

## PLANNING COMMITTEE

**Wednesday, 20 April 2022**

**5.30 pm**

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

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

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

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

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

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## A G E N D A

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Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Work to Trees in City Council Ownership	<b>27 - 32</b>

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

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

### **Criteria:**

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

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

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

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

**Apologies for Absence:** Councillor Naomi Tweddle

**78. Confirmation of Minutes**

**(a) 12 January 2022**

RESOLVED that the minutes of the meeting held on 12 January 2022 be confirmed and signed by the Chair as a true record.

**(b) 26 January 2022**

RESOLVED that the minutes of the meeting held on 26 January 2022 be confirmed and signed by the Chair as a true record.

**(c) 23 February 2022**

RESOLVED that the minutes of the meeting held on 23 February 2022 be confirmed and signed by the Chair as a true record.

**79. Declarations of Interest**

Councillor Edmund Strengiel made a Declaration of Predetermination with regard to the agenda item titled 'Blue Lagoon, Farrington Crescent, Lincoln'. Reason: He had been in various discussions over the years regarding the subject of this planning application and considered that his views were predetermined.

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 Gary Hewson declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Former William Sinclair Holdings Site, Firth Road, Lincoln'.

Reason: He knew well one of the objectors to the application for proposed development.

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 Gary Hewson declared a Personal Interest with regard to the agenda item titled 'Land at Derwent Street, Lincoln'.

Reason: He served as a member on 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 agenda item titled 'Land at Derwent Street, Lincoln'.

Reason: She served as a member on 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 Rebecca Longbottom declared a Personal Interest with regard to the agenda item titled 'Former William Sinclair Holdings Site, Firth Road, Lincoln'.

Reason: She served as a member on 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.

## **80. Member Statements**

In the interests of transparency:

- Councillor Bob Bushell wished it to be recorded in relation to Item No 5 (f) of the agenda, *Hartsholme Country Park, Dam Wall*, that Hartsholme Country Park came within his role as Portfolio Holder for Remarkable Place, however, he had not received any updates on the proposed works and had no personal interest in the matter.
- Councillor Bean wished it to be recorded that he was a member of Hartsholme Park Advisory Group.

## **81. Update Sheet**

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

- Additional responses and visuals received in respect of agenda Item No 5b - Former William Sinclair Holdings Site, Firth Road, Lincoln. 2021/0817/HYB.
- Additional responses received, including photographs, and a copy of the tree report prepared by the City of Lincoln Council Arboricultural Officer in respect of agenda Item No 5(g) – Blue Lagoon, Farrington Crescent, Lincoln. 2021/0175/TRC
- Visual photographs in relation to Agenda Item No 5 (d) and 5(e) (*LBC*) – 5 Christs Hospital Terrace, Lincoln. 2022/0057/HOU and 2022/0058/LBC

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

## **82. 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.

### **83. Change to Order of Business**

RESOLVED that the order of business be amended to allow the applications for development at Blue Lagoon, Farrington Crescent, Lincoln and Land at Derwent Street, Lincoln to be considered as the next two agenda items respectively.

### **84. Applications for Development**

#### **85. Blue Lagoon, Farrington Crescent, Lincoln**

*(Councillor Strengiel left the room during the consideration of this item having declared a predetermined interest in the matter to be decided. He took no part in the discussion or vote on the planning application)*

The Planning Team Leader:

- a. advised that permission was sought for demolition of trees/tree works; itemised within the Arboricultural Officer's and Planning Officer's report at the Blue Lagoon, a lake situated off Farrington Crescent to the south-west of Lincoln
- b. reported that the site had been designated as an amenity space when the area was developed for housing in the 1970's, having two planning conditions imposed requiring consent to be obtained from the City Council prior to carrying out any work to the remaining trees on the site and the retention of the largest lake the Blue Lagoon as an amenity area
- c. highlighted that the lake was surrounded by narrow banks containing mostly self-set indigenous tree species and dense undergrowth, the tree cover remained very dense around the lake with some trees being suppressed
- d. reported that local residents had reported issues at the site
- e. reported that only the trees were protected by the planning condition
- f. confirmed that the site had been in private ownership since the completion of the development, however, the land remained open for public benefit and was used frequently by local residents
- g. reported that numerous properties backed onto the area and benefitted from the view it provided

- h. reported that the lake seemed to have been used as a small-scale private fishing venue since the 1970's
- i. advised that the new owner received a grant in 2020 for improvement works and had started carrying out the work including pruning and felling of trees without planning consent
- j. informed members that the site had been inspected by the Enforcement Officer and the Arboricultural Officer, who concluded that he would have been unlikely to agree the works as they were not up to British Standards, therefore, the owner was advised not to carry out further work, which was complied with immediately
- k. highlighted that the owner wished to continue to manage the area for the benefit of the lake and to submit a request for further works to be carried out with the City Council's consent; the landowner was very apologetic when notified a breach had occurred and explained that works had proceeded on account of a misunderstanding around whether the trees were protected
- l. advised that although there was no formal consultation process for this type of application, local residents had submitted objections to the Enforcement Officer on the work carried out without consent, impact on wildlife and the use of the area as a fishing venue
- m. confirmed that the planning application before Committee included the Arboricultural Officer's assessment of the site and requested further proposed works to trees and details of work already completed in breach of previous planning consent
- n. advised that officers were of the view that not all of the proposed works were appropriate or necessary, and also did not propose that retrospective approval be given to the unauthorised work as it was not likely it would have received consent in its original format
- o. concluded that:
  - The owner had submitted a 10-year plan for the site and now fully understood 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 was not considered that any of the proposed works would have a detrimental impact on the amenity of the lake, as required to be preserved by the planning condition, nor was it considered that there would be any detriment to the amenity of the area by permitting further works to be carried out to the remaining trees.

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

The Arboricultural Officer/Enforcement Officer responded to questions from members in relation to the planning application as follows:

- Question: Was the Arboricultural Officer happy with the officer recommendation?

- Response: Yes the report he had submitted was in the best interest of the trees on site'
- Question: The applicant wasn't being asked to replace those trees felled without permission?
- Response: It was no benefit to request the applicant to request retrospective planning permission. The Management Plan would allow all works to be monitored, with any additional works requiring Council consent.
- Question: Would there be any benefit from the trees being replaced?
- Response: Management of the site had been restricted over the last 10-20 years. A lot of the trees removed may be of benefit to the site in terms of biodiversity and the overall appearance of the area. Natural regeneration was of ecological benefit.

The Chair thanked local residents for highlighting the issues. This was a valuable amenity space. It was unfortunate that unauthorised tree work had taken place and had not been suitably dealt with, however, he believed officers now held a 'trigger' response over any future works.

RESOLVED that the application be split:

That partial consent be granted to carry out certain works as detailed in the extract below from the City Council's tree report and that consent be 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 5m<sup>3</sup> 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.

### 86. Land at Derwent Street, Lincoln

*(Councillor Strengiel re-joined the meeting)*

The Assistant Director for Planning:

- a. advised that the application sought Outline planning permission for the principle of residential development for a parcel of land on Derwent Street, currently occupied by 18 single storey lock-up garages, with permission sought for up to 4 dwellings
- b. described the application site at Derwent Street situated off Carholme Road, a one-way street characterised by two storey terrace properties
- c. highlighted that the application was brought to Planning Committee at the request of Councillor Neil Murray
- d. provided details of the policies pertaining to the application, as follows:
  - Policy LP26: Design and Amenity
  - National Planning Policy Framework
- e. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
  - Principle of the Development
  - Visual Amenity and Design
  - Impact on Neighbours
  - Technical Matters
- f. outlined the responses made to the consultation exercise
- g. concluded that:
  - 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 had been submitted at Outline to demonstrate that the site was capable of being developed.

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

The following comments/questions emerged from discussions held:

- Comment: Availability of parking space was a planning consideration. Resident's parking had been introduced in the area due to serious

problems. It was of concern that the development would generate additional vehicles in an area that already had existing parking problems.

- Question: What was the officer's view on the reason why there had only been one public objection received to the proposal?
- Comment: Following a site visit it was noted that cars were parked both sides of the road. It was a very busy street. When the garages were demolished and replaced by housing there would be more on-street parking.
- Comment: The Highway Authority referred to one car parking space provided per dwelling, which was doubtful according to available space, however, the application before us this evening sought Outline planning permission, provision of car parking spaces could be dealt with at Reserved Matters stage.

The Assistant Director of Planning offered the following point of clarification to members:

- This application was Outline, the plan was indicative only, however it showed that four dwellings could be accommodated on the site. The detail of the application was to be dealt with at a later stage.
- Car parking was a material planning consideration; given the sustainable location, nature, and size of the site it was considered that one car parking space per unit could be achieved and was acceptable.

Councillor Burke requested that subject to grant of Outline planning permission this evening, a condition be imposed for the detailed application to be brought back to Planning Committee.

The Assistant Director of Planning highlighted that it was within the member's right to request that the application be called back to committee at Reserved Matters stage.

Councillor Burke suggested that it was in the Assistant Director's gift to bring the application back to committee.

The Assistant Director of Planning gave an assurance that the Reserved Matters application would be brought back to Planning Committee although it was not possible to impose this as a condition.

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

### **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

## **87. 10 - 11 Lindum Terrace, Lincoln**

The Assistant Director for Planning;

- a. described the application property, 10-11 Lindum Terrace as two detached three storey villas connected by a flat roof, brick extension, most recently occupied as a medical facility providing a centre for child adolescence services
- b. reported that the buildings had laid empty for over ten years and despite having suffered fire damage and being in a state of disrepair, were structurally sound
- c. added that an application for planning permission had been granted in 2018 for the re-development of the properties with neighbouring sites to form a new medical village (2016/1140/FUL), but permission was never implemented and had now lapsed
- d. described the location of the properties to the north of Lindum Terrace approximately 1m higher than the road, as detailed within the officer's report
- e. confirmed that the site was situated within the Lindum and Arboretum Conservation Area
- f. advised that planning permission was sought for partial demolition works and the erection of a 2½ storey rear extension and a glazed link extension to replace the existing brick link structure, together with refurbishment work, including replacement windows, doors and new rooflights
- g. reported that the extensions and associated refurbishment works would facilitate a change of use of the properties to 16no. two-bedroom and 4no. one-bedroom flats, including proposed alterations to the access from Lindum Terrace to create areas for parking
- h. confirmed that the proposals had been revised during the process of the application following extensive discussions between the agent, officers and the Principal Conservation Officer, resulting in the removal of a two-storey extension to the side and the scaling down of the rear extensions, reducing the overall number of units proposed from 33 to 20, together with revisions to their design to improve their appearance, impact on the Conservation Area and residential amenity
- i. added that all neighbours and statutory consultees had been re-consulted on the revised proposals
- j. 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 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
- k. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
- Principle of Use
  - Developer Contributions
  - Visual Amenity and Character and Appearance of the Conservation Area
  - Residential Amenity
  - Access, Parking and Highway Matters
  - Trees
  - Archaeology
  - Surface Water and Drainage

l. outlined the responses made to the consultation exercise

m. concluded that:

- The conversion of the property to flats was acceptable in this location.
- The renovation and external works to the property were welcomed, which would enhance its historic character.
- The design and scale of the extensions were 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 was in an accessible location, also providing cycle and car parking space.
- A S106 agreement would secure financial contributions towards delivering new and improving existing infrastructure.
- Matters relating to highways, trees, archaeology and surface and foul water drainage had been appropriately considered by officers and the relevant statutory consultees, and could 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.

Adam Wilson, agent for the proposed development, addressed Planning Committee in support of the application, making the following points:

- He thanked Members for allowing him the opportunity to speak.
- He acted as architect/developer for the project.
- It was an exciting prospect to be able to restore this building.
- The building next door had been demolished as unsafe following a fire.

- Security at the application site had been increased due to instances of anti-social behaviour and people accessing the building, therefore it was important to act now to avoid any further damage being sustained.
- Discussions had taken place at pre application stage and concerns raised by objectors had been taken into account in reaching the final proposal.
- The number of units had been reduced to 20 to accommodate 1 car parking space per household.
- Sustainable transport measures included vehicle recharge points and cycle storage facilities.
- The development was within easy walking distance of the Bailgate and shopping areas.
- Older people may choose to downsize property to move to this type of development, it being close to amenities and in a well-appointed area.
- Other revisions had been made to the design of the elevations and the window/door design simplified to give the appearance of a continuation to the existing building.
- He hoped members would support renovation of this traditional property.

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

The following comments/questions emerged.

- Comment: It was interesting to be told the future occupancy for the building and welcome news it was to be restored.
- Question: Was a condition required on grant of planning permission to ensure there were no bats present prior and during works?
- Comment: It was hoped the proposed additions to the existing property mirrored the original house with use of quality materials.
- Question: Was there a sustainable alternative to use of tarmac for the site as it created a surface run-off?
- Comment: The building was impressive and in need of renovation. It would definitely be of benefit to the area together with providing additional accommodation.
- Comment: The works were badly needed to bring the property back to use rather than wait for it to be vandalised further.
- Comment: An objection had been received regarding the limited size of the flats. Bringing older people into a small area may not necessarily be beneficial, it was important to take a balanced view.
- Comment: The proposed use of the property was appropriate; homes were desperately needed, and these were in such a nice area.

The Assistant Director of Planning offered the following point of clarification to members:

- In terms of bat protection, the report prepared back in 2016 for the site showed no evidence of bats present. There was a legal requirement under separate legislation for the developer to ensure there were no bats present prior and during construction work.
- Use of best quality materials would be strived for in such a traditional development as this in a Conservation Area. The Principal Conservation Officer possessed great skills and knowledge to achieve the best finished result.

- A Surface Water Drainage Management Strategy was required as a condition of grant of planning permission which would deal with drainage issues.
- The number of flats had been reduced from 33 to 20. The footprint was relatively unchanged. Most flats were of generous size. The floor area of the flats was acceptable when considered against Nationally Described Space Standard guidance. There would be no foreseeable compromise to residential amenity.

RESOLVED that the planning permission be approved subject to the following conditions with delegated authority granted to the Assistant Director of Planning 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

**88. Former William Sinclair Holdings Site, Firth Road, Lincoln**

*(Councillor Hewson left the room during the consideration of this item having declared a personal and prejudicial interest in the matter to be decided. He took no part in the discussion or vote on the planning application)*

The Planning Team Leader:

- a. described the application site, located to the south west of the City Centre, currently vacant although previously hosted by a series of industrial buildings which had now been demolished, situated within a Regeneration Opportunity Area as identified in the Central Lincolnshire Local Plan (CCLP) and within Flood Zone 3
- b. advised on the use of the surrounding area to the application site as follows:
  - Tritton Retail Park was located to the north-west of the site with an industrial estate to the north-east
  - The site was abutted by the River Witham on the eastern boundary with residential properties located beyond,
  - The southern boundary was defined by the Boultham Pump Drain with Coulson Road located beyond the southern side of the bank
  - Coulson Road was lined with residential properties on the southern side facing the application site.

- A gym and a row of terraced properties lined the western boundary on Waterloo Street, with their rear yards backing onto the site
- c. confirmed that vehicular access to the site was proposed via Firth Road to the north
  - d. advised that planning permission was sought in Hybrid form with full details submitted for the eastern part of the site (Phase 1), proposing the erection of 22 buildings comprising 67 residential units including 40 C4 Houses in Multiplication (HiMO's) and 19 Sue Generis HMOs, and an additional building at the entrance to the site containing office accommodation at ground floor with 8 apartments over two floors above
  - e. reported that the site offered 310 bedspaces within Phase 1; 16 of the units would be accessible and their layouts also complied with Building Regulations M4(3)
  - f. referred to Phase 2 of the scheme presented in Outline form with only the details of the access being considered as part of the current application, other matters would be determined on subsequent reserved matters applications, however, an indicative layout had been submitted showing 276 bedspaces within Phase 2
  - 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 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 of 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
  - h. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
    - Principle of Use
    - 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
- i. outlined the responses made to the consultation exercise
  - j. referred to the Update Sheet which included additional responses received in respect of the proposed development and visuals of the proposed buildings
  - k. concluded that:
    - 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 were to the satisfaction of the relevant consultees and could be further controlled as necessary by conditions.
    - The proposals would therefore be in accordance with the requirements of CLLP Policies and the NPPF.

