and Appearance of the Conservation Area

CLLP Policy LP26 advises that development should respect existing character and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and form. Development should also reflect or improve on the original architectural style of the local surroundings. Paragraph 130 of the NPPF requires that development should function well and add to the overall quality of the area.

Located within a conservation area CLLP Policy LP25 requires that development should preserve or enhance its character, appearance and setting. Proposals should retain and reinforce existing street patterns and local distinctiveness with reference to height, massing, scale, form and materials of the existing built environment. This approach is reinforced by paragraph 190 of the NPPF.

The application proposes a 2½ storey rear extension, which would be to the rear of no.11, adjacent to the east boundary of the site. An existing outbuilding is to be removed to accommodate this, to which there is no objection as this is in a poor state of repair and is of little architectural merit. The application originally proposed a three storey addition here, which would have been a substantial mass continuing the same ridge line of the existing building and presenting a gable to the rear. It was considered that this would have been a bulky and unsympathetic addition to the property. The revised plans see this scaled down in height to 2½ with the overall mass further reduced as the extension now appears as two connecting pitched roof structures, which also step down in height towards the rear. Officers consider this to be far more appropriate and would appear as a subservient addition to the original building. The original proposal would have been constructed in brick with rendered elements, although the use of render has now been omitted, which is welcomed by officers.

The design of the elevations has also been subject to discussion and revision during the application process. The window and door design has been simplified, and the proportions and positions revised. It is considered that these work well, clearly identifying the extension as a modern addition but also sitting comfortably when viewed as a continuation

of the existing building. The windows will be timber and the proposed rooflights, both within this extension and the existing building, will be a conservation style. Officers are satisfied that the design of this extension and the fenestration is acceptable.

The first floor extension to the rear of no. 10 was originally proposed as a two storey addition which extended to the side and also included an external staircase. Officers raised concern regarding the scale of this and that it would impact on the appearance of the building when viewed from the front. The revised extension is a modest addition which relates to the first floor only presenting a gable to the rear, reflecting an adjacent off-shoot. The windows are of a traditional design, which copy those below on the ground floor. Officers have no objection the scale or design of this addition.

The existing brick built link extension has a flat roof and is not a sympathetic addition. The application proposes to replace this with a larger structure incorporating a lift, which will serve each floor within the building. While this therefore results in a much larger link structure officers do not consider that this would compromise the appearance of the properties as it is set back behind the frontage and the roof slopes away towards the rear. The structure will be aluminium framed with glazing to the front and standing seam metal cladding to the rear. Some of the objectors and Cllr. Smalley consider this to be out of character with the building, having an industrial/city centre appearance, and instead should be constructed in brick. The proposed design is considered by officers to be preferable to a traditional approach, as it will have a more lightweight appearance and will clearly be read as a modern addition that complements the original architectural style.

Objectors have stated that the scale of the proposals represent overdevelopment of the site and are out keeping, although officers consider that the site can comfortably accommodate the revised scheme. Objectors also consider that the proposals lack merit and finesse and are not in-keeping with the buildings or street. The revisions to the scheme, both in terms of reducing the scale and improving the appearance, have been detailed. Officers are of the opinion that the additions are appropriate and sympathetic, and will facilitate the investment and re-use of the property. This is welcomed as are the proposals to replace the windows and doors within the main dwelling with like-for-like timber replacements. Joinery details for these will be conditioned on any grant of consent. Conditions will also require samples of materials and more information in relation to windows, doors, fascias and barge boards and other architectural detailing of the extensions to ensure that the finish of these structures is of a high quality.

Officers also have no objection to the widening of the access. Details of the finish of the wall/replacement brick pier will be required by condition.

The form and design of the extensions are therefore considered to be appropriate, which would respect the existing building and character of the area. The alterations and refurbishment works to the existing building would be an enhancement, improving the original architectural style of the surroundings and adding to the overall quality of the area, as required by CLLP Policy LP26 and the NPPF.

The development would also enhance the character and appearance of the conservation area, as required by CLLP Policy LP25 and paragraph 190 of the NPPF.

Residential Amenity

Officers are satisfied that the proposed use as flats is appropriate for the building and wider context, which is predominantly residential with a number of properties also subdivided into flats. Concerns relating to noise and disturbance associated with the use have been raised by neighbours, particularly due to the increase in occupancy. It should be noted that there has been an overall reduction in the number of units proposed as part of the application process, and officers do not consider that the level of development would create undue issues of noise or disturbance. The City Council's Pollution Control (PC) Officer has also raised no objections in this respect.

With regard to the proposed 2½ storey extension, the rear, north west corner of this would be located adjacent to the boundary with 30-32 Sewell Road. While this is a close relationship to the boundary the extension would be located over 17m from no. 30-32. Officers do not consider that the 2½ storey structure would appear unduly overbearing, and the potential impact is mitigated to a large degree by the position of a number of mature trees adjacent to the boundary, within the neighbour's garden. The trees would also reduce the impact of the loss of sunlight, which in any case would be limited to late morning only.

With regard to overlooking, again, officers consider that the trees would be of benefit but nonetheless revisions have been requested to the design to ensure that there is no undue impact during the winter months. A first floor window within the side, west elevation, which would have been closest to the boundary, has been removed. The other window to this same bedroom is within the rear gable, and this has been designed to be chamfered so the outlook from here would be to the north east, away from the garden of no. 30-32. There are two other windows within the gable end of another section of the rear extension, however, these serve the communal staircase so there are no concerns of overlooking from here. Any other windows within the 2½ extension are a sufficient distance from the boundary and no. 30-32 to ensure that the privacy of the neighbouring occupants is not compromised.

The proposed first floor rear extension would be located 3.5m from the boundary with 30-32 Sewell Road, and over 24m from this neighbouring property. Given that this is a relatively minor addition, and it is set back behind a section of the building with a closer relationship, officers do not consider that it would appear unduly overbearing or result in an unacceptable degree of loss of light. A bedroom and kitchen window are proposed at first floor, although this would not introduce a new level of overlooking in this location. There would be no impact on this neighbouring property from the link extension, which includes a small balcony within the rear, due to its position. Officers are therefore satisfied that the residential amenities of the occupants of 30-32 Sewell Road would not be unduly harmed by the development through overlooking, loss of the light or the creation of overbearing structures.

There would be no impact from the extensions on the occupants of 9 Lindurm Terrace, with the closest relationship being over 7m between the minor first floor extension and the west boundary of the site. It is not considered that this proposal would appear overbearing or result in loss of light. No new windows are proposed in the side elevation of this first floor extension or the facing side elevation of the existing property, so there would be no new issues of overlooking.

The occupant of 9 Eastcliff Road has raised concerns regarding overlooking, a point reiterated by Cllr. Smalley. The application property is located over 29m from the boundary with 9 Eastcliff Road, which sits beyond the rear garden of the neighbouring 9 Lindum Terrace. Officers accordingly do not consider that this property would be overlooked or unduly impacted by the development.

Car parking is proposed to the front of the property, adjacent to the west boundary with 9 Lindum Terrace, which is defined by an approximately 1.8m high fence. Further parking is proposed to the rear of the site, which would sit adjacent to the approximately 1.6m high wall and fence, which defines the boundary with 30-32 Sewell Road. Officers are satisfied that these boundary treatments would mitigate any unduly harmful issues that may be associated with these parking areas.

A number of the objectors and Cllr. Smalley have raised concern regarding noise and disturbance during construction works. Officers have noted this concern and also the comment of the City Council's PC Officer, which states that there is potential for noise from construction to neighbouring uses, particularly during noise sensitive hours. While this is not a material planning consideration officers would propose that the PC Officers suggested condition to restrict the hours of construction be applied to any grant of consent.

There are no other neighbouring properties that would be unduly affected by the development. Officers are therefore satisfied that neither the use of the buildings nor the proposed extensions would cause harm to the amenities which neighbouring occupants may reasonably expect to enjoy, in accordance with CLLP Policies LP26 and LP37.

With regard to the amenities of future occupants, officers consider that the proposed units can be comfortably accommodated within the extended and converted buildings. The floor area of the flats is acceptable when considered against the Nationally Described Space Standard guidance. Each bedroom and kitchen/living area would be served by windows and/or rooflights. Officers therefore consider this to be an appropriate conversion, which makes good use of the existing structure, and would provide an acceptable level of amenity for future occupants, in accordance with CLLP Policies LP26 and LP37.

Access, Parking and Highway Matters

The site will utilise the existing access from Lindum Terrace, the width of which is proposed to be increased to 6m so that it is suitable for two way traffic in and out of the site. This will provide access to 20 car parking spaces, one per unit, located both to the front and rear of the site.

Objections from neighbours raise concern regarding parking, considering that the number of spaces is insufficient and will lead to further on-street parking. The increase in the volume of traffic also presents highway safety concerns with regard to visibility when exiting the site, which is located close to a sharp bend. Cllr. Smalley also raises concerns that there are too many flats, and the parking is inadequate, creating additional traffic and on-street parking issues in the area.

Lincolnshire County Council (LCC) as Local Highway Authority has considered the application and has raised no objections. They consider the site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is

not essential for this proposal, however, some level of parking is provided within the limits of site. The 20 spaces were considered to be acceptable for the original proposal, for 6no. two bedroom and 27no. one bedroom flats. Following the receipt of the revised plans, which changes the number and type of flats to 16no. two bedroom and 4no. one bedroom flats, the LCC has confirmed that their comments remain unchanged.

The LCC has also advised that the widening of the existing access onto Lindum Terrace is appropriate for the minor increase in traffic movements associated with this development. No objections are raised in terms of highway safety, and they note that the change of use will not adversely affect the public highway. Accordingly, the LCC do not wish to restrict the grant of planning permission.

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, in accordance with CLLP Policy LP13.

Trees

A row of five mature Lime trees located adjacent to the front boundary wall are to be retained. A smaller Sycamore behind these, towards the east boundary, is to be removed. A further tree at the south west corner of the site is also proposed to be removed to allow for the access to be widened. All other trees on site are to be retained. Some of the objectors have raised concern regarding the loss of trees, considering that they are a unique and integral part of this area and should be maintained.

The City Council's Arboricultural Officer has visited the site and, at his request, a tree constraints plan, tree protection plan and Arboricultural Method Statement have been submitted during the application process. He has raised no objection to the removal of the two trees, which would have minimal impact on the amenity provided by the remaining Lime trees. The removal of the trees has also previously been approved as part of the 2016 application. Some minor works are proposed to the retained trees, including the removal of over-extended branches and Ivy, which is causing issues for the trees. These maintenance measures are therefore welcomed.

The submitted method statement details how the proposed tarmac parking areas will be integrated without compromising the root protection areas of trees. Details of these root protection areas also provided in plan form, both in relation to on site trees and those adjacent on neighbouring land. On the basis of this information the Arboricultural Officer has confirmed that there is no objection to the application subject to a condition requiring the works to be undertaken in accordance with the submitted method statement and tree protection plan.

Archaeology

The application includes an Archaeological Desk Based Assessment (DBA), produced in support of the 2016 application for the medical village, which was a significantly larger scheme than now proposed. At the time of the previous application the City Archaeologist considered the DBA and was satisfied that sufficient work had been undertaken to determine the archaeological potential of the site. He advised that an evaluation excavation undertaken at the time did not reveal any archaeological features. It was

therefore considered highly unlikely that development of the site would encounter archaeological remains and as such no further work was required.

This current proposal has been discussed with the City Archaeologist and he has confirmed that, on the basis of the previous findings, no further works would be required with regard to archaeology. Historic England has raised no objections to the application in this respect.

Officers are therefore satisfied that the proposal would meet the requirements of CLLP Policy LP25 and section 16 of the NPPF.

Surface Water and Foul Drainage

Anglian Water has advised that the preferred method of surface water disposal would be to a sustainable drainage system (SuDS). They consider that the current level of information submitted is not sufficient to demonstrate this, but have raised no objections to the application subject to a condition to require the submission of a surface water management strategy.

In their response the LCC as Lead Local Flood Authority has stated that they do not consider surface water drainage will be affected by these proposals, as they are a change of use of existing buildings. Accordingly, they have no objection to the application in this respect.

The Upper Witham Drainage Board has no comments on the application, as the development does not affect the interests of the board.

With regard to foul drainage Anglian Water has advised that there will be sufficient capacity for the development. No objections are therefore raised to the application subject to a condition requiring the submission of a scheme for on-site foul water drainage works.

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

Other Matters

Sustainable Transport

The proposed development would include off street parking and the City Council's PC Officer has recommended that the applicant be required to incorporate appropriate electric vehicle recharge points into the development, in line with the recommendations of CLLP Policy LP13 and paragraph 112 of the NPPF. Cllr. Smalley also noted that the parking spaces should offer electric vehicle recharge points. A condition requiring the submission of a scheme will be attached to any grant of permission.

An additional point raised by Cllr. Smalley is that cycle storage should be provided, which is available for residents to the west of the site adjacent to the proposed bin store.

Bats

A bat survey and bat method statement undertaken in 2016 has submitted as part of the application. A response from the Lincs Bat Group has advised that the report is outdated.

An informative will be applied to any grant of consent to highlight to the developer that all bat species found in the U.K. are protected under the Conservation of Species and Habitats Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). They should ensure that no bats are present prior to and during works and undertake any surveys or remedial works as required by the Regulations and Act in consultation with Natural England.

Design and Crime

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

Conclusion

The conversion of the property to flats is acceptable in this location. The renovation and external works to the property are welcomed, which would enhance its historic character. The design and scale of the extensions are considered to be acceptable and would complement the original architectural style of the property and surroundings. The proposals would therefore also enhance the character and appearance of the conservation area. Neither the use nor the external works would cause undue harm to the amenities of neighbouring properties, and the development would provide an appropriate level of amenity for future occupants. The site is in an accessible location, also providing cycle and car parking.

A S106 agreement will secure financial contributions towards delivering new and improving existing infrastructure. Matters relating to highways, trees, archaeology and surface and foul water drainage 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 CLLP Policies LP1, LP2, LP9, LP11, LP12, LP13, LP14, LP25, LP26 and LP37 as well as guidance within the NPPF.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally subject to the following conditions with delegated authority granted to the Planning Manger to secure the financial contributions through a S106 agreement:

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials
- Details of windows, doors and other architectural detailing for the extensions
- Joinery details for replacement windows and doors in the existing building
- Finish of wall/replacement brick pier to widened access
- Surface water drainage management strategy
- Foul water drainage scheme
- Works in accordance with Arboricultural Method Statement and tree protection plan
- Electric vehicle charging scheme
- Hours of construction
- Reporting of any unexpected contamination

10-11 Lindum Terrace plans and photos



Site location plan



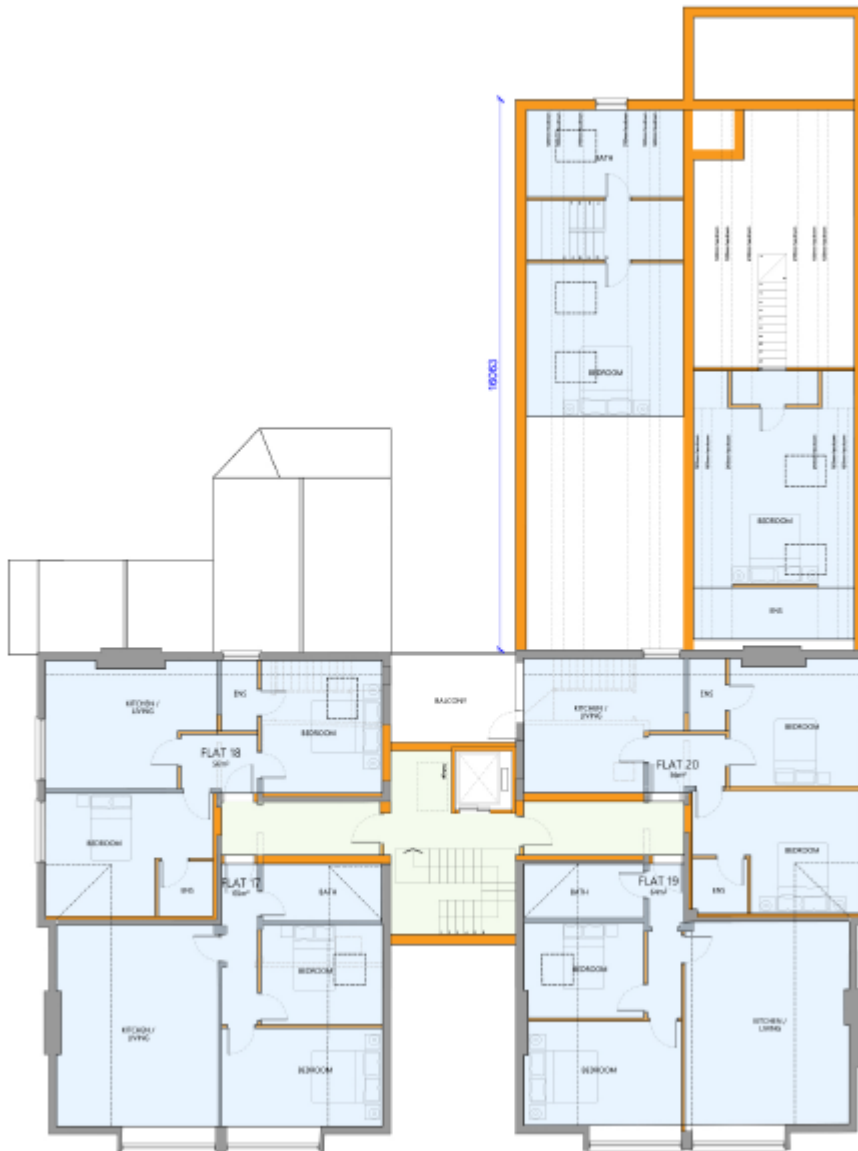
Proposed site layout



Proposed ground floor plan



Proposed first floor plan



Proposed second floor plan



Proposed front, south elevation



Proposed rear, north elevation



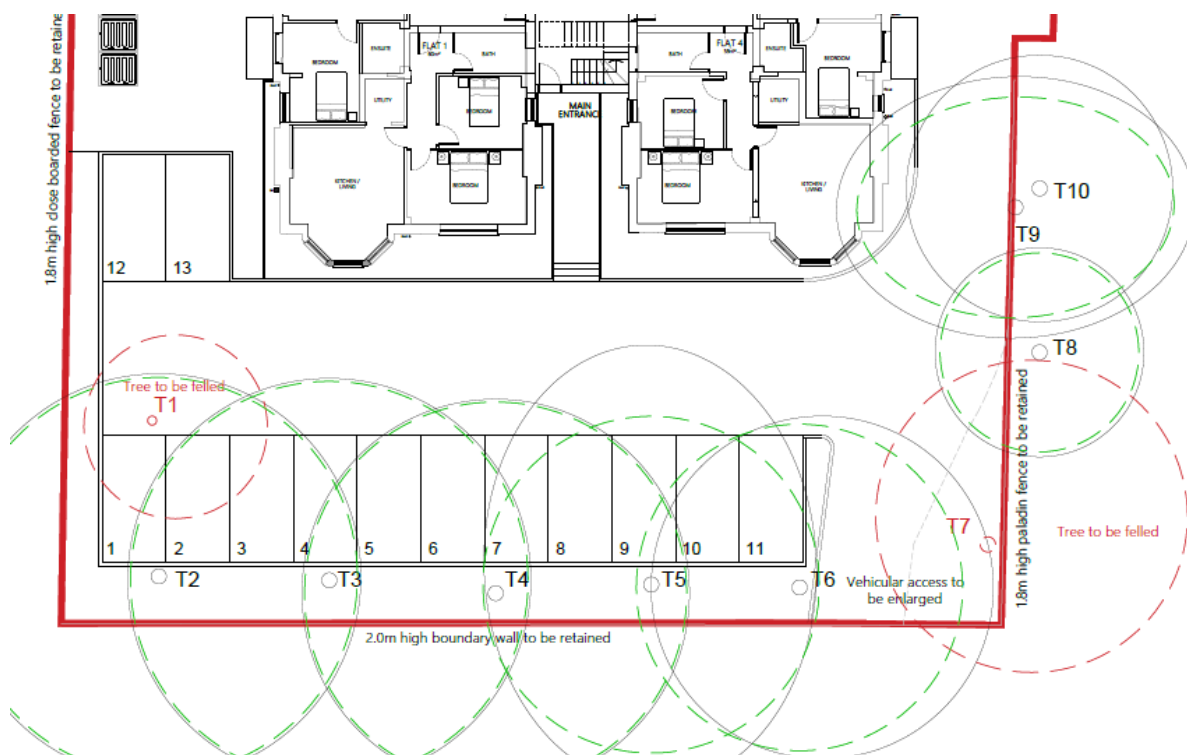
Proposed side, east elevation



Proposed side, west elevation



Proposed section illustrating link extension



Extract from tree constraints plan, illustrating position of T1 and T7 to be removed



Front elevation with 9 Lindum Terrace in background



Front elevation and access to be widened



Rear elevation



Rear elevation



Infill extension



Outbuilding to be demolished with 30-32 Sewell Road in background to right



Side, north west boundary with 30-32 Sewell Road beyond



Rear, north boundary with Sewell Road



Side, west boundary with 9 Lindum Terrace

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10-11 Lindum Terrace neighbour consultation responses to original proposals

Customer Details

Name: Miss Paula West

Address: 15 Wragby road Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is an area of historic significance with buildings of individual architectural merit. The plans that have been submitted are basic, lack any merit or finesse and cannot have been considered as the building only burnt down 6 weeks prior to the application being submitted meaning the plans have been hastily drawn up. The trees are a unique and integral part of this area and should be maintained. I strongly object to the submitted plans.

Customer Details

Name: Guy Bart-Smith

Address: Flat 6 14 Lindum Terrace Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having lived on Lindum Terrace for 6 years I witnessed one of the most beautiful properties in Lincoln reduced to rubble - this was a truly sad day. Almost over night, proposals are in place to renovate the area - this concerns me greatly. The proposed plans show zero imagination and are not in keeping with the street. We need to preserve what we have and maintain the history of our architectural past. There is a time and place for greed and that is not at the cost of our Historical identity. These buildings should be purchased on the condition of renovating back to their original designs. What we should not be doing is turning these into what can only be described as student accommodation.

17 Lindum Terrace
Lincoln.
LN2 5RT.
26.11.2021

Re. Planning Application 10/11 Lindum Terrace, Lincoln

Dear Ms. Smyth,

Thank you for your letter outlining the proposed changes to the above buildings. We have now viewed the planning application on line and would like to make the following objections;

Appearance: The new curtain wall, linking the two buildings is out of character with the existing buildings and has a more industrial/ city centre vibe than the location can happily accommodate. We live opposite these buildings and feel that this structure would detract from our view and the historic character of the area.

Noise and disturbance: Presently, the east end of Lindum Terrace (from the junction with Sewell Road to the junction with Eastcliff Road) consists of four houses and two sets of flats (I believe that Somerby House has 9 flats and number 14 Lindum Terrace has 6 flats) Therefore to build 33 new flats would more than double the local population. We note that the majority of these flats are very small one bedroom apartments which will attract students and very young adults. This is a very quiet area with many residents of a more mature age. We do not wish to import the noise and problems that the West End of Lincoln already experience. We are very worried that if this development should be past it would set a precedent for the adjoining plot of land (number 12) where the original property has recently been demolished. Such developments are likely to destroy the beautiful, peaceful and historic corner of Lincoln in which we are presently fortunate to live.

Highway safety and congestion: Another concern regarding the curtain wall is that the large amount of glass will reflect sunlight and has the potential to dazzle those of us who live opposite as well as anyone driving past.

We are very concerned about the extra traffic and on street parking such a development will create. The proposed development is for 33 flats; however, there are only 20 allocated parking spaces. This will almost certainly mean that there will be additional parking required and this will further congest the neighbouring streets. Lindum Terrace is already over used for parking (practically every day cars are parked over our white line which makes getting in and out of our drive physically difficult and also dangerous as we cannot see what is coming until we are in the middle of the road).

Also the proposed vehicle entrance is close to a sharp bend, it is already a problem (mainly because of the parking on the south side of the road) but the extra traffic that this development would undoubtedly cause, in that particular area, would considerably exasperate the situation.

Frances Halse

Customer Details

Name: Mr Frederick Hackett

Address: St. Anne's House 27 Sewell Road Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I welcome the proposal. The proposed use of the existing buildings and the architecture are sympathetic to the residential nature of the locality. I have the following comments to make:

1. The proposal will bring 33 more cars into the area. That is a lot for the local area to absorb.
2. A retaining wall will be required along the boundary behind car parking spaces 15 - 20 to accommodate the difference in ground level between the proposed site and the garage immediately to the West owned by me.
3. Several of the mature trees on the proposed site are being killed by ivy growing up the trunks. The ivy should be removed to restore the trees to their full potential.

We are writing to voice our concerns about the proposed development. Our worries are mainly personal as we feel we will be totally overlooked from the west elevation rooms and fear the noise from the construction works will be invasive over a long period of time. Although the area contains several flats all are small developments within and retaining the character and period features of the buildings as well as providing parking for all residents. This proposed development is out of keeping with the lovely area we live in and does not provide enough parking for the amount of dwellings leaving no alternative but for the occupants to try to use street parking which is already choc-a-block. We are also concerned about the access to the site on a road that is totally ill equipped to cope with this extra volume of traffic and is at bursting point already. Please consider our views when reviewing the above planning application

Regards

Ian and Kim Wishart

9 Eastcliff Road

Lincoln

LN2 5RU

Customer Details

Name: Jennifer Williams

Address: 29 Sewell Road Lincoln

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: The development of this site is long overdue and welcomed. My concern is with the intensification and overdevelopment of the site. I understand that a high density development will provide a better return on investment for the developer and help meet housing demand if there is a shortage of one bedroom flats in Lincoln. The designation of this part of Lincoln as a Conservation Area, however, means that the historic character of the area should be preserved. By removing all green open space and providing inadequate parking for the number of flats, the development is out of scale. There are flats in the vicinity but these are within historic buildings and do not affect the character of the neighbourhood. If this high density development is approved would that set a precedent for the demolished no 12 Lindum Terrace site for further low quality high density housing which would further erode the historic character which the Conservation Area designation should protect.

Mature trees should be preserved and ivy should not be permitted to choke them.

Your ref: 2021/0944/FUL

2 Sewell Court,
Sewell Road,
Lincoln,
LN2 5QU.

6th December 2021

Re: Planning Application 10/11 Lindum Terrace, Lincoln

Dear Ms. Smyth,

Many thanks for your recent letter concerning the proposed changes to the above buildings .
Having now viewed the Location I would like to make the following comments:

The area of Lindum Terrace and Sewell Road is a very quiet place with many residents of a more mature age who would not like to be disturbed by the noise and numbers of the 33 new flats . The majority of these proposed flats being one bedroom apartments would likely attract students and young adults which would not be conducive to the present peace and quiet of the area . There are also concerns about the extra traffic and parking problems that the development will create as although there will be 33 new flats only 20 parking spaces have been allocated .

There are also concerns about the adjoining piece of land (number 12) which property has just been demolished . Are there plans under consideration to build yet more one bedroomed flats on that site ? It would be a great shame if such a development did take place which would be likely to destroy this quiet, peaceful and historic part of Lincoln where I am privileged to live .

Yours sincerely,


Robert Gregory.

Lincoln
LN2 5RT.


3 Dec 2021

Re Planning Application ref R21/0944/FUL

The application asserts that it is intended to reflect the demand for small cheap accommodation without providing any evidence for the claim and uses this to support high density development without this being the case. I submit that the site history actually supports a ~~higher~~ lower density of development which itself would support higher quality. Furthermore the higher quality development is likely to cause associated pressure on the local infrastructure including highways and public transport. I submit that a focus on ~~or~~ more cycle spaces would better reflect local and national policies as well as being more environmentally appropriate.

It is also of some concern that such a large development will invariably necessitate the removal of a substantial number of trees in what is supposed to be a conservation area.

Lincoln Terrace has a street scene of period grand houses and it is an opportunity to replace the existing poor quality buildings with something more sympathetic and appropriate to the city centre of Lincoln both in terms of material and design, rather than simply pack them in to maximise profit.



Dear Marie

Further to our phone call with regard to this planning application reference 2021/0944/FUL., we are now writing to set out our objections to the plans as they currently stand.

Overall, we are pleased to see that the site is being developed with a view to maintaining the original Victorian design and we appreciate that this kind of development is better than leaving the site boarded up and at risk of vandalism and arson and other activities detrimental to the local conservation area.

However, as the purchasers of 16 Lindum Terrace opposite the development site, we have the following concerns and objections.

1. SCALE (density and over-crowding of the site and area), NOISE and DISTURBANCE, AIR POLLUTION : we are concerned that the developers are over-developing the site with more flats than the local area can accommodate without a detrimental effect on this peaceful conservation area. This level of over-crowding will cause an increase in noise, pollution, rubbish and traffic.
2. APPEARANCE, DESIGN, LAYOUT and CONSERVATION OF BUILDINGS: New Design not in-keeping with the original: We think that the additional new building on the side of the original buildings is an unnecessary addition and cannot be seen as an enabling development as there will be more than enough flats in the main properties to cover the cost of development and make a large profit. This added building changes the front view of these period properties in a way that does not enhance their design in a conservation area.
3. EFFECTS ON TREES, APPEARANCE, DESIGN: Tree conservation and increasing the access gateway. We are concerned about the proposal to cut down a tree by the access to the property in order to widen the entrance. Both the removal of the tree and the widening of the access will alter the overall look of these properties in a way that will not enhance or be in keeping with the conservation area and the road as a whole.
4. APPEARANCE, DESIGN and CONSERVATION OF BUILDINGS: We are pleased to see that the design has stated the use of timber frame windows in keeping with the original design and we would stress the importance of adhering to this and not replacing with UPVC in order to preserve the beauty of this conservation area. If the development is approved, we are concerned to know how this will be monitored once development begins.
5. APPEARANCE, DESIGN and CONSERVATION OF BUILDINGS: Satellite dishes –as there are to be a number of flats in the buildings, we are concerned if the development goes ahead that the front of the property is not littered with satellite dishes, which would be hugely detrimental to the appearance of these properties in this conservation area.

We thank you for considering these concerns and objections and look forward to hearing your response.

Yours sincerely

Dr Philippa and Mr Jonathan Casares

Currently of:

29 Magdalen Road

St Leonards on Sea

1

41 Broadway
Lincoln
LN2 1SG

7th Dec 2021

Re. Planning Application 10/11 Lindum Terrace, Lincoln.

Dear Ms Smyth

Following a review of the planning application, I would like to make the following objections.

Appearance

- The proposed development goes against the tree lined character of the area with trees/garden spaces being removed to accommodate parking/building.
- The linkage of both buildings creates an industrial vibe, out of character with the residential neighbourhood.
- The proposed development of 33 flats ~~within~~ ~~the~~ crams too many flats into the allocated area out of character with other developments in the area such as Somersby House 9 flats and 14 Lindum Terrace 6 flats.

Noise and disturbance

- The proposed development would massively increase

2/ the population in the area and is out of character with the quiet / suburban neighbourhood.

Highway safety and congestion

- The proposed development with only 20 allocated parking spaces for 33 flats will almost certainly lead to an over-spill of cars into an already congested area. There will be more bottle necks on Lindum Terrace.
- It should also be acknowledged there has been a trend to more home deliveries. This is likely to lead to congestion within the parking / drive areas in the property.

Thank you for your consideration



Additional neighbour responses following re-consultation on revised proposals

Customer Details

Name: Dr Philippa Casares

Address: 29 Magdalen Road St. Leonards-on-Sea St Leonards on sea

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: We are very pleased overall with the revised plans that have taken note of some of our major objections. I think this is probably a reasonable development now for the area. It may be worth noting though that the actual numbers of residents isn't actually greatly reduced? 6 2 bedroom and 27 one bedroom is 39 individuals and 16 two bedroom (32) and 4 one bedroom is 36 individuals! So the issues pertaining to SCALE (density and over-crowding) will still apply. We think it should be possible to reduce this a little further.

Yours sincerely

Dr Philippa and Mr Jonathan Casares

We will be moving to Lindum terrace opposite the development in March

Customer Details

Name: Mrs Frances Halse

Address: 17 Lindum Terrace Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: While I welcome the reduction in the number of flats being proposed I am concerned that this is still an over development of the site as it is still more than doubling the number of properties in the very small area of Lindum Terrace (between the road junctions with Sewell Road and Eastcliffe Road) and this includes the flats in two of the former Victorian Villas which contain 6 and 9 flats respectively.

Noise and disturbance:

In order to squeeze 20 flats into the area available the properties are still very small and will therefore, still only interest young single people or young couples, this almost certainly means that there will be increase in noise and disturbance.

Highway safety and congestion:

While there is now one allocated parking space for each proposed flat this does not allow for households with two cars or for visitors with cars so it seems inevitable that Lindum Terrace and the surrounding streets will become more congested.

The vehicle access to the development is still in the same place, very close to the shape bend round to Sewell Road. In my opinion this will create a dangerous junction (as detailed in my earlier submission).

Appearance:

My earlier comments regarding the curtain wall still stand - The new curtain wall, linking the two buildings is out of character with the existing buildings and has a more industrial/ city centre vibe than the location can happily accommodate. We live opposite these buildings and feel that this structure would detract from our view and the historic character of the area.



15 Lindum Terrace
Lincoln
LN2 5RT

3 March 2022

Re: 2021/10944 /FUL 10-11 Lindum Terrace LN2 5RS

Comments on Planning Application

I refer to my previous comments of 6th Dec.
I note that the latest changes do not appear to have addressed many of my earlier comments. The appearance of mitigating the density issue has simply been addressed by replacing the high number of one bedroom flats previously proposed with a lesser number of two bedroom flats which is no real change in terms of density and over-development. It still represents a substantial over development of the site! And inconsistent with other apartment developments locally.