*(Mr John Woodward and Ms Ravinder Uppal chose to share the 5 minute maximum time limit allocated to speak against the proposed development, having different concerns in relation to the scheme. They spoke for 2 ½ minutes each.)*

John Woodward addressed Planning Committee in objection to the application, making the following points:

- He thanked Members for allowing him the opportunity to speak.
- He wished to bring the Committee's attention to potential damage to the former Cannon's Glue Factory as a result of the development.
- This significant building of historical value stood next to the site.
- The factory was a perfect example of a 19<sup>th</sup> Century 'sweat shop' and of considerable interest to the history of Victorian industrial development in the centre of the city.
- It was built by Bernard Cannon who became Mayor of the Lincoln in 1880.
- His mother was related to the Cannon family who came here in 1923. Her diary described the working factory in detail on a visit to William Cannon (son of Bernard) in 1921.
- The factory was likely to have been involved in the supply of glue in World War 1 for manufacture of aeroplanes.
- The factory represented a brilliant example of a traditional historic building.

Ravinder Uppal, representing the University of Lincoln, addressed Planning Committee in objection to the application, making the following points:

- She thanked Members of Planning Committee for allowing her the opportunity to speak.
- She represented the University of Lincoln as planning agent.
- There was no further need for more student accommodation, there was enough stock available until 2030.
- A development should respect need in the area which this proposal did not take into account.
- The accommodation would be unaffordable for those on low incomes.
- Policy LP10 had not been adhered to.
- There were no other available sites in the City Centre now for this development, however there was already enough student stock.

- There would be an overconcentration of student accommodation in the local area.
- There were flood risk issues.
- The Sequential and Essential test criteria had not been met.
- The scheme was not sustainable.

Sarah Carr, representing the applicant, Ashcourt Group, addressed Planning Committee in support of the application, making the following points:

- She spoke on behalf of the applicant.
- The Managing Director and Sales Director of Ashcourt Group were also present this evening.
- There had been no objections to the proposals from statutory consultees.
- Benefits of the Scheme
- The proposal was based on a similar successful scheme built and operated by Ashcourt Group in Hull. There were other schemes in Durham, York and Leeds.
- The scheme proposed town houses for use by student social groups already formed during the first year of University.
- It included parking spaces on site for resident's use, open spaces and a site management office.
- Students preferred this type of living compared to shared households operating as HMO's.
- The scheme would relieve pressure on the city's housing stock for family occupation.
- Landscaping areas and garden space would be provided on site.
- CCTV would be installed on site and night time security provided from 7.00pm to 7.00am
- No fossil fuels would be used on site.
- Levels of insulation would exceed the new building regulations.
- Electric vehicle charging points would be included on site.
- Low energy design principles would be employed over the site.
- The proposed development used Brownfield site in an appropriate area.
- The scheme would be delivered by an established and experienced developer.
- She hoped members would be able to offer their support to the scheme.

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

The following comments emerged:

- The St Marks development had been approved unanimously in the past for 1300 beds.
- When was construction of further purpose-built student accommodation going to cease, if the current accommodation could not be filled why was it needed? However, this was no doubt a good planning application.
- When the University was built it was envisaged there would be 5 - 6,000 students, now there were 14,000.
- This was a thorough planning application with carbon neutral elements.
- Purpose built accommodation was better for students.
- It was important to impose rent controls on purpose-built accommodation to avoid students moving back into community housing as a cheaper alternative.

- Should the proposed accommodation become vacant it would be difficult to transform into residential properties.
- The site was further away from the City Centre than other student accommodation, residential homes would be a better option for the site.
- The success of the venture was not a material planning consideration.
- An increase in purpose-built student bed capacity drove prices down due to competition/market forces.
- The scheme was an excellent proposal, low carbon, having green space and was not a massively densely populated site. It would be available to all students whichever point they were in their studies. It would free up properties for family living.
- The development may have a positive impact on Cannons Factory if perhaps it was restored at a later date.

The following questions emerged:

- Did the pandemic impact on a surplus of student beds between 2021-August 2022?
- Would the buildings be able to be converted into family homes, and if so would a contribution be made towards education, playing fields and an element of affordable housing?
- Why had conditions suggested by Lincolnshire Police not been accounted for?
- Would the scheme aid the Article 4 directive to free up student accommodation for family homes in places such as the West End?
- How could we ensure those family homes freed up when students moved into purpose-built accommodation were not re let as HMO's?

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

- There were 14-16,000 students in the city, 8,000 in purpose-built accommodation and a considerable amount living elsewhere.
- Experience at a similar scheme in Hull built and run by the same developer had resulted in a significant number of properties having returned to family homes.
- Landlords would not leave properties empty as it would be too expensive. They would be sold on.
- The proposed accommodation was capable of being changed to residential family homes should the current proposed use be unsustainable.
- The site incorporated a great deal of open space and would be a pleasant place to live.
- Officers were not satisfied that the figures provided by the University on student bed availability were capable of being tested as accurate.
- Officers were happy that the proposed use was appropriate for this site which was identified in the Local Plan for accommodation.
- In terms of the conditions suggested by Lincolnshire Police, those that were material were capable of being conditioned should members be so minded to do so.

A motion was moved, seconded, voted upon and:

RESOLVED that, subject to planning permission being granted this evening, security measures suggested by Lincolnshire Police that were also material planning considerations be included as a condition of approved planning consent.

RESOLVED that the planning permission be approved subject to the following conditions with delegated authority granted to the Assistant Director of Planning to secure the financial contribution through a S106 agreement:

### **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. Highway's 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
18. Security measures to be implemented.

### **89. 5 Christs Hospital Terrace, Lincoln**

*(Councillor Hewson re-joined the meeting.)*

*(Councillor Watt left the meeting early to attend a prior engagement.)*

The Planning Team Leader:

- a. reported that the application was brought before Committee at the request of Councillor Longbottom
- b. advised that planning permission was sought for this property at 5 Christ's Hospital Terrace, a three-storey house at the intersection of Steep Hill, Christ's Hospital Terrace, Michaelgate and Wordsworth Street, opposite The Harlequin; the gable of the application property faced Steep Hill, with a yard at basement level containing a single storey outbuilding to its immediate south
- c. confirmed that the application property was grade II listed; an associated listed building consent application was to be considered as the next item on tonight's agenda
- d. advised that planning permission was sought to extend the property into the yard, demolition of the single storey out-building, erection of a ground

floor structure to form a bedroom and above it, at first floor a part glazed building serving the main house as additional living space

e. highlighted that the new structure would be constructed behind the existing wall and railings to the Steep Hill side of the yard, which would be retained

f. reported that:

- The visible parts of the extension would be fully glazed to the Steep Hill frontage with the face 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, enclosed by the existing surrounding walls and not visible from outside the site
- The first-floor southern wall of the extension was proposed as brickwork, matching that of the existing house.
- The eastern elevation, enclosed from view by an existing boundary wall would also be wholly glazed.
- The roof of the extension would be metal with a standing seam.

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

- 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 LP29: Protecting Lincoln's Setting and Character

h. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:

- 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

i. outlined the responses made to the consultation exercise

j. referred to the Update Sheet which included additional photographs in relation to the planning application

k. concluded that the applicant had explored several options with their architect and officers of the Planning Authority to arrive at a form of development that was considered to be acceptable in this sensitive location, it represented a contemporary but also restrained addition to the area.

Melanie Whild addressed Planning Committee in support of the application, making the following points:

- She thanked members for allowing her the opportunity to speak.
- The proposals had already been described eloquently by officers.

- This was a significant site.
- The building felt like a book end to other properties.
- The extension would offer a sympathetic addition to the existing property.
- Views over the top of the property would be maintained.
- The extension would be built behind the existing wall and set back from the main elevation of the house to fit in with the area.
- The property was previously used as student accommodation and would be used as a family home.
- Traditional materials including reclaimed building supplies would be used to complement the existing building and area.
- Top quality materials would be used for the build.
- She hoped members would give her the opportunity to work with local planners to develop the property appropriately.

Members discussed the content of the report in further detail.

Members referred to objections received from a local resident raising concerns regarding aesthetics and Lincoln Civic Trust having raised concerns around use of large glass windows and asked whether condition 4 requiring details of window dressings to be submitted would address these issues.

Councillor Longbottom commented as follows:

- She had requested this planning application be considered by Planning Committee due to the sensitivity of the site involved.
- The proposals included removal of a brick shed. She questioned whether this outbuilding close and within the curtilage of a listed building had been given sufficient attention.
- The effect on the setting of a development discussed within the Local Plan spoke about protecting local views. The proposed extension would result in the view through the site being significantly altered.
- In summary, she had reservations on grounds of:
  - Demolition of a building
  - The extension did not 'add' to the build
  - It distracted from views in an important part of the city.

Other comments were made in respect of the significance of the outbuilding to be demolished, archaeology and whether the Civic Trust objection had been dealt with.

The Planning Team Leader offered the following points of clarification:

- The options for the build had been drawn up during discussions with planning officers and the Principal Conservation Officer.
- The glazing in the building was considered to be appropriate.
- The outbuilding was attached to the Listed Building. Officers had made a site inspection. It was considered that demolition would cause some harm, however the test in planning terms was whether this was substantial harm or not. Officers were of the opinion that together with the benefits of the extension the harm would be less than substantial and felt that the design for the build was appropriate.
- The quality of materials to be used was at the uppermost end of the market, including very high quality blinds.

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

**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.

**90. 5 Christs Hospital Terrace, Lincoln (LBC)**

The Planning Team Leader:

- a. advised that this application for planning permission related to the three-storey property at 5 Christ's Hospital Terrace, a three-storey house at the intersection of Steep Hill. Christ's Hospital Terrace, Michaelgate and Wordsworth Street, opposite The Harlequin; the gable of the application property faced Steep Hill, with a yard at basement level containing a single storey outbuilding to its immediate south
- b. confirmed that the application property was grade II listed; and this application sought listed building consent for the property
- c. advised that it was proposed to extend the property into the yard, for the single storey out-building to be taken down, erection of a ground floor structure to form a bedroom and above it, at first floor a part glazed building serving the main house as additional living space
- d. highlighted that the new structure would be constructed behind the existing wall and railings to the Steep Hill side of the yard, which would be retained
- e. reported that:
  - The visible parts of the extension would be fully glazed to the Steep Hill frontage with the face 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, enclosed by the existing surrounding walls and not visible from outside the site
  - The first floor southern wall of the extension was proposed as brickwork, matching that of the existing house.
  - The eastern elevation, enclosed from view by an existing boundary wall would also be wholly glazed.
  - The roof of the extension would be metal with a standing seam.
- f. provided details of the policies pertaining to the application, as follows:
  - 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 LP29: Protecting Lincoln's Setting and Character
- g. advised Planning Committee of the main issue to be considered as that of the impact of the proposal upon the significance of the listed building
  - h. outlined the responses made to the consultation exercise
  - i. referred to the Update Sheet which included additional photographs in relation to the planning application
  - j. concluded that:
    - The detailed proposals for the extension had been carefully considered and would not cause harm to the significance of the existing listed building
    - The formation of new openings to join the extension to the existing house, were, when weighed in the balance, considered to be acceptable.

Members discussed the content of the report in further detail.

RESOLVED that planning permission be granted.

#### **91. Hartsholme Country Park Dam Wall , Hartsholme Park, Lincoln**

The Planning Team Leader:

- a. described the application site, Hartsholme Country Park, as a Grade II Listed Historic Park and Garden
- b. advised that the proposal related specifically to the existing dam wall and culverts located to the north of the lake, adjacent to Skellingthorpe Road, with works to the existing outfall culverts, concrete slab and surrounding walls to facilitate an increased capacity and improved safety for the existing reservoir
- c. provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy LP22: Green Wedges
  - Policy LP25: The Historic Environment;
  - Policy LP29: Protecting Lincoln's Setting and Character
- d. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
  - Accordance with National and Local Planning Policy
  - Impact on Visual Amenity and the Character or Setting of the Designated Heritage Asset as a Historic Park and Garden
  - Works to Trees
  - Ecological Impacts
- e. outlined the responses made to the consultation exercise

- f. concluded that the proposed works were 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 LP29 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

**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-		Elevations - Proposed	19th January 2022

DR-C-1003			
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.

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

## **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 when considered appropriate).
- 3.2 All relevant Ward Councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.3 Although the Council strives to replace any tree that has to be removed, in some instances it is not possible or desirable to replant a tree in either the exact location or of the same species. In these cases, a replacement of an appropriate species is scheduled to be planted in an alternative appropriate location. This is usually in the general locality where this is practical, but where this is not practical, an alternative location elsewhere in the city may be selected. Tree planting is normally scheduled for the winter months following the removal.

## **4. Consultation and Communication**

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

## **5. Strategic Priorities**

### **5.1 Let's enhance our remarkable place**

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

## **6. Organisational Impacts**

### **6.1 Finance (including whole life costs where applicable)**

#### **i) Finance**

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

#### **ii) Staffing N/A**

#### **iii) Property/Land/ Accommodation Implications N/A**

#### **iv) Procurement**

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

### **6.2 Legal Implications including Procurement Rules**

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

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

### **6.3 Equality, Diversity and Human Rights**

There are no negative implications.

## **7. Risk Implications**

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

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

## **8. Recommendation**

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

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?** 1

**List of Background Papers:** None

**Lead Officer:** Mr S. Bird, Assistant Director (Communities & Street Scene)  
Telephone 873421

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES  
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.  
SCHEDULE No 4 / SCHEDULE DATE: 20<sup>th</sup> APRIL 2022**

<b>Item No</b>	<b>Status e.g., CAC</b>	<b>Specific Location</b>	<b>Tree Species and description/ reasons for work / Ward.</b>	<b>Recommendation</b>
1	N/A	Boultham Park – Lakeside close to sluice-gate.	<b><u>Boultham Ward</u></b> 1 x Sycamore <u>Fell</u> This tree has recently succumbed to sooty bark disease and is currently retained as standing dead wood.	Approve works and replace with 1 x Alder To be planted in close proximity to the original planting.
2	N/A	Boultham Park	<b><u>Boultham Ward</u></b> 1 x Alder <u>Retrospective notice</u> This tree was located in close proximity to the lake side pathway; it was discovered that the base of the trunk had severe decay as the result of infection by Innonotus radiata.	Replace with 1 x Silver birch; to be planted in close proximity to the original planting.
3	N/A	4 Allendale Close – Garage site to rear.	<b><u>Castle Ward</u></b> 1 x Sycamore <u>Fell</u> This tree is likely to be self-set and is of poor form; the tree is causing direct damage to the adjoining property boundary.	Approve works and replace with 1 x 'Crataegus laevigata Pauls Scarlet'; to be planted within the grassland area to the front of the property.
4	TPO	44 Abingdon Avenue – Amenity grassland to side of property.	<b><u>Hartsholme Ward</u></b> 3 x Silver birch <u>Retrospective notice</u> 1 tree had partly failed due to recent storms leaving an overly tall and slender stem which was at risk of failure. 2 Trees were retained as standing dead wood.	Replace with 3 x Field maple; to be planted in the woodland area located opposite the property.

5	N/A	Anderby Drive – adjoining numbers 22-24	<b><u>Hartsholme Ward</u></b> 5 x Leyland cypress <u>Fell</u> These trees form a poorly weighted hedgerow which is causing direct damage to the adjoining privately owned property boundary.	Approve works and replace with 5 x English Oak; to be planted on Skellingthorpe Road (verge-side) opposite the Heyworth Centre.
6	TPO	9 Sheraton Close	<b><u>Hartsholme Ward</u></b> 1 x Field maple <u>Reduce canopy by 20%</u> This tree is currently overhanging a private property boundary.	Approve works

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<b>Application Number:</b>	2021/0621/FUL
<b>Site Address:</b>	108 Newland Street West, Lincoln, Lincolnshire
<b>Target Date:</b>	25th February 2022
<b>Agent Name:</b>	Lincs Design Consultancy Ltd
<b>Applicant Name:</b>	Mr Nigel Delahey
<b>Proposal:</b>	Change of use of ground floor from public house (Use Class Sui Generis) and existing upper floor flat to form two maisonettes (Use Class C3). Demolition of rear outbuildings to facilitate a two storey extension and the erection of one new dwelling.

### **Background - Site Location and Description**

The site is located on a corner plot with Newland Street West to the north and Nelson Street to the west.

Permission is sought to change the use of the ground floor from a public house (Use Class Sui Generis) and existing upper floor flat to form two maisonettes (Use Class C3). Demolition of the rear outbuildings to facilitate a two storey extension and the erection of one new dwelling. 3 Residential units would be created.

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on various dates.

### **Policies Referred to**

- Central Lincolnshire Local Plan
- Policy LP15 – Community Facilities
- Policy LP26 – Design and Visual Amenity

### **Issues**

- Principle of development
- Asset of Community Value
- Loss of the public House
- Residential Amenity
- Visual Amenity
- No students S106
- Contaminated Land
- Air Quality
- Highways

### **Consultations**

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

### **Statutory Consultation Responses**

Consultee	Comment
West End Residents Association	No Response Received
Highways & Planning	Comments Received

### **Public Consultation Responses**

Name	Address
Mr Karl Hanson	26 Richmond Road Lincoln Lincolnshire LN1 1LQ
Mrs Andrea Redgwell	51 Long Leys Road Lincoln Lincolnshire LN1 1DR
Miss Rebecca Shipp	6 Winterbourne Court Corby NN18 0BJ
Susan Cottingham	4 Drury Lane Lincoln Lincolnshire LN1 3BN
Mrs Rebecca Brumfield	10 Manor Leas Close Lincoln Lincolnshire LN6 8DE
Mr Jeremy Forward	35 Newland Street West Lincoln Lincolnshire LN1 1QQ
Emma Haigh	35 Newland Street West Lincoln Lincolnshire LN1 1QQ
Mr Richard Fender	3 Richmond Grove Lincoln Lincolnshire LN1 1LJ
Mr Kevin Smith	9 Rosebery Avenue Lincoln Lincolnshire LN1 1ND

Sarah Guwst	25 Albion Crescent Lincoln Lincolnshire LN1 1EB
Clara Finley	7 Queens Crescent Lincoln Lincolnshire LN1 1LR
Lyn Taylor	36 Rudgard Lane Lincoln LN1 1QH
Mrs Brenda Zaaraoui	13 Arthur Taylor Street Lincoln Lincolnshire LN1 1TL
Miss Nicola Neville	6 Nelson Street Lincoln Lincolnshire LN1 1PJ
Mike Shields	
Mrs Rani Grantham	60 Richmond Road Lincoln Lincolnshire LN1 1LH
Miss Emma Wheatley	Apartment 9 Roman Path Place 36 Blenheim Road Lincoln Lincolnshire LN1 1BL
Mrs Kaya Bennett	16 Hewson Road Lincoln Lincolnshire LN1 1RX
Mrs Ginny Jarish	26 Hewson Road Lincoln Lincolnshire LN1 1RX
Mrs Megan Cox	21 Oakleigh Terrace Lincoln Lincolnshire LN1 1DY
Claire Penman	36 Richmond Road Lincoln Lincolnshire LN1 1LQ

Ms Oonagh Monaghan	32 Hewson Road Lincoln Lincolnshire LN1 1RX
Mr Oliver Priestley	25 Lindholme Road Lincoln Lincolnshire LN6 3RQ
Andy Penny	6 Nelson Street Lincoln Lincolnshire LN1 1PJ
Mr Scott Soulsby	33 Oberon Close Lincoln Lincolnshire LN1 1WE
Kathryn Holbrook	41 Victoria Street Lincoln Lincolnshire LN1 1HY
Mrs Debra Gregory Jones	38 Moor Street Lincoln Lincolnshire LN1 1PR
Mrs Catherine Jordan	17 Severn Street Lincoln Lincolnshire LN1 1SJ
Mr Paul Redgwell	51 Long Leys Road Lincoln Lincolnshire LN1 1DR
Lynn Yap	148 St Catherines Grove Lincoln Lincolnshire LN5 8ND
Mr Geoff Strongman	01 Lincoln LN2 5BT
Mr Keith Fletcher	24 Broadway Lincoln Lincolnshire LN2 1SH
Ian Waites	13 Upper Long Leys Road Lincoln Lincolnshire LN1 3NH
P Clarke	26 Angelica Road Lincoln Lincolnshire LN1 1AY

Mr William Phipps	2 Holly Close Lincoln Lincolnshire LN5 8RU
Mr Daniel Gawthorpe	23 Albert Crescent Lincoln Lincolnshire LN1 1LX
Mark Doughty	10 Manor Leas Close Lincoln Lincolnshire LN6 8DE
Mrs Nicola Johnson	16 Nelson Street Lincoln Lincolnshire LN1 1PJ
Ms Sharon Clark	15 Albert Crescent Lincoln Lincolnshire LN1 1LX
Chris Hyslop	
Mr James Bennett	16 Hewson Road Lincoln Lincolnshire LN1 1RX
Kayleigh Cooper	34 Victoria Terrace Lincoln Lincolnshire LN1 1HZ
Elliot Daley	16 St Faiths Street Lincoln Lincolnshire LN1 1QJ
Keep The Tap Running Community Group	
Mr Jonathan Haw	53 Richmond Road Lincoln Lincolnshire LN1 1LH
Mr Jez Ashberry	20 Cambridge Avenue Lincoln Lincolnshire LN1 1LS
Mr Stephen Renshaw	4 Squires Place Nettleham Lincoln LN2 2WH
Mrs Jane Smith	284 West Parade Lincoln Lincolnshire LN1 1NB

Mr Lewis Hladun	76 Newland Street West Lincoln Lincolnshire LN1 1PH
Mr Jack Drake	88 Constance Avenue Lincoln Lincolnshire LN6 8SS
Mr Bradley Green	34 Victoria Terrace Lincoln Lincolnshire LN1 1HZ
Simon Machin	3 Albion Crescent Lincoln Lincolnshire LN1 1EB
Mr Joel Barlow	7 Cromwell Street Lincoln Lincolnshire LN2 5LP
Sarah Cliffe	7 Home Court Wellingore Lincoln Lincolnshire LN5 0DB
Mr Andrew Johnson	16 Nelson Street Lincoln Lincolnshire LN1 1PJ
Mr Craig Bridge	72 Mill Lane Saxilby Lincoln LN1 2QQ
Mrs Helen Stratton-Would	14 Hewson Road Lincoln Lincolnshire LN1 1RX
Mrs Natalie Atkin-day	7 Howard Street Lincoln Lincolnshire LN1 1SB
Miss Karen Walford	2 Hampton Court Lincoln Lincolnshire LN1 1RG
Marianne Langley	8 The Avenue Lincoln Lincolnshire LN1 1PB
Mr Paul Ostafiehyk	3 Railway Park Mews Lincoln

A number of objections have been received. All issues will be considered in the body of the report; however, the issues can be summarised as:

- Loss of the public house
- Loss of community space
- Too many students in the area
- Overlooking
- Overdevelopment

## **Consideration**

### **Principle of Development**

The application property is situated within a built up residential area. As such the principle of a residential use in this area would be acceptable. The proposal would deliver 3no. three bedroom properties.

### **Loss of the Public House**

Policy LP15 of the Central Lincolnshire Local Plan states that “All development proposals should recognise that community facilities such as leisure facilities, libraries, public houses, places of worship and community halls, or any registered asset of community value, are an integral component in achieving and maintaining sustainable, well integrated and inclusive development.”

In most instances, the loss of an existing community facility will not be supported.

The loss, via redevelopment, of an existing community facility to provide an alternative land use which is not that of a community facility will only be permitted if it is demonstrated that:

- a. The facility is demonstrably no longer fit for purpose and the site is not viable to be redeveloped for a new community facility; or
- b. The service provided by the facility is met by alternative provision that exists within reasonable proximity: what is deemed as reasonable proximity will depend on the nature of the facility and its associated catchment area; or
- c. The proposal includes the provision of a new community facility of similar nature and of a similar or greater size in a suitable on or offsite location.

In order to satisfy the policy tests the applicant has submitted a justification statement setting out why the site should be redeveloped. The applicants have set out the following:

“The current owners bought the property around July 2013 from Punch Pubs & Co. The premises at that time had not been trading consistently and remained shut for long periods of time. With no trading figures or annual accounts, it was placed on Punch Pubs list of failing pubs to be sold.

Criminal activity, violence and confrontation with threats to personal safety within the premises, and complaints from the council on noise levels have all been associated with the pub, as well as anti-social behaviour outside of the premises.

Four years on from the acquisition of the premises, following considerable investment on the building plus improvements within the building (estimate to be between £250,000 – 275,000), the now current owner realised that the time and investment put into this facility would unlikely ever be recovered. From a business perspective, the running costs were unsustainable on a diminishing turnover with no profits on annual returns – the facility was unviable. A change of plan was imperative, as also advised by the businesses' accountant.

Following this, the pub was incorporated into trading with the owners' other business (The Tap House & Kitchen) to help shore up the burden of running costs. Unfortunately, again, partly due to reasons previously encountered, the venture was proven to be economically unviable and as a result the owners were forced to close both of their operations.

Giving the West End Tap another shot, the decision was made to lease the pub to a tenant with the aim of reducing the financial burden which had been proven unviable on more than one occasion. Unfortunately for the owners the premises license was almost revoked due to levels of unlawful criminal activity encountered on the premises – for which we cannot go into further detail regarding the circumstances surrounding this, for legal reasons; but the Licence Office, along with the investigating officer / sergeant of Lincoln Police Force, have clarification as part of their investigations.

Those such events, coupled in part with the economic impact of the pandemic, ensured the closure of the premises yet again early in 2021. The tenant was finally removed, making a statement in the local media regarding their failure to succeed in a dying trade – for the owner, this was another bad ending and another huge loss of revenue, for reasons beyond their control, bearing again the brunt of a financial burden.”

Officers have contacted the City's Anti-Social Behaviour Team who have confirmed that in 2020 3 x complaints were received about the West End Tap. 1 was in relation to yelling, swearing, general rowdiness, noise from beer garden and yelling at passers-by). 1 was in relation to noise nuisance, resulting in no further action and 1 complaint was passed to Licensing.

In accordance with Policy LP15 the applicants have also confirmed there is the provision of alternative community facilities existing within reasonable proximity of the existing facility and its associated catchment. Two such facilities, both located at approximately 0.2 miles from the application site are the Queen in the South (12-14 Moor Street, Lincoln) to the North-West, & The Horse & Groom Pub & Kitchen (Carholme Road, Lincoln) located to the South-East. Both of these facilities support community use, and both are easily accessible and within walking distance of the existing facility and catchment.

Officers consider that the applicants have demonstrated that the application meets the tests of LP15. The venue is no longer viable or suitable as a public house and there is suitable provision within reasonable proximity.

### Asset of Community Value

Following the submission of the planning application a community group was formed and an application made to place 108 Newland Street West on the Asset of Community Value Register.

The Asset of Community Value (ACV) process gives communities a right to identify a building or other land that they believe to be of importance to their community's social

well-being. If the asset comes up for sale, then they will be given a fair chance to make a bid to buy it on the open market. If the nominated asset meets the definition of an asset of community value, the local authority will list it. This process is separate to the planning application process and the planning authority do not have any involvement in listing process.

To be considered as an asset of community value the asset must show that the actual current use of the asset furthers the social wellbeing or social interests of the local community, and it is realistic to think that the future use of the asset will further the social wellbeing of the community.

The West End Tap was Listed as an ACV in 2021. As part of the ACV process the owners of the asset have the right of appeal. The pub owners appealed this decision, and the property was subsequently removed from the register. The community group reapplied to list the West End Tap as an ACV and this application has been successful. Therefore, the West End Tap is listed as an Asset of Community Value.

The ACV provisions do not restrict in any way who the owner of a listed asset can sell their property to, or at what price. They also do not confer a right of first refusal to community interest groups. The provisions do not place any restriction on what an owner can do with their property, once listed, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. However, the fact that the site is listed may affect planning decisions - it is open to the Local Planning Authority to decide whether listing as an Asset of Community Value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

The ACV process is not intended to delay planning decisions being made, nor does it prevent planning permission being granted for an alternative use. Given that the application passes the planning policy tests set out in LP15 it is considered that little weight should be attributed to the loss of the asset. The applicants have submitted evidence to show that the business is no longer viable and that there is alternative provision elsewhere within the community.

In terms of the ACV process, once an asset has been listed nothing further will happen unless and until the owner decides to dispose of it, either through a freehold sale, or the grant or assignment of a qualifying lease (i.e., originally granted for at least twenty-five years). From the point the owner notifies the local authority that they intend to dispose of the asset, a 6-week interim period will be triggered. This will allow community interest groups to make a written request to be treated as a potential bidder. If none do so in this period, the owner is free to sell their asset at the end of the 6 weeks. If a community interest group as defined in regulation 12 of the Regulations does make a request during this interim period, then a 6 month moratorium period (again from the point the owner notifies the local authority) will operate. During this period the owner may continue to market and negotiate sales but may not exchange contracts (or enter into a binding contract to do so later). There is one exception. The owner may sell to a community interest group during the moratorium period.

After the moratorium period – either the 6 weeks if there has been no community interest, or the full 6 months – the owner is free to sell to whomever they choose and at whatever price, and no further moratorium will apply for the remainder of a protected period lasting 18 months (running from the same start date of when the owner notified the local authority of wishing to sell).

Therefore, if permission were to be granted, they would have to follow the process above before they could start any work on the site because the pub is an asset of community value.

### Residential Amenity

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

In terms of overlook to the adjacent property on Newland Street West, the east elevation of the proposal has been designed with a blank elevation in the two storey extension. The new dwelling has two windows to the first rear elevation, these serve a bathroom and a utility room. These are not habitable rooms, and the bathroom would have opaque glass, therefore overlooking would be limited and subsequently there would be no loss of privacy.

The relationship with neighbours to the opposite side of Nelson Street would be a normal relationship between rows of properties. Officers initially had reservation about the proposed first floor amenity space, however the proposal has been designed with a louvred screen to protect the privacy of the new occupants but more to present overlooking to the street below and the residential properties opposite.

Although this is a relatively small development, due to the proximity to neighbouring properties, there is potential for issues due to noise from the construction phase of the development, particularly during the noise sensitive hours. Therefore, the hours of construction would be controlled by condition.

### Visual Amenity

There would be no visual changes to the north elevation of the existing building which fronts onto Newland Street West.

The greatest visual would be to the west elevation which front Nelson Street. The new build property would be a 3 storey dwelling in a similar design to the adjacent new build properties on Nelson Street. The property would replace an existing single storey outbuilding serving the public house. Materials used would match those used on the adjacent property. It is considered that this new property would assimilate comfortably into the street scene in accordance with local plan policy LP26.

The existing public house would be subdivided vertically to create two dwellings. It is then proposed to extend to the rear. The two storey rear extension would replace an existing single storey off shoot. This extension would be timber clad. The existing yard would provide for two off road parking spaces with a mezzanine above to provide first floor amenity space.

All development proposals must take into consideration the character and local distinctiveness of the area and create a sense of place. The proposal relates well to the site in terms of height, scale and massing. The design is in keeping with the character of the

street and uses appropriate, high quality materials which reinforce or enhance local distinctiveness. Therefore, the proposal is in accordance with Policy LP26 of the local plan.

### No Students S106

Given the application site is within the Carholme Ward there would be a requirement for the applicants to enter into a S106 agreement to ensure that the property is not occupied by students. This stipulation is applied to all new builds in the West End of Lincoln due to issues which have arisen from an over population of students in the past which has caused an imbalance in the community. The applicants have already signed the paper work to ensure the property would not be occupied by students, should consent be granted.

### Contaminated Land

Due to past uses in the vicinity of the site there is the potential for contamination to be present. A preliminary risk assessment and any subsequent work could be secured by condition.

### Air Quality

Whilst it is acknowledged that the proposed development, when considered in isolation, is unlikely to have any significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted.

The NPPF seeks to promote and enable sustainable transport choices and, in doing so, aims to protect and enhance air quality. Paragraph 110 of the revised NPPF states “....applications for development....should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”

The proposed development would include two off street parking spaces and, therefore, it is recommended that the applicant be required to incorporate appropriate electric vehicle recharge points into the development in line with the recommendations of paragraph 110 of the NPPF. These would be secured by condition.

### Highways

The proposed development requires the formation of an amended vehicular access. These works would 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.