In addition I note that they propose removal of all the major trees on the site particularly adjacent to Lindum Terrace which makes a nonsense of the area being within a Conservation Area.

These changes are of such minor effect as to have minimal impact on the substantial impact on local traffic and transportation.

Finally, the Proposal allows for no garden space for the flats and so just hard ground cover. Not only is this cosmetically inappropriate but also environmentally undesirable and denies any proper surface water drainage. A lesser concentration on build would appear to be desirable as well as a better use of space.



WM. J. LEAVY

I strongly urge the Planning Committee to reject the application as presented.

Responses from statutory and other consultees to original and revised proposals

Good morning,

I am contacting you with regard to the application 2021/0944/FUL for 10/11 Lindum Terrace.

Whilst I welcome these lovely buildings being returned to use there are a few points I would like to make.

The demolition and reconstruction on the link corridor, while probably necessary, I feel should be in keeping with the rest of the building. I would propose that the same brick be used and redesigned to reflect the architecture of the buildings.

The number of flats is very large and thus creating a huge additional traffic on the area. This does need to be considered. Not only will there potentially be 33 new homes, but that will be a possible 33 vehicles. While some flats may be occupied by a couple and they may have a car each. With this, additional traffic and parking will inevitably be an issue especially when the residents have visitors etc. I note 20 parking spaces which seems totally inadequate! The number of spaces needs to be increased or the number of flats reduced to allow for more spacious flats. These parking spaces should also offer electric charging points and cycle storage also.

I would like to see the trees kept and maintained.

If this was to get planning permission I think it would be important to consider working times for construction due to the residents near by as well as times for access. This is going to be a huge job and the noise and disruption for residents must be considered and limited to reasonable times.

I have noted that there are a couple of residents who object and I would like you to carefully consider their concerns.

One resident is concerned about being overlooked therefore please consider any steps which could be taken to limit this.

Many thanks,

Clare

Cllr Clare Smalley

City of Lincoln Councillor – Abbey Ward

Re: Reconsultation on Planning Application



Smalley, Clare (City of Lincoln Council)
To: Technical Team (City of Lincoln Council)

[Reply](#) [Reply All](#) [Forward](#) [...](#)

Tue 08/03/2022 16:48

Dear Development Team,

I am contacting you with regard to the amended application for 2021/0944/FUL for 10/11 Lindum Terrace.

Whilst I welcome the slight amendments I really do not feel that changes will make any impact on the residents or my own concerns.

The number of flats is still very large and thus creating a huge additional traffic on the area. There will still be 20 flats, and with 16 being two bedroomed flats, this has the potential of two adults as a minimum, which would be 40 cars, plus visitors. This would create an enormous amount of additional traffic and parking will inevitably be an issue especially when I note that only 20 parking spaces are being created still! This seems totally inadequate! The number of spaces needs to be increased or the number of flats reduced but not made into bedroomed which would also attract a minimum of two adults. These parking spaces should also offer electric charging points as standard and cycle storage also.

If this was to get planning permission, I think it would be important to consider working times for construction due to the residents nearby as well as times for access available for deliveries etc. This is going to be a huge job and the noise and disruption for residents must be considered and strictly limited to reasonable times.

I have noted that there are many residents who object, and I would suggest that these valid concerns are carefully considered.

One resident highlighted their concern about being overlooked however I cannot see that this has been addressed, therefore please consider any steps which could be taken to limit this.

The demolition and reconstruction on the link corridor, while probably necessary, I feel should be in keeping with the rest of the building. I would propose that the same brick be used and redesigned to reflect the architecture of the buildings

Many thanks,

Clare

Cllr Clare Smalley

Application Number: 2021/0944/FUL

Location: Development at 10-11 Lindum Terrace, Lincoln comprising of 33 flats (27 one bed, 6 two bed)

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|---|---|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|---------------------------------|-----|---------------------------------------|--------------|----------------------|---------|-----------------------------------|-----------------------------------|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|--------------------------------|--------------------------|---------------------------------------|-------------------|----------------------|---------|-----------------------------------|---|
| Impact of new development on GP practice | <p>The above development is proposing 33 dwellings, which, based on the average of 2.3 person per dwelling for City of Lincoln Council, would result in an increase in patient population of 76.</p> <p>The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.</p> <p>Consulting room GP</p> <table border="1" data-bbox="464 719 1219 1005"> <tr><td>Proposed population</td><td>76</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.076 \times 5260 = 399$</td></tr> <tr><td>Assume 100% patient use of room</td><td>399</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$399/50 = 8$</td></tr> <tr><td>Appointment duration</td><td>15 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$8 \times 15/60 = 2$ hrs per week</td></tr> </table> <p>Treatment room Practice Nurse</p> <table border="1" data-bbox="464 1090 1219 1377"> <tr><td>Proposed population</td><td>76</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.076 \times 5260 = 399$</td></tr> <tr><td>Assume 20% patient use of room</td><td>$399 \times 20\% = 79.8$</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$79.8/50 = 1.597$</td></tr> <tr><td>Appointment duration</td><td>20 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$1.597 \times 20/60 = 0.5$ hrs per week</td></tr> </table> <p>Therefore, an increase in population of 76 in the City of Lincoln Council area will place extra pressure on existing provisions, for example, extra appointments requires additional consulting hours (as demonstrated in the calculations above). This in turn impacts on premises, with extra consulting/treatment room requirements.</p> | Proposed population | 76 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.076 \times 5260 = 399$ | Assume 100% patient use of room | 399 | Assume surgery open 50 weeks per year | $399/50 = 8$ | Appointment duration | 15 mins | Patient appointment time per week | $8 \times 15/60 = 2$ hrs per week | Proposed population | 76 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.076 \times 5260 = 399$ | Assume 20% patient use of room | $399 \times 20\% = 79.8$ | Assume surgery open 50 weeks per year | $79.8/50 = 1.597$ | Appointment duration | 20 mins | Patient appointment time per week | $1.597 \times 20/60 = 0.5$ hrs per week |
| Proposed population | 76 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.076 \times 5260 = 399$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 100% patient use of room | 399 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $399/50 = 8$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 15 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time per week | $8 \times 15/60 = 2$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed population | 76 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.076 \times 5260 = 399$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 20% patient use of room | $399 \times 20\% = 79.8$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $79.8/50 = 1.597$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 20 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time per week | $1.597 \times 20/60 = 0.5$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

¹ Source: Lincolnshire Research Observatory 2011 Census Data

| | |
|---|---|
| GP practice(s) most likely to be affected by the housing development | <p>Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.</p> <p>Due to the location of the development the 5 practices that would be impacted are Abbey Medical Practice, Minster Medical Practice, Lindum Medical Practice, Brayford Medical Practice and University Health Centre.</p> |
| Issues to be addressed to ensure the development is acceptable | <p>Lincolnshire Clinical Commissioning Group (LCCG) wishes for the Section 106 contribution from the development at 10-11 Lindum Terrace, Lincoln comprising of 33 flats (27 one bed, 6 two bed) to contribute to patients registered within IMP PCN.</p> <p>Collaborative work is currently underway on the estate's strategy for the Lincoln area, as part of the Primary Care Network.</p> <p>This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.</p> <p>Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), and includes measures to:</p> <ul style="list-style-type: none"> • Improve out-of-hospital care, supporting primary medical and community health services; • Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025; • Support older people through more personalised care and stronger community and primary care services; • Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer. <p>The strategic direction both nationally through the development of Primary Care Networks (PCN) and locally through the Sustainability Transformation Plan, is to provide primary care at scale, facilitating 100% patient population coverage by primary care and services being delivered in the community in an integrated way. Included within the PCNs is the requirement to provide on-line access to services and appointments, as well as the introduction of additional roles to enhance the delivery of primary care, including Clinical Pharmacists, Physiotherapists, Social Prescribers, Emergency Care and Mental Health Practitioners.</p> <p>The Lincoln GP Practices are within the Lincolnshire CCG IMP and Marina PCN (Primary Care Networks) where the housing is being developed. There is a huge variation in the type, age and suitability of current premises within the PCN Networks.</p> |

| | | | | | | |
|---|---|--------------------------|-------------|----------|------------|-------------|
| | The PCNs are working to employ additional staff to increase capacity within primary care and as more care is moved to the community from secondary care closer to individuals' home. | | | | | |
| Fairly and reasonably related in scale and kind to the development. | | Average list size per GP | Required m2 | £ per m2 | Total cost | £per person |
| | GP team | 1,800 | 170 | 2,300 | £391,000 | 217 |
| | GP furnishings | 1,800 | | | £20,000 | 12 |
| | | | | | | 229 |
| | Contingency requirements @ 20% | | | | | 46 |
| | Total per resident | | | | | 275 |
| | Total per dwelling (resident x 2.3) | | | | | 632.50 |
| | The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined. This figure is multiplied by 2.3 (the average number of persons per dwelling for City of Lincoln Council) to provide a funding per dwelling of £632.50. | | | | | |
| Financial Contribution requested | <p>The contribution requested for the development of £20,872.50 (632.50 x 33 dwellings)</p> <p>Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.</p> | | | | | |
| Trigger point | <p>There is currently limited capacity at some practices to accommodate additional growth in patient numbers arising from this development, therefore it is requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure.</p> <p>To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.</p> | | | | | |

Kate Robinson
Locality Improvement and Delivery Manager
NHS Lincolnshire Clinical Commissioning Group
3rd December 2021

Application Number: 2021/0944/FUL

Location: Development at 10-11 Lindum Terrace, Lincoln comprising of 33 flats (27 one bed, 6 two bed) – REVISED 20 flats (4 one bed, 16 two bed)

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|---------------------------------|-----|---------------------------------------|----------------|----------------------|---------|-----------------------------------|---------------------------------------|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|--------------------------------|--------------------------|---------------------------------------|-------------------|----------------------|---------|-----------------------------------|---|
| Impact of new development on GP practice | <p>The above development is proposing 20 dwellings, which, based on the average of 2.3 person per dwelling for City of Lincoln Council, would result in an increase in patient population of 46.</p> <p>The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.</p> <p>Consulting room GP</p> <table border="1" data-bbox="448 725 1211 1016"> <tr> <td>Proposed population</td><td>46</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td>$0.046 \times 5260 = 242$</td></tr> <tr> <td>Assume 100% patient use of room</td><td>242</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td>$242/50 = 4.8$</td></tr> <tr> <td>Appointment duration</td><td>15 mins</td></tr> <tr> <td>Patient appointment time per week</td><td>$4.8 \times 15/60 = 1.2$ hrs per week</td></tr> </table> <p>Treatment room Practice Nurse</p> <table border="1" data-bbox="448 1099 1211 1391"> <tr> <td>Proposed population</td><td>46</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td>$0.046 \times 5260 = 242$</td></tr> <tr> <td>Assume 20% patient use of room</td><td>$242 \times 20\% = 48.4$</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td>$48.4/50 = 0.968$</td></tr> <tr> <td>Appointment duration</td><td>20 mins</td></tr> <tr> <td>Patient appointment time per week</td><td>$0.968 \times 20/60 = 0.3$ hrs per week</td></tr> </table> <p>Therefore, an increase in population of 46 in the City of Lincoln Council area will place extra pressure on existing provisions, for example, extra appointments require additional consulting hours (as demonstrated in the calculations above). This in turn impacts on premises, with extra consulting/treatment room requirements.</p> | Proposed population | 46 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.046 \times 5260 = 242$ | Assume 100% patient use of room | 242 | Assume surgery open 50 weeks per year | $242/50 = 4.8$ | Appointment duration | 15 mins | Patient appointment time per week | $4.8 \times 15/60 = 1.2$ hrs per week | Proposed population | 46 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.046 \times 5260 = 242$ | Assume 20% patient use of room | $242 \times 20\% = 48.4$ | Assume surgery open 50 weeks per year | $48.4/50 = 0.968$ | Appointment duration | 20 mins | Patient appointment time per week | $0.968 \times 20/60 = 0.3$ hrs per week |
| Proposed population | 46 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.046 \times 5260 = 242$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 100% patient use of room | 242 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $242/50 = 4.8$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 15 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Proposed population | 46 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.046 \times 5260 = 242$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Patient appointment time per week | $0.968 \times 20/60 = 0.3$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

¹ Source: Lincolnshire Research Observatory 2011 Census Data

| | |
|--|--|
| <p>GP practice(s) most likely to be affected by the housing development</p> | <p>Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.</p> <p>Due to the location of the development the 5 practices that would be impacted are Abbey Medical Practice, Minster Medical Practice, Lindum Medical Practice, Brayford Medical Practice and University Health Centre.</p> |
| <p>Issues to be addressed to ensure the development is acceptable</p> | <p>This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.</p> <p>Lincolnshire Clinical Commissioning Group (LCCG) wishes for the Section 106 contribution from the development of 20 dwellings on 10-11 Lindum Terrace, Lincoln to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the IMP Primary Care Network (PCN) at Abbey Medical Practice, Minster Medical Practice and Lindum Medical Practice. Alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.</p> <p>The strategic direction both nationally through the development of PCN and locally through the Sustainability Transformation Plan is to provide primary care at scale, facilitating 100% patient population primary care and services delivered in the community in an integrated way. Included within the PCNs this is the introduction of additional roles to enhance the delivery of primary care, including a Clinical Pharmacist, Physiotherapist and Social Prescriber.</p> <p>Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), and includes measures to:</p> <ul style="list-style-type: none"> • Improve out-of-hospital care, supporting primary medical and community health services; • Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025; • Support older people through more personalised care and stronger community and primary care services; • Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer. <p>Abbey Medical Practice, Minster Medical Practice and Lindum Medical Practice are within the LCCG IMP PCN where the housing is being developed. There is a huge variation in the type, age and suitability of current premises within the PCN Networks.</p> |

| | | | | | | |
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| | The PCNs are working to employ additional staff to increase capacity within primary care and as more care is moved to the community from secondary care closer to individuals' home. | | | | | |
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| | Total per dwelling (resident x 2.3) | | | | | 632.50 |
| | The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined. This figure is multiplied by 2.3 (the average number of persons per dwelling for City of Lincoln Council) to provide a funding per dwelling of £632.50. | | | | | |
| Financial Contribution requested | The contribution requested for the development of £12,650.00 (632.50 x 20 dwellings) Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above. | | | | | |
| Trigger point | There is currently limited capacity at some practices to accommodate additional growth in patient numbers arising from this development, therefore it is requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure. To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required. | | | | | |

Kate Robinson
 Locality Improvement and Delivery Manager
 NHS Lincolnshire Clinical Commissioning Group
 3rd December 2021

Kate Robinson
 Locality Improvement and Delivery Manager
 NHS Lincolnshire Clinical Commissioning Group
 24th February 2022

From: Property Strategy
Sent: 17 December 2021 12:06
To: Technical Team (City of Lincoln Council)
Subject: RE: Consultation on Planning Application

Categories: Kelly Bray

WARNING: This email originated from outside of the organisation. Do not click links, open attachments or reply unless you are confident that the content is safe and do not share inappropriately.

Hi Marie

Many thanks for the below consultation. The County Council has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.

Kind regards

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

RE: Reconsultation on Planning Application



Property Strategy
To: Technical Team (City of Lincoln Council)

Kelly Bray

[↩ Reply](#) [↩ Reply All](#) [→ Forward](#) [...](#)

Fri 25/02/2022 09:57

WARNING: This email originated from outside of the organisation. Do not click links, open attachments or reply unless you are confident that the content is safe and do not share inappropriately.

Many thanks for the below consultation. The County Council has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.

Sam Barlow
Asset Advisor
Lincolnshire County Council
County Offices, Newland, Lincoln, LN1 1YL

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: 2021/0944/FUL

Proposal: Partial demolition and extension to facilitate change of use to 27no. one bedroom and 6no. two bedroom flats including associated vehicular parking and access

Location: 10 - 11 Lindum Terrace, Lincoln, Lincolnshire, LN2 5RS

With reference to the above application received 18 November 2021

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

Does not wish to restrict the grant of permission.

The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal, however, some level of parking is provided within the limits of site to accommodate parking for up to 20 vehicles. The change of use from will not adversely affect the public highway. The existing access onto Lindum Terrace is to be improved and widened and is appropriate for the minor increase in traffic movements associated with this development. The surface water drainage will not be affected by these proposals as they are change of use of existing and/or consented buildings.

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>

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: 2 December 2021

Sarah Heslam

for Warren Peppard

Head of Development Management

RE: 2021/0944/FUL: 10-11 Lindum Terrace



Sarah Heslam <Sarah.Heslam@lincolnshire.gov.uk>

To: Smyth, Marie (City of Lincoln Council)

Reply

Reply All

Forward



Wed 09/03/2022 14:36

You replied to this message on 09/03/2022 15:34.

[Idox CICO](#)

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Hi Marie,

Apologies for this one slipping through the net. However, I can confirm our comments remain unchanged.

Regards, Sarah

Sarah Heslam

Senior Development Management Officer

Lincolnshire County Council

County Offices, Newland, Lincoln LN1 1YL



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: 182682/1/0135916

Local Planning Authority: Lincoln District (B)

Site: 10 - 11 Lindum Terrace Lincoln
Lincolnshire LN2 5RS

Proposal: Partial demolition and extension to facilitate change of use to 27no. one bedroom and 6no. two bedroom flats including associated vehicular parking and access

Planning application: 2021/0944/FUL

Prepared by: Pre-Development Team

Date: 1 December 2021

ASSETS

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

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: Application Form Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. a full assessment cannot be made due to lack of information, the applicant has not identified a discharge rate or connection point) (We therefore request a condition requiring phasing plan and/or on-site drainage strategy (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.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request that the agreed strategy is reflected in the planning approval

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.

Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding

Surface Water Disposal (Section 4)

CONDITION No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority. REASON To prevent environmental and amenity problems arising from flooding.

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:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - Development size
 - Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
 - Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

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)

From: Abigail Gilbert <*****@witham3idb.gov.uk>

Sent: 21 December 2021 13:51

To: Technical Team (City of Lincoln Council) <Technical.Team@lincoln.gov.uk>

Subject: 2021/0944/FUL

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Witham 3rd Extended Area - the board has no comments on this application, the development does not affect the interests of the board.

|



Historic England

Ms Marie Smyth
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Direct Dial: 0121 625 6888

Our ref: **W:** P01446949

8 December 2021

Dear Ms Smyth

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**10-11 LINDUM TERRACE, LINCOLN, LINCOLNSHIRE, LN2 5RS
Application No. 2021/0944/FUL**

Thank you for your letter of 18 November 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

Tim Allen

Tim Allen
Team Leader (Development Advice)
E-mail: tim.allen@HistoricEngland.org.uk

Customer Details

Name: Mrs Annette Faulkner p/p Lincolnshire Bat Group

Address: 65 London Road Spalding

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Thank you for sending us this report for our observations. Please note that the report dates from 2015/16 and is valid for one year only before requiring an updated survey, as noted in the report. As such it is way out of date and therefore invalid. Further surveys will therefore need to be carried out.



Directorate of Communities & Environment
Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

22nd November 2021

Your Ref: 2021/ 0944/FUL

**Town and Country Planning Act 1990
Consultation on Planning Permission**

10 - 11 Lindum Terrace, Lincoln, Lincolnshire, LN2 5RS

Partial demolition and extension to facilitate change of use to 27no. one bedroom and 6no. two-bedroom flats including associated vehicular parking and access

Lincolnshire Police do not have any objections to this application

External Doors and Windows

Building Regulations (October 1st2015) provides that for the first time all new homes will be included within Approved Document Q: Security – Dwellings (ADQ).

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

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

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

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

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

POLICE HEADQUARTERS
PO Box 999, Lincoln LN5 7PH
(Sat Nav: LN2 2LT)
www.lincs.police.uk

☎ 01522 55 8292
☎ 075700 99424
✉ john.manuel@lincs.pnn.police.uk



Under no circumstances should a trade person release button or similar uncontrolled access method be used.

Individual Flat or Unit Doors.

Flat entrance door-sets should meet the same physical requirements as the 'main front door' i.e. PAS24:2016. The locking hardware should be operable from both sides of an unlocked door without the use of the key (utilising a roller latch or latch operable from both sides of the door-set by a handle). If the door-set is certified to either PAS24:2016 or STS 201 Issue 4:2012 then it must be classified as DKT.

Access Control

Where a communal entrance serves more than 5 units and less than ten it is recommended that it should have a visitor door entry system and access control system to ensure management of the buildings security and safety of the residents to the following standards: PAS24:2016 – STS 201; LPS 2081 Security Rating B+.

Communal Areas & Mail Delivery

Where communal mail delivery facilities are proposed and are to be encouraged with other security and safety measures to reduce the need for access to the premises communal letter boxes should comply to the following criteria.

- Located at the main entrance within an internal area or lobby (vestibule) covered by CCTV or located within an 'airlock style' entrance hall.
- Be of a robust construction (Federation Technical Specification 009 (TS009)
- Have anti-fishing properties where advised and appropriate.
- Installed to the manufacturer's specifications.
- Through wall mail delivery can be a suitable and secure method.

Under no circumstances would I recommend the use of a 'Trade-man's Button' or other form of security override.

Lighting

Lighting should be designed to cover the external doors and be controlled by *photoelectric cell* (dusk to dawn) with a manual override. The use of low consumption lamps with an efficacy of greater than 40 lumens per circuit watt is required; it is recommended that they be positioned to prevent possible attack.

Scooter / Cycle Storage

Scooter / Cycle stores within blocks of flats must have no windows and be fitted with a secure door set that meets the same physical specification as 'front door' and specifically Section 2, paragraphs 21.1 to 21.6 and 21.8 to 21.13.

This will ensure that such stores are only accessible to residents. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands.

External bins store and home composting containers (supplied to meet 'Code for Sustainable Homes' 'Was 3') should be sited in such a way that they cannot be used as a climbing aid to commit crime.

Utilities

To reduce the opportunities for theft by 'bogus officials' the utility meters should, where possible, be located to the outside of the dwelling at a point where they can be overlooked. This will negate the need for an official to enter the building to read a meter, which will in turn reduce the opportunity for distraction burglary. Where possible utility meters in multi occupancy developments should be located on the ground floor between access controlled doors (air lock system) so that access can be restricted to the meters

Note 33.1: Where a utility provider refuses to provide external meters, and there is an obvious (historic) risk of distraction burglary within the location, the developer should consider an alternative supplier.

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

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

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

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)



Directorate of Communities & Environment
Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

25th February 2022

Your Ref: 2021/0944/FUL

**Town and Country Planning Act 1990
Re-consultation on Planning Permission**

10 - 11 Lindum Terrace, Lincoln, Lincolnshire, LN2 5RS

Partial demolition and erection of 2½ storey rear extension, first floor rear extension and glazed link extension to facilitate change of use to 16no. two bedroom and 4no. one-bedroom flats. Associated works to alter access from Lindum Terrace, creation of vehicular parking and refurbishment works to existing properties including replacement windows, doors and new rooflights. (Revised description and plans).

Lincolnshire Police do not have any objections to this application

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

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

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

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)

| | |
|----------------------------|--|
| Application Number: | 2021/0817/HYB |
| Site Address: | Former William Sinclair Holdings Site, Firth Road, Lincoln |
| Target Date: | 25th March 2022 |
| Agent Name: | DPP |
| Applicant Name: | The Ashcourt Group |
| Proposal: | Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only) |

Background - Site Location and Description

This application seeks planning permission in Hybrid form with full details submitted for the eastern part of the site (Phase 1) for the erection of 22 buildings comprising 67 residential units including 40 C4 Houses in Multiple Occupation (HMOs) and 19 Sui Generis HMOs. An additional building at the entrance to the site will contain office accommodation at ground floor with 8 apartments over two floors above. The site creates 310 bedspaces, within Phase 1. 16 of the units would be accessible and their layouts also comply with Building Regulations M4(3).

Phase 2 is in outline form with only the details of the access being considered as part of the current application, all other matters are for consideration on subsequent reserved matters applications. However, an indicative layout has been submitted showing 276 bedspaces within Phase 2.

The site is located to the southwest of the City Centre and currently vacant although previously hosted a series of industrial buildings which have now been demolished. The site is located within a Regeneration Opportunity Area as identified in the Central Lincolnshire Local Plan (CLLP) and located within Flood Zone 3. Vehicular access to the site is via Firth Road to the north.

To the north-west of the site is Tritton Retail Park with an industrial estate to the north-east. The site is abutted by the River Witham on the eastern boundary with residential properties located beyond. The southern boundary is defined by the Boultham Pump Drain with Coulson Road located beyond the southern side of the bank. Coulson Road is lined with residential properties on the southern side facing the application site. A gym and a row of terraced properties line the western boundary on Waterloo Street, with their rear yards backing onto the site.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 14th February 2022.

Policies Referred to

- 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 LP18 Climate Change and Low Carbon Living
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP32 Lincoln's Universities and Colleges
- Policy LP35 Lincoln's Regeneration and Opportunity Areas
- National Planning Policy Framework

Issues

The key issues for consideration are:

- Principle of Use
- Objection from University/Student Demand
- Developer Contributions
- Visual Amenity
- Energy
- Impact on Residential amenity
- Traffic and Pedestrian Safety
- Flood Risk and Drainage
- Landscaping and Biodiversity Net Gain
- Archaeology
- Contaminated Land

Consultations

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

The applicant has also undertaken their own pre-application engagement via a consultation letter to 186 local residents and businesses which provided information on the proposed development. A link was given to these residents to make comments or raise any queries.

Comments have been received as part of the consultation process. They can be viewed in full online or at the end of this report. Concerns from neighbouring properties include, but are not limited to, scale of the buildings, risk of flooding, impact on historic environment and hours of work.

Statutory Consultation Responses

| Consultee | Comment |
|---|-------------------|
| NHS England | Comments Received |
| Environment Agency | Comments Received |
| Highways & Planning | Comments Received |
| Upper Witham, Witham First District & Witham Third District | Comments Received |
| Lincoln Civic Trust | Comments Received |
| Lincolnshire Police | Comments Received |
| Anglian Water | Comments Received |

Public Consultation Responses

| Name | Address |
|-----------------------|--|
| University Of Lincoln | C/o Ravinder Uppal 45 Church Street Birmingham B3 2RT |
| Mr East | 77 Waterloo Street Lincoln Lincolnshire LN6 7AQ |
| Mr Stephen Pepper | 73 Waterloo Street Lincoln Lincolnshire LN6 7AQ |
| Mr John Woodward | 24 Brookside Scopwick Lincoln LN4 3PA |

Consideration

National and Local Planning Policy

Principle of Use

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Policy LP1 and the National Planning Policy Framework (NPPF) also advise that housing applications should be considered in the context of the presumption in favour of sustainable development.

The site is allocated as a re-development opportunity within the CLLP, with a range of uses being acceptable in principle. Policy LP35, in relation to this site, states that *"Planning permission will be granted for the appropriate redevelopment of sites in the regeneration area for housing, including accommodation for students, either solely or as part of a mixed use development in association with: Business use (B1); Education and community use (D1); Small shops/ cafés/ restaurants on the ground floor along the waterfront; and Leisure."*

The development of the site for student accommodation is therefore in principle in accordance with the policy allocation for the area.

Student Demand

The University of Lincoln has objected to the application. The objection states that there is a surplus of student accommodation in the City, currently of 2670 beds which would rise to 3542 in 2023 if the Firth Road and other pending schemes are granted. Whilst those figures have been provided, specific details have not been included as to which of the pending schemes they refer nor where the existing 2670 surplus are located within the City. The university objection states that the existing supply of student accommodation is sufficient to support the predicted forecast rise of student numbers over the next decade. The Planning Authority does not hold information regarding student numbers therefore cannot substantiate or analyse these details given by the university.

The applicant has responded to the University's objection. Both the university objections and the response from the applicant are detailed in full on the agenda. The applicant has stated that: *"As there is no policy requirement to demonstrate student need, the comments made by the University relate more to a commercial decision of Ashcourt as to whether to deliver a development which the University believes may be left empty due to lack of student demand. Ashcourt are confident that their scheme is viable and deliverable. The proposal is based upon a very successful scheme that the Ashcourt Group built and operate in Hull close to the University of Hull. The accommodation is presented in a series of townhouses, giving intimate individual student communities largely used by 2nd, 3rd and 4th year students who have formed social groups through coming together during the first year at university. Many of the Ashcourt properties are reserved by the same student groups throughout their university life. As such the product very much competes with converted residential properties scattered across the city. As such it will assist in easing tensions within residential communities where the different lifestyles can and do cause conflict. It is entirely possible that the product could be used by some first-year students but in the experience that Ashcourt have in Hull, this is limited. The product offers enhanced student accommodation and will increase and enrich the student experience,*

ultimately to the benefit of the university. It will help create long lasting social groups and friendships extending students relationships with each other, the University, and the city."

The response from the applicant also advises that the proposed development would likely see a reduction in demand for HMOs within areas such as the West End of the City where residential properties have been lost to student HMOs. They assert that this proposed development would free up traditional housing stock, allowing families to move back into houses and re balance those communities.

Officers would note that the type of accommodation being proposed under the current scheme is different to that of some of the others in the City such as the St Marks development north of this site. The layout of the units proposed are more akin to that of a shared town house rather than a Hall of Residence. This may mean that the demand for the accommodation is likely to be from those who would ordinarily rent an HMO within a residential area rather than competing with existing purpose built accommodation. In any case, officers consider that concerns relating to issues regarding competition in the student accommodation market is not a material planning consideration.

The layout of the proposed accommodation would also mean that it would be more easily converted into a conventional residential use (subject to a further planning application), should the accommodation not be required for student use in the future.

Notwithstanding the above, as the applicant has rightly stated, there is no demand policy within the local plan. Therefore, as with any proposal for a new use within the City, there is no obligation on the applicant to demonstrate a demand for such a use. The applicant is confident that this scheme is deliverable and viable despite the figures from the university.

Officers are therefore satisfied that the principle of the proposed use in this location is acceptable. Supporting the principle of this university related development would also be in accordance with CLLP Policy LP32.

The university also raised issues with flooding and design and these issues are discussed later within the report.

Developer Contributions

Due to the nature of the proposed use as student accommodation the development is not Community Infrastructure Levy (CIL) liable nor is there a requirement for S106 contributions relating to education, playing fields or play space. A proposed condition and clause in the proposed S106 agreements will ensure that the development can only be used for the purposes of student accommodation. Should the developer want to use the development for a conventional residential use in the future then a planning application would be required to vary the condition and S106 which would then trigger contributions for education and playing fields/play space.

A request from NHS England has been received advising that the development would put additional demands on the existing GP services for the area, and additional infrastructure would be required to meet the increased demands. A commuted sum has therefore been requested to contribute to the development of additional clinical space. This request would be in accordance with CLLP Policies LP9 and LP12. The applicant has agreed to sign a S106 agreement securing the contribution which will be finalised should the Planning Committee be in support of the application.

Visual Amenity

Phase 1 of the development would provide 22 buildings of student accommodation with an office building at the entrance to the site with student apartments above. The buildings would all be three storeys high but a range of house types within the site creates variety whilst maintaining a sense of collective identity throughout the scheme.

The house types range from parapet, mansard and gabled roofs but all maintain similar characteristics such as the use of red brick, large vertically proportioned windows and brick detailing between each floor to add interest to the elevations.

The layout maximises the views of the site of the River Witham and the Boultham Pump Drain with the proposed buildings lined along both the southern and eastern boundary, with a further 9 buildings positioned within the site. Access into the site would be from Firth Road.

The design has been subject to discussions both at the pre-application stage and during the course of the application. Revisions have been made to add interest and variety to some of the elevations through redesigning the entrances to the blocks to create more emphasis to those elements. Samples of materials to be used in the development would be required by conditions although officers raise no objections with the palette of materials suggested. Officers consider the contemporary design as submitted is appropriate for the site.

The prevailing character along Couslon Road to the south is two storey properties, whilst there is more variation to the east with some three/four storey residential properties. To the north there are three storey former industrial buildings and the retail park which is of an equivalent scale of 2/3 storey buildings. The university objection includes comments regarding the impact from the development on key buildings such as Crown Windmill, Lincoln Cathedral and Lincoln Castle. However, the site itself has been host to large scale industrial buildings for decades previously, before they were recently demolished. The proposed buildings being considered under this application are all 3 storeys in height which is considered to be appropriate to the site and its surrounding context. Furthermore, breaking the buildings up into a number of individual townhouses also ensures that massing is not an issue and adds interest from longer views. Larger scale buildings are indicated on Phase 2 of the development although these will be considered during a later reserved matters application.

The layout of the buildings means that three areas of green space can be provided on the site as well as landscaped areas being introduced on the north, east and southern perimeters of the site.

Overall, the development is of a scale that would not appear overly dominant in this part of the City. Whilst some localised views of the Cathedral will be affected from Coulson Road, long views of the historic hillside are not unduly interrupted by this development. It is considered that the proposals for phase 1 are appropriate in terms of making a positive contribution to local character and distinctiveness and responding to the established character of the area in accordance with Policy LP26 of the Local Plan and paragraph 130 of the NPPF.

Energy Efficiency

An Energy and Low Carbon Technology Statement has been submitted with the application. The statement details the low energy design principles that have been established in order to minimise energy demand of the proposed buildings, they include:

- The use of no fossil fuels on site
- Air source heat pumps to generate space heating and domestic hot water requirements
- Photovoltaics to generate renewable energy on the site
- Having thermal properties and levels of insulation in excess of the new building regulations requirement (Part L)
- Lighting controls to limit the use of artificial light
- The use of high efficiency fans to reduce the amount of electrical energy required

The proposals therefore demonstrate how the development can reduce demand, resource efficiency, use renewable energy sources and off-set carbon in accordance with Policy LP18 of the CLLP.

Impact on Local Residents

The design and scale of the buildings has been carefully considered to minimise any physical impact on adjacent residents in terms of overlooking, loss of light or the creation of an overbearing development. The closest distances from the Phase 1 development to existing properties are approximately 40 metres to the residential properties to the east and 37 metres to the south on Coulson Road. These separation distances will ensure that the scale of development can be satisfactorily accommodated within the local area without undue harm to residential amenity in line with Policy LP26 of the Central Lincolnshire Local Plan. Whilst some concerns have been received from the neighbours at Waterloo Street, the part of the development adjacent to them is within Phase 2 of the scheme and would therefore form part of a future reserved matters application should the current application be granted.

There will be an increase in students in and around the site as a consequence of the development but this in itself would not constitute harm to the amenity of local residents. Officers do not consider that there is an overconcentration of students within this area given the mix of residential to the immediate south and east and retail/industrial to the north. The range of uses as well as the site being close to Tritton Road, a major route into the City Centre would mean that any increase in activity generated by this site is unlikely to be unduly noticeable. A condition restricting the construction hours will be applied to any grant of permission to help limit any potential impact of construction.

Traffic and Pedestrian Safety

The applicant aims to provide 46% resident parking on site which equates to 143 spaces within phase 1 including accessible parking. 84 secure cycle stores would also be provided within phase 1.

The development will have a controlled access gate from Firth Road and the access roads within the site are suitable for fire engine access, refuge vehicles and maintenance vehicles. A scheme for electric vehicle charging points at the site would be required via a

condition, should planning permission be granted.

The main access for pedestrians, and only access for vehicles, is via the main entrance off Firth Road. There would also be an access controlled pedestrian gate on the east boundary of the site which links to the river cycle/foot path on the western side of the River Witham. The site is located within a walkable distance from the university and city centre with good access to public transport, and cycle and pedestrian routes.

The application has been the subject of consultation with the Highway Authority at the County Council and their comments are appended to this report. The Highway Authority have raised no objection to the development subject to conditions requiring the submission of a construction management plan and that the details of the Travel Plan are implemented.

The advice from the Highway Authority also contains a request for this site to fund the upgrade of pedestrian facilities at the signalised crossing on Tritton Road, near Valentine Retail Park. Officers consider that very few residents of the site are likely use this crossing, the majority of the pedestrian movements will be north towards the city centre and the university. It does not therefore meet the tests set out in legislation in relation to off-site contributions from development; the request is not reasonable or proportionate and we recommend that this request does not form part of the S106 for the application.

Subject to the recommended conditions, officers consider the development would promote the use of sustainable modes of transport for users of the site and would not have a severe impact on the transport network in accordance with paragraph 111 of the NPPF and LP13 of the CLLP.

Flood Risk and Drainage

The site lies within Flood Zone 3 therefore a Flood Risk Assessment and Drainage Strategy has been submitted with the application. The developer has also undertaken a sequential testing exercise which has concluded that there are no reasonably available alternative sites available for the development.

The FRA concludes that:

- Finished Floor Levels (FFL) should be set at a minimum of 5.700mAOD, with flood resilient construction to a height 300mm above the predicted flood depth, and demountable defences to 600mm above finished floor level.
- The new buildings should be on the Environment Agency's emergency flood line which would advise occupants of potential flood events. A flood procedure plan will be drafted by the management to ensure that all occupants are aware of the evacuation plan / safe egress and refuge routes should flooding occur.
- The proposed scheme will not change the operational function of the existing River Witham.
- The amount of impermeable area associated with the proposed development is no greater than the existing site therefore will not generate greater flows to that of the existing site which will not increase flood risk.

The Flood Risk assessment has been considered by the Environment Agency who have raised no objections to the proposals subject to conditions to ensure the FFLs are set no lower than 5.7mAOD and the proposed resilience measures are incorporated.

The drainage strategy for the site establishes that ground conditions at the site are not considered to be permeable; making infiltration drainage unfeasible at the development. The nearest watercourse to the site is considered to be the favourable location for the discharge of surface water run-off. However, it is proposed to drain hardstanding areas of the site via permeable paving and highway gullies, with additional attenuation provided within the pipework and permeable paving sub-base. The levels and falls across the site will be designed to direct surface water away from buildings towards soft landscaping areas. It is therefore proposed that surface water discharge will be restricted using a flow control to 65l/s in accordance with the agreed assessment of existing flows with the Internal Drainage Board (IDB). Foul drainage from the proposed development is to be discharged to the existing Anglian Water foul water sewers surrounding the site.

The site abuts the Boultham Pump Drain on the southern boundary. Negotiations have taken place during the application stage with the developer and the IDB to ensure an appropriate buffer for upkeep of the drain is maintained between the proposed buildings and the bank of the drain on the south boundary. The IDB has raised no objections the development

The drainage strategy has been considered by the County Council as Highway Authority and Lead Local Flood Authority (LLFA) who have raised no objections to the proposed arrangements. The development would therefore satisfy the requirements within paragraph 167 of the NPPF and LP14 of the CLLP.

Landscaping and Biodiversity Net Gain

The applicant has provided landscaping scheme and an assessment of how the site can achieve Biodiversity Net Gain (BNG). Three pockets of opens space are created within the site to create focal points and recreational space within the site for its occupiers. Trees would be planted throughout the site and wildflower meadows introduced along the southern boundary with the Boultham Pump Drain and part of the eastern and northern boundary. Native hedging/shrubs would also be introduced on the north and southern boundary and in various areas throughout the site to break up the parking areas.

A BNG Assessment has been submitted with the application using the which details the net gain elements including 680m of new hedgerow around the site and a net gain of 9.92% of habitat units on site. The assessment also details a number of faunal features for local wildlife, including integral bat and bird boxes, insect boxes and log piles and further details of these features and details of maintenance are proposed to be submitted via condition.

Overall, the proposals represent a net gain in trees and biodiversity in line with Policy LP21 of the CLLP.

Archaeology

Whilst the likelihood of finding significant Archaeology in this part of the City is unlikely, it is proposed that standard conditions will be able to deal with any such matters during the course of construction.

Contaminated Land

A ground investigation report has been submitted with the application although further information will be required to address any potential contamination within the site. This matter could be appropriately dealt with by the imposition of the standard contaminated land conditions on any grant of permission in accordance with Policy LP16.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, and design.

Technical matters relating to highways, contamination and archaeology are to the satisfaction of the relevant consultees and can be further controlled as necessary by conditions. The proposals would therefore be in accordance with the requirements of CLLP Policies and the NPPF.

Application Determined within Target Date

Yes – With extension of time.

Recommendation

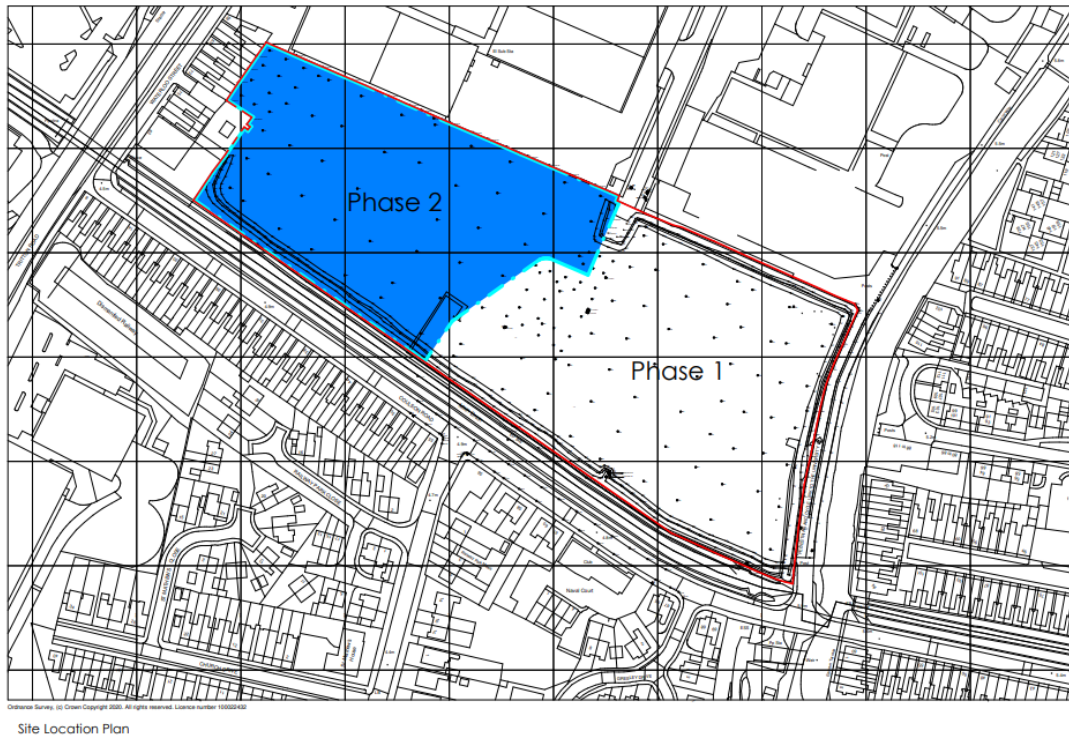
Delegate the application to grant upon signing of the S106 subject to the conditions set out below.

Conditions

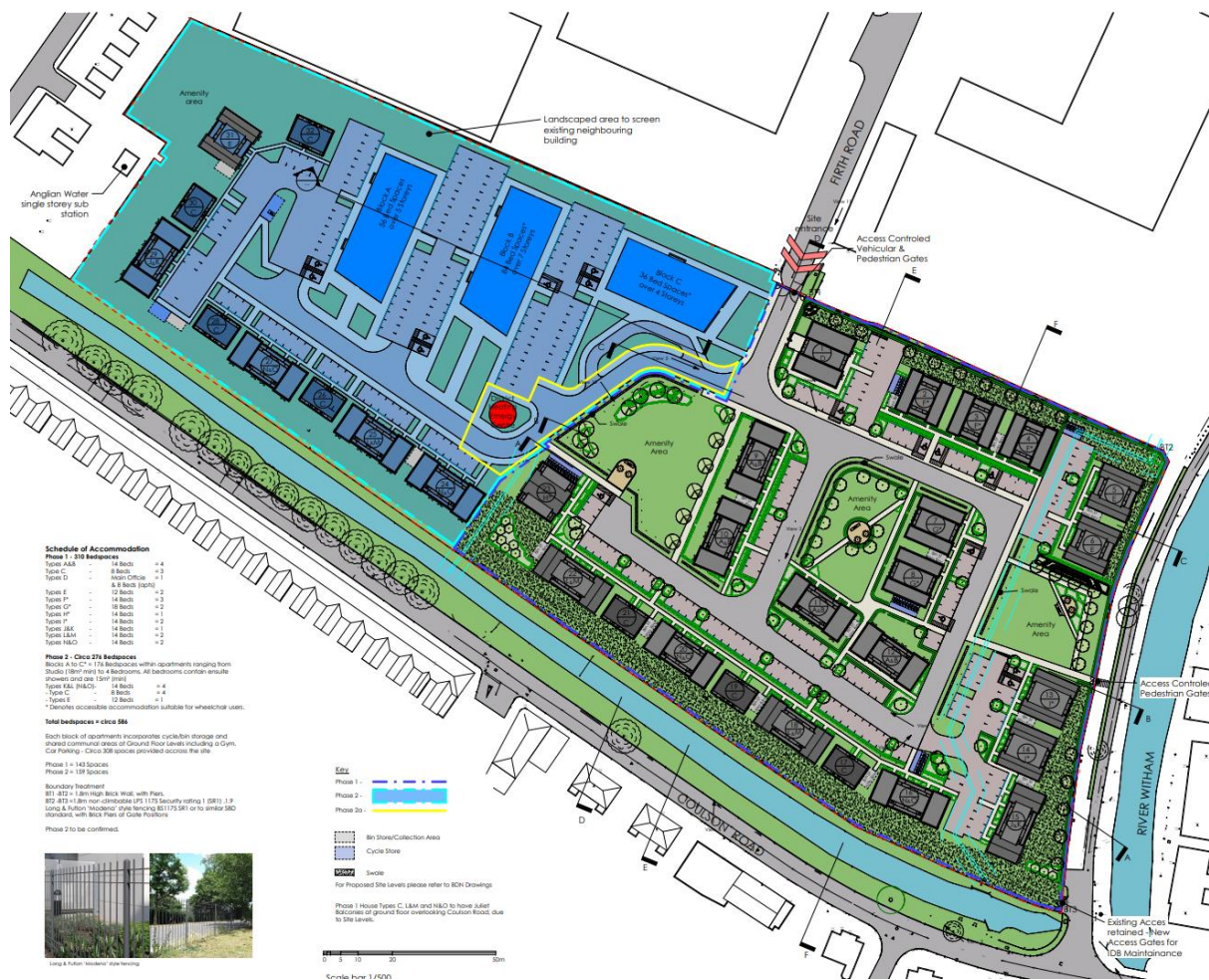
1. Development to commence within three years
2. Development to be in accordance with the submitted drawings
3. Materials to be submitted
4. Contaminated land
5. Archaeology
6. Highways construction management plan
7. Noise mitigation measures to be implemented
8. Biodiversity management plan to be submitted
9. Landscaping details to be submitted
10. EV charging points to be submitted
11. Boundary treatments to be submitted
12. Travel Plan to be implemented

13. Flood Risk mitigation measures to be implemented
14. Levels on site to be in accordance with drawings
15. Construction hours to be between 7:30am – 6pm Mon to Fri and 7.30am – 1pm Saturdays
16. Restricted to students only
17. Details of reserved matters to be submitted

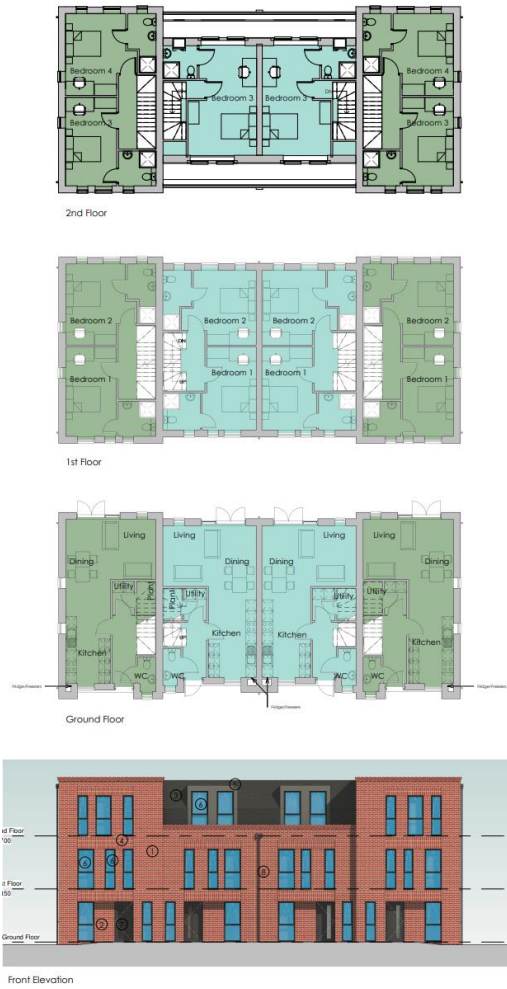
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Site Location Plan



Site Layout Plan



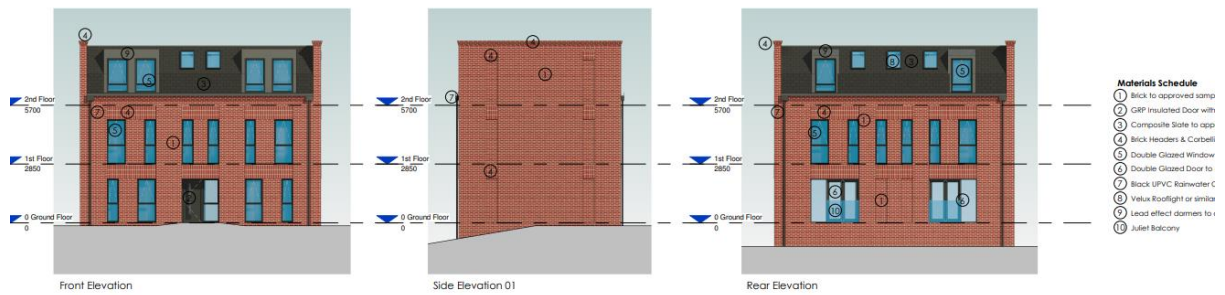
3D View 1



House Type A and B



Indicative 3D View



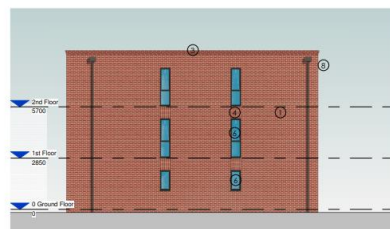
House Type C



House Type E



House Type F

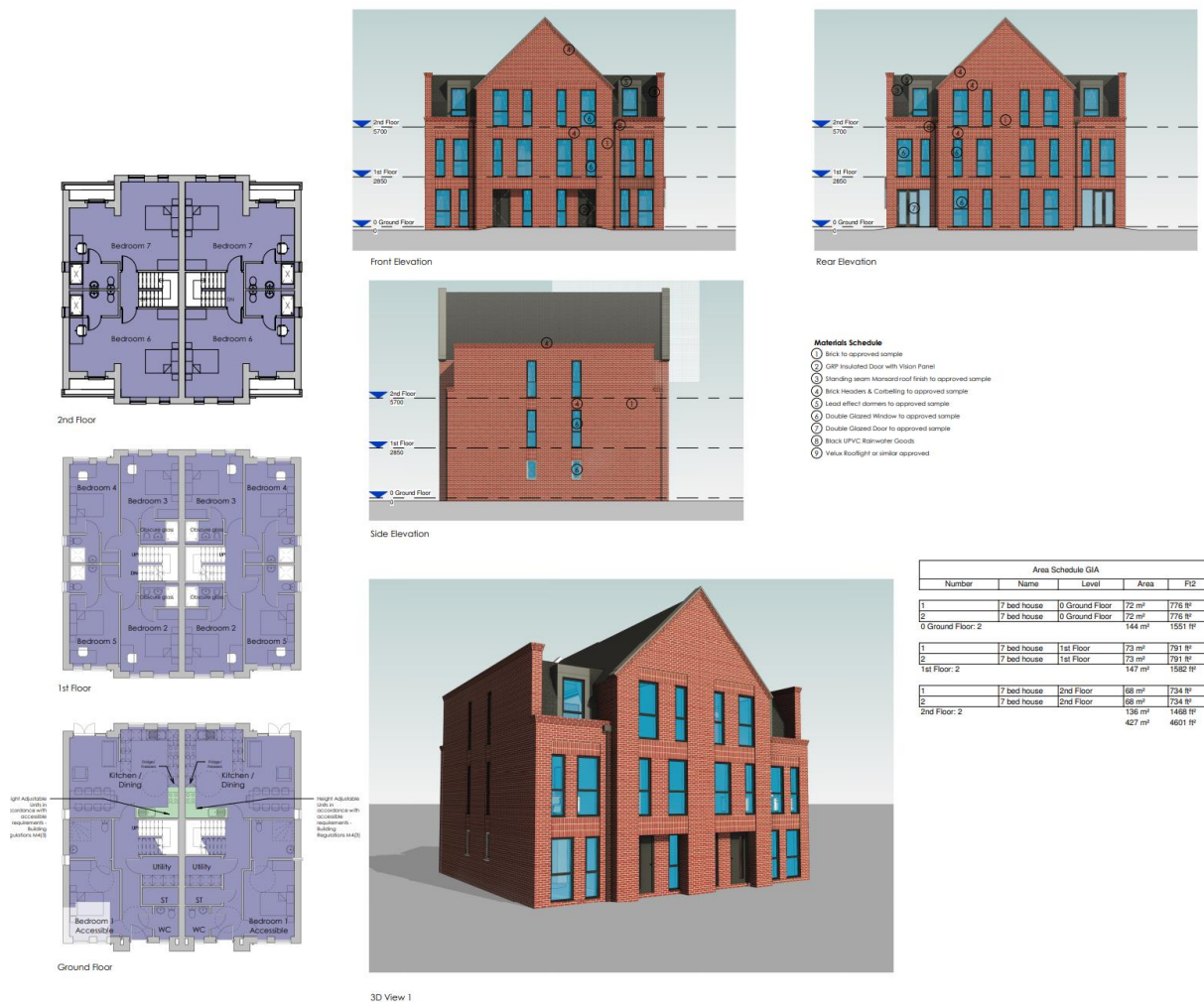


- Materials Schedule**
- ① Brick to approved sample
 - ② GRP Insulated Door with Vision Panel
 - ③ Standing seam Monocor roof finish to approved sample
 - ④ Black Headers & Casing to approved sample
 - ⑤ Lead effect cladding to approved sample
 - ⑥ Double Glazed Window to approved sample
 - ⑦ Double Glazed Door to approved sample
 - ⑧ Black UPVC Rainwater Goods

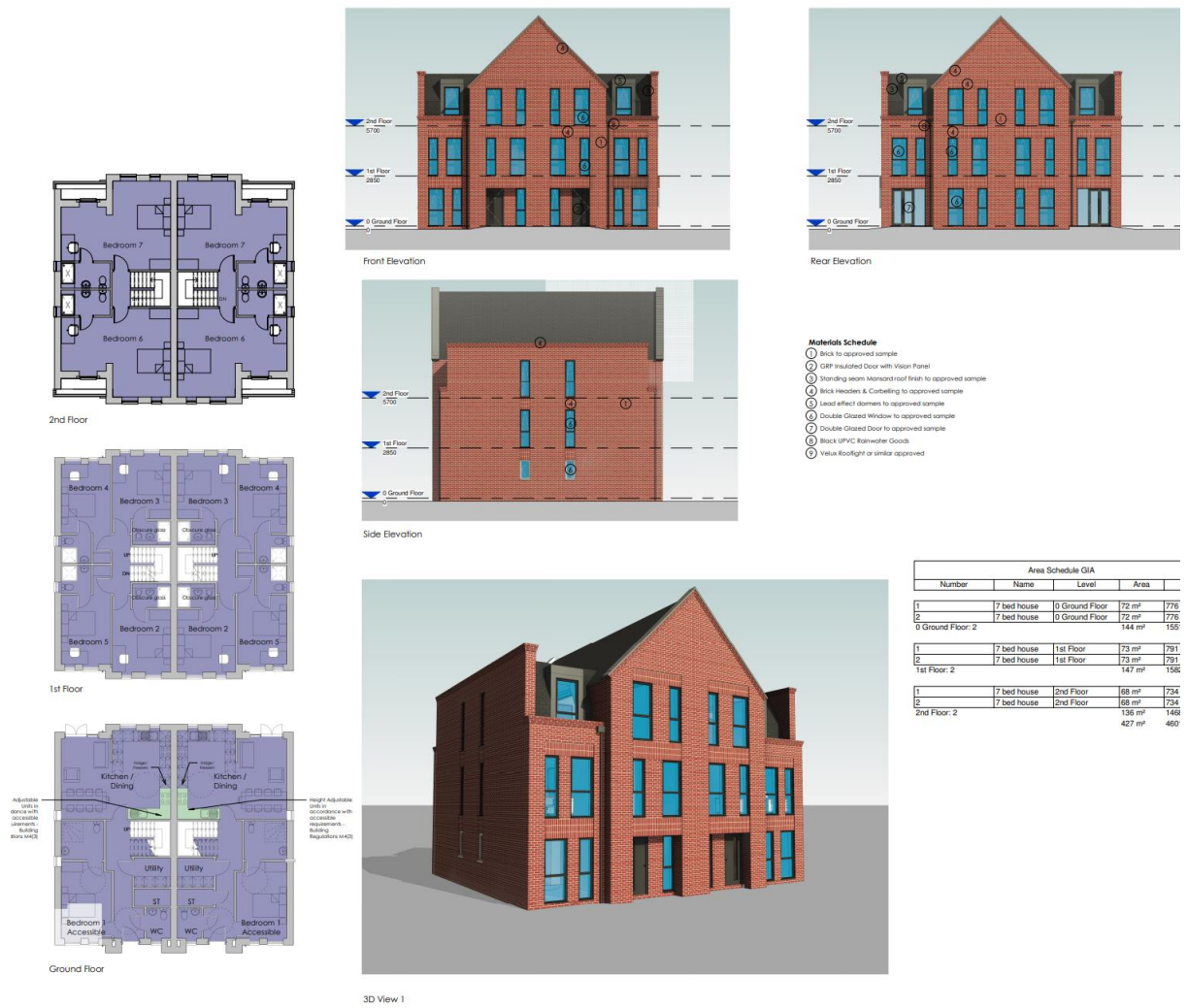


| Area Schedule GIA | | | | |
|-------------------|-------------|----------------|--------|-----|
| Number | Name | Level | Area | |
| 1 | 9 bed house | 0 Ground Floor | 77 m² | 833 |
| 2 | 9 bed house | 0 Ground Floor | 77 m² | 833 |
| 0 Ground Floor: 2 | | | 155 m² | 166 |
| 1 | 9 bed house | 1st Floor | 79 m² | 851 |
| 2 | 9 bed house | 1st Floor | 79 m² | 851 |
| 1st Floor: 2 | | | 158 m² | 170 |
| 1 | 9 bed house | 2nd Floor | 77 m² | 834 |
| 2 | 9 bed house | 2nd Floor | 77 m² | 833 |
| 2nd Floor: 2 | | | 155 m² | 166 |
| | | | 468 m² | 503 |

House Type G



House Type H



House Type H



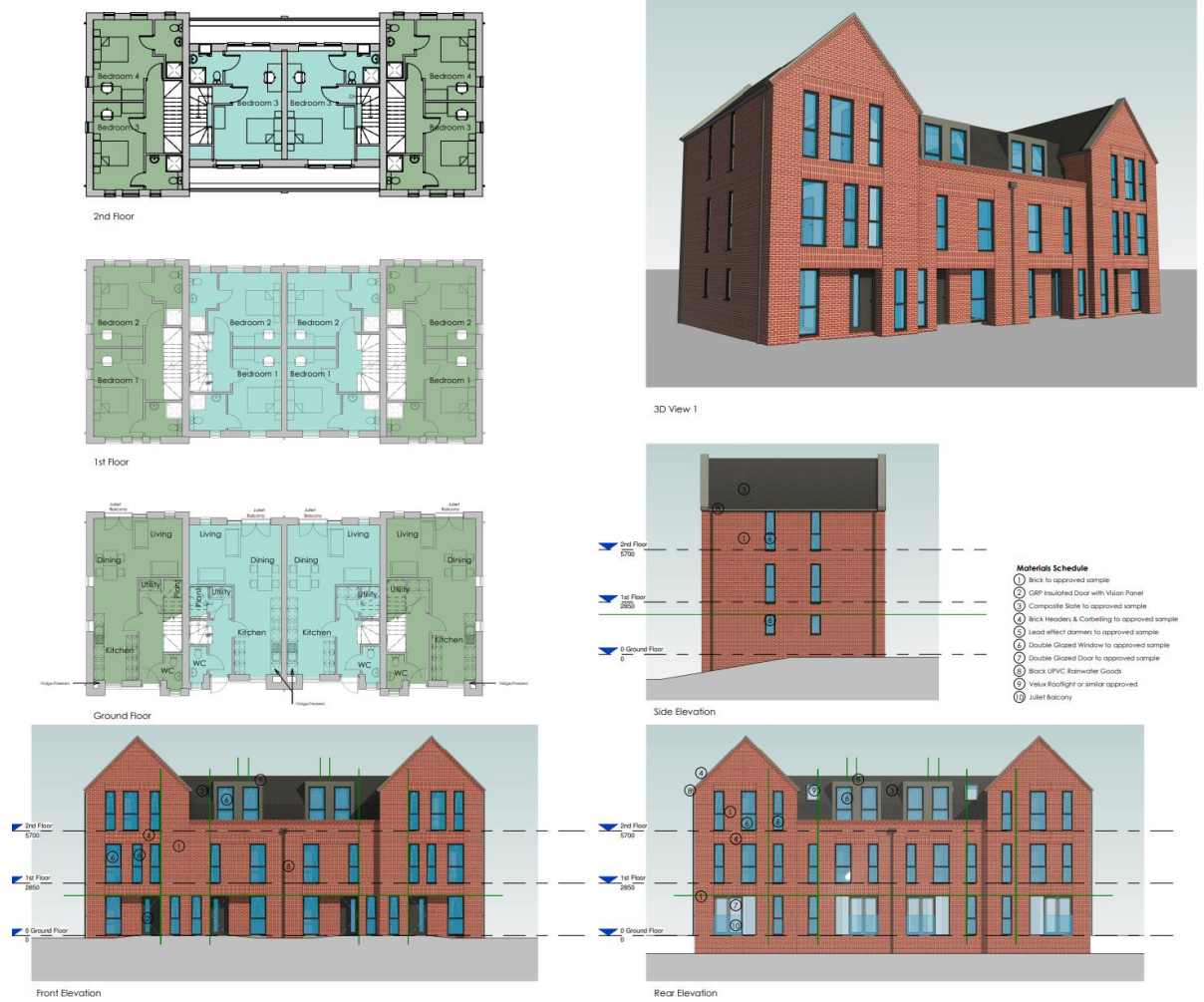
House Type I



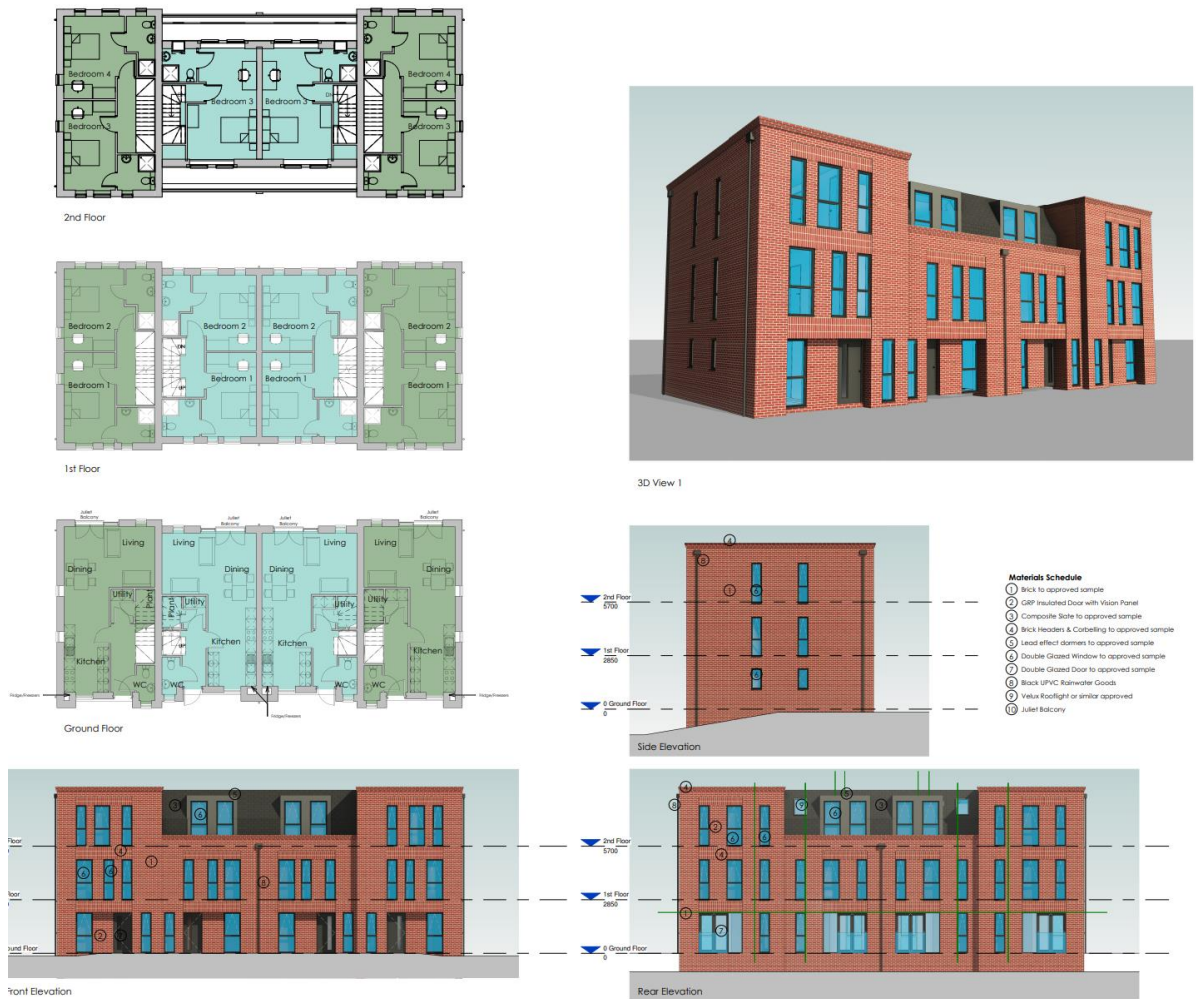
3D View 1



House Types J and K



House Types L and M



House Type N and O



Landscaping Details

Views from Coulson Road





Boultham Pump Drain



Views south from in the site

Cycle path to the east of the site





Access into the site



View to Coulson Road





Views east from the site



Views west from the site

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24 Brookside Scopwick Lincoln LN4 3PA (Objects)

Comment submitted date: Thu 14 Oct 2021

My OBJECTION relates to the possible damage to a building of historic value to the City of Lincoln standing in close proximity to proposed buildings likely to require piled foundations.

Adjacent the proposed development site stands Cannon's Glue Factory, a 19thC factory building of considerable interest to the history of Victorian industrial development in central Lincoln.