The Highways Authority have raised no objections to the proposed development.

### Conclusion

It is considered that the proposed extension and proposed new build would be an appropriate addition to the street scene and would have no adverse impact on residential amenity. The change of use would also be appropriate given the surrounding residential

uses. It is therefore considered that the proposal accords with national and local planning policy.

**Application Determined within Target Date**

Yes – with an extension of time.

**Recommendation**

That the application is Granted Conditionally.

**Conditions**

- Works in line with submitted plans
- Works to commence within 3 years
- Electric vehicle charge points
- Contaminated land
- Hours of working
- Samples of materials to be approved

## Plans

### Site Location Plan



### Existing



## Proposed



## Elevations



## Floor Plans



## Site Photos













## Consultee Comments



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: 2021/0621/FUL

Proposal: Change of use of ground floor from public house (Use Class Sui Generis) and existing upper floor flat to form two maisonettes (Use Class C3). Demolition of rear outbuildings to facilitate a two storey extension and the erection of one new dwelling

Location: 108 Newland Street West, Lincoln, Lincolnshire, LN1 1PH

With reference to the above application received 2 August 2021

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

**Does not wish to restrict the grant of permission.**

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL

### Highway Informative 03

The permitted development requires the formation of a 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](mailto: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.

#### **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: 12/08/2021

*John Clifton*

for Warren Peppard

Head of Development Management

## Neighbour Comments

### 60 Richmond Road Lincoln Lincolnshire LN1 1LH (Objects)

Comment submitted date: Wed 29 Sep 2021

It will be huge loss to community . Loved to watch the life music by local artists.  
There are already too many student accommodations in this area, we do not need any more.

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### 4 Squires Place Nettleham Lincoln LN2 2WH (Objects)

Comment submitted date: Fri 24 Sep 2021

I am Secretary of the Lincoln Branch of the Campaign for Real Ale (CAMRA). I wish to object to the planning application (2021/0621/FUL) to change the use of the West End Tap public house at 108 Newland Street West to private dwellings.

The pub was previously The Vine Inn. It reopened under its new name in December 2013, following major renovations. The pub has a fresh, contemporary look, designed to appeal to students as well as other locals.

As one of the genuine free houses in the city, the pub has a significant commercial advantage over other establishments. The quality of the pub and its beers were recognised when it earned a place in CAMRA's Good Beer Guide 2016.

In an area where there is sometimes tension between students and other residents, the West End Tap has generated community cohesion and social interaction. It has improved the "liveability" of the area and made a positive contribution to social wellbeing. It had also provided employment opportunities. There is no doubt that the West End Tap is an important community facility.

According to Policy LPI5 of the Central Lincolnshire Local Plan, the loss of an existing community facility will only be permitted if it is demonstrated that the facility is demonstrably no longer fit for purpose; or the service provided by the facility is met by alternative provision that exists within reasonable proximity; or the proposal includes the provision of a new community facility of similar nature.

I see nothing in the application to justify the loss of the West End Tap.

Clearly, the COVID 19 epidemic has been a hammer blow to all hospitality businesses. However, it should not be used as an excuse for an owner to cash in a valuable community asset. The West End Tap was a viable business before COVID and there is nothing in this application to suggest that it could not return to viability in the future.

The granting of this application would create a dangerous precedent that could place the future of many local pubs in jeopardy. On behalf of the many local CAMRA members, I urge the Council to reject the application.

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### 51 Long Leys Road Lincoln Lincolnshire LN1 1DR (Objects)

Comment submitted date: Tue 24 Aug 2021

I object to the change of use for this property.  
The reduction of social spaces erodes community.

The West End has a considerable residential and student community. The loss of a popular, independent pub will have a negative impact on this diverse community, the West End Tap provides opportunities for employment, promotion of new business (eg. Wierdough Pizza) a venue for live music and quizzes and other events.

In particular it offered a free to use facility for local community groups to meet, in the West End of Lincoln there are virtually no other spaces for community groups to meet in the evening. As a member of my daughters school PTA group, we regularly held our evening meetings there.

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### 72 Mill Lane Saxilby Lincoln LN1 2QQ (Objects)

Comment submitted date: Thu 19 Aug 2021

It should be left as a public house for the local community- there are a lot of community pubs springing up around the country this should be looked into as a possibility

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### 53 Richmond Road Lincoln Lincolnshire LN1 1LH (Objects)

Comment submitted date: Tue 17 Aug 2021

This location has existed as a thriving pub for many, many decades. The last iteration of this, as the West End Tap, only closed due to the exceptional pressures, disruption and costs of the Covid 19 pandemic. This is clearly no basis on which to decide that it is no longer sustainable as a pub.

The West End has always been a thriving, mixed-use area with shops, restaurants, pubs and other businesses peppered amongst the housing. Sadly, many commercial premises have been lost over recent years, converted into residential. It is essential to the character of the area that a mix of different uses are maintained. Giving the former West End Tap a fair chance to prove itself as a sustainable business is an important step in maintaining this mix.

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## 25 Lindholme Road Lincoln Lincolnshire LN6 3RQ (Objects)

Comment submitted date: Tue 17 Aug 2021

This will be yet another kick in the teeth to the long standing community of the West End. Not only have the council shamelessly allowed an abundance of HMOs saturate the entire area (a population of students who do not pay council tax or care for the area) but now they are taking away a much loved pub to all residents in the area. A place where people come together and enjoy themselves. Taking this away, I fear will affect and worsen people's mental health and the results will be extremely detrimental.

It's time Lincoln city council started actually looking after their council tax paying residents and not the temporary students who engulf areas of Lincoln like this and do very little for the community. This pub needs to remain and contribute to be the heart of the community and to certainly not be made into flats for the numerous building firms in the area to capitalise and make serious money out of community assets.

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## 7 Cromwell Street Lincoln Lincolnshire LN2 5LP (Objects)

Comment submitted date: Mon 16 Aug 2021

Closing a space where members of the community can go and socialise, artists can share their art and folk can have a blooming good time just so some rich blokes can own and rent out flats at extortionate rates is just rubbish.

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## 36 Rudgard Lane Lincoln LN1 1QH (Objects)

Comment submitted date: Mon 16 Aug 2021

This was a great community pub supporting live music, comedy nights, vinyl nights, quiz nights and a meeting venue for locals and students.

The news that the pub will not reopen but be converted into residential accommodation is a huge blow.

A much enjoyed and needed community venue.

The Council show shortsightedness in not recognising that communities, to remain communities, need local venues to meet and socialise.

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## Not Available (Objects)

Comment submitted date: Mon 16 Aug 2021

Hi,

I'd like to register my support for the community trying to save the West End Tap.

As an important and historical independent pub, it's a real shame to see an application for flats go through. It holds special memories for my family and friends and if there's a chance to change it to an asset of community value, then every chance should be taken. Lincoln is a special place and pubs like the West End Tap are essential for keeping it that way.

### 9 Rosebery Avenue Lincoln Lincolnshire LN1 1ND (Objects)

Comment submitted date: Mon 16 Aug 2021

I strongly object to allowing planning permission for the change of use from The West End Tap Public House into Residential Flats. I have lived in the west end of Lincoln for over fifty years and have seen a number of public houses lost in the vicinity during that time, and if this one also is allowed to be lost it will leave only one. There have also been too many properties converted into flats, bedsits, student accommodation, etc., resulting in an influx of more and more residents in the area. Therefore the choice of amenities for socialising will be further limited. Please do not allow this planning permission to proceed.

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### 10 Manor Leas Close Lincoln Lincolnshire LN6 8DE (Objects)

Comment submitted date: Sun 15 Aug 2021

This public house was a integral part of the community, putting nights of entertainment for people, it's a disgrace these developer's have no regard for people lives and community spirit that allows people to meet new people create new friendships. Stop the Greed

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### 10 Manor Leas Close Lincoln Lincolnshire LN6 8DE (Objects)

Comment submitted date: Sun 15 Aug 2021

This is a great community pub that would be a massive loss to the community and local musical artists. We do not need anymore student accommodation its spoiling the city

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### 23 Albert Crescent Lincoln Lincolnshire LN1 1LX (Objects)

Comment submitted date: Sat 14 Aug 2021

The West End Tap was a thriving local pub prior to the pandemic. It served as a fantastic place to create a link between the local and student population of the area. To simply remove this community hub is an abhorrent, short-sighted decision by the council.

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### 13 Upper Long Leys Road Lincoln Lincolnshire LN1 3NH (Objects)

Comment submitted date: Sat 14 Aug 2021

The proposed development would be inappropriate and detrimental to both the immediate vicinity and the West End community in general.

This is already a high density population area, with many properties split and in multiple occupancy. This application represents yet another unnecessary and opportunist addition to this. The community is already beset with problems associated with poor quality housing and over occupancy, parking and car use in particular. This proposal should therefore be rejected wholly in consideration of these factors. The position of this property is largely accessed via a very narrow street, which is already used by numerous vehicles as a cut-through/'rat run', presenting further issues with public safety.

Furthermore, the application concerns a key community establishment in an area where communal assets are in short supply. The loss of this to more unnecessary accommodation will have yet another detrimental effect to this already beleaguered and increasingly mono-cultural community. The council should reject this application with a view to working with the owners and the local community to seek alternative solutions with a view to re-establish this important local amenity.

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### 24 Broadway Lincoln Lincolnshire LN2 1SH (Objects)

Comment submitted date: Sat 14 Aug 2021

It would be a sad loss to loose another of Lincoln's classic pubs.

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### 4 Drury Lane Lincoln Lincolnshire LN1 3BN (Objects)

Comment submitted date: Fri 13 Aug 2021

We have more than enough flats and student accommodation!!!

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### 16 St Faiths Street Lincoln Lincolnshire LN1 1QJ (Objects)

Comment submitted date: Fri 13 Aug 2021

There is so much housing in the West End of Lincoln currently. Is demolishing a place of community for the sake of two more houses really worthwhile?

The pub has been successful and when up and running again would likely be successful again. Pubs have suffered so much during the last 18 months, this is such a waste.

## 2 Holly Close Lincoln Lincolnshire LN5 8RU (Objects)

Comment submitted date: Fri 13 Aug 2021

Why would you take one of the very last places for adults THAT ARE NOT JUST STUDENTS ???? The city is very close to loosing all its personality. Might as well make the Castle and Cathedral student accommodation as all you care about is money.

---

## 41 Victoria Street Lincoln Lincolnshire LN1 1HY (Objects)

Comment submitted date: Fri 13 Aug 2021

Change of use of ground floor from public house is a great shame to the Community, however if someone is not able to take on the business venture then I can see why plans have been put forward to convert it into a ground floor flat however I object on the grounds that the existing upper floor flat is to form two maisonettes (Use Class C3) and the demolition of rear outbuildings to facilitate a two storey extension and the erection of one new dwelling, as this is a huge development for such a small space and is purely about profit and not about what is best for the community.

I object to the Overdevelopment on the following grounds -

Development should provide the level of amenity space to meet the recreational and domestic needs of the occupants. The proposed design has minimal amenity space. The existing yard is lost to the rear dwelling and only two parking bays and bin area which is inadequate and inappropriate for the space. The West End area no longer requires student accommodation - it is in need of family and/or working professionals accommodation and this should be the priority if any change of use is granted, not how many bedrooms can we fit in such a small space to maximise profit.

In addition, the streets surrounding the West End Tap are very highly congested with traffic and given climate change the City Council should be reducing the number of cars in the City. The corner of Nelson Street and Newland Street is very tight and the planned development will put further pressure on this area. How can three bedroom flats be approved with such little space to park when the streets cannot take any more cars?

Please do not consider planning permission to change the current usage from a family resource to an HMO as this will mean that a further resource is taken away from the community and will be offered to more students. The planning obviously goes against the concept of A4D and is a blatant attempt to avoid the current rules and focus on profit

## O1 Lincoln LN2 5BT (Supports)

Comment submitted date: Fri 13 Aug 2021

If it was making money it would still be open. They're not going to keep operating at a loss just to keep a few locals happy. If you want to keep it as a pub, why not buy it off the owners and run it yourself?

The beer garden could be used as parking so wouldn't affect on street parking.  
Turn it in to anything that will reduce the amount drunks/drug users in the area!

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## 148 St Catherines Grove Lincoln Lincolnshire LN5 8ND (Objects)

Comment submitted date: Fri 13 Aug 2021

. Pubs are a place for community to be formed and look after one another. In the aftermath of Covid it is even more apparent that people need social interaction to ensure good mental health and a pub is the perfect place to meet friends or sit in quiet contemplation without being isolated.  
The West End has a fabulous community spirit. Like no other area in Lincoln. These values should be preserved

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## 76 Newland Street West Lincoln Lincolnshire LN1 1PH (Objects)

Comment submitted date: Fri 13 Aug 2021

Please dear god no more people. I'm sick of paying parking tickets every month. I know we won't get more parking spaces despite there being tons of room for them. Also I loved this pub, it's breaking my heart that it won't reopen, I made so many new friends when I first moved to west parade. This place is becoming a hell hole, I better move soon before my house is worthless.

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## 6 Winterbourne Court Corby NN18 0BJ (Objects)

Comment submitted date: Fri 13 Aug 2021

This pub is an integral part of the West End community - both the residential and student subjects. The loss of the West End Tap would be hugely detrimental, it hosts a variety of popular music nights that don't have a home elsewhere in the city, and offers a genuinely unique environment. These proposed maisonettes in the place of 50% of the West End's cultural output are simply not needed.

## 26 Angelica Road Lincoln Lincolnshire LN1 1AY (Objects)

Comment submitted date: Wed 11 Aug 2021

Application No. 2021/0621/FUL

Dear Sir/Madam

I wish to object to this application on the grounds that the development would result in the loss of a valuable community facility, it is contrary to current planning policies, it will result in overlooking and overdevelopment of the site.

### Loss of a community facility

In general terms, I share the deep national concern about the loss of public houses. Pubs are valuable community assets for many reasons, including:

- Providing somewhere for people to meet and socialise
- Supporting the local economy through employment of staff and purchases from local businesses
- Offering meeting places for clubs, societies and charities

These spaces were hugely valuable but increasingly under threat even before COVID-19, with cultural facilities, youth clubs and libraries already impacted by recent years of austerity policies and technological changes.

As we return to a semblance of normality once more, our pubs are again doing what they have done for centuries – bringing us back together as the heart of the community.

Pubs, and small community pubs in particular, provide a safe environment in which to meet old and new friends face to face over a drink. The pub offers an enriching environment where we have the opportunity to meet a greater diversity of people from all walks of life than we might otherwise be able to do.

The social aspect of going to the pub helps to provide opportunities for beneficial social interaction, which many people of different ages and backgrounds currently struggle to find elsewhere. Face-to-face interaction also helps to build and maintain friendships and social connections that serve as important protection against the harmful effects of loneliness. Something that can be appreciated by us all post lockdown(s).

While pubs are not the only venues that will likely play this role, they do offer a clear example of the social infrastructure that will need to be preserved or rebuilt following this pandemic.

### Planning policy

Section 92 & 93 of the NPPF requires local planning authorities to “aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other” and to guard against the unnecessary loss of valued facilities where they would reduce the community’s ability to meet its needs.

I consider that the West End Tap is a valued facility which does meet the needs of the local community. The application should therefore be refused on the grounds that it is contrary to national planning policy.

The west end tap has been a thriving business in the past. In the right hands, there is no reason why it should not again become a successful and commercially viable facility. However, if the applicant claims it is not viable, then those claims should be tested.

- As a minimum, the applicant should be required to submit trading accounts for the last three full years in which the pub was operating as a full-time business?
- Is there evidence that the pub has been marketed as a going concern at a reasonable price and for a significant length of time?
- Where was the pub was offered for sale?
- If there is insufficient evidence of a comprehensive marketing campaign, state that the application should be refused and not be reconsidered before such a campaign has taken place.

### Design and Amenity

Policy LP26 of the central Lincolnshire local plan states that “all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all”. And that “the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.”

### Overlooking

The proposed design seriously compromises the privacy enjoyed in the neighbouring garden at 106 Newland Street West privacy. The plans and elevations current show the creation of 4 new windows positioned on the current blank boundary wall. Directly looking into the neighbour’s garden destroying the privacy of this amenity space and creating a potential fire hazard with the introduction of these unprotected areas.