This factory is designed in the traditional "sweat shop" style of the period. It was built by Bernard Cannon who had emigrated from Dublin went on to become mayor of Lincoln in 1880. It is reported that he was much loved by his workforce as well as being well respected in City circles. The business was continued under his son Willy Cannon into the early part of the 20thC when it was sold to another manufacturer. The products from this factory are likely to have been employed in the construction of aeroplanes for the airforce during WW1. My mother's family was related to the Cannons and I possess a diary written by my mother describing the working factory in detail while on a visit to William Cannon in 1921.

73 Waterloo Street Lincoln Lincolnshire LN6 7AQ (Objects)

Comment submitted date: Tue 12 Oct 2021

I raised comments to the planning consultant in their community involvement which have been answered in their Planning Statement and Statement of Community Involvement although I have not received a direct reply to date from them.

I recall it says that the hours of working during the construction will be "standard" and will be determined by the City Council. What are standard hours? I hope that the hours of construction can be limited to daylight hours Monday to Friday without starts before 8 am and no later than 5 pm finishes because during the demolition of the site, the demolition team were working some weekends.

The Planning Statement does inform me that the elevations of the apartment blocks in Phase 2 will be determined in a separate application for phase 2 and will not be considered with this application. I would like to record that I object to the three apartment blocks in Phase 2 being so high. They have said that the height of the apartment blocks in Phase 2 of I believe four, five and seven storeys are required to screen the large/industrial units to the northern boundary. These units are part of the shopping centre which at most I estimate are no taller than three storeys and therefore the apartment blocks do not need to be higher than this.

What assurances can the planning consultant provide that surface water will not be discharged into the river as part of the flow control when the water of the river is

very high? Over recent winters the water level of the river bordering this site has been very high.


77, Waterloo Street.
LINCOLN.
17th October 2021.

Dear Sir-Madam,

Thank you for your letter dated 12th October 2021. I would like to comment on the Access onto Waterloo Street from the former William Sinclair Holding Site. The River Authority has Rights of Way along the river bank onto Waterloo Street and William Sinclair Holding has easements from the former site onto Waterloo Street.

It is not clear how you can prevent the general public from entering this proposed site from Waterloo Street or prevent students from using this right of way to access the retail areas along Triton road i.e. Valentine retail park, Morrisons, Farmfoods, B & Q and Triton Retail Park.

I am pleased to see you are considering the parking issues in this area.

Yours Faithfully




Your Ref: 2021/0817/HYB

13th October 2021

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Town and Country Planning Act 1990

Former William Sinclair Holdings Site, Firth Road, Lincoln, Lincolnshire, LN6 7AH

Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of layout, scale, appearance and landscaping to be considered)

Thank you for your correspondence and opportunity to comment on the proposed development. I would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the development.

It is appreciated that some elements of this application are outline in context and detail and therefore would be finalised at a later stage of application, therefore my comments may be of a more generic nature.

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

It is disappointing that no reference in the Design and Access Statement has been made to the overall provision of environmental and structural security that should be provided for the safety and security of residents.

The safety, security and general wellbeing of students should be of paramount importance when considering the detail of this application. The following aspects of security should be rigorously applied to this development.

POLICE HEADQUARTERS
PO Box 999, Lincoln LN5 7PH
(Sat Nav: LN2 2LT)
www.lincs.police.uk

☎ 01522 55 8292
☎ 075700 99424
✉ john.manuel@lincs.pnn.police.uk



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

Perimeter and Boundary Treatment.

A secure access-controlled boundary and fence line remains a principal recommendation and would enhance the security and safety of students and staff.

Should a secondary internal fence line be considered this should have the benefit of creating a secure courtyard within the campus and should as stated have a 1.8 metal welded or decorative design with commensurate gating with uniform access control system.

In a Home Office report "University student safety in the East Midlands" it was identified that 62% of incidents in University campuses went unreported to any authority with 74% of on-campus incidents unreported to campus security departments, yet 69% of students in University accommodation saw burglary as a problem and not unsurprisingly 67% saw people behaving in a drunk and disorderly manner as a problem

<http://www.homeoffice.gov.uk/rds> Home Office Online report 61/04 University student safety in the East Midlands Rosemary Barberet, Bonnie S. Fisher, Helen Taylor

The safety and security, (perceived or otherwise) of students whilst staying away from home usually for the first time, is one of the primary concerns, of many parents and guardians. It must be stressed that a legal 'duty of care' exists in respect of all students, staff, and residents.

The principle of access control refers to the design of building and space to actively keep unauthorised people out and would encompass these aims.

- 1) to limit the likelihood that offenders will become aware of that area as a potential target.
- 2) to make it more difficult for offenders to navigate into, out of and within an area they have should they select it as a target.
- 3) to increase the physical difficulty of entering a building or space should offenders become aware of the area as a target.
- 4) to increase the difficulty *psychologically* for offenders to enter and move around an area without feeling conspicuous (anonymity);
- 5) to remove any excuse for potential offenders to be within a private or semi-private space and maximising the 'users' confidence in challenging non-legitimate users of space.

Fencing

Perimeter treatment to include appropriate fencing and commensurate gating is included to at least 1.8 m non-climbable LPS 1175 Security rating 1 (SR1) .1.9 Long & Fulton 'Modena' style fencing BS1175 SR1 or to similar SBD standard.

The detailed provision and design of the fencing and gating indicated will provide an adequate level of boundary control and help create a good defensible and secure zone within the student complex. It is important that any gating is commensurate in height with the boundary fencing system, access is integrated with the overall security control system envisaged for the complex and should seek the opportunity to eliminate unauthorised 'follow through' or gates being left open. All points of access should be covered within the proposed monitored CCTV system.

Whilst I would argue that the above border and boundary control should be always maintained the option for opening some or all of the points of access during prescribed times remains an option.

External doors and windows

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

I would recommend that an air-lock style entrance vestibule is incorporated into the design (to help prevent unauthorised follow through access) commensurate with an access control system, with an electronic door release, and visitor door entry system that provides colour images, and clear audio communications linked to each individual unit. Under no circumstances should a trade person release button or similar uncontrolled access method be used.

An Industry standard approved CCTV system should be installed covering all communal points of entry and lobby areas. This system must be able to capture and record all persons using the entry system.

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

All ground floor windows and doors and those that are easily accessible from the ground must conform to improved security standard PAS24: 2016. **All ground floor windows should have window restrainers and effective locking systems.**

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

Access to Places of Height

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

The provision of external ledges or elements of the building line that could be used as a platform should be avoided, particularly at places of height, and would effectively contribute to reducing the means to access such places.

Individual Flat or Unit Doors.

Flat entrance door-sets should meet the same physical requirements as the 'main front door' i.e., PAS24:2016. The locking hardware should be operable from both sides of an unlocked door without the use of the key (utilising a roller latch or latch operable from both sides of the door-set by a handle). If the door-set is certified to either PAS24:2016 or STS 201 Issue 4:2012 then it must be classified as DKT.

Homes of Multi-Occupancy / Student Accommodation – Communal Areas & Mail Delivery

Where communal mail delivery facilities are proposed and are to be encouraged with other security and safety measures to reduce the need for access to the premises communal letter boxes should comply to the following criteria.

- Located at the main entrance within an internal area or lobby (vestibule) covered by CCTV or located within an 'airlock style' entrance hall.
- Be of a robust construction (Federation Technical Specification 009 (TS009))
- Have anti-fishing properties where advised and appropriate.
- Installed to the manufacturer's specifications.
- Through wall mail delivery can be a suitable and secure method.

Lighting

Lighting should be designed to cover the external doors and be controlled by *photoelectric cell* (dusk to dawn) with a manual override. The use of low consumption lamps with an efficacy of greater than 40 lumens per circuit watt is required; it is recommended that they be positioned to prevent possible attack.

Cycle Storage Structure (if to be included)

Lincoln City in keeping with many University cities suffers a level of cycle thefts therefore:

- avoid furniture (for example railings) that might be used as ad-hoc cycle racks.
- include arrangements to promptly remove cycles or component parts that are left in situ.
- suitable signage should be deployed to inform user of this process.

Secure bicycle parking should be made available within an appropriate roofed building, with all **round surveillance** that is within view (no more than 100 metres) of occupied buildings or CCTV, using ground bolted cycle stands. Construction should be of Galvanised steel bar (min thickness of 3mm) filled with concrete and a – minimum foundation 300mm with welded anchor bar. This facility should have adequate vandal resistant, dedicated, energy efficient lamps illuminated during hours of darkness¹. A design-focussed and inviting cycle to rack/shed would encourage safe and secure bike use where residents feel confident to leave their cycles. If this is not achieved evidence strongly supports that cycle use will be reduced and residents will find alternative means to store cycles, i.e., in rooms or corridors.

Internally the locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person.

Bulkhead anti vandal lighting should be a feature of this design.

It is noted that the current proposed cycle storage areas do not appear to comply with the above criteria which is designed to provide protection, security, and safety for users. Clear lines of sight with good natural surveillance,

Bin Storage

Internal communal bin and bicycle stores within blocks of flats must have no windows and be fitted with a secure door set that meets the same physical specification as 'front door' and specifically Section 2, paragraphs 21.1 to 21.6 and 21.8 to 21.13.

¹ www.bikeoff.org/design_resource

This will ensure that such stores are only accessible to residents. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands.

External bins stores and home composting containers (supplied to meet 'Code for Sustainable Homes' 'Was 3') should be sited in such a way that they cannot be used as a climbing aid to commit crime.

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

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

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

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)

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: 2021/0817/HYB

Proposal: Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of layout, scale, appearance and landscaping to be considered)

Location: Former William Sinclair Holdings Site, Firth Road, Lincoln, Lincolnshire, LN6 7AH

With reference to the above application received 12 October 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)

Highway Informative 02

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

Highway Informative 04

The streets within the proposed development are approved as private streets which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980).

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>

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.

Further to the above condition, we recommend that the Travel Plan is updated to consider the comments below, prior to any occupation of the site:

| | |
|----------|---|
| Target | The target is based on TRICS data with a 3.8% baseline provided. Given the location of the accommodation, it is highly unlikely that public transport will be used and that the majority of students will walk or cycle. Targets should therefore focus on discouraging the use of the car and increase the walking and cycling baselines – again, the TP needs to work with the university in this area. |
| Measures | 7.4.1 doubt residents (students) will be classed as ‘employed’ and therefore able to access Cycle to Work scheme. However, they may be eligible to utilise university offers. |

| | |
|--|---|
| | <p>7.5.1 Given the location of the site and current provision of bus services locally, highly unlikely that operators will re-route or provide additional bus services.</p> <p>7.7.1 TP should be encouraging internal car sharing amongst students if it is deemed necessary to use the car.</p> |
|--|---|

S106 Contributions

Prior to occupation of any part of the proposed development, LCC as HLLFA request a S106 contribution of £20,000 towards the upgrading of pedestrian facilities at the signalised crossing on Tritton Road near Valentine Retail Park.

Case Officer:

Date: 22 February 2022

Becky Melhuish

for Warren Peppard

Head of Development Management



Development Team
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DD

Jones Lang LaSalle Ltd
45 Church Street, Birmingham B3 2RT
+44 (0)121 643 6440
jll.co.uk

Mobile: 07843913578
ravinder.uppal@eu.jll.com

4 November 2021

Dear Sir / Madam,

Letter of Objection In respect of Planning Application Ref. No. 2021/0817/HYB at the Former William Sinclair Holdings Site, Firth Road, Lincoln, LN6 7AH.

I write to submit this Letter of Objection on behalf of our client, the University of Lincoln in respect of the planning application proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB**. The purpose of this letter is to express in planning terms why the proposals as set out in **Planning Application Ref. No. 2021/0817/HYB** are not suitable or appropriate at Land South of Firth Road (hereafter referred to as the site). This letter demonstrates to the Local Planning Authority how and why this is the case, by setting out the relevant site context; evaluating the planning application submission; referring to relevant planning policy to demonstrate the grounds for objection; and pertinently, reviewing the need for student accommodation in the City of Lincoln.

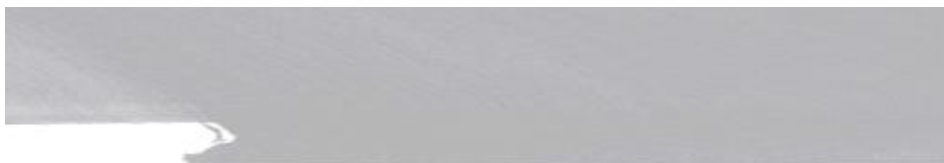
Description of Proposals

We are objecting to the hybrid planning application that seeks **Full Planning Permission for Phase 1** and **Outline Planning Permission with details of only access for Phase 2**. The description of the proposals are as follows:

"Hybrid application for the erection of 22no. buildings for us as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only)"

Site and Surroundings

The application site is approximately **3.64 hectares** (8.99 acres) and is situated towards the south of Firth Road in Lincoln, approximately 280 metres south-west from the city centre. The Site directly borders the River Witham to the East, and Tritton Retail Park Shopping Centre to the North, the busy A1192 Tritton Road lies directly to the West of the site, and the South borders a substantial waterway. Adjacent to this waterway is a street of residential dwellings that directly face the



site, on Coulson Road. Access for pedestrians and vehicles is provided off Firth Road to the North of the site, as existing fencing, gates, and the waterway prevent access from the South at present.

The Site previously comprised of industrial buildings that were used to produce compost, fertiliser, and garden chemicals associated with William Sinclair Horticulture LTD. After a period of vacancy these buildings were demolished, leaving the Site to now comprise of vacant hardstanding.

The Site is surrounded primarily by commercial, industrial, and retail uses to the North East, North West, and South West. To the South and South East of the site lies residential areas with housing that comprises of 2-storey dwellings. North of the site there is student accommodation that has recently been granted planning permission and is currently under construction (these are the St. Marks student accommodation proposals permitted under **Planning Application Ref. No. 2018/1261/FUL**). These proposals are substantial and comprise of a total of 1372 bed spaces.

The entirety of the site sits in **Flood Zone 3a** (as defined by the Environment Agency) due to bordering the River Witham which has a recent history of flooding in Lincoln. Flood Zone 3a areas are those that have a high probability of flooding.

There are a number of important heritage sites in the vicinity of the site as identified on the Historic England Map Search facility. An extract from the map search has been provided at **Enclosure 1**.

There are various significant views from the Site, including Lincoln Castle, Lincoln Cathedral, and the Crown Windmill on Princess Street. The below images show how these important heritage assets are clearly visible from the Site:



Fig 1 – Photographs taken by JLL showing views of the following heritage assets that are clearly visible from the site, from left to right – Lincoln Cathedral, Lincoln Castle and the Crown Windmill

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decisions of development proposals to be taken in accordance with the adopted development plan for the area unless material considerations indicate otherwise. National Planning Policy Framework, Planning Practice Guidance and other local planning policies e.g. Supplementary Planning Documents, are all material considerations.

Comments against various policies will be written in italics.

National Planning Policy Framework (2021) (NPPF)

The national planning policy is set within the new National Planning Policy Framework (NPPF) (2021). This edition replaces the previous National Planning Policy Framework published in March 2012, and its revisions in July 2018 and February 2019.

Accordance with the Local Plan policies

Paragraphs 2 and 47 state that planning law requires that applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Furthermore, **Paragraph 12** notes that where development proposals conflict with an up-to-date Development Plan, planning permission should not usually be granted.

Although the development proposals may be deemed to be in accordance with Policy LP35, the proposals are not compliant with Policies LP10, LP14, LP17, LP25, LP26 and LP29 of the Central Lincolnshire Local Plan (as evidenced in further detail later in this letter) and as such, are not compliant with Paragraphs 2 and 47 of the NPPF. In line with Paragraph 12 of the NPPF, the development proposals should therefore not be granted planning permission.

Presumption in favour of sustainable development

A presumption in favour of sustainable development lies at the heart of the Framework (**Paragraphs 10 and 11**).

Although the proposals involve the redevelopment of a brownfield site, they are not sustainable given the significant flood risk constraints, poor design and the lack of need for further student accommodation in the City of Lincoln.

Flood Risk

Table 1 below sets out the relevant planning policy paragraphs in respect of flood risk derived from the NPPF.

Importantly, **Annex 3 of the NPPF: Flood Risk Vulnerability Classification** states that apartments purposefully built for students come under the "more vulnerable" classification.

| Paragraph No. | Policy wording | Planning analysis |
|---------------|---|---|
| 159 | 'Inappropriate development in areas at risk of flooding should be avoided directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.' [Our emphasis] | <p>Given that the site in its entirety lies within Flood Zone 3a and the proposals come under the 'more vulnerable' classification, they constitute inappropriate development in an area with a high probability of flooding. In line with Paragraph 159, such uses should be directed away from areas at highest risk.</p> <p>Furthermore, the development proposals are not necessary given that the City of Lincoln Council has an up-to-date five year housing land supply and the Council's Housing Strategy Report 2020-2025 notes that there is sufficient development in the pipeline until 2025 to meet the accommodation needs of students. This site was not referenced as being within that pipeline in the Central Lincolnshire Five Year Housing Land Report (October 2021). This further supports the case that the proposals are not necessary.</p> |
| 161 | 'All plans should apply a sequential, risk-based approach to the location of development – taking into account a sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.' | Please see below. |
| 162 | 'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known | <p>It is considered that there are reasonably available sites that are appropriate for the proposed development in areas with a lower risk of flooding in the local area. In line with Paragraph 162 of the NPPF, the development proposals should be refused on this basis.</p> <p>Further details of <i>some</i> such sites can be found at Appendix C of the Central Lincolnshire Housing and Economic Land Availability Assessment Report (2020). The planning application submission included a Flood Risk Sequential Assessment and Exception Test Report prepared by DPP Planning. However, the methodology for</p> |

to be at risk now or in the future from any form of flooding.'

determining whether there are alternative sites that are reasonably available is flawed for a number of reasons. Essentially:

- the requirement for alternative sites noted in the report is geared around a site that is located on the edge of Lincoln city centre that offers easy access to the University buildings and amenities used by students. There is no need for further student accommodation in the City of Lincoln as noted above, therefore, this should not form part of the search criteria.
- the size of the alternative sites sought was 'an area of at least 3.5ha'. Again, this was to suit the needs of providing low density student accommodation which is not needed in the area.
- the alternative sites were deemed to be needed to be available now. However, there are no student accommodation needs to be met until at least 2026 and even at that time, in line with the Council's Housing Strategy Report 2020-2025 document, it is anticipated that there will be a reduced need to provide student accommodation.

Given the above, the methodology used in the Sequential Test Report prepared by DPP Planning is flawed and there are sites included within the report that were unduly discounted.

Interestingly, the Site Assessment for the Former CEGB Power Station on Spa Road states that, *'The site's adjacency to the River Witham to the south has resulted in it being predominantly located in Flood Zone 3. the areas outside of Flood Zone 3 are located along the north and eastern boundaries of the site and would, at around 1.7ha, not be large enough to accommodate the Proposed Development.'* This is noted as a reason for discounting the site. However, the subject site is also within Flood Zone 3 and is also inappropriate for the proposed development.

| | | |
|-----|---|--|
| 163 | <p>'If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.'</p> | <p>As sites were unduly discounted in the Sequential Test carried out by DPP Planning, it is considered that it is possible for development to be located in areas with a lower risk of flooding in this instance. For example, the Land of Wolsey Way site and the Waterside North/Spa Road site was discounted as it was noted that the sites were too small in size to accommodate the proposed development, the Land North of Ermine West site located 1.5 miles from the Lincoln city centre and was discounted on that basis. However, as mentioned the approach taken when undertaking the Sequential Test is flawed given that there is no need for student accommodation.</p> <p>Notwithstanding the above, we have also demonstrated below why the proposals fail to meet the requirements of an Exception Test.</p> |
| 164 | <p>'To pass the exception test it should be demonstrated that:</p> <ul style="list-style-type: none"> a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.' | <p>The development would not provide wider sustainability benefits to the community that outweigh the flood risk. Although the proposals represent redevelopment of a brownfield site which does provide a benefit in terms of sustainability, this is overridden by the number of material considerations that must be factored into the balance when considering the proposals. Ultimately these material considerations result in the proposal being deemed as unsustainable.</p> <p>The proposals are unsustainable as they would lead to an over concentration of student accommodation in the local area. It is recognised that in local planning policy that this in turn, can lead to issues around antisocial behaviour, crime and create an imbalance whereby there is a failure to meet the housing needs of non-students. Local planning policy also highlights that a high concentration of student housing can make private renting unaffordable for other vulnerable groups. An oversupply of student housing also affects the area's prevailing character and setting.</p> |

| | |
|--|--|
| | <p>The proposals are also unsustainable as:</p> <ul style="list-style-type: none"> - there is no unmet need to deliver student housing accommodation in the City of Lincoln - the proposals are classed as being 'more vulnerable' development and are to be sited in an area where this is a high probability of flooding when there are other reasonably available sites which have a lower risk of flooding and as such, would be more suitable for the proposed use if it were required, - the proposals have failed to take account of Lincoln's rich historic heritage and the design is not sympathetic to the surrounding area. Good design is a key component of sustainable development and the proposals have failed to consider key views into and from the site. |
| <p>165 'Both elements of the exception test should be satisfied for the development to be allocated or permitted' [Our emphasis]</p> | <p>Importantly, both elements of the exception test criteria need to be satisfied. As noted above, the proposals fall short of satisfying criteria 'a'.</p> |

Re-use of brownfield site

Paragraph 120c states that substantial weight should be given to the value of using of **suitable** brownfield land within settlements for homes and other identified needs, and supporting **appropriate** opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

*The policy wording notes that substantial weight should be afforded to the re-use of **suitable** brownfield land and supporting **appropriate** opportunities only. This site is **unsuitable** for redevelopment due to the aforementioned flood risk constraints and the proposals to provide student accommodation are **inappropriate** as a result of the lack of need to provide student accommodation in the City of Lincoln (beyond what is included in the residential pipeline outlined in the Central Lincolnshire Five Year Housing Land Report (October 2021). Pertinently, this site is not mentioned in the Five Year Housing Land Report (October 2021).*

Furthermore, there are a number of material considerations that demonstrate that the proposals should not be supported and these material considerations should also be afforded substantial weight when determining the application proposals.

Making efficient use of land

Paragraph 119 states that planning decisions should promote the most effective use of land in meeting the needs of the area, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 124 highlights that development should be supported where it makes efficient use of land, taking into account:

- **the identified need** for different types of housing and the availability of land suitable for accommodation it
- **local market conditions**
- the availability and capacity of infrastructure and services
- the desirability of maintaining an area's prevailing character and setting and
- the importance of securing well designed, attractive and healthy places.

*There is not an identified need for the development proposals. The lack of demand for student accommodation in Lincoln is evidenced later in this letter. As such, the proposals do not align with **Paragraph 119** as redeveloping the site to provide student accommodation would not be an effective use of land and would not meet the needs of the area.*

Paragraph 126 states that, '*The creation of **high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.***' [Our emphasis].

Paragraph 130 notes that planning decisions should ensure that 'developments are **sympathetic to local character and history, including the surrounding built environment and landscape setting.**' [Our emphasis]

Paragraph 134 stipulates that '**development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design,** taking into account any local design guidance and supplementary planning documents such as design guides and codes.' [Our emphasis]

The proposals are not of good design as the flood risk constraints of the site compromise the quality of the development and the impact of the proposals upon the local heritage assets and nearby residential properties has not been considered. The scale and massing of the proposed development is not sympathetic to the surrounding built form and setting. The building that is proposed is of 3 storeys and the residential properties in the vicinity are only of 2 storeys. Important heritage assets are also clearly visible from the site and little has been done to enhance the setting or significance of these assets or indeed, even consider heritage. Overall, the proposals are not of a good design and thus, do not constitute sustainable development.

Heritage

Paragraph 189 stresses that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 199 notes that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The planning application submission omits any reference to heritage considerations which should have formed an important consideration when designing the proposals. This is very much a lost opportunity to promote sustainable design principles through incorporating heritage considerations. It is considered that a Heritage Impact Assessment needs to be carried out to ensure that there will be no harm to the significance or setting of the heritage assets in the vicinity.

Local Planning Policy

The current Development Plan covering the Site is made up of the following documents: -

- Central Lincolnshire Local Plan
- University of Lincoln Masterplan

The Central Lincolnshire Local Plan was adopted in April 2017 and guides development for Central Lincolnshire authorities until 2036.

Site specific policy – Regeneration and Opportunity Area

Policy LP35: Lincoln's Regeneration and Opportunity Areas notes that planning permission will be granted in the 'Firth Road Area' for the **appropriate** redevelopment of sites in the regeneration area for housing, including accommodation for students, either solely or as part of a mixed-use development in association with Business B1 use, Education and Community Use D1, small shops, cafes, restaurants on the ground floor along the waterfront; and leisure. The site falls within this Regeneration and Opportunity Area.

It should be noted any proposals should represent appropriate redevelopment of sites in the Regeneration and Opportunity Area. Given the flood risk constraints of the site and the lack of need for student accommodation, the proposals would not represent appropriate redevelopment of the site. There should be flexibility and the development proposals should meet an identified need rather than creating an oversupply of housing for one particular demographic as this is unsustainable.

High concentration of student accommodation

Paragraph 7.11.1 is of relevance as it acknowledges that whilst it is important that the accommodation needs of students is met, difficulties can arise where there is a high concentration in a particular area. The wording notes that, *'Problems mainly occur where there is a concentration of dwellings with a rapid turnover of residents or a concentration of converted dwellings in an established residential area causing an imbalance in those communities which can have negative effects. These can include an increase in parking pressures and a decreased demand for local shops and services which can lead to their closure. It can also lead to a rise in anti-social behaviour and crime levels and put pressure on family housing as owner occupiers and buy to let landlords compete for similar properties and inflate rental prices.'*

Flood Risk

Policy LP14: Managing Water Resources and Flood Risk notes that, *'All development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.'* As demonstrated in Table 1, the development proposals conflict with national planning policy in respect of flood risk and the proposals fail when assessed against the Sequential Test and Exception Test requirements. As such, planning permission should be refused.

Heritage

Paragraph 5.10.1 highlights that the notable historic environment positively contributes to Central Lincolnshire's character, the quality of life experienced by residents, and its appeal as a destination for visitors and tourists.

Paragraph 5.10.2 states that Central Lincolnshire's local character is heavily influenced by Lincoln, a world class Cathedral City.

Paragraph 5.10.3 stresses that Central Lincolnshire's heritage assets, including the significant historic building stock and archaeological resource, are irreplaceable and require careful management as the area evolves and undergoes significant growth and regeneration.

Policy LP25: The Historic Environment stipulates that, *'Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.'*

In instances where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made by its setting, the applicant will be required to undertake the following, in a manner proportionate to the asset's significance:

- a. describe and assess the significance of the asset, including its setting, to determine its architectural, historical or archaeological interest; and*
- b. identify the impact of the proposed works on the significance and special character of the asset; and*
- c. provide clear justification for the works, especially if these would harm the significance of the asset or its setting, so that the harm can be weighed against public benefits.*

Unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposal(s) does not harm the significance of the asset and/or its setting.

Development proposals will be supported where they:

- d. Protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;*
- e. Promote opportunities to better reveal significance of heritage assets, where possible;*
- f. Take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.'*

Given Lincoln's rich historic character, it is considered a gross oversight that heritage has not been considered when designing the proposals. This lack of regard for heritage demonstrates poor design and good design is a key component of sustainable development. Any planning application to redevelop the site should have been supported by a Heritage Impact Assessment.

Planning Application Submission

The planning application submission comprises of the following plans and documents:

- Planning Statement and SCI by DPP
- Air Quality Assessment by Stroma
- Archaeological Desk Based Assessment by On Site Archaeology Limited
- Architectural Drawings by Den Architecture showing proposed plans and views
- Biodiversity Net Gain Assessment by Brooks Ecological
- Design and Access Statement by DEN Architecture
- Drainage Statement by Building Design Northern and associated plans
- Energy and Low Carbon Technology Statement by Desco
- Flood Risk Assessment by Building Design Northern
- Flood Risk Sequential Assessment and Exception Test by DPP
- Landscape Masterplan (ref: 21 5523 100) by JRP
- Noise Impact Assessment by Nova
- Notes on Site Investigation by Bradbrook Consulting
- Preliminary Ecological Appraisal by Brooks Ecological
- Transport Assessment by Local Transport Projects
- Travel Plan by Local Transport Projects Ground Investigation Report by Ian Farmer Associates

The planning system is important in ensuring high-quality, good design, sustainable place-making that meets current needs without intentionally harming the local area or community.

We have reviewed the planning application submission and consider that it is insufficient in demonstrating a need for student accommodation at this site and there are also a number of technical considerations that should preclude the granting of planning permission of the proposals.

Overall, we consider that the site is unsuitable for the development proposed, there is no need for additional student accommodation in the area, the proposals are of poor design and the proposals are unsustainable for these reasons.

Table 1 in this letter demonstrates the failure of the development proposals in satisfying the Sequential and Essential Tests required to be satisfied in order to allow the proposals to be granted planning permission given the site's Flood Zone 3a status. Thus, the proposals conflict with **Policy LP14: Managing Water Resources and Flood Risk of the Local Plan**.

Below, it is demonstrated that the proposals that have been put forward are of poor design and the lack of need for student accommodation in Lincoln is explored. Overall, each of these planning arguments - flood risk, poor design and lack of need for student accommodation – is a material consideration to be weighed in the balance when determining the planning application. It has been justified why the proposals constitute unsuitable, inappropriate and unsustainable development.

1. Poor design

Although the design of the scheme includes red brick, this is not enough to ensure that the proposals are of good design and are sympathetic to the surrounding area. The proposed buildings are of contemporary appearance which is a stark contrast to the historical built form and landscape in the vicinity of the site, including the local heritage assets and the Victorian houses on Coulson Road.

The Design and Access Statement, as well as other submitted supporting documents or plans, **do not effectively consider the key views at the site**, particularly views to and from key heritage assets in the local vicinity such as, but not limited to, the Crown Windmill, Lincoln Cathedral, and Lincoln Castle. The images presented in the 'Site and Surroundings' section of this letter show some of views photographed at different points throughout the site. These views and indeed, the impact of the proposals on these key heritage assets have been ignored in the planning application submission. Given Lincoln's rich heritage, due regard should be had to the heritage assets in the vicinity of the site. The planning application submission has not considered heritage.

Furthermore, the planning application has not given enough consideration to the implications of building 3-7 storey apartments at this site. This has significant implications for views *of* the site from important heritage assets and also views *from* the site. The changes in views for surrounding existing residents should also be considered, as well as views for the future residents of the proposed scheme. In particular, **the Crown Windmill** on Princess Street is well known for providing views of Lincoln that can be seen from the upper floors, and with the proposals at this site sitting within 300 meters of the Windmill, the changes and effects of these views should be considered in depth.

The proposed heights will also significantly change the views from the existing residential dwellings surrounding the proposed development such as those on Coulson Road. Heights of 3-7 storeys will significantly alter their views of the City and therefore, the height of buildings should be reconsidered to prevent conflict between the existing and potential future residents.

Overall, the design of the proposals in their current form, are not sympathetic to the existing built environment and wider landscape. Furthermore, the implications of the development on key heritage asserts have not been considered. As such, we consider that the proposals are unsustainable.

For the reasons noted above, it is considered that the development proposals do not accord with:

- **Policy LP17: Landscape, Townscape, and Views**
- **Policy LP25: The Historic Environment;**
- **Policy LP26: Design and Amenity;**
- **Policy LP29: Protecting Lincoln's Setting and Character**

2. Lack of need for student accommodation in Lincoln

The City of Lincoln Council has a **5.35 year housing land supply** as of October 2021.

In addition, **The Housing Strategy 2020-2025 document** prepared by The City of Lincoln Council acknowledges that the housing market in the City needs rebalancing due to the high level of student housing in particular localities. It states that the University of Lincoln and Bishop Grosseteste University have advised that, further to the completion of the Medical School, they currently have no plans for further expansion within the timeframe of the Housing Strategy and pipeline residential sites will adequately meet demand until 2025. This site is not referenced as being within that pipeline in the Central Lincolnshire Five Year Housing Land Report (October 2021). This further supports the case that the proposals are not necessary.

Furthermore, the Housing Strategy document states that, by 2026, the demand by students for HMO accommodation in city centre locations will have greatly reduced, allowing for the reintroduction of family housing and more balance residential neighbourhoods.

Local market conditions should also be factored in. The University of Lincoln has provided JLL with a letter which further evidences the current lack of demand and uptake of student accommodation in the local area and stresses that the provision of further student accommodation will only serve to exacerbate existing void issues. The letter is provided in full at **Enclosure 2**.

Given that there is a substantial student accommodation block in construction to the north of the site at the St Marks Retail Park site permitted under **Planning Application Ref. No. 2018/1261/FUL** that has planning consent to deliver 1372 bed spaces and there are adequate sites identified to provide student accommodation up until 2025, if the application site were to be brought forward for student accommodation use also, this would result in an overconcentration of student housing in the area. As such, the proposals do not represent sustainable development.

The Housing Strategy 2020-2025 document prepared by The City of Lincoln Council acknowledges that the concentration of student accommodation in the City has driven up rents for private rented housing, making private renting unaffordable to many people on benefits and low incomes. Thus, an oversupply in student accommodation will further exacerbate these issues and will result in the needs of other groups that are vulnerable not being met.

Having a concentration of student accommodation in areas also has a knock-on effect on the local area's desirability for those that are not students as it impacts the area's prevailing character and setting and can lead to adverse effects in terms of antisocial behaviour and an increase in crime. Furthermore, an overconcentration of student accommodation is likely to cause an imbalance whereby there is a failure to meet the housing needs of non-students. This should be factored into consideration when determining the planning application.