### Overdevelopment

Development should provide the level of amenity space to meet the recreational and domestic needs of the occupants. The proposed design has minimal amenity space. The existing yard is lost to the rear dwelling and GF parking/bin areas while three small terraces are shown at first floor level. These are tiny in relation to the proposed two bed 5 person and three bed 6 person properties, they will overlook neighbouring first floor windows across nelson street and are accessed through bedroom windows restricting their use by all of the occupancy of the properties.

For these reasons I ask that the application is refused and a valuable community asset is retained.

If, however the application it is to go before committee can you please notify objectors of the date well in advance and can you please clarify whether objectors will have the opportunity to speak.

## 15 Albert Crescent Lincoln Lincolnshire LN1 1LX (Objects)

Comment submitted date: Wed 11 Aug 2021

I am opposing the current plans to develop the West End Tap into further student accommodation due to the following reasons;

1] The West End area no longer requires student accommodation – it is in need of family accommodation and this should be the priority if any change of use is granted.

2] The streets surrounding the West End Tap are very highly congested with traffic and given climate change the City Council should be reducing the number of cars in the City. The corner of Nelson Street and Newland Street is very tight and the planned development will put further pressure on this area.

3] Granting planning permission to change the current usage from a family resource to an HMO will mean that a further resource is taken away from the community. Further more this type of development will mean the building cannot be returned back to a community resource.

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## 51 Long Leys Road Lincoln Lincolnshire LN1 1DR (Objects)

Comment submitted date: Mon 09 Aug 2021

A public house is classed as a 'community facility'. I request that the Local Planning Authorities adhere to the National Planning Policy Framework in taking all measures to retain and promote this public house as a facility for the community. (Ref. NPPF, Sect 8, 93.)

The viability of the West end taps business potential is supported by the current owner gaining planning approval for a significant extension in 2016 to expand the business. (Ref. Application 2016/0060/F)

The 'springboard' local economical benefit offered by this business can be demonstrated by Weirdough Pizza Emporium, which started trading in the West End Tap beer garden and now has taken on premises up hill (Ref. Lincolnite 22/01/21)

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## 17 Severn Street Lincoln Lincolnshire LN1 1SJ (Objects)

Comment submitted date: Mon 09 Aug 2021

I think we have plenty of housing in the West end at present. It would be a terrible shame to loose another public house which is often a centre of the community. I therefore object to this application.

## 33 Oberon Close Lincoln Lincolnshire LN1 1WE (Objects)

Comment submitted date: Fri 06 Aug 2021

The proposed development would be damaging to the local community of the west end of Lincoln. The West End Tap and community buildings are really important to the economic, social and cultural core values of the area.

Unfortunately the COVID pandemic has had a significant impact on local businesses and also people's mental health. We need to keep these public buildings and businesses to help the community recover.

There is no desire from people in the West End or living near the town centre for anymore building conversions into flats or HMO's.

## 32 Hewson Road Lincoln Lincolnshire LN1 1RX (Objects)

Comment submitted date: Fri 06 Aug 2021

The proposed development is extremely damaging to the local community and vibrancy of the west end of Lincoln. We need to hold on to the community buildings that are important to the economic, social and cultural value of the area and therefore attract more families, students and professional people to the area.

This is an area which is suffering from some anti-social behaviour, high density population in multiple occupation. Research has shown that the decline in community hubs, particularly pubs, is detrimental to social and economic conditions in communities (Lynn, M, Jerrard, B and Wright, L)

The COVID pandemic has had a significant impact on businesses but we must now move into a period of recovery and fight to keep the buildings and businesses in place which will help the community recover. Converting the pub into another use is just a short-term profit making alternative at the expense of the interests and needs of the community.

As the organisation CAMRA point out "many of the pubs that have called last orders for the final time could have continued serving their local communities in the right hands". If the council and community take the CAMRA 'Public House viability test' <https://www1-camra.s3.eu-west-1.amazonaws.com/wp-content/uploads/2019/03/14082430/Public-House-Viability-Test-v.2015.pdf>, I am positive that in the right hands and with community backing, it could be re-established as a viable business opportunity.

The West End of Lincoln has a strong community spirit (very much like that of a village) and pubs are central to sustaining this sense of community. A sustainable community is one where people want to live and work, now and in the future. It is a community where every group has a role in the decision making about their area.

In this case the application concerns a key community establishment, which brings all the community together and is also important culturally for the provision of live music and local events. It also has a direct impact on the mental health and wellbeing of the community. Isolation and loneliness are increasing in society (and also impacted by COVID).

As a community, we would like to minimise the negative impact that these types of development inevitably produce. The community would like to work with the council and the owners to seek alternative solutions to maintain this important amenity.

Whether that would be through a community pub initiative, grants for improvement, local investment or other opportunities, we need to be able to explore the possibilities.

Therefore, the council should reject this application in order for the community to come together and make plans to protect this essential community hub.

### Reference

Martin, L., Jerrard, B., & Wright, L. (2019). Pubscape: innovation by design in the British pub. *International Journal of Contemporary Hospitality Management*, 31(8), 3018-3036.

## 7 Queens Crescent Lincoln Lincolnshire LN1 1LR (Objects)

Comment submitted date: Fri 06 Aug 2021

I completely agree with what other commentators have said. In particular, the following points:

- 1) This establishment provides a rare and invaluable gathering place for students and permanent members of the local community.
- 2) This is one of Lincoln's very few live music venues, and the cultural character of the city would be degraded through its loss.
- 3) Housing is not in short supply in this neighbourhood, but community meeting places truly are.

I hope that those empowered to make this decision will carefully consider the irreversible damage of not only removing this longstanding institution from the community, but converting it into flats so that it can never reasonably return to its former use. Other options should be explored. Thank you.

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## 284 West Parade Lincoln Lincolnshire LN1 1NB (Objects)

Comment submitted date: Fri 06 Aug 2021

You cannot keep taking down community facilities to replace them with accommodation. The West End and University has created an enormous increase in housing and yet with absolutely no corresponding thought to the welfare of the community. No extra shops, no improvement to sporting facilities. And now the loss of one of only two pubs? The pub closed because of Covid but that doesn't mean it will remain closed. We are in the middle of a mass mental health crisis. So grow up and stop making it all about money. Has all this loss of life not taught us anything? I'm appalled.

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## 3 Albion Crescent Lincoln Lincolnshire LN1 1EB (Objects)

Comment submitted date: Fri 06 Aug 2021

The proposed development would be inappropriate and detrimental to both the immediate vicinity and the broader west end community.

This is already a high density population area, with many properties split and/or in multiple occupancy, a further unnecessary addition to this would likely add to the existing problems associated with parking/car use, anti-social behaviour, issues with poor quality housing and over occupancy and therefore should be rejected in consideration of these factors. In this case the proximity and access via a very narrow street possibly by numerous vehicles, also has negative public safety implications.

In this case the application concerns a key community establishment, which whilst privately owned, provides a focus for the local community, one where permanent residents and students can come together (this is of particular value in this mixed residential area with high student numbers). The establishment also supports live music and is one of very few such venues in Lincoln, therefore the change of use would also impact negatively on Lincoln's cultural offering and diversity.

The council should be working with the owners and the local community to seek alternative solutions that could re-establish this important local amenity. There are opportunities to engage funding opportunities via central government to support such initiatives and it would be appropriate for the council to reject this application, pending exploration of such possibilities with the current owners, community and council.

## 16 Nelson Street Lincoln Lincolnshire LN1 1PJ (Objects)

Comment submitted date: Fri 06 Aug 2021

Another over crowded house which will end up being a HMO in a few years time we have enough students on our street that make too much noise we are trying to run a business ourselves at the bottom end of the street more people more traffic no thanks.

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## 7 Home Court Wellingore Lincoln Lincolnshire LN5 0DB (Objects)

Comment submitted date: Thu 05 Aug 2021

I am objecting these plans. It would be an absolute shame to get rid of The West End tap altogether, it's such an important part of the community

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## 34 Victoria Terrace Lincoln Lincolnshire LN1 1HZ (Objects)

Comment submitted date: Thu 05 Aug 2021

I object to the proposal to change the West Hand Tap into accommodations. It has been a valuable part of the community for many years and should continue to be a social hub in the area.

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## 34 Victoria Terrace Lincoln Lincolnshire LN1 1HZ (Objects)

Comment submitted date: Thu 05 Aug 2021

I object, this was a great pub and could be run by the community. It closed during lockdown and Lincoln doesn't need another student hall, there are already over 15+ options for them to live in.

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## 88 Constance Avenue Lincoln Lincolnshire LN6 8SS (Objects)

Comment submitted date: Thu 05 Aug 2021

This pub should remain available for use as a community hub.

### 35 Newland Street West Lincoln Lincolnshire LN1 1QQ (Objects)

Comment submitted date: Thu 05 Aug 2021

Please don't take away such an important part of the West End Community, it is loved by so many and turning the venue into flats will be so damaging. The parking situation is also bad enough on Newland Street West without adding another HMO.

### 35 Newland Street West Lincoln Lincolnshire LN1 1QQ (Objects)

Comment submitted date: Thu 05 Aug 2021

I object to this, we can't lose another community place. It's been a pub for decades and should be reopened as one.

---

### 20 Cambridge Avenue Lincoln Lincolnshire LN1 1LS (Objects)

Comment submitted date: Thu 05 Aug 2021

I wish to object to the change of use application as I would like to help save this pub as a valuable community facility in the heart of the West End. Thank you.

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### 38 Moor Street Lincoln Lincolnshire LN1 1PR (Objects)

Comment submitted date: Wed 04 Aug 2021

If this is to be student accommodation why? There has been enough purpose built student accommodation recently built and away from the West End area, hopefully lessening noise pollution. If not student accommodation, flats, more parking issues in an area struggling with parking even with residents parking. It strikes me that someone is hoping to make a quick buck with no consideration to the needs of the area and capacity for further building,

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### 36 Richmond Road Lincoln Lincolnshire LN1 1LQ (Objects)

Comment submitted date: Wed 04 Aug 2021

Changing the use of this building from a public house to flats will be to the detriment of the community. As a public house it has been a meeting place for local people and students alike over the years and as such serves the community in many ways, not only as a public house. The area is already densely populated with a high proportion of HMO's and flats, adding more accommodation to this area will only exacerbate the situation. As a community the West End would benefit from this building being re-opened as a public house, which in turn would enrich the community spirit as well as boosting the local economy.

## 8 The Avenue Lincoln Lincolnshire LN1 1PB (Objects)

Comment submitted date: Wed 04 Aug 2021

I object to the loss of the pub as a popular, valued and viable local amenity. The pub closed during lockdown and there is a great deal of support within the West End to run it as a community pub. This practice has been successfully applied to a number of Lincolnshire pubs. Pubs are an important part of our culture and given the lively and active community within the West End I think it would be a travesty to lose it. Should a community venture not prove successful then I think it might be reasonable to consider alternative uses for the property, but not until then.

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## 14 Hewson Road Lincoln Lincolnshire LN1 1RX (Objects)

Comment submitted date: Wed 04 Aug 2021

There is plenty if not too much accommodation in the West End and only 1 pub which does not provide the community with a choice of public houses/establishments to meet. This creates a complete imbalance between properties and amenities and the community is on the whole is unhappy with this.

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## 21 Oakleigh Terrace Lincoln Lincolnshire LN1 1DY (Objects)

Comment submitted date: Wed 04 Aug 2021

With very few community buildings still available in this area, I strongly believe that this building should be kept as a public house or other community amenity and not be converted to housing.

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## 26 Hewson Road Lincoln Lincolnshire LN1 1RX (Objects)

Comment submitted date: Wed 04 Aug 2021

The west end needs amenities such as a local community pub. When the tap was open, it was always busy and provided a venue for live music, book clubs, quizzes etc

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## 2 Hampton Court Lincoln Lincolnshire LN1 1RG (Objects)

Comment submitted date: Wed 04 Aug 2021

There are a large number of HMO's in this residential area already

## 6 Nelson Street Lincoln Lincolnshire LN1 1PJ (Objects)

Comment submitted date: Wed 04 Aug 2021

The West End Newland Street West does not need any more residential dwellings we are already oversubscribed with no room for more vehicles and parking spaces already far overwhelmed.

The West End Tap formerly The Vine has been at the heart of the West End for many years and is essential it remains a public house as a big part of our community turning into property would be a shortsighted disaster.

### 6 Nelson Street Lincoln Lincolnshire LN1 1PJ (Objects)

Comment submitted date: Wed 04 Aug 2021

West end does not need anymore dwellings and extras cars to park.  
The west end tap and has been a very busy pub in our community for many years, it's usage should not be changed to dwellings.

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### 26 Richmond Road Lincoln Lincolnshire LN1 1LQ (Objects)

Comment submitted date: Wed 04 Aug 2021

This is a disguised HMO with 9 bedrooms squeezed into a small footprint. This also takes away an asset to the community in the pub.

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### 13 Arthur Taylor Street Lincoln Lincolnshire LN1 1TL (Objects)

Comment submitted date: Wed 04 Aug 2021

Too many HMOs in this area. It should be turned into a community project for the West End residents. There are too many hmo in this area, with all the associated problems, drugs, alcohol and anti social behaviour.

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### 3 Richmond Grove Lincoln Lincolnshire LN1 1LJ (Objects)

Comment submitted date: Wed 04 Aug 2021

It would be such a shame and have a real negative impact on the community, if one of only two remaining community pubs in the West End was converted into yet more residential dwellings, an area already fit to bust. I strongly object to these plans and urge those who can, to prevent this from happening.

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### Not Available (Objects)

Comment submitted date: Wed 04 Aug 2021

I think that the premises should be retained as some kind of community hub

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### 16 Hewson Road Lincoln Lincolnshire LN1 1RX (Objects)

Comment submitted date: Wed 04 Aug 2021

The impact of the loss of a pub cannot be quantified – it's unimaginable to suggest that flats would serve the community better.

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### Apartment 9 Roman Path Place 36 Blenheim Road Lincoln Lincolnshire LN1 1BL (Objects)

Comment submitted date: Wed 04 Aug 2021

The area doesn't require any more houses of multiple occupancy or none family centred property. The local community are keen for this to remain a pub.

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### 25 Albion Crescent Lincoln Lincolnshire LN1 1EB (Objects)

Comment submitted date: Wed 04 Aug 2021

I object as this pub is part of the community and the council should look to the community first to see if they can develop this rather than build further accommodation. It is first and foremost a family community

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### 16 Hewson Road Lincoln Lincolnshire LN1 1RX (Objects)

Comment submitted date: Wed 04 Aug 2021

Following the pandemic this community desperately needs its public houses – they are meeting places for the vulnerable and the heart of our community. The Taps is a viable pub and there is appetite in the community for the establishment of a community pub if no other way exists – I object very strongly to this.

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### 7 Howard Street Lincoln Lincolnshire LN1 1SB (Objects)

Comment submitted date: Wed 04 Aug 2021

I object as this pub is part of the community and the council should look to the community first to see if they can develop this rather than build.

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## Address: 16 nelson street Lincoln Lincolnshire Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This pub has been the Pillar of our community since I've lived here and that is 20 years. The vine was a great pub we need to keep this place as a pub and bring it back to life again. The vine was the west end no way should this be turned into flats like every other inch of this community.

Parking will be another issue this street has far too much traffic it's becoming dangerous.

#### RESPONSE TO WEST END TAP PLANNING APPLICATION 'JUSTIFICATION STATEMENT'

From: Keep the Tap Running community group

To: Lana Meddings, Principal Planning Officer

City of Lincoln Council

City Hall, Beaumont Fee

Lincoln LN1 1DF

Date: 3/12/2021

Subject: 2021/0621/FUL Change of use of ground floor from public house (Sui Generis)

108 Newland Street West, Lincoln, LN1 1PH

Dear Ms Meddings

#### INTRODUCTION

We request that this is included in the document pack relating to the planning application and ACV appeal for the West End Tap public house. Planning applications which involve the loss of a community asset such as a pub are usually expected to be accompanied by a detailed justification, including proof that the property has been placed on the open market at a fair and realistic market value and a viability study. In these cases the community has chance to respond to the submitted material. We therefore request the opportunity to lodge our response to the 'Justification Statement' that has now been presented by the owners.

#### ASSET OF COMMUNITY VALUE LISTING

Since the planning application was submitted in July the pub has been added to the Council's Asset of Community Value list (ref: ACV 2021/02). We are delighted that the Council has acknowledged the value of the pub to the local community and was satisfied that,

- A use of the asset in the recent past that was not ancillary use furthered the social wellbeing or social interests of the local community, and

- It was realistic to think that there could be non-ancillary use of the asset which would further (whether or not in the same way) the social wellbeing or social interests of the local community.

#### CRIMINAL ACTIVITY, VIOLENCE, CONFRONTATION, COMPLAINTS and ANTISOCIAL BEHAVIOUR

Within their Justification Statement point 2.3<sup>ii</sup> the owners of the West End Tap claim that the pub has been beset by all manner of dangerous and undesirable activities. We would like to counter that, if true, this must be laid at the feet of the owners and/or managers of the pub and not the bricks and mortar, the building, or the necessary consequence of the building being a pub. The West End's other pub, the Queen in the West, does not suffer similar unpleasantness and this is due to how it is run and managed. If any such negative behaviours have been allowed to be carried out at the West End Tap this surely indicates how important it is that it is permitted to change hands and be run differently. It is also untrue to suggest that the West End Tap has ever had a reputation amongst locals for such instances. Whilst it must be accepted that isolated incidents can occur in any urban public house from time to time, that they occurred regularly in the Tap is news to the sixty strong group members and former occasional and regular users who make up the Keep the Tap Running community. The pub had a reputation for music primarily, along with open mic nights, regular DJ

#### RESPONSE TO WEST END TAP PLANNING APPLICATION 'JUSTIFICATION STATEMENT'

afternoons and acoustic live performers. Indeed, since the Tap never screened sports events, unlike the Queen in the West, it was if anything perceived as the more sedate of the two environments for a drink.

#### VIABILITY

The owners have not submitted evidence that the pub does not represent a viable business proposition going forward. It is the opinion of the last tenant that the pub is viable and he has stated as such during an online debate about the closure of the pub,

“I can weigh in on this one. The pub absolutely could make money without the pandemic in place, has done and hopefully will again.”<sup>iii</sup>

It should be noted by the Planning Committee that the owners have received an offer to buy the freehold of the pub by the People’s Pub Partnership (PPP). This social enterprise pub company has been established with the sole purpose of saving threatened community pubs. The West End Tap has been identified as being a perfect candidate by the experts in the public house market within PPP. Incidentally, the Tap owners were also approached by a potential lessee. As far as we are aware, no effort has been made to engage with these interested parties or the wider market beyond. There is, in short, no evidence that it is not a potentially successful business under a change of ownership.

#### POLICY LP15

The Justification Statement argues that the West End has another pub, the Queen in the West, and is not far from the leisure and entertainment venues at the Brayford Pool area. Lincoln is not a geographically large city and most of it is within easy walking distance of the West End, including the pubs, bars and restaurants on the High Street and Cornhill Quarter, Steep Hill and the Bailgate area. The owners’ other Lincoln business, the Citadel bar, is located in the Bailgate very close to other pubs and it is this very choice that creates an enticing and vibrant area for users. We would like to challenge the assumption that the presence of alternative facilities is a justification for the loss of our pub. A choice of amenities is important in an urban setting and the existence of two pubs in amongst a host of guesthouses and AirBnBs makes it more likely that both tourists and residents alike will spend leisure time in the West End.

In point 5.6 it is suggested that the closure of the Tap is good news for the West End’s other pub. If this were the case the owners of the Queen in the West would welcome its loss. The planners might be interested to know that they are part of the campaign group and fully support the reopening of the Tap.

#### NATIONAL PLANNING POLICY FRAMEWORK

The Campaign for Real Ale (CAMRA) explains that, “the National Planning Policy Framework (NPPF) in England contains several policies which could be very helpful to pubs. Paragraph 92 states that Local Planning Authorities should “guard against unnecessary loss of valued facilities where they would reduce the community’s ability to meet its day-to-day needs” and should “ensure that established shops, facilities and services are retained for the benefit of the community”. This policy crucially applies to all community pubs, not just those in rural areas.”<sup>iv</sup>

#### RESPONSE TO WEST END TAP PLANNING APPLICATION ‘JUSTIFICATION STATEMENT’

##### FURTHER INFORMATION

The owners claim to have contacted the campaign group (5.3). No such contact has been made and we would welcome a dialogue about the use of the pub. We can be contacted at [keepthetap@gmail.com](mailto:keepthetap@gmail.com).

Yours

M Langley

(on behalf of Keep the Tap Running Community Campaign Group)

<sup>i</sup> Councillor Sue Burke, Portfolio Holder for Reducing Inequality. City of Lincoln Council. Asset of Community Value Listing Decision Notice. 17/9/21.

<sup>ii</sup> Lincs Design Consultancy. (2021). Justification Statement. Available:

<https://development.lincoln.gov.uk/onlineapplications/applicationDetails.do?activeTab=documents&keyVal=QWUFUTJF00L00>. Last accessed 19/11/21.

<sup>iii</sup> Dan Neale, last tenant manager of the West End Tap during a West End Residents Association online discussion about the closure of the pub, August 2021.

<sup>iv</sup> Campaign for Real Ale. (2020). Planning policies must be consulted before a pub is converted or demolished.

## **Comments for Planning Application 2021/0621/FUL**

### **Application Summary**

Application Number: 2021/0621/FUL

Address: 108 Newland Street West Lincoln Lincolnshire LN1 1PH

Proposal: Change of use of ground floor from public house (Use Class Sui Generis) and existing upper floor flat to form two maisonettes (Use Class C3). Demolition of rear outbuildings to facilitate a two storey extension and the erection of one new dwelling.

Case Officer: Lana Meddings

### **Customer Details**

Name: Not Available

Address: 3 Railway Park Mews Lincoln

### **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I lived in the West End of Lincoln from 1957 until shortly after my father's death in 1972 and sought a life outside of the City. When I returned with my wife in 2012 to retire I was saddened to see that my former homes in Sutton and Charlesworth Street were no more but was impressed with the excellent Council Housing which now exist there. I do not think the current proposal will add anything to the community in the West End of Lincoln.

Times change and along with Covid it is hard to see how pubs are going to survive without becoming a part of the community and how communities are going to survive without social gathering places such as pubs. The application is focused on student occupation and as such in my view and of others will not earn a return for the developer and as such should be considered a high risk investment. Take a look here <https://iea.org.uk/films/how-covid-burst-the-university-bubble/>. As a number of others have noted in the right hands this property ought to succeed as a pub or as a boutique B&B such as the Queen in the West. Perhaps community ownership is an option? The idea of multiple occupation by business is not a new idea in places such as Ireland (O'Connors in Doolin) and it worked well at the Plough Boy with its separate cafe and the Treaty of Commerce now has a barber which I use. The Tap could support a vertical farm in its outbuildings and relieve food poverty in the area by selling its produce.

<b>Application Number:</b>	2021/0597/FUL
<b>Site Address:</b>	471 - 480 High Street, Lincoln, Lincolnshire
<b>Target Date:</b>	27th October 2021
<b>Agent Name:</b>	Stem Architects
<b>Applicant Name:</b>	Mr Chris Burns
<b>Proposal:</b>	Erection of 73 bedroom residential elderly care home including access from Cross Spencer Street, car park, and turning area, landscaping, refuse and cycle storage. To include demolition of former Abacus Motor Group showroom and ancillary motor repair buildings (revised plans).

### **Background - Site Location and Description**

#### *Site Location*

The site is located at the south end of the High Street on the eastern side. The site was previously a Peugeot Garage and is now vacant. It is occupied by a former showroom building fronting High Street with garage/workshop buildings to the rear. All of these buildings would be demolished as part of the proposal.

The site is adjacent to the South Park/St Catherines roundabout. To the south of the site is the Sincil Dyke with residential properties located on the other side of the bank fronting South Park. To the north is the former United Reform Church which is subject to a separate application. To the north of the Church is another garage which does not form part of the application site. To the east is vacant land forming a separate application for re-development. Residential properties line Spencer Street to the north of the application site. The site is situated within the St Catherines Conservation Area No. 4.

Whilst the site is vacant in terms of its land use, Bentley's on behalf of the Environment Agency have been undertaking works for several months in relation to the bank on the south boundary of the site. The works have included removal of the trees along the boundary with the bank as part of a scheme of measures to improve flood defences in the area. These works did not require planning permission and are not connected to the development proposed under this application. Despite the proximity to the Sincil Dyke the majority of the site is within Flood Zone 1 with a small area on the south-western corner of the site located within Flood Zone 2.

#### *Description of Development*

The application proposes a residential care home comprising 73 en-suite rooms set within a purpose built facility over three floors. Ancillary facilities would include office space, kitchens, laundry facilities with shared kitchen and lounge facilities. The building would be accessed via Cross Spencer Street with the existing access from High Street to be stopped up. Pedestrian access would be via the rear of the building into a reception space within the centre of the building. 23 parking spaces are provided on the site for use for staff and visitors.

Pre-application discussions have taken place and further discussions have continued throughout the application process with the applicant and their architect. Revisions have been submitted to address officer concerns regarding overlooking, design and access.

The scheme is submitted by Torsion Care who have submitted a separate application for retirement flats on land to the rear of this site and including the former United Reform Church to the north (2021/0598/FUL). Officers are still in discussions with the applicant on the retirement flat application.

### **Case Officer Site Visit**

Various, most recently 14<sup>th</sup> 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 LP21 Biodiversity and Geodiversity
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP27 Main Town Centre Uses – Frontages and Advertisements
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- National Planning Policy Framework

### **Issues**

- Principle and Policy Background
- Developer Contributions
- Assessment of Impact to the Character and Appearance of the Conservation Area
- Impact on Residential Amenity
- Highways and Drainage
- Archaeology
- Contamination
- Other Issues

### **Consultations**

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

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, traffic, parking, access into the site, loss of privacy, impact on local GP services, concerns with scale, wildlife and light pollution.

### **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received
Anglian Water	Comments Received
Environment Agency	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Lincoln Civic Trust	Comments Received
Lincolnshire Police	Comments Received
Historic England	Comments Received
NHS England	Comments Received

### **Public Consultation Responses**

Name	Address
Mrs Sheila Edens	466 High Street Lincoln Lincolnshire LN5 8JB
Ms Janet Nissler	13 South Park Lincoln Lincolnshire LN5 8EN
Mr Christopher Bonnett	5 South Park Lincoln Lincolnshire LN5 8EN
Mrs Wendy Crooks	14 South Park Lincoln Lincolnshire LN5 8EN

Mr Mark Edens	1 Spencer Street c/o 24 Saxilby Road, Sturton by Stow Lincoln LN1 2AB
Lauren White	6 Spencer Street Lincoln Lincolnshire LN5 8JH
Vicki Edens	Tony Edens Ltd
Longhi Daniele And Patrizia Loria	
Mrs Alison Greenwood	Tony Edens Ltd 466 – 468 High Street Lincoln Lincolnshire LN5 8JB
Miss Natalie Swain	12 South Park Lincoln Lincolnshire LN5 8EN

## **Consideration**

### **Principle and Policy Background**

The National Planning Policy Framework (NPPF) sets out three overarching objectives (social, economic and environmental) to be pursued in mutually supportive ways. The overall planning balance must look across all three strands (paragraph 8), it states that development should be pursued in a positive way therefore at the heart of the framework is a presumption in favour of sustainable development.

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 NPPF.

The area is within a regeneration area and Policy LP27 sets out that planning permission will be granted for appropriate development in the regeneration area for housing (above ground floor level) small shops, cafés, restaurants, pubs/ bars and offices (A2 ground floor/ B1 above) provided the proposals: Respect the historic street pattern and take account of the existing townscape character of the area with reference to the Lincoln Townscape Assessment; Ensure existing historic shopfronts are retained and refurbished and where alterations to ground floor street frontages are proposed they shall be designed in accordance with Policy LP27; and take account of and, where appropriate, enhance existing pedestrian and cycle routes.

The site is also located within the Central Mixed Use Area where the proposed use (C2) is considered appropriate in principle under Policy LP33. Whilst the building would not have

active shopping uses at ground floor, as the site is positioned at the southern end of the High Street, it is not considered the use would detract from the vitality and viability of the area nor would the introduction of such a use result in the area losing its mixed character. The site has been vacant for some time and the buildings on the site; the showroom fronting High Street in particular, does not make a positive contribution to the High Street or the wider conservation area. It is therefore considered re-development of the site for a care home is acceptable in principle and supported by LP27 and LP33 of the CLLP. The facility would help to meet accommodation needs of older people in accordance with LP10.

The site is within a conservation area; the NPPF states that “*great weight should be given to asset’s conservation*” and that this is regardless of the level of harm. Where harm is established, paragraphs 201 and 202 are relevant which require a balancing exercise to be undertaken as to whether the public benefits of a scheme would outweigh the harm, in this case to the Conservation Area.

In addition to Planning Policy, there is a duty within the Planning (Listed Buildings and Conservation Areas) Act 1990 that “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*”

### Developer Contributions

The development falls within use class C2 (residential institution) and as such there is no requirement on the development to contribute to education, playing fields or play space nor provide affordable housing.

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 (for £28,707.25) 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.

### Impact of the Proposed Development on the Character and Appearance of the Conservation Area and Visual Amenity

The site is occupied by a showroom building with other workshop buildings positioned to the rear. The buildings on site themselves provide little to draw inspiration from in terms of the re-development of the site. The Lincoln Townscape Assessment recognises the site as being somewhat of an anomaly stating that such buildings have the impact of “considerably reducing the sense of enclosure typically associated with a *high street*” (e.g., *St. Peter at Gowt’s School and Champions garage in the south of the Character Area.*”

The proposed building footprint is within a V shape with the main elevation to High Street, the building chamfers at its south western corner then continues along the Sincil Dyke boundary. The existing High Street access would be occupied by the new building with the access being stopped up as a result. Officers consider that, in design terms this is the right approach and building positioned adjacent to the back edge of the footpath would bring much needed enclosure to this part of the High Street.

The building is setback slightly from High Street to allow some privacy to the ground floor residents and to create a defensive space along the boundary. It is anticipated low railings

with a hedge would be positioned along this boundary with details to be submitted via condition. A small sensory garden is proposed at the east end of the building adjacent offering outdoor amenity for residents.

The building would be over three storeys. The floorplan of the development is based on the requirements of the end user in order to be functional and successful as a care home although officers have worked with the applicant's architect to revise the elevations to create a building which is appropriate for the High Street and the character and appearance of the Conservation Area. The original submission included two asymmetric gables to the High Street elevation with three to the Sincil Dyke elevation. Officers felt that the proposal failed to deal with the overall massing of the building in a way that responded to the prevailing character of the High Street, being predominantly Victorian and Edwardian, characterised by relatively narrow frontages.

The architect has revised the designs, in line with officer comments, in order to introduce more variation and visually break up the elevation and the mass of the building in general, particularly to the High Street. The revisions have introduced variation in the window proportions and the inclusion of dormer windows on the High Street and Sincil Dyke elevations, the projecting gables have been amended so they are symmetrical. Textured brick detailing is featured within the gables, again adding variation to the elevations.

The design of the gables in particular respond to the former United Reform Church to the north. The eaves line of the proposed building follows a similar line to the parapet of the front elevation of the church. There are various other examples of three storey buildings in the vicinity including those positioned on the west side of High Street opposite the application site. Given this relationship, it is considered that the building would sit comfortably in its position without appearing out of scale to the prevailing character. The materials include red brick with a mix of stretcher and English Garden Wall bond in order to add interest and texture to the brickwork. A sample panel will be required via condition to ensure the materials used are suitable for the conservation area.

The proposal represents contemporary architecture whilst being sympathetic to the historic townscape of the south of High Street and indeed the Conservation Area. The proposal, in its revised form, responds positively in form and scale to the context. The proposal would introduce a sense of enclosure to this part of the High Street which is currently occupied by buildings which aren't positively contributing to the Conservation Area. The proposal would also introduce a use to this site which has been vacant for some time. The proposal accords with Policies LP25 and LP26 of the Central Lincolnshire Local Plan and paragraph 199 of the NPPF.