For the reasons noted above, it is considered that the development proposals do not accord with:

- **Policy LP10: Meeting Accommodation Needs.**

Summary and Conclusions

The development proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB** conflict with policies contained within the NPPF and Local Development Plan. Specifically, the proposals do not comply with the following policies contained within the Central Lincolnshire Local Plan (2017):

- **Policy LP10: Meeting Accommodation Needs**
- **Policy LP14: Managing Water Resources and Flood Risk**
- **Policy LP17: Landscape, Townscape, and Views**
- **Policy LP25: The Historic Environment**
- **Policy LP26: Design and Amenity**
- **Policy LP29: Protecting Lincoln's Setting and Character**

In addition, the proposals conflict with the following policies contained within the NPPF:

- **Paragraphs 2 and 47** as the proposals do not accord within policies contained within the Development Plan;
- **Paragraphs 10 and 11** as the proposals do not represent sustainable development
- **Paragraphs 159, 162, 163, 164 and 165** as the proposals do not comply with policy in respect of flood risk
- **Paragraph 120c** as the proposals are unsuitable and inappropriate

- **Paragraphs 119, 124, 126, 130 and 134** as the proposals represent the ineffective and inappropriate use of land and poor design
- **Paragraphs 189 and 199** as the proposals have a lack of regard for heritage considerations

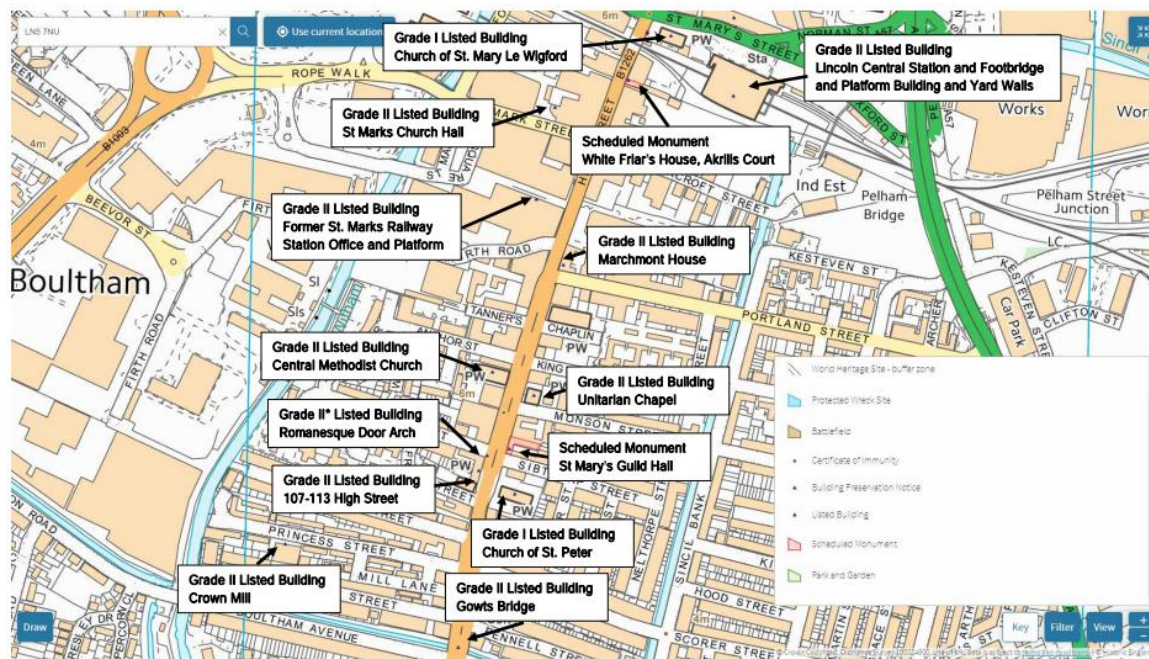
Furthermore, it has been demonstrated within this letter that the site is unsuitable due to the significant flood risk constraints that are present, the proposals are of poor design, there is a lack of need for student accommodation proposals and the granting of planning consent in this instance, would lead to an overconcentration of student housing in the local area. Overall, the proposals represent inappropriate, unsuitable and unsustainable development. On the basis of the planning arguments set out within this letter, the proposals should not be granted planning permission.

Yours sincerely,



Ravinder Uppal
Associate Director
Planning and Development
For and on behalf of Jones Lang LaSalle Limited

Enclosure 1 – Annotated Extract from Historic England illustrating the heritage assets within the local vicinity of the site



Enclosure 2 – Letter dated 4th November from the University of Lincoln to JLL providing current market evidence on the lack of demand of student accommodation in the local area



UNIVERSITY OF
LINCOLN

4th November 2021

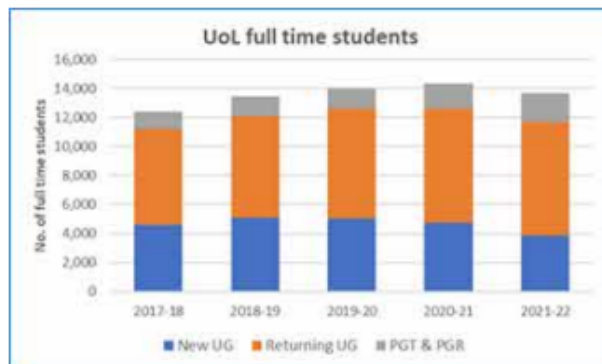
Mrs Ravinder Uppal
Jones Lang LaSalle
45 Church Street
Birmingham
B3 2RT

Dear Ravinder,

Re: Objection to Planning Application Ref. No. 2021/0817/HYB

Further to our correspondence, you have been instructed by the University of Lincoln (UoL) to consider the above referenced planning application relating to the proposed development of student accommodation at Firth Road. This letter is to support the formal letter of objection Jones Lang LaSalle (JLL) are to submit on behalf of UoL.

At present, UoL are experiencing significant voids in our existing supply of student accommodation. Currently, student numbers are approximately 800 down on last year, illustrated in the graph below, with a plan to recover to last year's level of take up by next year,



This aim is optimistic and highly dependent on steps taken by more popular Universities across the country and whether the 'over-offering' of places at these facilities continues and whether overseas students return. It will also be difficult to achieve this target given the smaller cohort of returning undergraduates due to this year's small intake.



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LINCOLN

The table below shows the UoL capacity and occupancy as of 10th November 2021. In August 2022, UoL will also have taken on Block A at St Marks and assuming the same number of residents, the number of vacant beds will rise to 926. UoL

| | Nov-21 | Aug-22 |
|-------------------------|------------|------------|
| UoL capacity | 4,260 | 4,410 |
| Occupancy | 3,484 | 3,484 |
| % | 81.8% | 79.0% |
| Surplus UoL beds | 776 | 926 |

UoL are also aware of some private providers in the region who are extremely concerned about vacancy numbers. Adding more capacity will only pile more negative pressure onto an already over-supplied market.

UoL are happy to provide further input and supporting information as required.

Yours sincerely,



Mr Rob Haigh BSc (Hons) MRICS
Interim Estates Property Manager



For and on behalf of the University of Lincoln



Development Team
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DD

Jones Lang LaSalle Ltd
45 Church Street, Birmingham B3 2RT
+44 (0)121 643 6440
jll.co.uk

Mobile: 07594519736
sarah.jones@eu.jll.com

15th February 2022

Dear Sir / Madam,

Letter of additional Supporting Information and response to comments to accompany the Letter of Objection against the proposals for the erection of student accommodation at the Former William Sinclair Holdings Site, Firth Road, Lincoln, LN6 7AH, prepared on behalf of the University of Lincoln.

I write to submit this Supporting Information alongside the **Letter of Objection dated 4 November 2021** on behalf of our client, the University of Lincoln, in respect of the planning application proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB**. This letter sets out research and evidence that demonstrates the lack of need for additional student accommodation in the City of Lincoln, and responds to the further information provided by the Applicant.

Description of Proposals

We previously submitted a letter of objection (dated 4th November 2021) in respect of the hybrid planning application that seeks Full Planning Permission for Phase 1 and Outline Planning Permission with details of only access for Phase 2 (**Planning Application Ref. No. 2021/0817/HYB**). This letter should be read in conjunction with the letter dated 4th November 2021. The description of the proposals are as follows:

"Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only)"

We understand that the Applicant has submitted amendments to the application that include a revised Proposed Site Plan, revised Drainage Strategy, revised Flood Risk Assessment, and a revised Landscape Plan, following comments from local authority consultees which indicated that the proposed drainage system would not function. The Applicant also issued a Response to Comments which we will address in this Letter.



Planning Policy requirements to consider the relevance of the proposed development

In their Response to Comments, the Applicant states that “there is no planning policy requirement for a student accommodation development to demonstrate that it meets a specified need for student accommodation, meaning the University’s claims in this regard are unsubstantiated from a planning policy perspective”.

National planning policy does require the Applicant to assess the need and requirement for a particular type and the proposed use of development. The **National Planning Policy Framework (NPPF)** asserts that development should ensure places respond to local changes and allow a suitable and relevant mix of uses that consider the scale and type of development that is likely to be needed in the surrounding area (**paragraph 86**).

Sustainable development lies at the heart of the NPPF, with **paragraph 8** stating that development should meet the needs of present and future generations that reflect uses for both current and future needs. To reinforce, the social, economic, and environmental objectives outlined in the NPPF should be considered together to ensure that land is used effectively to safeguard the vitality of localities and prevent decay of urban areas. This paragraph also states that local circumstances should be considered to “*reflect the needs of each area*”.

The presumption in favour of sustainable development (**paragraph 11**) outlines that sustainable development should meet the development needs of the area and provide objectively assessed needs for both housing and other uses. In any circumstance, the Applicant and the Local Authority should consider how sustainable the development proposals are for current and future generations. The research presented by the University of Lincoln evidences the vast oversupply of student accommodation in the area and thus, the development proposals are wholly inappropriate and unsuitable for the local area.

Further Information: The Lack of Need for Student Accommodation in the City of Lincoln

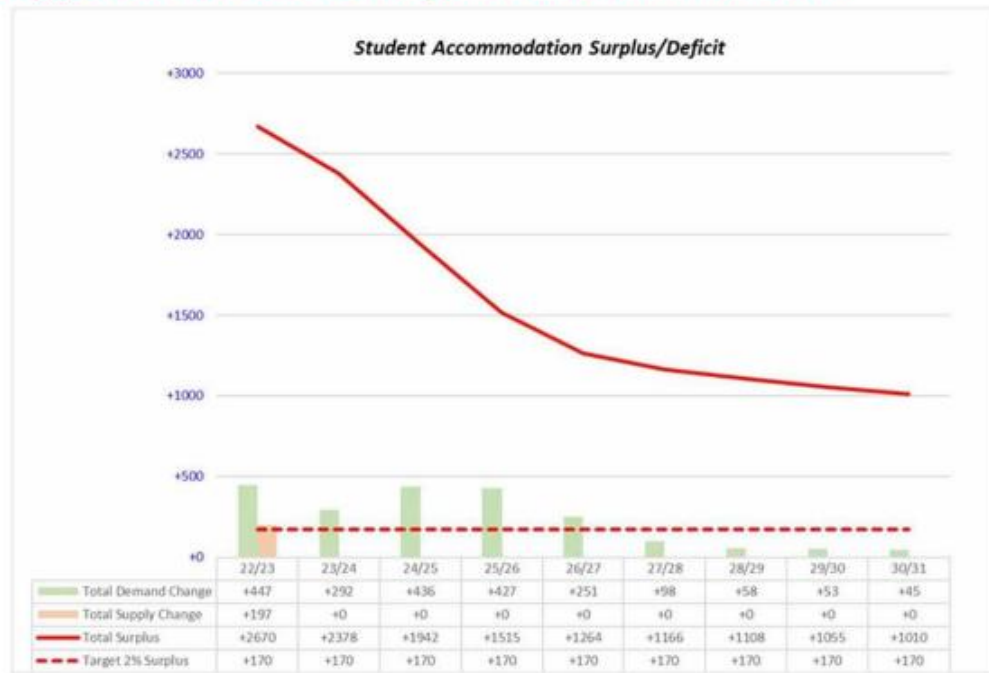
In their Response to Comments, the Applicant states that the proposal “looks beyond the need for accommodation up until 2025”.

The University of Lincoln has undertaken research into the need for student accommodation in the City for **the next decade**, and to this end, has compiled evidence of the forecast numbers of students that are predicted to reside in Lincoln between now and 2031. The University of Lincoln has analysed these predictions against both existing and proposed student accommodation schemes in the City, with the findings demonstrating that there is a **vast oversupply of student accommodation in Lincoln**, thereby demonstrating that there is **a lack of need for additional student accommodation** provisions in Lincoln **both now and for the next decade**. These findings are explained in further detail below.

Figure 1 below, produced by the University of Lincoln, indicates the existing supply and demand of student accommodation over the course of the next decade.

This shows that currently, with the existing stock of student accommodation in Lincoln, (and not including any pending applications for schemes), **there is already a surplus of 2,670 beds in the city of Lincoln**. This is predicted to be a **surplus of 1,010 beds by 2031**. As shown in the graph, this exceeds the target 2% surplus of 170 beds.

Figure 1: Supply and Demand of beds from the existing stock of student accommodation in Lincoln



Source: University of Lincoln

Figure 2 below, again produced by the University of Lincoln, indicates how this existing surplus will be affected by the proposals for additional student accommodation in the City, namely at Land at Firth Road.

If the pending schemes are approved by the Council, **the surplus will rise to 3,542 beds** too many by 2023 and will **maintain a significant surplus of 2,174 beds by 2031**. This again drastically exceeds the target surplus of 2% (170 beds).

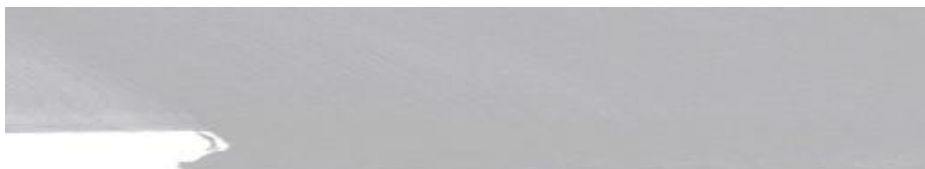
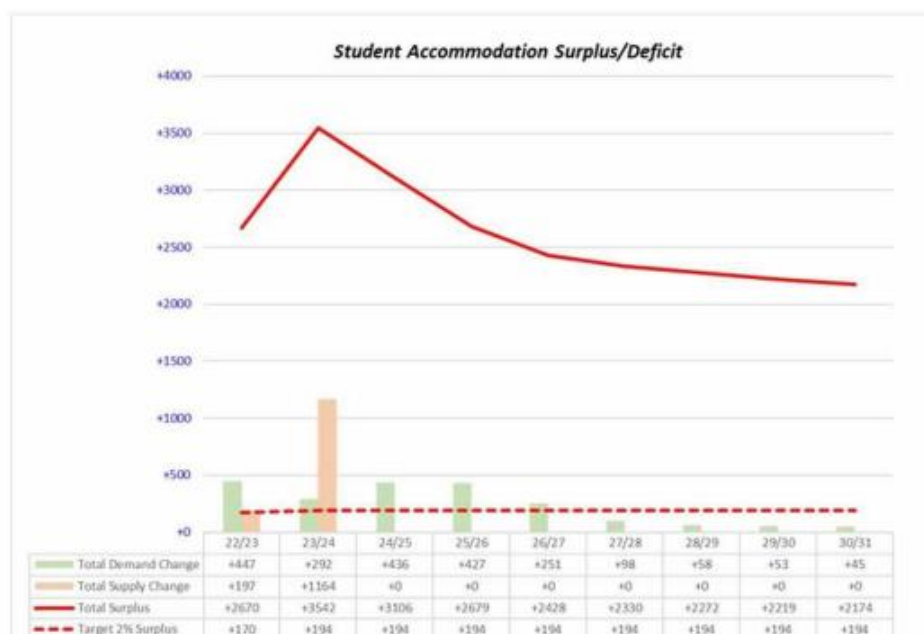


Figure 2: Supply and Demand of beds from the existing and proposed stock of student accommodation in Lincoln



Source: University of Lincoln

The evidence provided herewith justifies the University of Lincoln's objection of proposals for additional student accommodation at Firth Road, on the basis that there is a lack of need for this type of development in the City of Lincoln.

The existing stock of student accommodation is more than sufficient to support the predicted forecast of student numbers over the next decade. Therefore, it is in the Council's interest to encourage better use of this land as student accommodation here will not meet the needs of the City and its residents, and over time, may prove detrimental to the successful and sustainable development of Lincoln as a City.

Heritage

In their Response to Comments, the Applicant aimed to justify their lack of consideration of the impact of the development on surrounding heritage assets by stating "in respect to the perceived impact on the nearby heritage assets, this has not been assessed as part of the planning application as it was not raised as an issue by the LPA at pre-app stage".

Section 16 of the **NPPF** highlights the importance of conserving and enhancing the historic environment and demonstrates how planning applications should always assess the impacts upon surrounding heritage assets.

Paragraph 194 states that applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage asset to understand the potential impact of the proposal. As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed.

Paragraphs 195, 197, 199 and 205 extend this, encouraging authorities to consider how surrounding heritage assets and their settings may be affected by a proposal by encouraging developers to record and advance understanding of the significance of the surrounding heritage assets. The potential impacts should be considered wholly by the applicant, irrespective of whether the potential harm amounts to substantial harm, or less than substantial harm to its significance.

The proposals as submitted fail to consider the surrounding heritage assets that are in view from the site, including **Lincoln Cathedral** and **Lincoln Castle**. The Applicant should demonstrate understanding of the potential heritage impacts of the proposed development before the local authority consider approval of the hybrid planning application.

Flood Risk and Drainage

This letter should be read in conjunction with the letter submitted to the City of Lincoln Council on 4th November on behalf of the University of Lincoln. Overall, it is considered that the proposals for this 'more vulnerable' use are wholly unsuitable, unsustainable and inappropriate at the site.

Conflict with planning policy

The development proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB** conflict with policies within the **NPPF** and the **Local Development Plan**. The evidence presented in this letter specifically indicate how the proposals do not comply with the following policies contained within the **Central Lincolnshire Local Plan** (2017):

- **Policy LP10: Meeting Accommodation Needs;**
- **Policy LP26: Design and Amenity;**
- **Policy LP29: Protecting Lincoln's Setting and Character**

In addition, the evidence presented here shows how the proposals conflict with the following policies contained within the **NPPF**:

- **Section 16: Conserving and enhancing the historic environment** as the proposals do not wholly consider the potential impacts upon heritage assets in the surrounding area / setting of the site



- **Paragraphs 2 and 47** as the proposals do not accord within policies contained within the Development Plan;
- **Paragraph 120c** as the proposals are unsuitable and inappropriate;
- **Paragraphs 119, 124, 126, 130 and 134** as the proposals represent the ineffective and inappropriate use of land

Therefore, the granting of planning consent in this instance is not in the public interest as it would lead to an **overconcentration of student housing** in the local area. Overall, taking the recent amendments to the application in account, the proposals still represent inappropriate, unsuitable, and unsustainable development. On the basis of the evidence set out within this letter, and the planning arguments set out in the Letter of Objection dated 4th November 2021, we respectfully request that the proposals should not be granted planning permission.

Yours sincerely,


Sarah Jones MSc BA (Hons)
Graduate Planner
For and on behalf of Jones Lang LaSalle Limited

DPP Planning
Studio 012, Haylofts
St Thomas Street
Newcastle upon Tyne
NE1 4LE

info@dppukltd.com
www.dppukltd.com



Julie Mason
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Ref: KD/LF/JL/3793NE/L005

Date: 25 January 2022

Dear Julie,

Planning reference 2021/0817/HYB – Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only) at Former William Sinclair Holdings Site Firth Road Lincoln Lincolnshire LN6 7AH.

On behalf of our client, Ashcourt Group ("the Applicant"), we submit the following responses (in bold) to the consultee and public comments received to date in respect of the application described above.

Consultee Comments

Environment Agency

The EA have not objected to the development and have instead recommended that four conditions are attached, including one for flood risk and three for land contamination. The flood risk condition states that the flood resilient construction methods set out in point 5.5 of the previous FRA should be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The EA have also offered up further advice regarding land contamination, including additional assessments.

The EA have noted that the Council's EIA screening opinion confirms that they are of the opinion that the proposed development does not warrant an EIA.

In addition to the above, the EA have made the following comments:

- Impacts of raised development platform – it is noted that the proposal includes a raised development platform. The EA are aware of the objections raised by the Drainage officer to this proposal and, in respect of their concerns relating to access to the adjacent Main Drain and possible impacts on adjacent surface water, the EA support their position.

Cardiff Leeds London Manchester **Newcastle upon Tyne**

DPP One Limited
Company number 08129507
VAT number 138284595

It is their strong recommendation that a multi-agency meeting of all Flood Risk Management Authorities be held to discuss this site.

- Site drainage strategy – the EA highlight the fact the proposed outfall from the site is below water level and therefore the system as designed will not work.
- Flood warning and evacuation plan – the EA advise 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.
- Signing up for flood warnings – the Applicant should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message.
- Environmental permit – under the terms of the Environmental Permitting Regulations 2016, a permit or exemption may be required for any proposed works or structures, in, under, over or within a ‘main river’ or within 8m of a fluvial main river or 16m of a tidal main river. Please contact our Partnership and Strategic Overview Team in Lincoln by email psolincs@environment-agency.gov.uk to discuss the proposals. The team will be able to advise if permit or exemption is required and the fee applicable. Please be aware that the EA have up to two months to determine the application from duly made date, therefore prompt discussions are advised.

The Flood Risk Assessment and Drainage Strategy originally submitted in support of this application have been amended to address the Environment Agency’s comments.

The flood resilient construction methods set out in point 5.5 of the previous Flood Risk Assessment have been replaced by the following flood mitigation measures, which are deemed sufficient to ensure the future residents are not at adverse risk of flooding:

- It is proposed to place the new development on the Environment Agency’s emergency flood line which would advise occupants of potential flood events;
- A flood procedure plan will be drafted by the management to ensure that all occupants are aware of the evacuation plan / safe egress and refuge routes should flooding occur; and
- To manage residual risk and minimise flood risk to the proposed dwellings, the FFL’s have been set at 1300mm above the existing ground levels of the site, to a minimum level of 5.700mAOD.

The above measures can be secured by condition.

Anglian Water

No objection. Anglian Water’s records show that there are assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. Anglian Water have requested the following text is included on the decision 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”*.

The applicant has no objection to the above.

Upper Witham Internal Drainage Board

The Upper Witham Internal Drainage Board has objected to the development on basis of the proposed raised ground level preventing maintenance of the Boultham Pump Drain. The officer states that under the terms of the Upper Witham Internal Drainage Board’s Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (6m) of the top of the bank of a Board maintained watercourse. At this location, the full width is required to be kept clear of all obstructions to allow

Ref: KD/LF/JL/3793NE/L005

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maintenance with large excavators and tractor flail units and to deposit cut vegetation and silt. The Byelaws are independent of the planning process and any ground raising, planting (as shown on the landscape plans), street furniture, lighting, etc. would not be permitted. The Board will shortly be adopting revised Byelaws with a distance of 9m, as this is a large watercourse the full 9m would be required to provide sufficient room for maintenance, it is advised that the layout is revised to accommodate this.

They go on to state that there is a culverted riparian watercourse running parallel to the River Witham, which is not identified on any plans or in the FRA or Drainage Strategy. It is vital this watercourse is not obstructed. The current plans show buildings on top of it, the Applicant needs to address this and it would be advised that the culvert is reconstructed as it is likely to be in poor condition.

It is also noted the proposed system discharges to the River Witham, the current design as detailed will not work because of the proposed levels relative to the water level in the river. It would only work if a pump was used. The current methodology in the Drainage Strategy is unacceptable and the allowable discharge rate would be lower.

The Flood Risk Assessment and Drainage Strategy originally submitted in support of this application have been amended to address the Upper Witham Internal Drainage Board's comments. The Board have reviewed both reports initially and have confirmed that they are now acceptable, and that they have no objections.

University of Lincoln

University of Lincoln object to the proposed development, their three main reasons for the refusal are as follows:

1. *Flood Risk*

Table 1 in the University's letter argues that the development proposals have failed to satisfy the Sequential and Exception Tests which are required to be satisfied in order to allow the proposals to be granted planning permission given the site's Flood Zone 3a status. Thus, it is asserted that the proposals conflict with Policy LP14: Managing Water Resources and Flood Risk, of the Local Plan.

2. *Poor Design*

The University states that the design of the proposals in their current form are not sympathetic to the existing built environment and wider landscape. Furthermore, the implications of the development on key heritage assets have not been considered. As such, it is considered that the proposals are unsustainable.

3. *Lack of need for student accommodation in Lincoln*

The University of Lincoln has provided JLL with a letter which supposedly evidences the current lack of demand and uptake of student accommodation in the local area and stresses that the provision of further student accommodation will only serve to exacerbate existing void issues.

It is noted that there is a lack of need for student accommodation proposals and the granting of planning consent in this instance, would lead to an overconcentration of student housing in the local area.

We have responded to each of the University's proposed reasons for refusal in turn below:

Flood Risk

Local Plan Policy LP14 – Managing Water Resources and Flood Risk, states that all development proposals will be considered against the NPPF, including the application of the sequential and, if necessary, the exception test. DPP maintain the position that the Flood Risk Sequential Assessment and Exception Test report (ref: R002) submitted as part of this planning application sufficiently demonstrates that there are no reasonably available, alternative sites for the proposed development to meet the specific criteria of the Land south of Firth Road, Lincoln, can replicate the sustainability benefits to Lincoln, or that present any lesser risk than the proposed development site. Moreover, it is also demonstrated by the Exception Test and accompanying Flood Risk Assessment and Drainage Strategy, that the proposed development passes both elements of the Exception Test as it has been demonstrated to be safe for its lifetime, providing

a significant betterment to the site and neighbouring sites in relation to flood risk and wider community benefits in terms of volumes for flood storage, in addition to the weighty economic, social and environmental benefits. In light of the above, the proposed development is considered to accord with Local Plan Policy LP14 as it has passed both the required Sequential and Exception Tests.

The University states that the development proposals are not necessary as there is sufficient development in the pipeline until 2025 to meet the accommodation needs of students. This proposal looks beyond the need for accommodation up until 2025, and this is discussed further below.

The methodology of the Flood Risk Sequential Assessment and Exception Test is deemed not sound by the University on the basis that again, there is sufficient development in the pipeline until 2025 to meet the accommodation needs of students. This is addressed above and below, however, the LPA have deemed that the methodology is sound based on the Applicant's requirements and the requirements of a functional student village site.

The University have stated that the DPP site assessment of the Former CEGB Power Station on Spa Road discounts the site on that basis that the site is in Flood Zone 3 but the proposed development site is also in Flood Zone 3. This is recognised but, in line with the Sequential Test requirements set out within paragraph 162 of the NPPF, it is acceptable to a discount a site within the same floodzone as it is not at a lower flood risk than the proposed development and thus not sequentially preferable. Therefore, our approach in discounting this site is sound and in accordance with national policy.

The University also state that the Exception Test has not been passed by the proposed development as it will not provide wider sustainability benefits to the community that outweigh the flood risk. The very clear and substantial benefits of the proposed development are set out in point 6.11 of our Flood Risk Sequential Assessment and Exception Test report (meeting part A of the exception test), whilst it has also been demonstrated that the scheme incorporates flood mitigation and management that ensures the development will be safe for its lifetime taking into account the vulnerability of its users, will not increase flood risk elsewhere, and in fact reduces flood risk overall (meeting part B of the exception test). Therefore, the proposed development passes both elements of the Exception Test. Once again, the LPA have confirmed that the content of the Flood Risk Sequential Assessment and Exception Test report is acceptable.

Poor Design

The scale and massing of the proposals are considered appropriate when viewed within the wider context of the Site and the surrounding area. Please note, Phase 2 is currently submitted in outline and as such the detail (including height) is not submitted with this planning application. The design has been extensively consulted upon and sits very well between the more urban form to the north and the residential streets to the south and east. The proposal is well contained by the two waterways and gives great access into the city and the university.

Although the architectural style may be more contemporary than the existing buildings surrounding the site, the proposed materials of red brick with alternative patterned accents and mansard style roofs will ensure that the scheme is in-keeping with the local area. Moreover, the variance in flat and pitched roofs will add interest to the surrounding roofscape.

In respect to the perceived impact on the nearby heritage assets, this has not been assessed as part of the planning application as it was not raised as an issue by the LPA at pre-app stage and the detailed aspect of the proposed development comprises three-storey HMOs which would have no impact on the heritage assets identified within the University's response. As above, the scale and massing of the Phase 2 apartment blocks are submitted in outline and as such, the impact of the blocks upon the identified heritage assets will be fully assessed at reserved matters stage when the LPA will have further detail relating to appearance and scale.

Overall, the proposed development is considered to accord with section 12 of the NPPF and Local Plan Policies LP18 and LP26.

Lack of need for student accommodation in Lincoln

First and foremost, it should be noted that there is no planning policy requirement for a student accommodation development to demonstrate that it meets a specified need for student accommodation, meaning the University's claims in this regard are unsubstantiated from a planning policy perspective.

The city of Lincoln faces a tangible issue in that the west end of the city is inundated with HMOs and this has severely impacted housing stock in this location and has led to tensions between residents and students. Therefore, the development of a student village on the proposed development site will see students moving here and freeing up traditional housing stock in areas subject to high concentrations of students, and specifically the west end, in turn allowing families to move into these traditional houses and re-balancing communities.

As there is no policy requirement to demonstrate student need, the comments made by the University relate more to a commercial decision of Ashcourt as to whether to deliver a development which the University believes may be left empty due to lack of student demand. Ashcourt are confident that their scheme is viable and deliverable. The proposal is based upon a very successful scheme that the Ashcourt Group built and operate in Hull close to the University of Hull. The accommodation is presented in a series of townhouses, giving intimate individual student communities largely used by 2nd, 3rd and 4th year students who have formed social groups through coming together during the first year at university. Many of the Ashcourt properties are reserved by the same student groups throughout their university life. As such the product very much competes with converted residential properties scattered across the city. As such it will assist in easing tensions within residential communities where the different lifestyles can and do cause conflict.

It is entirely possible that the product could be used by some first-year students but in the experience that Ashcourt have in Hull, this is limited. The product offers enhanced student accommodation and will increase and enrich the student experience, ultimately to the benefit of the university. It will help create long lasting social groups and friendships extending students relationships with each other, the University, and the city.

It is also worth noting that Ashcourt as a company also ran 850 student rooms in and around the University of Hull within converted residential properties but as a result of the new purpose built student scheme that they now operate, they took the decision to sell these properties, as they are much less desirable to the student community and to a far inferior specification to the purpose design and built accommodation. Many of these properties are now being used for their originally intended residential purpose. The management within a purpose-built community such as this proposal is much more straightforward, allowing for garden spaces that students can use but which is easy to maintain, avoiding gardens within residential areas becoming uncared for. The landscaped spaces within the development allow students to gather outdoors without affecting residential communities and where they can enjoy games with friends and eat outdoors. Ashcourt provide safe and secure student communities, with CCTV and night time security 7pm to 7am, meaning student tenants (and their parents, who are often financial contributors of rent) feel safe whilst living away from home at University. Ashcourt also offer a first class property management service, with on site maintenance management and staff.

Notwithstanding the above, the units will be built to be future-proofed meaning in the unforeseen circumstance in which some of the proposed units are vacant, they could be flexibly converted from HMOs to apartments or offices, for example. It is not expected that such conversions would be required, but it is an option in the future should vacancy become an issue.

Ultimately, the site is allocated under Local Plan Policy LP35 for a mixed-use development comprising what were formerly known as Class A1, A3, B1, D1 and D2 uses, as well as housing, including accommodation for students. Moreover, the site is identified in the Council's Brownfield Land Register and the proposed development is in accordance with the HGDP, which outlines that one of the LPA's strategic housing priorities is to provide student accommodation and to work with providers to deliver more student accommodation to meet demand.

Lincoln Civic Trust

The Trust have objected to the application on a number of grounds, including; overdevelopment of the site, a lack of need for further student accommodation, design, unacceptable height of the Phase 2 blocks, flooding and drainage, and access.

Please refer to the above responses regarding overdevelopment, a lack of need for further student accommodation, design, height of the Phase 2 blocks, and flooding and drainage.

In relation to access into the site, the Transport Assessment submitted as part of this application notes that the proposed development would not be expected to have a significant impact on the operation of the local highway network. The proposed development is therefore considered to be in accordance with Local Plan Policy LP13.

City Archaeologist

The City Archaeologist has no objections to the Desk-Based Assessment submitted as part of the application, and the proposed borehole survey. In such cases, they would condition (i) the foundation design, (ii) further archaeological evaluation (the proposed borehole survey), (iii) archaeological mitigation and (iv) archiving and reporting.

The applicant has no objection to the proposed condition.

Community Contracts

Community Contracts confirms the requirements for communal bin stores.

Comment noted, these requirements will be followed by the Applicant.

Lincolnshire Police

Lincolnshire Police had no formal objections in principle, but recommended that their initial advisory recommendations are implemented to reduce the opportunity for crime and increase the safety and sustainability of the development. Their principal recommendation is a secure access-controlled boundary and fence to enhance the security and safety of students and staff. Further to this they recommend:

- Perimeter treatment to include appropriate fencing and commensurate gating is included to at least 1.8 m non-climbable LPS 1175 Security rating 1 (SR1);
- External doors and windows should be made safer by:
 - an air-lock style entrance;
 - industry standard approved CCTV; and
 - ground floor windows should have window restraints and effective locking systems.
- Access to places of height is secured on all levels and should include the provision of substantial windows and locking systems together with fixed and secured 'window restraining' devices; and
- Lighting should be designed to cover the external doors.

The layout has been amended to incorporate appropriate fencing as suggested by Lincolnshire Police. It is understood that the remaining points could be secured via planning condition.

Housing Strategy Officer

No comment.

Comment noted.

Education Officer

No comment.

Comment noted.

Scientific Officer

The Scientific Officer has recommended standard conditions given that the submitted Site Investigation Report was based upon a different use to that of the current application.

The applicant has no objection to the proposed conditions.

Noise

The Pollution Control Officer is content with the details in the new Noise Impact Assessment subject to a condition regarding the noise mitigation measures to be submitted prior to commencement of development.

The case officer has confirmed that this condition can be amended to read 'prior to works above damp proof course', which the application accepts.

NHS

The NHS contribution request has been summarised below:

- The contribution requested for the development of Phase 1 - £85,250 (275 x 310 dwellings)
- The contribution requested for the development of Phase 2 - £75,900 (275 x 276 dwellings)
- Total for Phases 1 and 2 = £161,150

There is currently limited capacity at some practices to accommodate additional growth in patient numbers arising from this development, therefore it is requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50% of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure. To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.

The applicant has no objection to the proposed financial contribution.

Public Comments

A total of 3 public comments have been received to date, these include 2 objections and 1 neutral comment. These comments have been summarised and responded to (**in bold**) below:

Hours of Construction

The hours of construction have been raised as a concern. A public comment hopes that the hours of construction can be limited to daylight hours Monday to Friday without starts before 8 am and no later than 5 pm finishes.

Hours of construction are expected to be standard. This will be secured by condition by the Council's Environmental Health Officer.

Height of Phase 2 Apartment Blocks

Concerns regarding the height of the apartment blocks in Phase 2.

Ref: KD/LF/JL/3793NE/L005

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Phase 2 is currently submitted in outline and as such the detail (including height) is not submitted with this planning application. The comments have been shared with the Applicant for consideration as part of the future development phase.

Surface Water

A public comment requests assurance the surface water will not be discharged into the river as part of the flow control when the water of the river is very high.

The proposed development will not be discharged into the River Witham.

Impact on Historical Assets

Concerns regarding the likely unacceptable heritage impact upon Cannon's Glue Factory which is a building of considerable interest to the history of Victorian industrial development in central Lincoln..

Cannon's Glue Factory is situated directly north of site but is in a poor state of repair and vacant and covered in graffiti. This is not a designated or non-designated heritage asset and as such, the assessment of the proposed development's impact on this building is not considered relevant to this planning application.

Access

Clarification is requested on how general public access into this site can be prevented from Waterloo Street, or how students will be restricted from using the Public Right of Way to access the retail area to the north.

Sufficient boundary fences are proposed around the site to ensure that public access from Waterloo Street into this site will be restricted. Students will not be restricted from using the Public Right of Way (PROW) along the eastern boundary of the site, with a access-controlled gate in the east of the site providing access to this PROW.

Parking

Pleased to see that the Applicant is considering the parking issues in the area.

Comments noted.

Plans/Reports

| Original (Superseded) Plans & Reports | New/Amended Plans & Reports |
|---|---|
| 3233-DEN-AB-ZZ-DR-A-200 – Proposed House Type A and B – Plans and Elevations | 3233-DEN-AB-ZZ-DR-A-200 - Proposed House Type A and B - Plans and Elevations Rev B |
| 3233-DEN-C-ZZ-DR-A-201 – Proposed House Type C – Plans and Elevations | 3233-DEN-C-ZZ-DR-A-201 - Proposed House Type C - Plans and Elevations Rev B |
| 3233-DEN-D-ZZ-DR-A-206 – Proposed Office – Apartments Type D – Plans and Elevations | 3233-DEN-D-ZZ-DR-A-206 - Proposed Office - Apartments Type D - Plans and Elevations Rev C |
| 3233-DEN-E-ZZ-DR-A-203 – Proposed House Type E – Plans and Elevations | 3233-DEN-E-ZZ-DR-A-203 - Proposed House Type E - Plans and Elevations Rev B |
| 3233-DEN-F-ZZ-DR-A-204 – Proposed House Type F – Plans and Elevations | 3233-DEN-F-ZZ-DR-A-204 - Proposed House Type F - Plans and Elevations Rev C |

| Original (Superseded) Plans & Reports | New/Amended Plans & Reports |
|--|--|
| 3233-DEN-G-ZZ-DR-A-205 – Proposed House Type G – Plans and Elevations | 3233-DEN-G-ZZ-DR-A-205 - Proposed House Type G - Plans and Elevations Rev D |
| 3233-DEN-H-ZZ-DR-A-207 – Proposed House Type H – Plans and Elevations | 3233-DEN-H-ZZ-DR-A-207 - Proposed House Type H - Plans and Elevations Rev A |
| 3233-DEN-I-ZZ-DR-A-208 – Proposed House Type I – Plans and Elevations | 3233-DEN-I-ZZ-DR-A-205 - Proposed House Type I - Plans and Elevations Rev D |
| 3233-DEN-JK-ZZ-DR-A-209 – Proposed House Type J and K – Plans and Elevations | 3233-DEN-JK-ZZ-DR-A-209 - Proposed House Type J and K - Plans and Elevation Rev A |
| N/A | 3233-DEN-NO-ZZ-DR-A-200 - Proposed House Type N and O - Plans and Elevations Rev B |
| N/A | 3233-DEN-LM-ZZ-DR-A-209 - Proposed House Type L and M - Plans and Elevations Rev A |
| N/A | Riparian Mammal Survey (ref: ER-5774-03) |
| Flood Risk Assessment (ref: S2274-C-01-0) | Flood Risk Assessment (ref: S2274-C-01-B) |
| Drainage Strategy (ref: S2274-C-02-A) | Drainage Strategy (ref: S2274-C-02-B) |
| Landscape Masterplan (ref: 21 5523 100) | Landscape Masterplan (ref: 21 5523 100 Rev A) |

Summary

The above responses and amendments to the planning documents demonstrate that the Applicant has made every endeavour to work proactively with the LPA and consultees. The development would not have any significantly adverse impacts and as such, planning permission should be granted without delay. If you require any further information at this stage, please do not hesitate to contact me.

Yours sincerely,



Kayleigh Dixon
Associate Director
DPP
M: 07398229076



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: 181268/1/0133548

Local Planning Authority: Lincoln District (B)

Site: Former William Sinclair Holdings Site Firth Road Lincoln Lincolnshire LN6 7AH

Proposal: Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and I

Planning application: 2021/0817/HYB

Prepared by: Pre-Development Team
Date: 10 December 2021

ASSETS

Section 1 - Assets Affected

Our records show that there are assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. 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 September 2021/Drainage Strategy September 2021 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.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.



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

Our ref: AN/2021/132385/02-L01
Your ref: 2021/0817/HYB
Date: 14 February 2022

FAO Julie Mason

Dear Julie

Hybrid application for the erection of 22no. buildings for us as HMO (class C4/sui generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (class E(g)/C3) with associated parking and landscaping works (phase 1 - full planning permission); and erection of approximately 3no. apartment blocks (class C3) and 9no. HMOs (class C4/sui generis) with associated parking and landscape works (phase 2 - outline planning permission including details of layout, scale, appearance and landscaping to be considered)

Former William Sinclair Holdings site, Firth Road, Lincoln, LN6 7AH

Thank you for re-consulting us on the above application on 25 January 2022 following the submission of amended plans.

Environment Agency position

In our response of 26 October 2021 we had no objection to the application but requested conditions covering flood risk mitigation and land contamination.

Having reviewed the amendments, our position remains as before but the flood risk mitigation condition will need to refer to the latest flood risk assessment, as follows:

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref S2274-C-01-B, dated 22 September 2021, revised 24 January 2022, by Building Design Northern) and the following mitigation measures it details:

- Finished floor levels to be set no lower than 5.7 metres above Ordnance Datum (AOD)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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.

Advice to the local planning authorityImpacts of raised development platform

We note the proposal includes a raised development platform. We are aware of previous objections raised by the Upper Witham IDB to this proposal and, in respect of their concerns relating to access to the adjacent Main Drain and possible impacts on adjacent surface water, if the amended arrangement has not addressed the IDB's concerns we would continue to support their position.

Land contamination conditions

Please refer to our letter of 26 October 2021 for our requested conditions.

Advice to the applicant

Please see our letter of 26 October 2021 for advice on flood warning and evacuation, environmental permit requirements and site investigation and remediation.

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

Yours sincerely

Nicola Farr

Sustainable Places - Planning Specialist

Direct dial 02030 255023

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

Application Number: 2021/0817/HYB

Location: Former William Sinclair Holdings Site, Firth Road, Lincoln comprising of:

Phase 1 - 67 Houses in Multiple Occupation (HMO) and 8 flats equating to 310 bedspaces, Phase 2 - apartments and 9 HMOs totalling 276 bedspaces

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---------------------|-----|-------------|------------------------|-----------------------------|----------------------------|---------------------------------|------|---------------------------------------|------------------|----------------------|---------|-----------------------------------|--|---------------------|-----|-------------|------------------------|-----------------------------|----------------------------|--------------------------------|----------------------------|---------------------------------------|--------------------|----------------------|---------|-----------------------------------|---|
| <p>Impact of new development on GP practice</p> | <p>The above development is proposing in Phase 1 - 310 dwellings, and Phase 2- 276 dwellings which, based on the average of 1 person per dwelling for single occupancy in the City of Lincoln Council area, would result in an increase in patient population of 586.</p> <p>The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.</p> <p>Phase 1:</p> <p>Consulting room GP</p> <table border="1"> <tr> <td>Proposed population</td><td>310</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td>$0.310 \times 5260 = 1631$</td></tr> <tr> <td>Assume 100% patient use of room</td><td>1631</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td>$1631/50 = 32.6$</td></tr> <tr> <td>Appointment duration</td><td>15 mins</td></tr> <tr> <td>Patient appointment time per week</td><td>$32.6 \times 15/60 = 8.2$ hrs per week</td></tr> </table> <p>Treatment room Practice Nurse</p> <table border="1"> <tr> <td>Proposed population</td><td>310</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td>$0.310 \times 5260 = 1631$</td></tr> <tr> <td>Assume 20% patient use of room</td><td>$1631 \times 20\% = 326.1$</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td>$326.1/50 = 6.522$</td></tr> <tr> <td>Appointment duration</td><td>20 mins</td></tr> <tr> <td>Patient appointment time per week</td><td>$6.522 \times 20/60 = 2.2$ hrs per week</td></tr> </table> | Proposed population | 310 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.310 \times 5260 = 1631$ | Assume 100% patient use of room | 1631 | Assume surgery open 50 weeks per year | $1631/50 = 32.6$ | Appointment duration | 15 mins | Patient appointment time per week | $32.6 \times 15/60 = 8.2$ hrs per week | Proposed population | 310 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.310 \times 5260 = 1631$ | Assume 20% patient use of room | $1631 \times 20\% = 326.1$ | Assume surgery open 50 weeks per year | $326.1/50 = 6.522$ | Appointment duration | 20 mins | Patient appointment time per week | $6.522 \times 20/60 = 2.2$ hrs per week |
| Proposed population | 310 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.310 \times 5260 = 1631$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 100% patient use of room | 1631 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $1631/50 = 32.6$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 15 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Proposed population | 310 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.310 \times 5260 = 1631$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 20% patient use of room | $1631 \times 20\% = 326.1$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $326.1/50 = 6.522$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 20 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time per week | $6.522 \times 20/60 = 2.2$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

¹ Source: Lincolnshire Research Observatory 2011 Census Data

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---------------------|-----|-------------|------------------------|-----------------------------|----------------------------|---------------------------------|------|---------------------------------------|----------------|----------------------|---------|-----------------------------------|--------------------------------------|---------------------|-----|-------------|------------------------|-----------------------------|----------------------------|--------------------------------|----------------------------|---------------------------------------|--------------------|----------------------|---------|-----------------------------------|---|
| | <p>Phase 2:</p> <p>Consulting room GP</p> <table border="1" data-bbox="459 387 1193 667"> <tr><td>Proposed population</td><td>276</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.276 \times 5260 = 1452$</td></tr> <tr><td>Assume 100% patient use of room</td><td>1452</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$1452/50 = 29$</td></tr> <tr><td>Appointment duration</td><td>15 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$29 \times 15/60 = 7.3$ hrs per week</td></tr> </table> <p>Treatment room Practice Nurse</p> <table border="1" data-bbox="459 779 1193 1059"> <tr><td>Proposed population</td><td>276</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.276 \times 5260 = 1452$</td></tr> <tr><td>Assume 20% patient use of room</td><td>$1452 \times 20\% = 290.4$</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$290.4/50 = 5.807$</td></tr> <tr><td>Appointment duration</td><td>20 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$5.807 \times 20/60 = 1.9$ hrs per week</td></tr> </table> <p>Therefore, an increase in population of 586 in the City of Lincoln area will place extra pressure on existing provisions, for example, extra appointments requires additional consulting hours (as demonstrated in the calculations above). This in turn impacts on premises, with extra consulting/treatment room requirements.</p> | Proposed population | 276 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.276 \times 5260 = 1452$ | Assume 100% patient use of room | 1452 | Assume surgery open 50 weeks per year | $1452/50 = 29$ | Appointment duration | 15 mins | Patient appointment time per week | $29 \times 15/60 = 7.3$ hrs per week | Proposed population | 276 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.276 \times 5260 = 1452$ | Assume 20% patient use of room | $1452 \times 20\% = 290.4$ | Assume surgery open 50 weeks per year | $290.4/50 = 5.807$ | Appointment duration | 20 mins | Patient appointment time per week | $5.807 \times 20/60 = 1.9$ hrs per week |
| Proposed population | 276 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.276 \times 5260 = 1452$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 100% patient use of room | 1452 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $1452/50 = 29$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 15 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time per week | $29 \times 15/60 = 7.3$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed population | 276 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Anticipated annual contacts | $0.276 \times 5260 = 1452$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Appointment duration | 20 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time per week | $5.807 \times 20/60 = 1.9$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>GP practice(s) most likely to be affected by the housing development</p> | <p>Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.</p> <p>Due to the location of the development the 3 practices that would be impacted are Abbey Medical Practice, Portland Medical Centre (The University Health Centre is now part of Portland Medical Centre) and Brayford Medical Practice.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Issues to be addressed to ensure the development is acceptable</p> | <p>Lincolnshire Clinical Commissioning Group (LCCG) wishes for the Section 106 contribution from the development at the Former William Sinclair Holdings Site, Firth Road, Lincoln comprising of: Phase 1 - 67 Houses in Multiple Occupation (HMO) and 8 flats equating to 310 bedspaces, Phase 2 - apartments and 9 HMOs totalling 276 bedspaces to contribute to support the University patients within Marina PCN.</p> <p>Collaborative work is currently underway on the estate's strategy for the Lincoln area, as part of the Primary Care Network.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|--|---|-------------|--------------------------|-------------|-------------|------------|-------------|---------|-------|-----|-------|----------|-----|----------------|-------|--|--|---------|----|--|--|--|--|--|-----|--------------------------------|--|--|--|--|----|--------------------|--|--|--|--|-----|-------------------------------------|--|--|--|--|------|
| | <p>This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.</p> <p>Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), and includes measures to:</p> <ul style="list-style-type: none">• Improve out-of-hospital care, supporting primary medical and community health services;• Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025;• Support older people through more personalised care and stronger community and primary care services;• Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer. <p>The strategic direction both nationally through the development of Primary Care Networks (PCN) and locally through the Sustainability Transformation Plan, is to provide primary care at scale, facilitating 100% patient population coverage by primary care and services being delivered in the community in an integrated way. Included within the PCNs is the requirement to provide on-line access to services and appointments, as well as the introduction of additional roles to enhance the delivery of primary care, including Clinical Pharmacists, Physiotherapists, Social Prescribers, Emergency Care and Mental Health Practitioners.</p> <p>The Lincoln GP Practices are within the Lincolnshire CCG IMP and Marina PCNs (Primary Care Networks) where the housing is being developed. There is a huge variation in the type, age and suitability of current premises within the PCN Networks.</p> <p>The PCNs are working to employ additional staff to increase capacity within primary care and as more care is moved to the community from secondary care closer to individuals' home.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fairly and reasonably related in scale and kind to the development. | <table><tr><td></td><td>Average list size per GP</td><td>Required m2</td><td>£ per m2</td><td>Total cost</td><td>£per person</td></tr><tr><td>GP team</td><td>1,800</td><td>170</td><td>2,300</td><td>£391,000</td><td>217</td></tr><tr><td>GP furnishings</td><td>1,800</td><td></td><td></td><td>£20,000</td><td>12</td></tr><tr><td colspan="5"></td><td>229</td></tr><tr><td colspan="5">Contingency requirements @ 20%</td><td>46</td></tr><tr><td colspan="5">Total per resident</td><td>275</td></tr><tr><td colspan="5">Total per dwelling (resident x 1.0)</td><td>£275</td></tr></table> <p>The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined.</p> | | Average list size per GP | Required m2 | £ per m2 | Total cost | £per person | GP team | 1,800 | 170 | 2,300 | £391,000 | 217 | GP furnishings | 1,800 | | | £20,000 | 12 | | | | | | 229 | Contingency requirements @ 20% | | | | | 46 | Total per resident | | | | | 275 | Total per dwelling (resident x 1.0) | | | | | £275 |
| | Average list size per GP | Required m2 | £ per m2 | Total cost | £per person | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| GP team | 1,800 | 170 | 2,300 | £391,000 | 217 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| GP furnishings | 1,800 | | | £20,000 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | 229 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Contingency requirements @ 20% | | | | | 46 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total per resident | | | | | 275 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total per dwelling (resident x 1.0) | | | | | £275 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | |
|---|---|
| | <p>This figure is multiplied by 1 (the average number of persons per dwelling for City of Lincoln Council) to provide a funding per dwelling of £275. Single occupancy (e.g.- student accommodation)</p> |
| Financial Contribution requested | <p>The contribution requested for the development of Phase 1 - £85,250 (275 x 310 dwellings)</p> <p>The contribution requested for the development of Phase 2 - £75,900 (275 x 276 dwellings)</p> <p>Total from Phase 1 and Phase 2 amounts to £161,150.</p> <p>Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.</p> |
| Trigger point | <p>There is currently limited capacity at some practices to accommodate additional growth in patient numbers arising from this development, therefore it is requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure.</p> <p>To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.</p> |

Kate Robinson
Locality Improvement and Delivery Manager
NHS Lincolnshire Clinical Commissioning Group
3rd December 2021

Lincoln Civic Trust

Comment Date: Mon 21 Feb 2022

OBJECTION

We have read the revised documents and the Comments responses for which we commend the developers for addressing. However, we still feel that some of our original objections were not adequately answered and are hence still valid.

' Flooding ' We do not offer any expert knowledge on the subject but are pleased that the developers have re-visited the subject and accept the findings of the experts.

' 3 Storey Properties ' The street scene along Coulson Road is of 2-storey houses and were it not for the watercourse on the opposite side, the 3-storey properties would do unacceptable damage to the street scene. The watercourse breaks that problem and although we still feel that the buildings visible from the Coulson Road should be 2-storey, we do accept the idea of the contrast created between the commercial buildings and the traditional houses to be valid.

' Overdevelopment & Student need ' We do not accept the explanation to these arguments as we still feel that the number of units to be built in phase 1 to be excessive and congested and if we then add in the future application for phase 2 with the potential Student tower blocks, it becomes even more excessive. As to the volume of student accommodation provided, we consider that the number of those who choose to, or currently, occupy the houses in the West End Quarter is dwarfed by number of student places already provided, or yet to come on stream in 'purpose-built student blocks'. When all the authorised, purpose-built accommodation is available, there will be more than enough student places available, even if the West End Quarter is excluded. We fear the over provision of places for students will be mirrored by the under provision of decent starter homes for young professionals and families. Contrary to the comments made by the developers, purpose-built student accommodation is NOT easily adaptable to form other types of residences and the mixing of students and non-students does not lead to residential harmony.

' Access ' We totally disagree with the dismissive response to vehicle access as when the volume of traffic that the site will create be that student, visitor, delivery, maintenance and service vehicles all have to enter and exit the site via Firth Road and then to the traffic lights on to Tritton Road, the volume will be substantial. The luxury for the developers is that they are only expected to view this application in isolation whereas we and the Lincoln public will view it in conjunction with the expected additional growth in traffic created by the Science and Innovation Park, the Student accommodation on St Marks, the through traffic created by the Western Growth Corridor development, the further expansion of the University of Lincoln and the lack of any multistorey car park in the area. All this added together is a recipe for gridlock and needs to be addressed before its too late. The Lincolnshire County Council Highways department needs to reconfigure this whole area to avoid a nightmare scenario.

Upper Witham, Witham First District & Witham Third District

Comment Date: Mon 21 Feb 2022

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district. The Board maintained Boultham Pump Drain (24200) is on the south of the site.

Following the submission of revised drawings and documents the Upper Witham IDB Objection can be removed.

BDN Outline Levels Plan, drg no S2274-BDN-XX-XX-DR-C-0105 Rev P3.

DEN Architects - Sections adjacent Boultham Pump Drain, drg no 3233-DEN-ZZ-ZZ-DR-A-3002.

BDN Drainage Strategy Rev C, dated 18-02-22 & Flood Risk Assessment Rev C, dated 18-02-22

Byelaw Consent from Upper Witham IDB will be required for the works adjacent to the Boultham Pump Drain including the proposed outfall. Land drainage consent will be required for the diversion of the culvert running north south through the site. The developer is aware of this.

Regards

Guy Hird
Head of Technical & Engineering Services

Education Planning Manager, Lincolnshire County Council

Comment Date: Mon 31 Jan 2022

The County Council has no comments on this consultation in relation to education as there would not be any children generated by the scheme.

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| | |
|----------------------------|--|
| Application Number: | 2022/0135/OUT |
| Site Address: | Land at Derwent Street, Lincoln, Lincolnshire |
| Target Date: | 16th April 2022 |
| Agent Name: | Globe Consultants Ltd |
| Applicant Name: | D Cullen & T Stepniewski |
| Proposal: | Erection of 4no. dwellings (Outline with all matters reserved) |

Background - Site Location and Description

Permission is sought for Outline permission for the principle of residential development for a parcel of land on Derwent Street. The site is currently occupied by 18 single storey lock-up garages with permission sought for up to 4 dwellings.

Derwent Street is situated off Carholme Road, a one way street, characterised by two storey terrace properties.

The application is brought to Planning Committee following a request from Cllr Neil Murray.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 10th March 2022.

Policies Referred to

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

Issues

- Principle of the development
- Visual amenity and design
- Impact on neighbours
- Technical matters

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|--------------------------------------|----------------------|
| Highways & Planning | Comments Received |
| Environment Agency | Comments Received |
| West End Residents Association | No Response Received |
| Lincolnshire Police | Comments Received |
| Upper Witham Internal Drainage Board | Comments Received |

Public Consultation Responses

| Name | Address |
|-----------------|-------------------|
| Mr Simeon Clark | 23 Derwent Street |

Consideration

Principle of the Development

This application is seeking outline planning permission, with all matters reserved for subsequent consideration. As a result, the plans and drawings submitted in support of the application are all for indicative purposes only, with detailed matters relating to access, appearance, landscaping, layout, and scale to be established at the reserved matters stage. The plans submitted with the application demonstrate how 4 no. terraced dwellings could be accommodated on the site. This is not a final layout, and the application only seeks the principle of developing the site for up to 4 dwellings.

Visual Amenity and Design

The design and layout of the proposed development would be the subject of a Reserved Matters application should Outline consent be granted. However indicative drawings submitted with the application show that a form of development, similar to adjacent properties, could be accommodated on the site. Two storey dwellings would be appropriate in this location and would accord with Local Plan Policy LP26.

Residential Amenity and Impact on Neighbours

Given the proposed development would be in an established residential area, the principle of developing the site would be acceptable and in accordance with Local Plan Policy. When looking at the Reserved Matters application in the future the applicants would need

to consider how the properties are positioned on the site, and designed externally, to ensure that any impacts on existing neighbours are minimised.

At the time of writing this report one objection had been received from a neighbouring property. The concerns relate to:

- blocking sunlight from the living spaces
- loss of light and air
- demolition of the garages could damage the patio in the garden
- demolition of the garages could damage the tree at the end of our property
- loss of the wall/ garages to be knocked down and to be replaced with a fence
- overlooking
- parking

As previously stated, the application is only in outline with no design proposed for the dwellings. At Reserved Matters stage the applicants and planning authority would be able to work together to find a design which would limit impact on neighbours. The applicants could also enter into discussions with neighbours to find a suitable boundary treatment. Similarly, the methods and times of demolition and works on site would be controlled to minimise impact.

Highways

The size of the plot shows that each of the proposed dwellings would have the benefit from adequate dedicated off-street parking provision, to ensure that the proposed development does not lead to any unacceptable impact upon highways safety. The impact of parking on Derwent Street has been raised by the Local Member. Therefore, it would be reasonable to include a condition that the Reserved Matters application would include 1 off street parking space per dwelling as a minimum.

The Highways Authority have raised no objections to the proposed development.

Drainage

The site is within the Upper Witham Internal Drainage Board district. The site is in Zone 2/3 on the Environment Agency Flood Maps and potentially at flood risk. A Flood Risk Assessment is included in the Application that the IDB considers contains appropriate mitigation. The IDB have also recommended that no development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system. Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water.

Flood Risk

The site is located in flood zone 2 of the Environment Agency's flood Map for Planning and is at risk of flooding from Fossdyke Canal and the River Trent in case of a breach. Depths in the 1% annual exceedance probability events with allowance for climate change would be relatively shallow (0.1-0.15m) and thus the proposed mitigation measures are considered satisfactory. The proposed development would meet the requirements of the National Planning Policy Framework if the mitigation measures as set out in the Flood Risk

Assessment are implemented on site. This could be controlled by condition.

Conclusion

The principle of developing this site for residential development would be acceptable. The detailed design and technical matters would be considered at Reserved Matters stage, however sufficient information has been submitted at Outline to demonstrate that the site is capable of being developed.

Application Determined within Target Date

Yes.

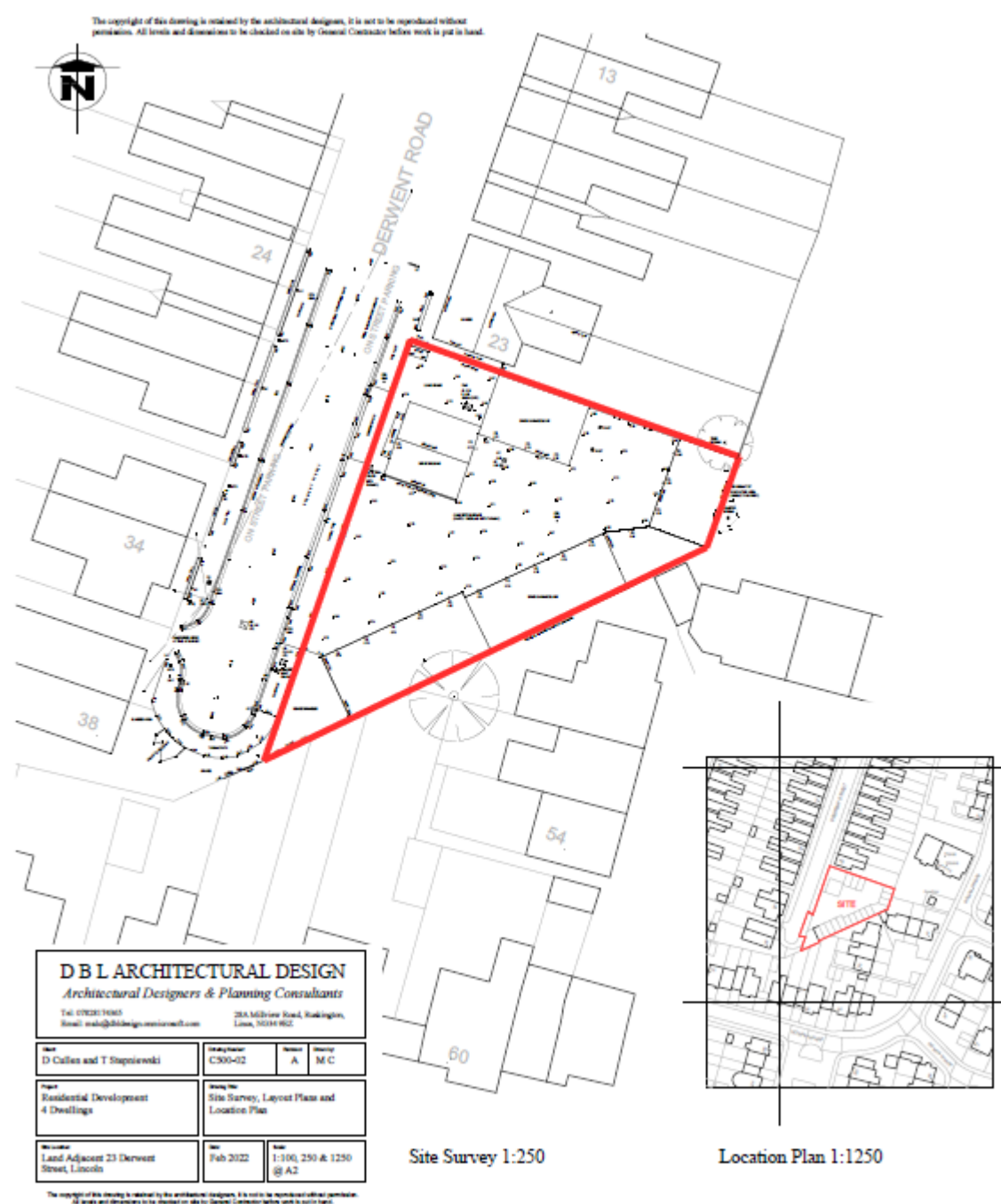
Recommendation

That the application is Granted Conditionally.