In addition to the NPPF, the City Council are also duty bound by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990. However, despite the demolition of buildings on the site, officers consider that in this instance the design of the development would ensure a positive contribution to the character and appearance of the Conservation Area. The re-development of the site with a high quality building both preserves and enhances the character and appearance of the Conservation Area in accordance with Section 72 (1).

### Residential Amenity

On the opposite side of the Dyke are two storey residential properties fronting South Park with their rear gardens to the Dyke and the application site. The distances from the main

rear elevations of these existing properties and the proposed building range from 22-27 metres separation. Whilst the window to window distances are within the range that are generally considerable acceptable, officers have sought to reduce the overlooking impact to the neighbouring properties on South Park. As a result, the proposal has been amended so that the second floor windows facing south contain fewer bedrooms and mostly communal spaces including a training room, an office, clinic, lounge and laundry room. Officers acknowledge that the proposal would introduce a new overlooking relationship which has not been present previously however, given the separation distances and with the amendments to reduce the amount of bedroom windows on the second floor looking south, it is not considered that the overlooking would be unduly harmful to warrant refusal of the application. With regard to the building itself, it is positioned to the north of the residential properties on South Park therefore loss of light is unlikely to be an issue.

The only access into the site would be via an existing vehicular access from Cross Spencer Street/Spencer Street. Residents on Spencer Street are therefore likely to see an increase in traffic in this area. The Highway Authority has requested access widening to ensure that vehicles can access the site safely and this will be discussed in more detail later within the report. On balance, it is not considered an increase in traffic to the existing access would cause undue harm to residential amenity.

The City Council's Pollution Control Officer has recommended conditions to protect residential amenity, these include:

- Details of external lighting to be submitted in order to minimise the risk of overspill and glare to neighbouring residents.
- Details of noise mitigation measures - A noise assessment was submitted with the application which details how acceptable internal noise levels can be achieved within the development, in order to protect future residents of the proposed care home a condition is proposed to submit a noise mitigation scheme in line with submitted noise assessment.
- Construction and delivery hours restrictions - To help limit any potential impact to adjacent premises during construction.
- Waste collection – Restricted to avoid noise sensitive hours

In summary, it is considered that the proposal can be accommodated on the site without having a detrimental impact on surrounding properties subject to the above proposed conditions. The proposal would therefore be in accordance with the requirements of Policy LP26 in terms of impact on residential amenity.

### Highways and Drainage

The site is highly sustainable with good access via walking, cycling and public transport. A secure cycle store is provided on site. Residents within the care home will not have their own cars although 23 parking spaces are provided within the site for staff and visitors via the existing access from Cross Spencer Street. A condition is proposed for the submission of a scheme of electric vehicle charging points. It is anticipated that refuse will be collected from within the site and revised drawings have been received to show that, with junction improvements to widen the radius at Cross Spencer/Spencer Street, all vehicles expected to visit the site will be able to do so and leave in a forward gear.

The County Council as Highway Authority and Lead Local Flood Authority (LLFA) has assessed the application and considers that a robust Travel Plan has been submitted containing measures to encourage staff to access the site via sustainable means.

The Highway Authority does not raise any objections to the application in respect of highway safety or traffic capacity subject to recommended conditions regarding the submission of a construction management plan and the existing access to High Street be stopped up on completion of the development.

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.

The advice from the Highway Authority also contains a request for this site to contribute to funding public realm works in the area. Officers have requested further information from the Highway Authority on how such a request would meet the legislative tests for a S106 agreement, including how the request relates to the proposed development. No such information has been received and therefore officers would advise that the request does not 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.

With regard to drainage, the applicant has undertaken some intrusive ground investigation although these were taken in June and not within a traditionally wetter month. Access to the site for such work is difficult given the ongoing works by the Environment Agency.

The application has been considered by the County Council as Lead Local Flood Authority (LLFA) who has raised no objections to the proposed arrangements subject to a pre commencement condition which would require further ground investigation to take place to inform a drainage strategy. Anglian Water have no objections to the proposal subject to a condition regarding foul drainage which will be included accordingly. The Environment Agency did not require a Flood Risk Assessment to be submitted for the site given the low probability of flooding. They have no objections to the proposal subject to standard conditions regarding contaminated land which are included accordingly. The development would therefore satisfy the requirements within paragraph 167 of the NPPF and LP14 of the CLLP.

### Archaeology

The site lies within an area of archaeological interest. The application is accompanied by a desk-based assessment (DBA) with a detailed appraisal of the potential archaeology within the site and its likely significance. To support the DBA, Ground Penetrating Radar (GPR) has also been used within the site to establish the likelihood of a boundary wall which once existed between Great Bargate and Little Bargate. The results of the GPR doesn't show any strong evidence of its survival on the site.

The City Archaeologist has considered the submitted information and agrees with its findings that the impact of development on the archaeology within the site can be appropriately mitigated, subject to the provision of an approved foundation design, and a Written Scheme of Investigation detailing any further works to be undertaken on the site.

Overall, it is considered that the public benefits presented by the scheme outweigh the potential harm to archaeology. Notwithstanding that, detailed conditions will ensure limitation of harm to archaeological remains where possible. Officers therefore consider the proposal accords with LP25 of the CLLP and paragraph 194 of the NPPF.

### Contaminated Land

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

### Other Issues

#### Ecology

A desk and field survey have been undertaken in order to assess the potential of the site to support protected habitats and species. Bats and birds were established as the main at risk from the development. It is worth noting that all species of bat and their roosts are fully protected under the Conservation of Habitats and Species Regulations and the Wildlife and Countryside Act. A bat field survey was undertaken to establish their presence at the site. Only 1 of the building on the site was assessed to have moderate potential for bat roosting which was further assessed for activity. No bats were observed entering or leaving the building during the field surveys and the survey concludes that the impact on the bat population would be minor. In any case, officers consider it would be prudent to include a condition on the application for further details on how the development would include faunal features such as bat and bird boxes for local wildlife.

Subject to the proposed condition, officers consider the proposal would be in line with Policy LP21 of the CLLP.

### Conclusion

The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design. The proposals would bring a vacant site back into use and would ensure the character and appearance of the Conservation Area is preserved. Technical matters relating to noise, highways, contamination, archaeology and drainage are to the satisfaction of the relevant consultees and can be dealt with as necessary by condition. The proposals would therefore be in accordance with the requirements of CLLP Policies and the NPPF.

### Application Determined within Target Date

Yes – extension of time agreed.

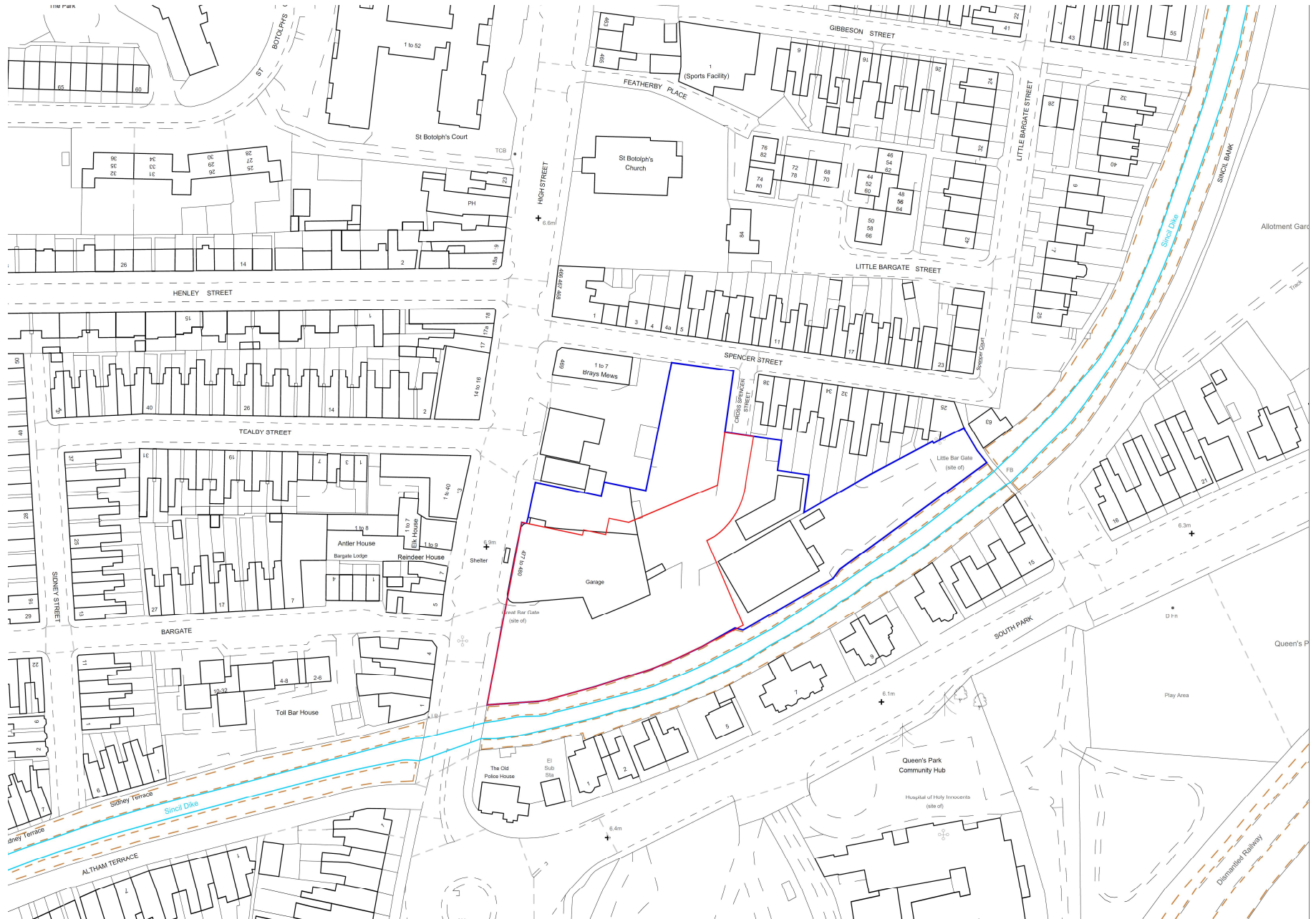
### Recommendation

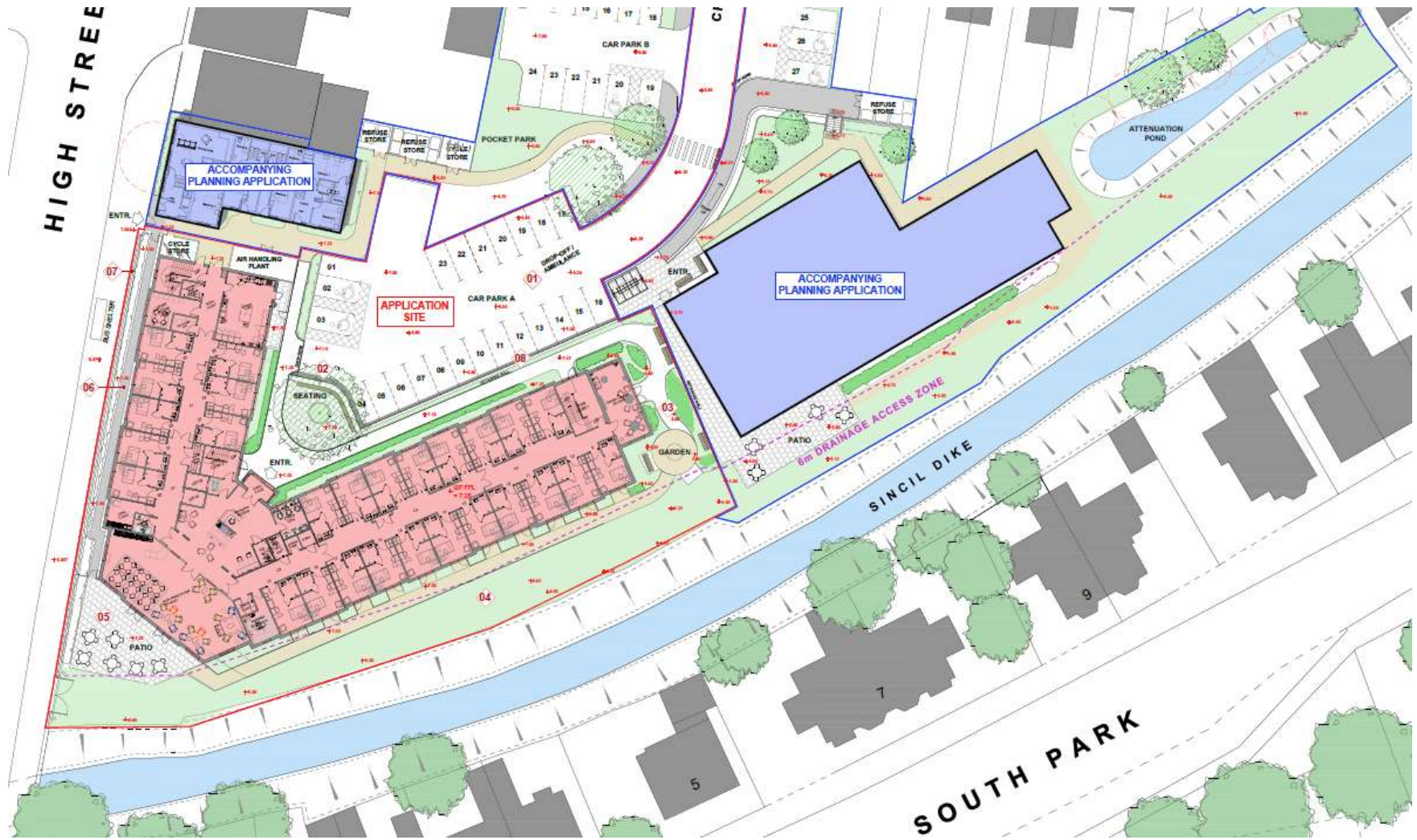
Delegate the application to grant upon signing of the S106 for NHS contribution subject to the conditions set out below

#### Conditions:

- Time limit of the permission

- Development in accordance with approved plans
- Bat/bird boxes
- Layout as granted – in order to protect residential amenity
- Lighting
- Noise mitigation measures to be submitted
- Hours
- Contaminated land
- Anglian Water details of foul drainage to be submitted
- Materials including sample panel
- Surface water drainage
- Landscaping to be submitted
- Boundary walls and fences to be submitted
- Archaeological WSI and foundation design
- Construction of the development (delivery times and working hours)
- Waste collection times
- Highway construction management plan
- Existing dropped kerb to be reinstated to High Street
- Lighting scheme to be submitted
- A scheme for electric vehicle charging points to be submitted





Site Layout Plan



Proposed Ground Floor Plan Scale 1:100



Proposed First Floor Plan Scale 1:100



Proposed Second Floor Plan Scale 1:100



Original design before amendments (now superseded)



High Street Elevation (Revised)



Sincil Dyke Elevation (Revised)

Revised Designs

98



VP1



VP2



VP3



VP5



VP7



Former Church fronting High Street



High Street



Former car showroom



Cross Spencer Street



Within the site



Spencer Street



Existing Access from High Street



Sincil Dyke with the rear of the properties on South Park on the right



View from South Park roundabout



View from garden of No. 13 South Park

## Lincoln Civic Trust

**Comment Date: Wed 09 Feb 2022**

### Objection

On viewing the latest versions, we see that our main objections have not been addressed which are firstly the access to the site will be via Spencer Street and then Cross Spencer Street. We feel this is wholly unacceptable and that provision should be created to enter the premises directly from High Street. Secondly our other objection still applies in that the car park provision is wholly inadequate and that undercroft parking should be considered under some of the buildings. However, we feel however that the design is very acceptable and that the change of use to residential is a big improvement.

## Lincoln Civic Trust

**Comment Date: Fri 03 Sep 2021**

### Objection PART

Comment. It is good to see this site being considered for this type of development and have no objection to the overall proposal. The design of the buildings is to be commended and it seems to be a very sensible use of an ex-commercial site and with good landscaping could be a great asset.

However, there are two items of concern. Firstly, the access to the site from Spencer and Cross Spencer Street is not appropriate. The access to the site has always been directly from High Street and this would seem far more accessible than adding additional traffic to small residential streets. The volume of vehicle movements will be substantial with deliveries, visiting medical staff and relations all having to enter the site via the residential street with on street parking. Secondly, the number of parking spaces is wholly inadequate for the number of proposed residents. There are no public car parks in the area and this would lead to many vehicles being parked in the small streets in the surrounding area. We see no reason why some of the ground floor of the buildings could not be used for undercroft parking and hence alleviate the problem.