Conditions

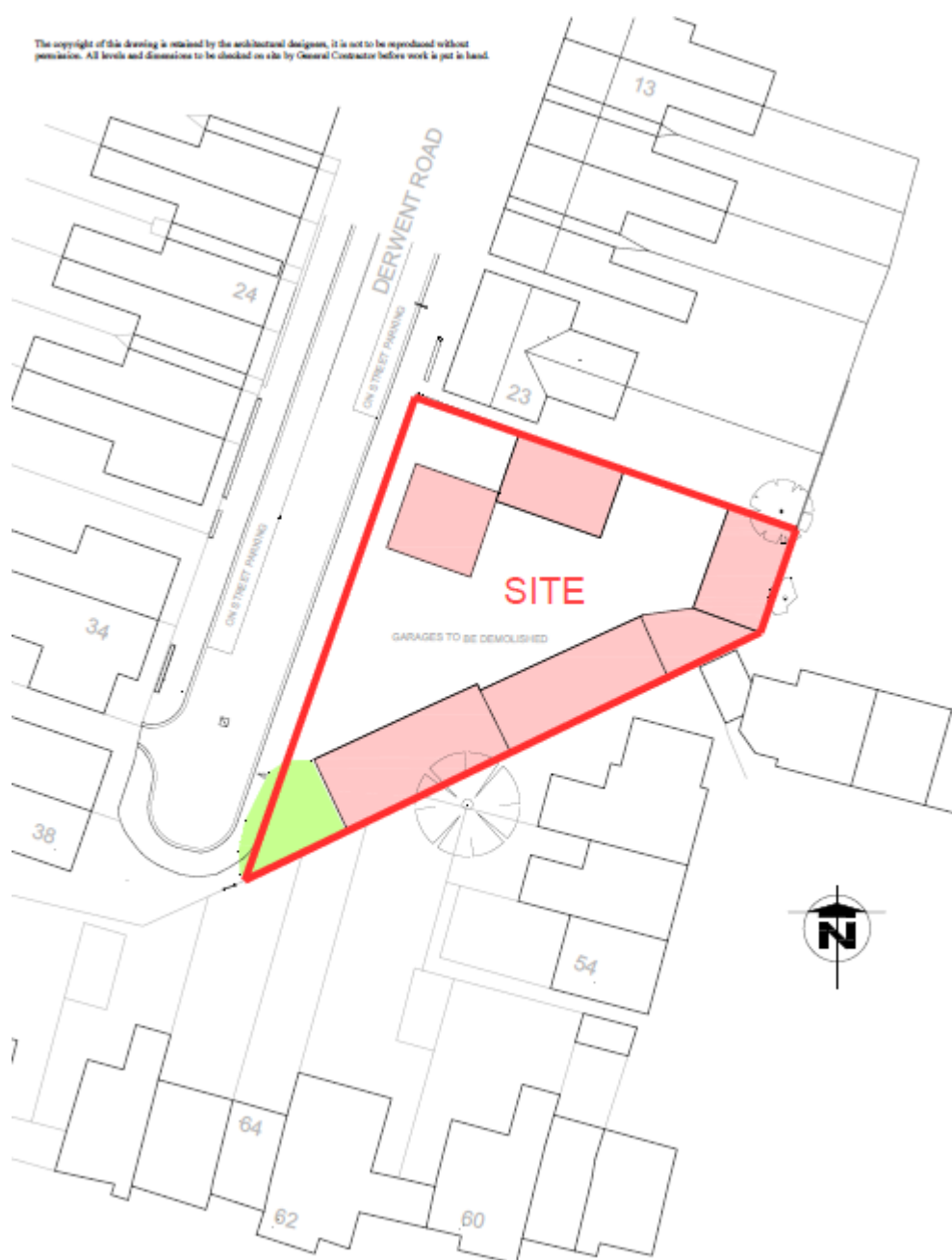
- The development hereby permitted shall be begun either within three years of the date of this permission
- The development hereby approved shall be carried out in accordance with the drawings
- Off street parking provision
- Flood Risk Assessment
- Surface water drainage

Site Location Plan

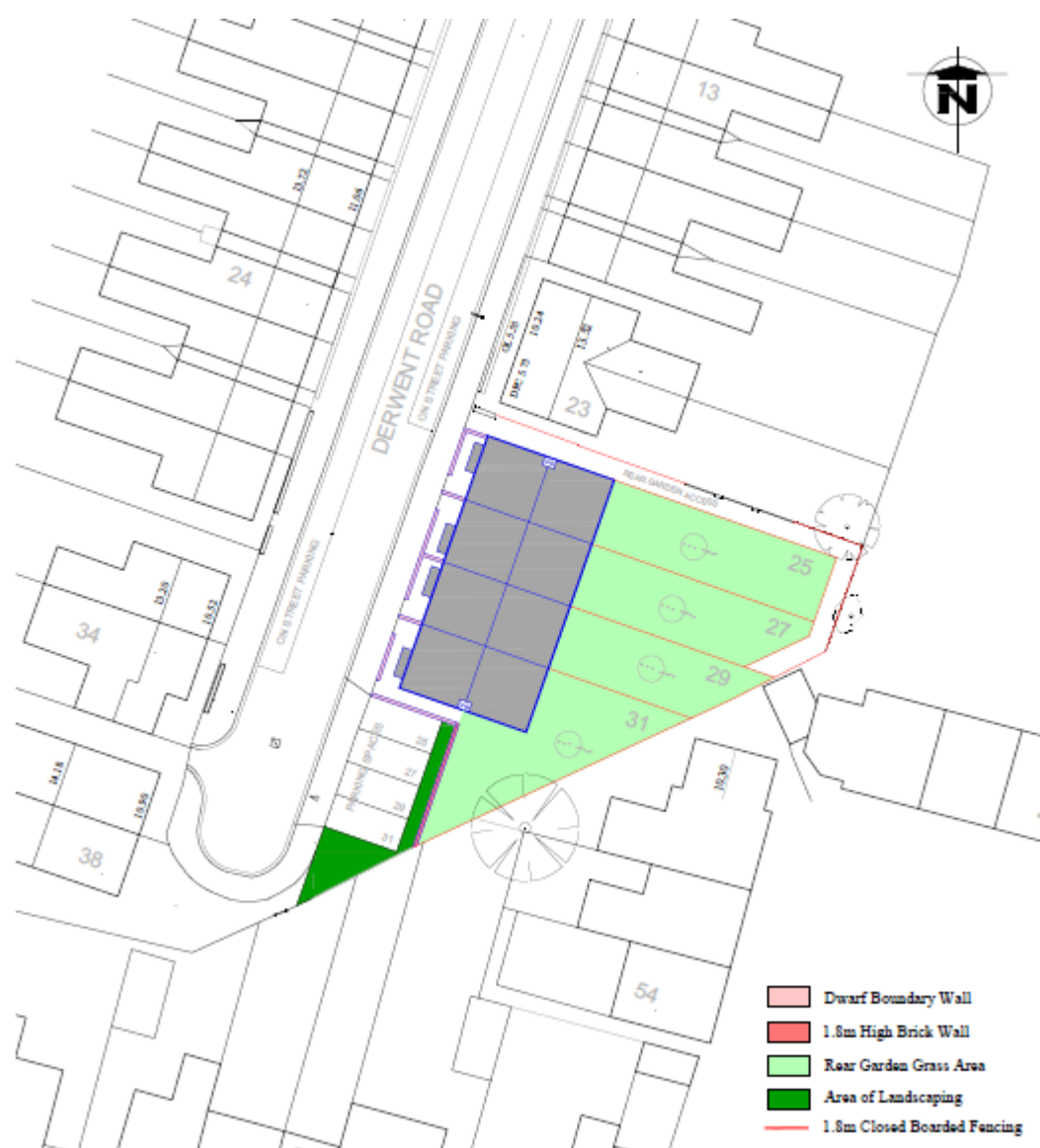


Existing site layout

The copyright of this drawing is retained by the architectural designer, it is not to be reproduced without permission. All levels and dimensions to be checked on site by General Contractor before work is put in hand.



Indicative Layout in principle only



Photos





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Consultee Comments

Directorate of Communities & Environment
Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

21st February 2022

Your Ref: 2022/0135/OUT

**Town and Country Planning Act 1990
Consultation on Outline Planning Permission**

Land At Derwent Street, Lincoln, Lincolnshire,

**Erection of 4no. dwellings (Outline with all matters reserved)
The date by which representations are to be received by the Local Planning
Lincolnshire Police do not have any objections to this application
External Doors & Windows**

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

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

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

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

The secured by design requirement for all dwelling external doors is PAS 24:2016 or 2012 (doors of an enhanced Security) or WCL 1 (WCL 1 is the reference number for PAS 23/24 and is published by Warrington Certification Laboratories). All external doors should have appropriate bulk-head style lighting. Where patio/bi-folding doors are to be installed and are not the main point of entry they should still meet the same physical standard as 'front/external doors' of PAS24:2016.

POLICE HEADQUARTERS
PO Box 999, Lincoln LN5 7PH
(Sat Nav: LN2 2LT)
www.lincs.police.uk

☎ 01522 55 8292
☎ 075700 99424
✉ john.manuel@lincs.pnn.police.uk



All ground floor windows and those that are easily accessible from the ground must conform to improved security standard PAS24:2016 or 201

Gates – Access to Rear of Properties

Any gates to be erected should have anti-lift hinges and will need to be erected as close to the front elevation of the properties as possible. A sliding bolt and padlock should be fitted to all such gates. Access to the rear of all properties should be secured by way of gates and fencing as described above.

The gates must be placed at the entrance to the footpath as near to the **front building line** as possible, so that attempts to climb them will be in full view of the street. Where possible the street lighting scheme should be designed to ensure that the gates are well illuminated.

The gates must have a key operated lock, operable from both sides. The gates must not be easy to climb or remove from their hinges

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

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

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

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)

Dear Sir/Madam,

REFERENCE: 2022/0135/OUT

DEVELOPMENT: ERECTION OF 4NO. DWELLINGS (OUTLINE WITH ALL MATTERS RESERVED)

LOCATION: LAND AT DERWENT STREET, LINCOLN, LINCOLNSHIRE

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

The site is in Zone 2/3 on the Environment Agency Flood Maps and potentially at flood risk. It is noted a Flood Risk Assessment is included in the Application that contains appropriate mitigation.

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

Regards,

Richard Wright
Operations Engineer

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

Four independent statutory Land Drainage and Flood Risk Management Authorities working in partnership.

www.witham3idb.gov.uk

—

Application Ref: 2022/0135/OUT

Location: Land at Derwent Street, Lincoln, Lincolnshire

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

Highway Condition 12

To reduce to a minimum, the number of individual access points to the development, in the interests of road safety.

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>

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

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

O/L Informative

Outline with all matters reserved

The principle of development is acceptable. As this is an outline application with all matters reserved, access and layout have not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning and layout; as detailed within the Lincolnshire County Council Design Approach and Development Road Specification.

NO OBS

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

Case Officer:

John Clifton
for Warren Peppard

Date: 04/03/2022



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

Our ref: AN/2022/132823/01-L01
Your ref: 2022/0135/OUT
Date: 08 March 2022

Dear Sir/Madam

**Erection of 4no. dwellings (outline with all matters reserved)
Land at Derwent Street, Lincoln**

Thank you for consulting us on the above application, on 18 February 2022.

Environment Agency position

The site is located in flood zone 2 of the Environment Agency's flood Map for Planning and is at risk of flooding from Fosdyke Canal and the River Trent in case of a breach. Depths in the 1% annual exceedance probability events with allowance for climate change would be relatively shallow (0.1-0.15m) and thus the proposed mitigation measures are considered satisfactory.

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

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: RLC/0883/FRA01, December 2021 carried out by Roy Lobley Consulting, and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 5.9m above Ordnance Datum (AOD)
- The dwellings to have at least two storeys

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

Reason

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

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.

Advice to the local planning authority

We have not objected to this application on flood risk grounds, but this does not remove the need for you to apply the sequential test and to consider whether it has been satisfied. Where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, there will always be some remaining risk that the development will be affected either directly or indirectly by flooding. A failure to satisfy the sequential test can be grounds alone to refuse planning permission.

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

Yours faithfully

Nicola Farr
Sustainable Places - Planning Specialist

Direct dial 02030 255023

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

Comments for Planning Application 2022/0135/OUT

Application Summary

Application Number: 2022/0135/OUT

Address: Land At Derwent Street Lincoln Lincolnshire

Proposal: Erection of 4no. dwellings (Outline with all matters reserved)

Case Officer: Lana Meddings

Customer Details

Name: Not Available

Address: 23 Derwent Street, Lincoln, Lincolnshire LN1 1SL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Proposed developments will be close to our property and will be blocking sunlight from the living spaces; dining room, living room and bedroom and we are concerned about the loss of light and air.

Demolition of the garages could damage the patio in the garden that we've recently had put in.

Demolition of the garages could damage the tree at the end of our property.

We are not happy for the wall/ garages to be knocked down and to be replaced with a fence. We like the security and privacy that the height of the wall gives as well as the appearance/ aesthetics.

As far as we are aware, we have responsibility for the boundary but we are happy to discuss ideas for replacement of the garages.

We purchased this property as it was private and not overlooked, we are concerned about four new dwellings being able to see directly into our garden, especially as we have a young family.

There will not be a lot of space to turn cars around at the end of street.

Parking is already difficult for residence on the street due to the multi occupancy dwellings that have multiple cars. Will the dwelling have access to permits?

We object to the current plans proposed but we will be open to further discussion on the above points and would require reassurance on the impact of our property.

| | |
|----------------------------|---|
| Application Number: | 2022/0057/HOU |
| Site Address: | 5 Christs Hospital Terrace, Lincoln, Lincolnshire |
| Target Date: | 24th March 2022 |
| Agent Name: | Weedon Architects |
| Applicant Name: | Mr Simon Green |
| Proposal: | Erection of a two storey extension (including basement) to south elevation. |

Background - Site Location and Description

This application for planning permission relates to the three storey house at the intersection of Steep Hill, Christ's Hospital Terrace, Michaelgate and Wordsworth Street, opposite the Harlequin. The house has its gable facing Steep Hill and to its immediate south is a yard at basement level within which is a single storey outbuilding. The application property is listed grade II and we have an associated application for listed building consent.

The application proposal is to extend the property into the yard, taking down the single storey outbuilding and erecting a ground floor structure to form a bedroom and above it, at first floor and part glazed building serving the main house as additional living space. There is a wall and railings to the Steep Hill side of the yard, at the back of the existing footway and it is proposed that this wall would remain, and the new structures be constructed behind it.

The visible parts of the extension would be fully glazed to the Steep Hill frontage and the face would be set back from the front of the existing house by approximately 650mm at the northern end of the extension. The ground floor of the extension would all be within the existing basement yard and be enclosed by the existing surrounding walls and so would not be visible from outside the site. The first floor southern wall of the extension is proposed to be brickwork, matching that of the existing house and then the eastern elevation, enclosed from view by an existing boundary wall would also be wholly glazed. The roof of the extension will be a metal standing seam the details of which will be reported further at your meeting.

The application is before Committee as it has been called in by Councillor Longbottom.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 25th February 2022.

Policies Referred to

The following policies are relevant to the consideration of this application:

- National Planning Policy Framework - 16. Conserving and Enhancing the Historic Environment
- Central Lincolnshire Local Plan - Policy LP25: The Historic Environment; Policy

LP26: Design and Amenity Standards; Policy 29: Protecting Lincoln's Setting and Character.

Issues

The application raises the following issues for consideration:

- The relationship of the proposal to planning policy
- The impact of the proposal on the significance of the listed building and on the character and appearance of the conservation area
- The impact on the amenity of adjacent residents.

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 |
| Highways & Planning | Comments Received |

Public Consultation Responses

| Name | Address |
|------------|--|
| Sam Clarke | 11 Gray Street Lincoln Lincolnshire LN1 3HH |

Consideration

The application site is within the heart of the historic City, adjacent to many listed buildings, within the Conservation Area and the application property is itself listed. A proposal to alter or extend a building in a location such as this needs to be treated with a high level of sensitivity and needs to be carefully explained and justified.

The applicant has submitted a Design and Access Statement and a Heritage Statement to explain the proposals in detail in addition to the drawings that have also been submitted.

In planning policy terms an extension to a dwelling in a location such as this is acceptable in principle and the detailed consideration relates to the potential impact that the extension would have on the significance of the listed building to which it is attached and also to the potential impact on the character and appearance of the conservation area.

The Design and Access Statement produced by the applicant has within it the design options that have been explored in respect of the extension, its roof type and the type of materials that might be used to clad it. The applicant has also undertaken pre-application discussion with your officers and your principal conservation officer.

The basement level for the extension into the existing yard involves the demolition of the outbuilding that sits at street level within the yard. There is a chimney of the outbuilding visible from Steep Hill which would also be demolished. The existing boundary wall and railing would remain, and the basement level of the extension would consequently not be visible from Steep Hill behind this wall. There is an existing door opening within this wall and the door would be renewed.

The first floor/ground level element of the extension is that which will be visible from Steep Hill and the face of this part of the extension is set back from the front face of the existing house in a manner intended to reduce its visual impact. The glazed elevation would be framed in a dark metal and the applicant has also discussed with your officers the type of window dressing that would be used. This is not usually a matter that can be controlled but in this case the applicant understands the potential sensitivity and has engaged in positive discussions. The flank, south, wall of the extension would be brick to match the existing building. This would need to be carefully specified and we would require the applicant to construct a sample panel before any work commenced to demonstrate that the choice of brickwork and mortar and indeed the brickwork coursing was appropriate.

The options for the roof of the extension have been explored and the conclusion that was reached was that a flat metal roof, in either lead or zinc with a standing seam, would be the most appropriate. This option reduces any visual impact and reduces the impact on any views through the site to the buildings beyond. It is also a traditional material used in many places throughout the historic uphill City. The lower height of a roof such as this also means that it can connect to the existing house in a manner that does not affect any of the architectural details of the house, particularly the prominent horizontal white plat band that runs along the existing southern elevation.

The extension, carefully conditioned in respect of the materials to be used, will not be a harmful addition to this part of the City, it sits back from the main elevation of the house and would be a contemporary but a subtle addition to the buildings in the area. It would not harm the setting of the existing house or that of listed buildings within the area.

Conclusion

The applicant has explored several options with their architect and with your officers to arrive at a form of development that is considered to be acceptable in this sensitive location. It is a contemporary but also a restrained addition to the area.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted with the conditions outlined below.

Conditions

1. Development to commence within three years
2. Development in strict accordance with the approved drawings
3. No work to take place until a sample panel of all materials to be used has been prepared on site and has been approved.
4. Details of window dressing including colour to be submitted before those works are undertaken.

Comments for Planning Application 2022/0057/HOU

Application Summary

Application Number: 2022/0057/HOU

Address: 5 Christs Hospital Terrace Lincoln Lincolnshire LN2 1LY

Proposal: Erection of a two storey extension (including basement) to south elevation.

Case Officer: Simon Cousins

Customer Details

Name: Sam Clarke

Address: 11 Gray Street Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The development does not appear in character with the surroundings based on the images available. I would support this development if it was aesthetically in line with its surroundings.

Consultee Comments for Planning Application 2022/0057/HOU

Application Summary

Application Number: 2022/0057/HOU

Address: 5 Christs Hospital Terrace Lincoln Lincolnshire LN2 1LY

Proposal: Erection of a two storey extension (including basement) to south elevation.

Case Officer: Simon Cousins

Consultee Details

Name: Ms Catherine Waby

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

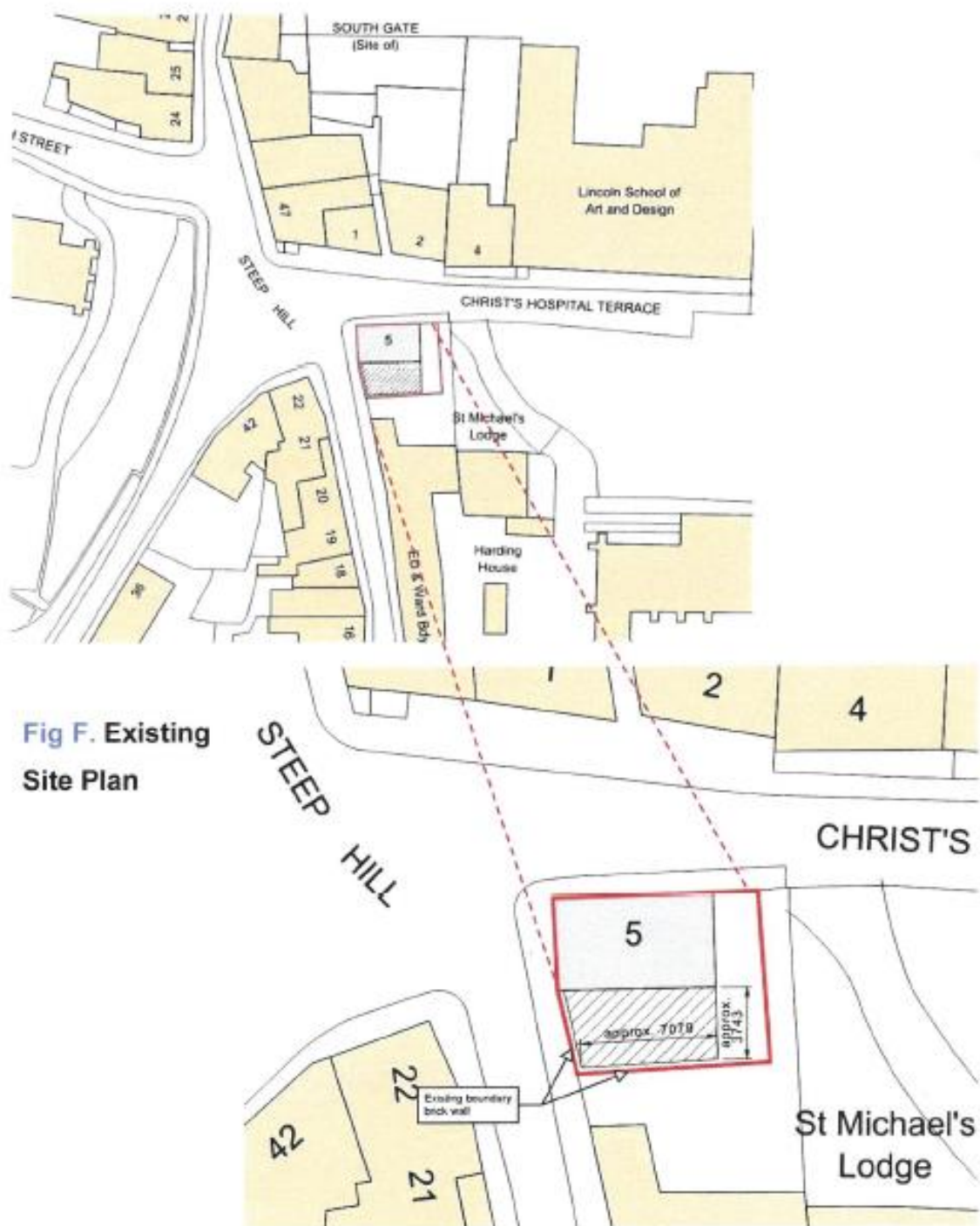
Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

OBJECTION

We have no objection with infill of the area between the buildings but feel very strongly that the use of large glass windows so close to the road, changes the street scene and is out of keeping with the very traditional buildings in this very sensitive conservation area. Were the wall facing the street to be of brick construction with a window similar to the windows on the existing building, we would have no objection. It is suggested that it be redesigned and re-submitted.



**Fig F. Existing
Site Plan**

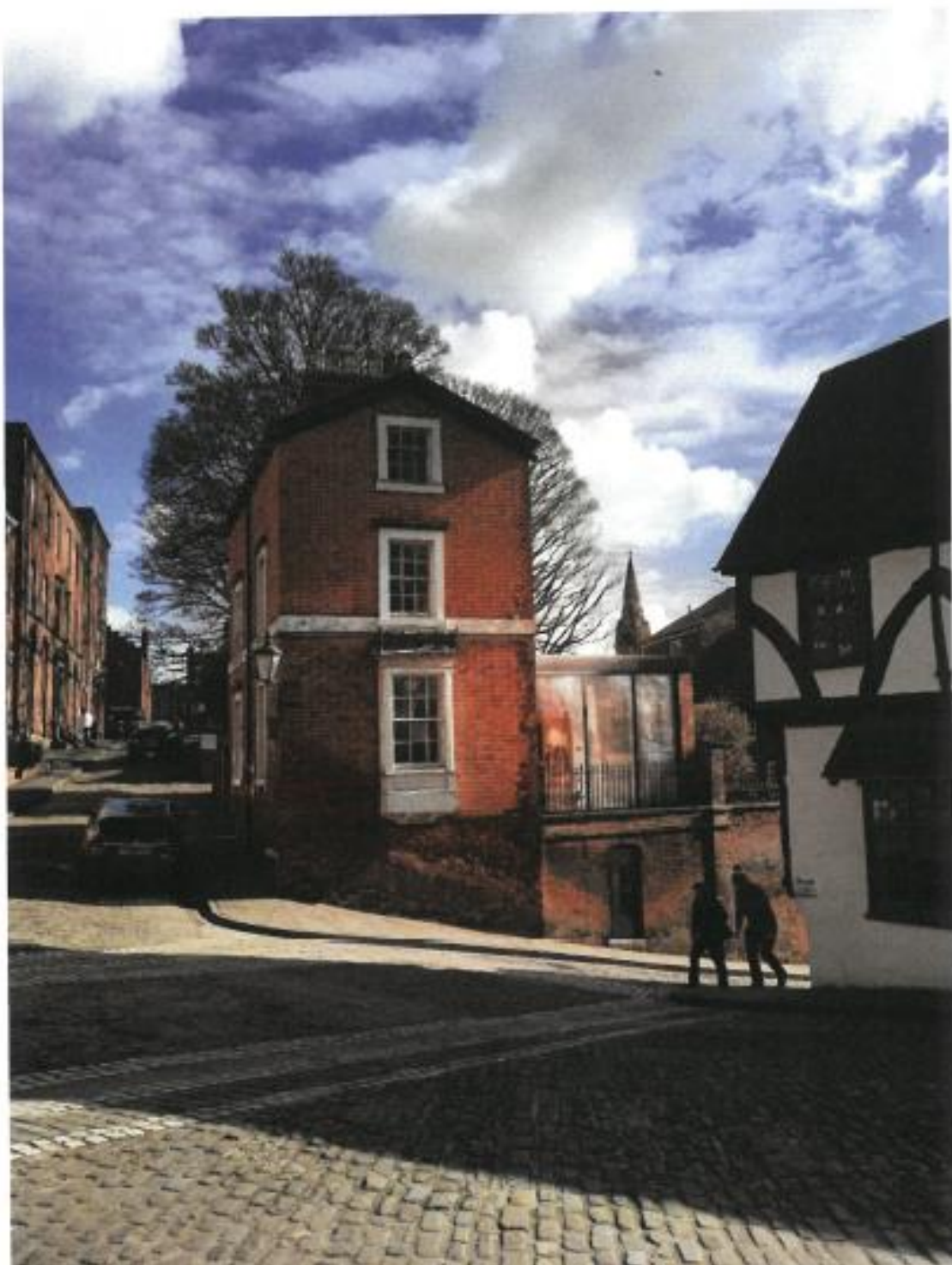














Fig G. Option 1

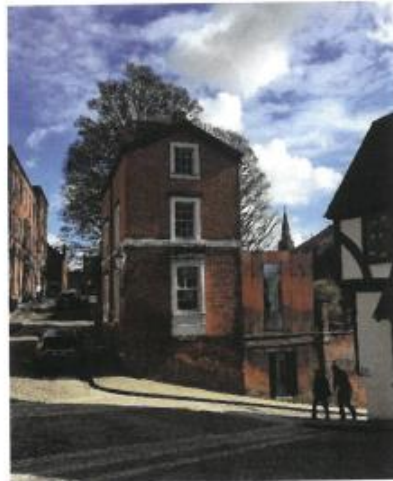


Fig H. Option 2



Fig I. Option 3



Fig J. Option 4



Fig K. Option 5

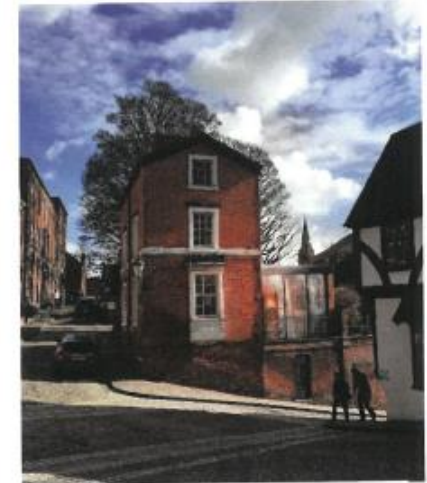


Fig L. Option 6

5.2. Summary

The detailed description of the design process demonstrates that careful considerations of the culturally rich context has always been the driving force of the design, and that the pre-application advice has been fully considered and incorporated into the revised proposals to have minimum impact on the Listed Building and Conservation area.

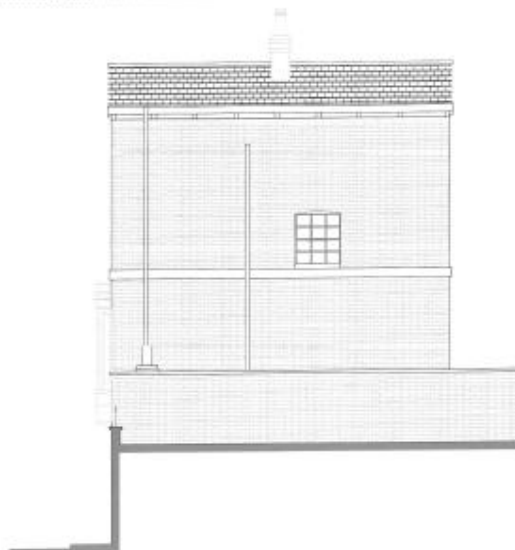
In summary these are:

- Existing boundary walls, railing and Cottage building are retained
- Existing views across site towards Church of St Michael on the Mount and adjacent buildings from Michaelgate is retained.

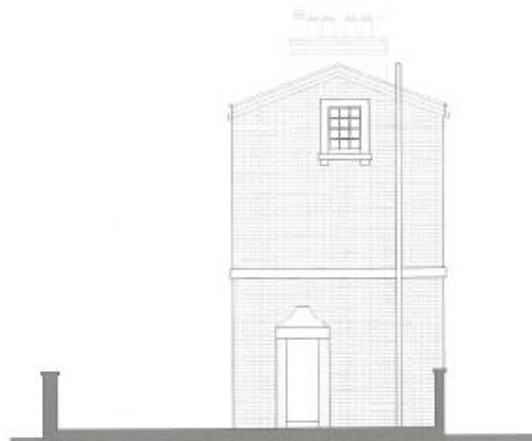
A3



Existing West Elevation



Existing South Elevation



Existing East Elevation

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Full site/existing building survey required for verification of design

Rev. YM 17.01.22 Issued for Planning
Rev. Drawn Date Comment

WEEDON
architects

Harvey Field
176-178 Hendon St
Birmingham B5 1LJ
P: 0121 424 4171
F: 0121 424 9152
www.weedonarchitects.co.uk

Project
HILTON COTTAGE
5 CHRIST'S HOSPITAL TERRACE - LINCOLN
Drawing Title

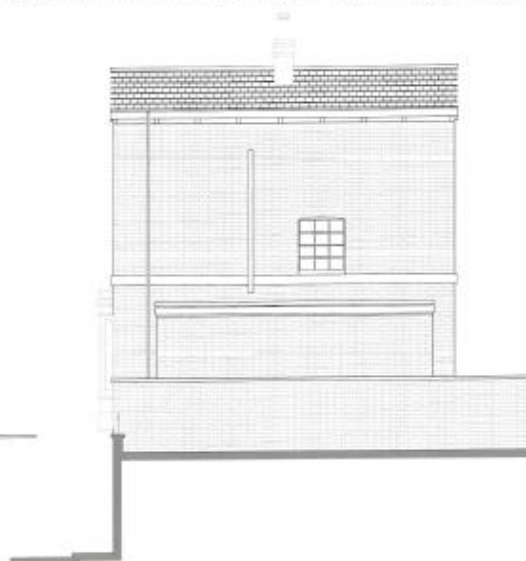
**EXISTING ELEVATIONS
GENERAL ARRANGEMENT**

Date JAN 2022 Drawn AL Checked MJW
Scale 1:100@A3 Status P L A N N I N G
Job Drawing Number Revision
15721 A1005 -

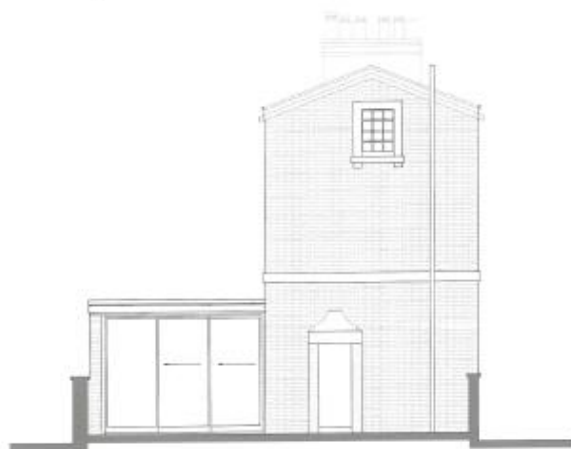
A3



Proposed West Elevation



Proposed South Elevation



Proposed East Elevation

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Full site/existing building survey required for verification of design

Rev. Drawn Date Comment
- YM 17.01.22 Issued for Planning

WEEDON architects
116-118 Market St
Birmingham B3 1RQ
T: 0121 454 4171
F: 0121 454 4152
www.weedonarchitects.co.uk

Project
HILTON COTTAGE
5 CHRIST'S HOSPITAL TERRACE - LINCOLN
Drawing Title

**PROPOSED ELEVATIONS
GENERAL ARRANGEMENT**

Date JAN 2022 Drawn AL Checked MJW
Scale 1:100@A3 Status P L A N N I N G
Job Drawing Number Revision
15721 A1006

| | |
|----------------------------|--|
| Application Number: | 2022/0058/LBC |
| Site Address: | 5 Christs Hospital Terrace, Lincoln, Lincolnshire (LBC) |
| Target Date: | 24th March 2022 |
| Agent Name: | Weedon Architects |
| Applicant Name: | Mr Simon Green |
| Proposal: | Removal of brick built shed to facilitate erection of a two storey extension (including basement) to south elevation. Associated alterations including blocking up of window and creation of new window opening to south elevation at basement level, creation of new opening and door opening on south elevation at ground floor, installation of new partition to create bathroom at first floor, removal of wall and installation of new partitions to alter layout at second floor. (Listed Building Consent). |

Background - Site Location and Description

This application for planning permission relates to the three storey house at the intersection of Steep Hill, Christ's Hospital Terrace, Michaelgate and Wordsworth Street, opposite the Harlequin. The house has its gable facing Steep Hill and to its immediate south is a yard at basement level within which is a single storey outbuilding. The application property is listed grade II and we have an associated application for listed building consent.

The application proposal is to extend the property into the yard, taking down the single storey outbuilding and erecting a ground floor structure to form a bedroom and above it, at first floor and part glazed building serving the main house as additional living space. There is a wall and railings to the Steep Hill side of the yard, at the back of the existing footway and it is proposed that this wall would remain, and the new structures be constructed behind it.

The visible parts of the extension would be fully glazed to the Steep Hill frontage and the face would be set back from the front of the existing house by approximately 650mm at the northern end of the extension. The ground floor of the extension would all be within the existing basement yard and be enclosed by the existing surrounding walls and so would not be visible from outside the site. The first floor southern wall of the extension is proposed to be brickwork, matching that of the existing house and then the eastern elevation, enclosed from view by an existing boundary wall would also be wholly glazed. The roof of the extension will be a metal standing seam the details of which will be reported further at your meeting.

This application for listed building consent deals specifically with the impact of the proposals on the significance of the listed building. In addition, there are also some minor internal works proposed to the existing house.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 25th February 2022.

Policies Referred to

The following policies are relevant to the consideration of this application:

- National Planning Policy Framework - 16. Conserving and Enhancing the Historic Environment
- Central Lincolnshire Local Plan - Policy LP25: The Historic Environment; Policy LP26; Policy 29: Protecting Lincoln's Setting and Character.

Issues

The issue to be considered is that of the impact of the proposal upon the significance of the listed building.

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|---------------------|-------------------|
| Highways & Planning | Comments Received |

Public Consultation Responses

No responses received.

– responses received on associated application, 2022/0057/HOU, for planning permission are relevant and are copied in full on that report.

Consideration

The application proposal involve attaching a new structure to the southern elevation of the existing house and forming openings at basement and ground floor level between the two. The application also proposes the additional of some internal partitioning to create an additional bathroom at first floor level and some internal reconfiguration at the second floor.

The formation of the new openings at basement and ground floor will, by definition, involve the loss of some original fabric, as will the removal of the single storey outbuilding. However, the extensions that are proposed are sensitively designed and will not harm the setting or significance of the existing building, as explained in the associated report for planning permission. The loss of the historic fabric would therefore be considered to be less than substantial harm and the extensions facilitate significant improvements to the existing building which is considered to outweigh that less than substantial harm.

Conclusion

The detailed proposals for the extension have been carefully considered and will not cause harm to the significance of the existing listed building. The formation of new openings to join the extension to the existing house are, when weighed in the balance, considered to be acceptable.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted.

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| | |
|----------------------------|---|
| Application Number: | 2022/0039/RG3 |
| Site Address: | Hartsholme Country Park Dam Wall , Hartsholme Park, Lincoln |
| Target Date: | 29th March 2022 |
| Agent Name: | None |
| Applicant Name: | Aaron Wilson |
| Proposal: | Raising of the concrete bridge and restoration of current brick culverts, installation of a trash screen and graded walkway ramp following removal of current concrete deck and supports. |

Background - Site Location and Description

The application site is the Hartsholme Country Park a Grade II Listed Historic Park and Garden.

The proposal relates specifically to the existing dam wall and culverts located to the north of the lake, adjacent to Skellingthorpe Road.

The application proposes works to the existing outfall culverts, concrete slab and surrounding walls to facilitate an increased capacity and improve the safety for the existing reservoir.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 24th February 2022.

Policies Referred to

- National Planning Policy Framework
- Policy LP22 Green Wedges
- Policy LP25 The Historic Environment
- Policy LP29 Protecting Lincoln's Setting and Character

Issues

To assess the proposal with regard to:

1. Accordance with National and Local Planning Policy
2. Impact on visual amenity and the character or setting of the designated heritage asset as a Historic Park and Garden
3. Works to Trees
4. Ecological Impacts

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|---------------------|-------------------|
| Highways & Planning | Comments Received |

Public Consultation Responses

No responses received.

Consideration

Accordance with National and Local Planning Policy

National Planning Policy

Paragraph 193 of 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 the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 further states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Central Lincolnshire Local Plan

Hartsholme Country Park is located within the larger Green Wedge and therefore Policy LP 22 would be relevant in safeguarding the existing provision of an accessible recreational resource and conserving and enhancing local wildlife and protection of links between wildlife sites to support wildlife corridors.

The policy states that planning permission will not be granted for any form of development, including changes of use, unless it can be demonstrated that the development is not contrary or detrimental to the above functions and aims.

Policy LP25 of the Central Lincolnshire Local Plan states that development would be supported where it would protect the significance of the designated heritage asset by protecting its character and appearance.

Policy LP 29 states that proposals for development should seek to make a positive contribution to the built and natural environment and quality of life in the Lincoln area. The following key principles are relevant to this application:

- Proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context
- Protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their settings and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements;
- Seek to improve the public realm as part of development proposals to enhance Lincoln's attractiveness;

The proposals shall therefore be considered on the above principles.

Impact on Visual Amenity and the Character or Setting of the Designated Heritage Asset

The development proposes the following works:

- Replacement and raising of existing concrete slab over culvert by lifting existing brick piers.
- Installation of graded walkway access ramp, handrails and raked screens
- Removal of existing surrounding brick columns and stonework to facilitate build-up of brick base by 420mm. Columns and stonework then replaced as existing.
- Regrading of existing embankment and walkway where necessary to facilitate raising of ground level.

The works are required to increase the capacity of the culvert from the reservoir by lifting the ground level over the existing culvert that runs under Skellingthorpe Road and towards the canalised channel within the woodland habitat to the north.

As a result of raising the ground level the existing stone columns and wall would be removed and retained to be reinstalled above a new raised footprint of engineering bricks. The existing railings and gate would be retained, providing access to the new graded walkway for any required maintenance above the entrance to the culvert.

Whilst the works would include the addition of a new walkway structure, handrail system and trash screens, they are considered to be essential to maintaining the safety of the lake. The structures would be located within the existing void with the majority of the metalwork located at ground level and above with the stonework and columns providing some screening of the views from the existing pathway.

The impact upon existing planting and greenery would be limited to some clearance of vegetation along the embankment with alterations to existing path to facilitate the raising of the ground level.

The proposals seek to retain the existing historic stonework walls and columns ensuring that the character and appearance of this section of the walkway would be preserved and protected.

Works to Trees

Due to the nature of the works and limited access to the application site there is a requirement for a compound to be located to the north of the playground within the grounds of the park. All trees on site are protected by a blanket TPO and the proposed compound is surrounded by 8 trees that would potentially require adequate root protection as per guidelines set out in BS5387:2012 Trees in Relation to Design, Demolition and Construction to Construction.

It has been suggested within the submitted report that some crown lifting may also be required to facilitate the instalment of the compound, however, these works are considered to be minor and would not result in any significant impact to amenity.

Further works are required to create adequate clearance for vehicular access to the culvert from the proposed compound. These works include crown lifting of various trees and the removal of others as it has been suggested that the clearance would result in high percentage canopy loss meaning tree retention is impractical.

It is recommended that details of the tree protection measures are conditioned to be submitted prior to the commencement of the works on site.

Ecological Impacts

A preliminary appraisal was carried out by JBA Consulting to assess the potential impact upon ecology as a result of the proposed works. The report's findings suggest that the proposed works will take place in an area of the Country Park which is of low value to wildlife and will not result in any detrimental impact on important habitat or notable species within the area.

The appraisal raises no direct concerns; however, it does conclude that it is not able to rule out the presence of bats within the culverts or brick voids that may exist within the existing structure. It is therefore recommended that an informative is included within any permission to notify of the applicants of their duty under the protection acts.

As indicated within the report, the protection of several species is covered under UK and international legislation, including the under the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and other specific legislation.

Conclusion

The proposed works are essential to maintaining the safety of the lake, whilst preserving and protecting the character and setting of the Historic Park and Garden in accordance with policies LP22, LP25 and LP 29 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Recommended Conditions

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

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

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

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

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

Conditions to be discharged before commencement of works

- 03) Prior to works commencing on site details of measures to protect the trees on site during construction shall be submitted to and approved by the City Council as Local Planning Authority. The approved details shall be implemented on site prior to works commencing on site and shall be retained until work has completed.

Reason: In order to protect the trees on the site from the development.

Conditions to be discharged before use is implemented

None

Conditions to be adhered to at all times

None

Table A

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

| Drawing No. | Version | Drawing Type | Date Received |
|--------------------------|---------|-----------------------|-------------------|
| GSN-JBAU-00-00-DR-C-1001 | | Elevations - Proposed | 19th January 2022 |
| GSN-JBAU-00-00-DR-C-1003 | | Elevations - Proposed | 19th January 2022 |
| GSN-JBAU-00-00-DR-C-1002 | | Plans - Proposed | 19th January 2022 |
| GSN-JBAU-00-00-DR-C-1004 | | Plans - Proposed | 19th January 2022 |

Informatives

All bat species found in the U.K. are protected under the Conservation of Species and Habitats Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

It is a criminal offence to kill, injure, capture or disturb a bat and to damage, destroy or obstruct access to a bat roost.

During all building renovation, demolition and extension works there is a very small risk of encountering bats which can occasionally be found roosting in unexpected locations. Contractors should be aware of the small residual risk of encountering bats and should be vigilant when working in roof spaces and removing roof tiles etc. If a bat should be discovered on site, then development works must halt, and a licensed ecologist and Natural England (0845 601 4523) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

Photographs



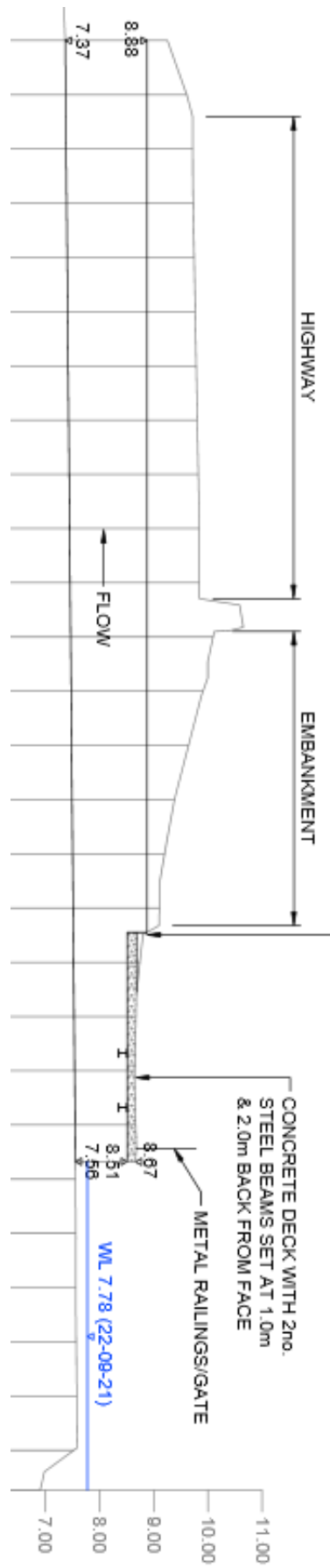




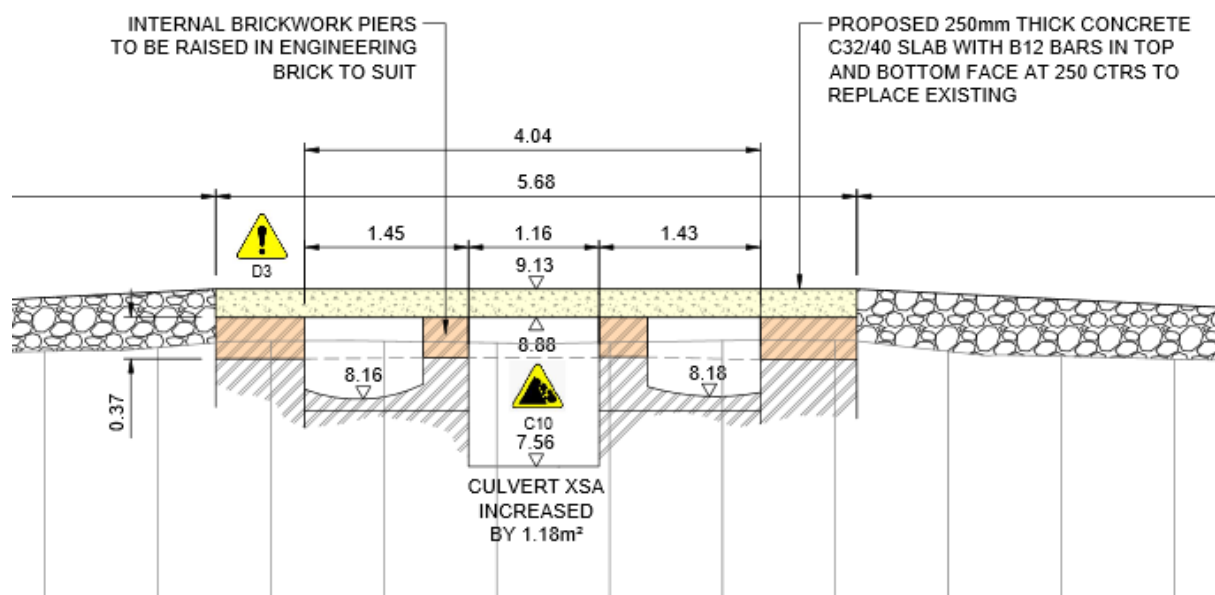
Site Location

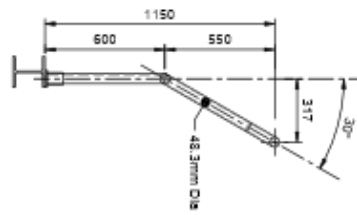


Existing Drawings

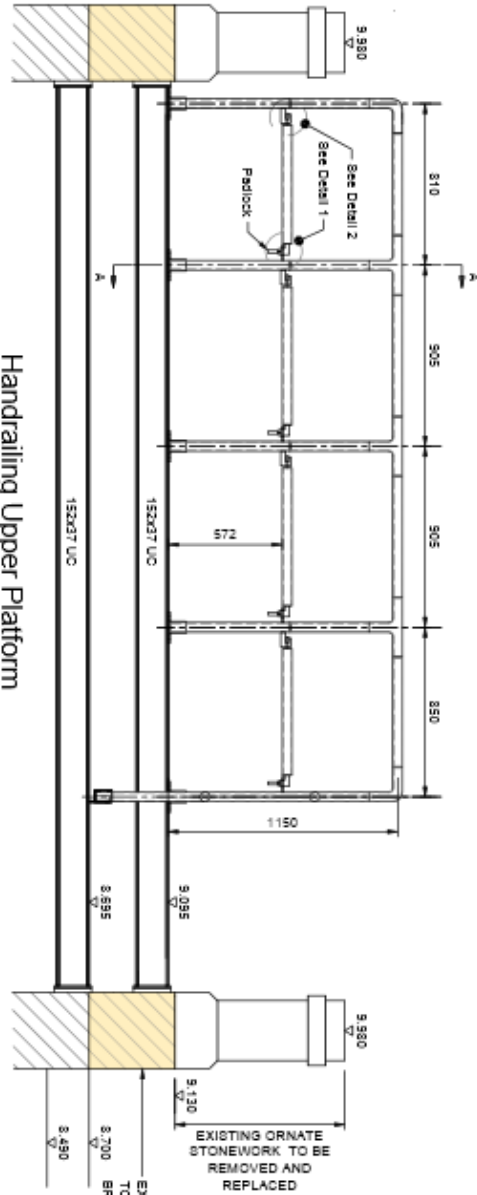


Proposed Drawings

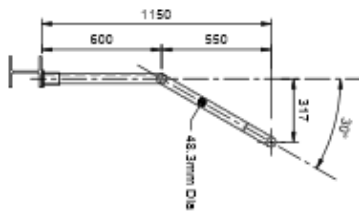




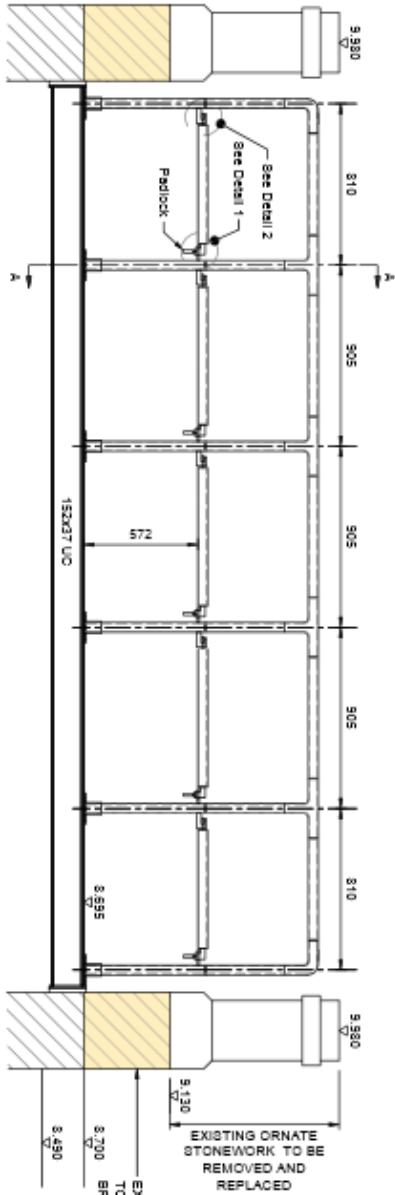
Section A-A
Scale 1:20



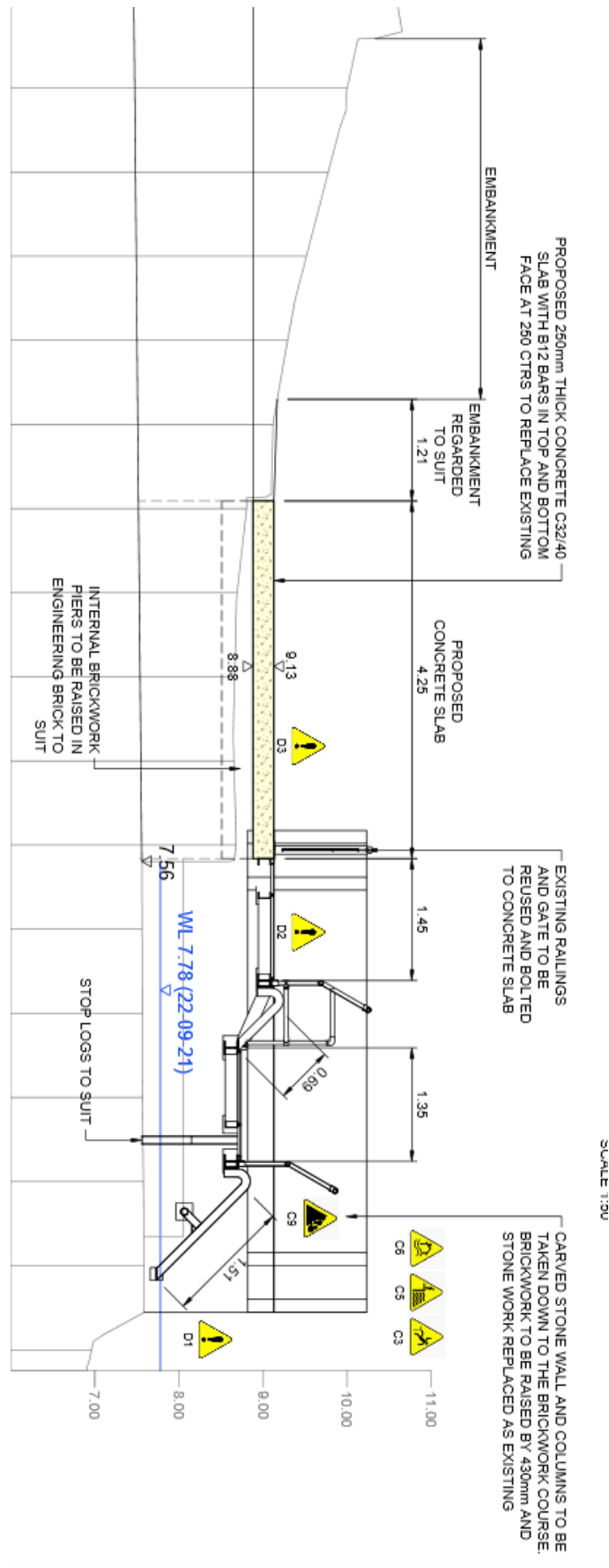
Handrailing Upper Platform
Scale 1:20

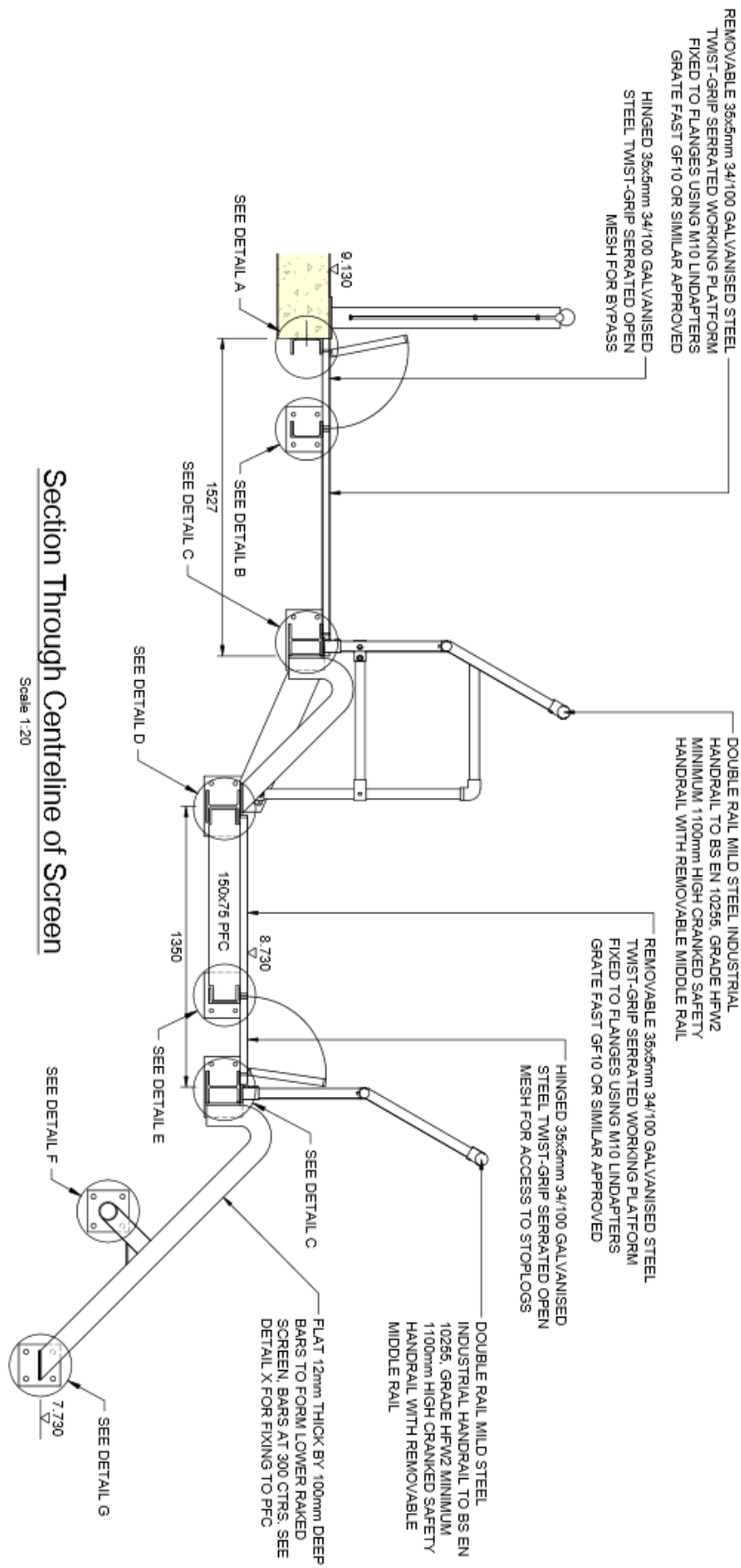


Section A-A
Scale 1:20



Handrailing Lower Platform
Scale 1:20

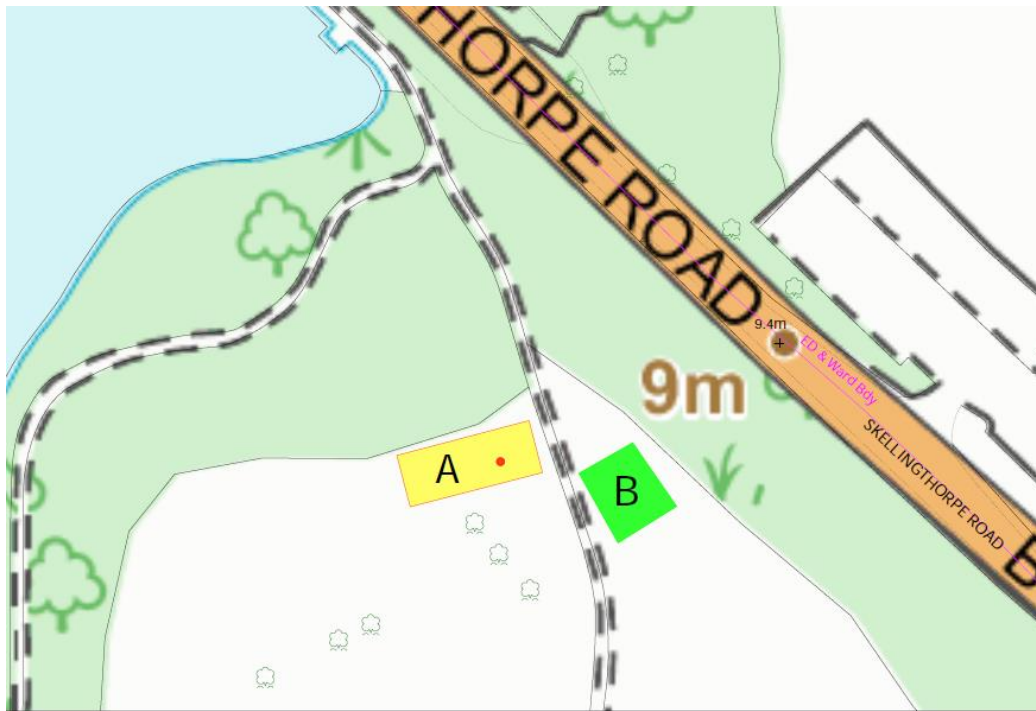




Section Through Centreline of Screen

Scale 1:20

Compound at location A



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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: 2022/0039/RG3

Proposal: Raising of the concrete bridge and restoration of current brick culverts, installation of a trash screen and graded walkway ramp following removal of current concrete deck and supports

Location: Hartsholme Country Park Dam Wall , Hartsholme Park, Lincoln

With reference to the above application received 1 February 2022

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.

This proposal will have no impact on the public highway or surface water flood risk.

NO OBS

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

Case Officer:

Date: 14 February 2022

Becky Melhuish

for Warren Peppard
Head of Development Management

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| | |
|----------------------------|--|
| Application Number: | 2021/0175/TRC |
| Site Address: | Blue Lagoon, Farrington Crescent, Lincoln |
| Target Date: | 17th February 2022 |
| Agent Name: | Deadwood |
| Applicant Name: | Mr Andrew Founds |
| Proposal: | <p>T001 Goat willow x2 - Fell. T002 Silver Birch- Fell. T003 Silver Birch- Fell. T004 Silver Birch- Fell. T005 Sycamore- Fell. T005.1 Oak- Crown lift to 3m. T006 Oak- Crown lift to 5.2m. T007 Silver Birch- Fell. T008 Goat willow- Coppice. T009 Silver Birch- Fell. T010 Silver Birch- Fell. T011 Silver Birch- Fell. T014 Goat willow- Coppice. T015 Goat willow- Coppice. T016 Oak- Reduce canopy back to suitable growth point over footpath. T017 Oakx2- Crown lift to 5.2m for highway clearance.</p> <p>Various tree species- Silver Birch, Willow.- Fell (Removing no more than 5m3 of timber) (Part Retrospective)</p> |

Background - Site Location and Description

The Blue Lagoon is a lake situated off Farrington Crescent to the southwest of Lincoln. Its retention was required as an amenity space when the area was developed for housing in the 70s. Two conditions were attached to the planning permission at that time, the first required consent to be obtained from the City Council prior to carrying out any work to the remaining trees on the site and the second condition was the one which required the retention of the largest lake as an amenity area that is known locally as the Blue Lagoon. The lake is surrounded by narrow banks containing mostly self-set indigenous tree species and dense undergrowth, but only the trees are protected by the planning condition.

Site History

The area was never conveyed over to the City Council to be maintained at public expense and has remained in private ownership since the completion of the development during the 80s. Despite this, the land has remained open for public benefit and is used frequently by local residents as an accessible amenity area to walk around. Numerous properties back onto this area and therefore benefit from the view it provides. The lake was owned and managed by the police federation for the benefit of its members who fished there for several decades, but more recently was owned by a private local company prior to its transfer to the current owner and applicant. It would appear that this lake has been a small scale private fishing venue and used as such since the 70s.

The new owner received a grant from the Environment agency in 2020 to carry out works which sought to improve the biodiversity of the lake for the benefit of the fish and wildlife, which in turn would improve the angling experience for club members. The improvements included works to the banks and verges to clear organic matter and add beneficial planting. The owner started carrying out work to the area in November 2020 which included pruning and felling trees around the lake. Any work to trees in this area requires consent from the City Council in accordance with the planning condition, but no application was submitted, and the works were carried out in breach of the regulations.

Enforcement Officer Site Visit

The City Council became aware of these works following an enquiry from a member of the public as to whether the activities taking place had consent. No application was recorded

on the planning system and so an enforcement officer visited the site to investigate further. The officer discovered that numerous trees had been pruned or felled and, as there was not consent in place for such works, was of the view that a breach of the planning condition had occurred.

Issues

Following the visit by the enforcement officer, the City Council's Arboricultural officer inspected the works and concluded that he would have been unlikely to agree to the works that had been undertaken as they had not been carried out to British Standards. Officers therefore concluded that had the works been applied for prior to being undertaken, they would not have received a positive recommendation. The owner was advised of the suspected breach and further advised not to carry out any more work. The owner complied immediately with this request. The owner stated that they would like to continue to manage the area for the benefit of the lake and apply to carry out some more works to the trees with the City Council's consent, as the area had been unmanaged for decades and still required attention to improve biodiversity.

Public Consultation Responses

Whilst there is no formal consultation process for this type of application, because recommendations are based on a scientific assessment of the trees and their amenity value, local residents have expressed their objections to the work that took place without consent via the enforcement team. Some of that objection was because the owner had not obtained consent correctly where others have taken the trouble to do so and that this is not equitable. Officers always encourage landowners to engage in the correct process where consent is required, but there are still times when breaches occur. The sanction in this instance is the threat of enforcement action and a notice to replace the felled/destroyed trees. However, on this occasion, the landowner was apologetic once notified that a breach had occurred and explained that they had proceeded with the works on account of a misunderstanding around whether the trees were protected. The owner stopped work immediately upon notification of the breach and has cooperated with every request from officers, including one to submit an application.

Other complaints received related to the impact on wildlife and loss of trees, which in principle should be avoided due to the screening and view they provide, in addition to the benefits in relation to climate change. The land is privately owned, and the City Council has no lawful ability to prevent the submission of applications in relation to this area. The City Council also have no ability to require the owners to permit public access, nor is there a right to a view or screening from this private land. This matter is therefore one that cannot be taken into consideration as part of the assessment of this application.

The final issue that has been a cause of concern for local residents is the use of the area as a fishing venue. The owner has obtained grant funding from the Environment Agency to improve the biodiversity of the lake. Residents were concerned that the purpose of this was to increase fishing at the lake, which would be detrimental to residential amenity due to increased on-street parking on Farrington Crescent and activity around the lake. There are also no welfare facilities on site, so the prospect of anglers spending long periods of time at the lake is also a matter of concern for local residents. Officers have assessed the environmental grant works that have taken place, whether they would require planning permission and whether it would result in an increase in activity at the site, which could also require planning permission.

The works in themselves are small scale and considered de minimis as there has been very little operational development resulting from the improvements. The level of use of the lake for fishing is also ancillary to its allocation as an amenity area and the environmental works are not considered extensive enough to allow for an increase in anglers. The owner has stated that it will remain a member's only fishing venue that is intended to attract small scale family fishing for a few hours and would be for small species such as Rudd. There is no intention to stock the lake with larger species, like Carp, or encourage competition fishing which would see an increase in the number of anglers or for a longer period. The use was assessed by officers and considered ancillary to the amenity use, operating at a level that does not require planning permission.

Consideration

An application was submitted in February 2021, but it did not contain the tree survey that officers had requested and so the application was not progressed. Due to covid restrictions and the availability of the tree specialist appointed by the owner, that report was not submitted until January 2022. The application to be considered includes works to trees that the owner would like to carry out and lists the work that was carried out in breach. The application has been considered by the City Council's Arboricultural officers and the report of this assessment forms part of this application. Officers are not proposing to recommend approval for the unauthorised works that have taken place as it is unlikely the City Council would have permitted the extent of works undertaken or the manner in which they were carried out. However, as part of the consideration process, officers have assessed whether it would be necessary and appropriate to require replacement planting.

Whilst it is acknowledged that the retrospective works were not appropriate, the tree cover remains very dense around the lake, and it is considered that some of the trees are certainly supressing each other. In the interests of the proper planning and management of the area, it is not considered appropriate or necessary to replant any trees to replace the ones which were removed without consent as there remains a large number of mature trees. In considering the proposed works, officers are of the view that not all of these works are appropriate or necessary and support the assessment of the City Council's Arboricultural officer in recommending refusal of certain elements (as explained in the tree report within the application).

Whilst there have been several objections from residents regarding the activities of the owner, the City Council can only consider matters relevant to the tree application that has been submitted. The environmental grant works and use of the lake are not elements that can be taken into account in considering the proposed tree works, these elements have been concluded separately and do not form part of this application.

Conclusion

The owner has submitted a 10 year plan for the site and now fully understands his obligations in relation to the planning conditions and the need to apply for the City Council's consent prior to undertaking any future works. It is not considered that any of the proposed works will have a detrimental impact on the amenity of the lake, as required to be preserved by the planning condition, nor is it considered that there will be any detriment to the amenity of the area by permitting further works to be carried out to the remaining trees.

Application Determined within Target Date

No.

Recommendation

That the application is Split

That partial consent is granted to carry out certain works as detailed in the extract below from the City Council's tree report and that consent is refused for those works identified by the City Council's Arboricultural officer as not being appropriate.

| | | |
|---|---------|---------|
| T001 Goat willow x2 - Fell | approve | |
| T002 Silver Birch- Fell | approve | |
| T003 Silver Birch- Fell | approve | |
| T004 Silver Birch- Fell | refuse | |
| T005 Sycamore- Fell | approve | |
| T005.1 Oak- Crown lift to 3m | approve | |
| T006 Oak- Crown lift to 5.2m | approve | |
| T007 Silver Birch- Fell | approve | |
| T008 Goat willow- Coppice | approve | |
| T009 Silver Birch- Fell | approve | |
| T010 Silver Birch- Fell | refuse | |
| T011 Silver Birch- Fell | refuse | |
| T014 Goat willow- Coppice | approve | |
| T015 Goat willow- Coppice | approve | |
| T016 Oak- Reduce canopy back to suitable growth point over footpath | | refuse |
| T017 Oakx2- Crown lift to 5.2m for highway clearance | | approve |

Additional works

| | |
|---|---------|
| T018 Goat Willow- Coppice for highway clearance | approve |
|---|---------|

Retrospective works

Various tree species- Silver Birch, Willow. - Fell (Removing no more than 5m³ of timber)
no replacements required

Standard Conditions

- 01) The approved works must be carried out within two years of the date of this letter, any additional works, repeat works or works beyond this date will require a new application. All works must comply with British Standard BS3998:2010 Tree work - Recommendations.