## Education Planning Manager, Lincolnshire County Council

**Comment Date: Fri 17 Dec 2021**

Many thanks for the below consultation. The County Council has no comments on this consultation in relation to education as there would be no children generated.

Anglian Water

**Comment Date: Wed 01 Dec 2021**

Thank you for your email consultation on the planning application.

There are no additional drainage documents since our last response (PLN- 0128310) therefore we have no further comments to add to our previous response.



## 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](mailto:planningliaison@anglianwater.co.uk).

AW Site 178064/1/0128310  
Reference:  
  
Local Planning Authority: Lincoln District (B)  
  
Site: 471 - 480 High Street Lincoln Lincolnshire LN5 8JG  
  
Proposal: Erection of 73 bedroom residential elderly care home including access from Cross Spencer Street, car park, and turning area, landscaping, refuse and cycle storage. To include demolition of former Abacus Motor Group showroom and ancillary motor repair  
  
Planning application: 2021/0597/FUL

**Prepared by:** Pre-Development Team

**Date:** 4 August 2021

### ASSETS

#### Section 1 - Assets Affected

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

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

### WASTEWATER SERVICES

#### Section 2 - Wastewater Treatment

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

### Section 3 - Used Water Network

This response has been based on the following submitted documents: Application form - states there is an FRA but nothing available to view 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.

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.

### 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

**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)

## Historic England

### **Comment Date: Mon 29 Nov 2021**

Thank you for your letter of 24 November 2021 regarding further information on the above application for planning permission. On the basis of this information, 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.

## Lincolnshire Police

### **Comment Date: Thu 25 Nov 2021**

No Objections.

## Not Available (Neutral)

Comment submitted date: Fri 13 Aug 2021

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

It is noted the proposed surface water disposal from the development will be at 51l/s to EA Main River Sincil Dyke. It is noted the invert level of the discharge is 4.30m ODN, approximately 1m above the highest recorded levels for the watercourse. However, consideration must be given to the potential effect the proposed method of discharge may have on the receiving watercourse and its embankments at this location.

As the applicant is aware, discharge to EA Main River will require an Environmental Permit from the Environment Agency.

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.

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

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows".

The effect of raising site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

**Application Number: 2021/0597/FUL**

**Location: Development at 471-480 High Street, Lincoln comprising of a 73-bed care home**

<p><b>Impact of new development on GP practice</b></p>	<p>The above development is proposing a 73-bed care home which, based on the average of 1.43 person per dwelling for the City of Lincoln Council area, would result in an increase in patient population of 104.</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><b>Consulting room GP</b></p> <table border="1"> <tr> <td>Proposed population</td><td>104</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td><math>0.104 \times 5260 = 549</math></td></tr> <tr> <td>Assume 100% patient use of room</td><td>549</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td><math>549/50 = 11</math></td></tr> <tr> <td>Appointment duration</td><td>15 mins</td></tr> <tr> <td>Patient appointment time per week</td><td><math>11 \times 15/60 = 2.7</math> hrs per week</td></tr> </table> <p><b>Treatment room Practice Nurse</b></p> <table border="1"> <tr> <td>Proposed population</td><td>104</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td><math>0.104 \times 5260 = 549</math></td></tr> <tr> <td>Assume 20% patient use of room</td><td><math>549 \times 20\% = 109.8</math></td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td><math>109.8/50 = 2.196</math></td></tr> <tr> <td>Appointment duration</td><td>20 mins</td></tr> <tr> <td>Patient appointment time per week</td><td><math>2.196 \times 20/60 = 0.7</math> hrs per week</td></tr> </table> <p>Therefore an increase in population of 104 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	104	Access rate	5260 per 1000 patients	Anticipated annual contacts	$0.104 \times 5260 = 549$	Assume 100% patient use of room	549	Assume surgery open 50 weeks per year	$549/50 = 11$	Appointment duration	15 mins	Patient appointment time per week	$11 \times 15/60 = 2.7$ hrs per week	Proposed population	104	Access rate	5260 per 1000 patients	Anticipated annual contacts	$0.104 \times 5260 = 549$	Assume 20% patient use of room	$549 \times 20\% = 109.8$	Assume surgery open 50 weeks per year	$109.8/50 = 2.196$	Appointment duration	20 mins	Patient appointment time per week	$2.196 \times 20/60 = 0.7$ hrs per week
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<sup>1</sup> Source: Lincolnshire Research Observatory 2011 Census Data

<p><b>GP practice(s) most likely to be affected by the housing development</b></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>The development could impact on the following practices:  Brayford Medical Practice  Brant Road &amp; Springcliffe Surgery  University Health Centre  Portland Medical Practice  The Heath Surgery  Abbey Medical Practice</p> <p>Due to the location of the development the 2 practices that would be impacted the most are Brant Road &amp; Springcliffe Surgery and Portland Medical Practice.</p>
<p><b>Issues to be addressed to ensure the development is acceptable</b></p>	<p>Lincolnshire Clinical Commissioning Group (LCCG) wishes for the Section 106 contribution from the development on 471-480 High Street, Lincoln comprising of a 73 bed care home to contribute to the development of additional clinical space at Portland Medical Practice and Brant Road &amp; Springcliffe Surgery.</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"> <li>• Improve out-of-hospital care, supporting primary medical and community health services;</li> <li>• 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;</li> <li>• Support older people through more personalised care and stronger community and primary care services;</li> <li>• Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer.</li> </ul> <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>Due to the location of the development the practices impacted on are Brant Road &amp; Springcliffe Surgery, Brayford Medical Practice, University Health Centre, Portland Medical Practice, The Heath Surgery and Abbey Medical Practice.</p>

	<p>With this application been for a Care Home which will be aligned with a PCN, we are unsure which PCN area this will cover. Therefore, we would like to put a bid in for Portland Medical Practice and Brant Road &amp; Springcliffe Surgery. The PCN will be responsible for delivering the Enhanced Care Home Direct Enhanced Service. Enhanced Health in Care Homes (EHCH) model moves away from traditional reactive models of care delivery towards proactive care that is centred on the needs of individual residents, their families and care home staff.</p> <p>The practices are within the LCCG South Lincoln PCN (Primary Care Network) and Marina PCN Network 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 Portland Medical Practice is within the LCCG Marina Primary Care Network where the housing is being developed; there is a huge variation in the type; age and suitability of premises within the PCN of the planned development. The Portland Medical Practice currently has 11 clinical which has 90% utilisation rate depending on the day of the week. The practice is providing primary care to a patient list size of 11,605 (list size as on 1<sup>st</sup> Jan 2021).</p> <p>Portland Medical practice is having significant challenges managing room capacity; their existing clinical space does not provide sufficient capacity to manage the projected patient increase.</p> <p>The existing building will at Portland Medical Practice will no longer have the clinical space to provide sufficient capacity to manage the projected patient increase from planning and current housing developments therefore will no longer be fit for purpose to meet the demand from new housing developments. The funding would contribute to the reconfiguration of existing space within the practice creating an additional 2 consultation rooms, enabling the practice to provide additional clinical space for staff and services to meet the patient needs.</p> <p>Brant Road and Springcliffe Surgery is within the LCCG South Lincoln Primary Care Network where the housing is being developed; there is a huge variation in the type; age and suitability of premises within the PCN of the planned development. The practice currently has 10 clinical rooms within in the surgery with 90% utilisation providing primary care to a patient list size of 9223 (Jan 2021).</p> <p>The existing buildings for Brant Road and Springcliffe Surgery will need additionally clinical space to provide sufficient capacity to manage the patients increase from planning and current housing developments therefore will no longer be fit for purpose to meet the demand from new housing developments. The funding would contribute to alterations within the practice to create additional clinical space, enabling the practice to provide additional clinical staff and services to meet the patient needs.</p> <p>The PCN is 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. In addition to this Portland is a member of Marina PCN, using the Additional Roles Reimbursement Service (ARRS) the PCN have already recruited a number of roles including first contact practitioners, clinical pharmacists and a mental health practitioner and plan to recruit more roles all of which need clinical space to see patients, increasing capacity within primary care.</p>
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	The additional clinical rooms will also facilitate both collaboration and integrated working of health and wellbeing services, to meet the projected increase in the patient population. Whilst supporting the sustainability of key services in the community enabling an equitable health care provision across the patient population.					
<b>Fairly and reasonably related in scale and kind to the development.</b>		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 1.43)					393.25
	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 1.43 (the average number of persons per dwelling for City of Lincoln Council) to provide a funding per dwelling of £393.25.					
<b>Financial Contribution requested</b>	<p>The contribution requested for the development of £28,707.25 (£393.25 x 73 bed care home).</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>					
<b>Trigger point</b>	<p>After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from this development, it's 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**  
**18<sup>th</sup> August 2021**



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

**Our ref:** AN/2021/132120/03-L01  
**Your ref:** 2021/0597/FUL  
**Date:** 13 January 2022

**FAO Julie Mason**

Dear Julie

**Erection of 73 bedroom residential elderly care home including access from Cross Spencer Street, car park, and turning area, landscaping, refuse and cycle storage. To include demolition of former Abacus Motor Group showroom and ancillary motor repair buildings. Response to Environment Agency comments from Arc Environmental dated 14 December 2021  
471 - 480 High Street, Lincoln**

We have read the letter from Arc Environmental Ltd (ref: 21-432) dated 14 December 2021, in response to our comments provided on the ground investigation works carried out at the site.

We note that further work is proposed, including the installation of groundwater monitoring wells and the collection of groundwater and surface water samples to support a controlled waters risk assessment. We are satisfied that this additional work can be undertaken under the requirements of a planning condition (as requested in our response AN/2021/132120/01), at the discretion of the local planning authority. Based on the findings of the supplementary investigation and controlled water risk assessment, further work may be required, which may include additional intrusive investigation and/or 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](mailto:nicola.farr@environment-agency.gov.uk)

Cc Jonathan English, City of Lincoln Council

Ceres House, Searby Road, Lincoln, LN2 4DW  
Customer services line: 03708 506 506  
Email: [LNplanning@environment-agency.gov.uk](mailto:LNplanning@environment-agency.gov.uk)

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



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

**Our ref:** AN/2021/132120/01-L01  
**Your ref:** 2021/0597/FUL  
**Date:** 10 August 2021

Dear Sir/Madam

**Erection of 73 bedroom residential elderly care home including access from Cross Spencer Street, car park, and turning area, landscaping, refuse and cycle storage. To include demolition of former abacus motor group showroom and ancillary motor repair buildings  
471 - 480 High Street, Lincoln**

Thank you for consulting us on the above application, on 28 July 2021.

**Environment Agency position**

We have no objection subject to the imposition of planning conditions on any permission granted.

**Protection of the water environment**

We have reviewed the following reports with regard to the risk posed to controlled waters:

- Phase 1: Desk Top Study Report (ref: 21-432) by Arc Environmental, dated 1 July 2021; and
- Preliminary Data Summary Sheet (ref: 21-432) by Arc Environmental

The previous uses of the proposed development site, including as a garage and vehicle repair workshop, present a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary A aquifer. The Sincil Dike is also located adjacent to the south of the site and any shallow groundwater in the River Terrace deposits below the site may be in hydraulic connectivity with the surface watercourse.

The application's Phase 1 Desk Study demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

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

In light of the above, the proposed development will be acceptable if planning conditions are included requiring the submission and implementation of a remediation strategy. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework (NPPF).

Without the following conditions we would object to the proposal in line with paragraph 174 of the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of pollution.

#### **Condition 1**

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

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

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

#### **Reasons**

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the NPPF.

#### **Informative advice**

In so far as it relates to the risk posed to controlled waters, we consider that the Phase 1 Desk Study is sufficient to satisfy Part 1 of this condition. It is understood from the Preliminary Data Summary Sheet that an intrusive site investigation has been undertaken involving the drilling of 9 no. boreholes and the excavation of 9 no. trial pits, with a final interpretative report to follow. It is noted that both the Desk Study report and intrusive investigation incorporate both the subject site and the associated proposed development site immediately adjacent to the east (under a separate planning application).

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**Flood risk**

The development lies within Flood Zone 1 of our Flood Map for Planning so we have no comments on the layout or finished floor levels proposed.

The surface water drainage strategy should be assessed by the lead local flood authority to ensure it is appropriate to the size and nature of the development.

**Environmental permit - advice to applicant**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> and contact our local Partnership and Strategic Overview team at [PSOLINCS@environment-agency.gov.uk](mailto:PSOLINCS@environment-agency.gov.uk) with regard to any aspect falling within this distance. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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](mailto:nicola.farr@environment-agency.gov.uk)

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: 2021/0597/FUL

Proposal: **Erection of 73 bedroom residential elderly care home including access from Cross Spencer Street, car park, and turning area, landscaping, refuse and cycle storage. To include demolition of former Abacus Motor Group showroom and ancillary motor repair buildings.**

Location: **471 - 480 High Street, Lincoln, Lincolnshire, LN5 8JG**

With reference to the above application received 28 July 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)**

This is an application for a 73 bedroom care home on the former Abacus Motor Group site.

The site is in a highly sustainable location with good access via walking, cycling and public transport (both buses and rail).

Residents of the care home will not have their own vehicles. Space has been provided within the site specifically for the storage of mobility scooters and aids. 23 car parking spaces are proposed for the site, for use by visitors and care home staff. Cycle parking provision has also been considered for visitors and staff. A robust Travel Plan has been submitted which contains measures to encourage and incentivise staff to access the site via sustainable means.

Refuse collection will be undertaken internally within the site, via the access at Cross Spencer Street. Swept path analysis has been provided to demonstrate that refuse vehicles can undertake this manoeuvre in and out the access.

Junction improvements will be undertaken at Cross Spencer Street/Spencer Street to widen the radius and ensure that all vehicles expected to visit and service the site can do so safely, and without damage to parked

vehicles and buildings/walls.

Access to Sincil Dyke for maintenance will be retained. A dropped crossing on the High Street will be required.

Lincolnshire County Council will be undertaking public realm works on this area of the High Street, presently programmed for 2023/2024, to improve the environment for pedestrians, in particular. We request a S106 contribution of £5,000 towards the public realm scheme. Should the construction of this development exceed the 2023/2024 financial year, then the public realm works will be reprogrammed until after completion, to ensure there is no damage to the new paving caused by construction vehicles or new utility connections.

The applicant has undertaken intrusive ground investigation, however the boreholes were completed in June rather than the wetter winter months. It is anticipated that the site may be subject to a continuous shallow water table. LCC as HLLFA requested that the applicant undertake further groundwater monitoring, to inform the site drainage strategy, however they have been unable to gain access to the site to do so given the current EA works. It has been agreed that a pre-commencement condition will be placed on the granting of any planning permission, requiring the applicant undertake further intrusive ground investigation to determine the groundwater level during the wetter winter months, with the drainage strategy updated to reflect the findings.

#### 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](mailto: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>

#### 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;

- phasing of the development to include access construction;
- 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 12

Within seven days of the site commencing operation, the existing access onto High Street shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To remove accesses within the public highway which are no longer required, in the interests of highway safety and amenity.

#### Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
  - be based on the results of further groundwater monitoring to be undertaken between October and January of any given year;
  - provide flood exceedance routing for storm event greater than 1 in 100 year;
  - provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
  - provide attenuation details and discharge rates which shall be restricted to 51 litres per second;
  - provide details of the timetable for and any phasing of implementation for the drainage scheme;
- and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

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, or upstream of, the permitted development.

#### S106 Contribution

LCC request £5,000 towards public realm scheme on High Street which will improve the pedestrian environment at the site frontage, to the benefit of the site residents, visitors and staff.

## Tony Edens Ltd (Objects)

Comment submitted date: Mon 10 Jan 2022

Dear Ms Mason,

Please be advised that we would echo all Ms Nissler's concerns and would wish those to be recorded in our objections.

In addition, none of the proposed alterations to the plans address the concerns we raised in our initial objection, especially those of traffic, parking and amenity, including local resources, and our position remains unchanged.

Our other concern is that, should this development prove too large to function well as a home for elderly residents, given that the average size for similar homes is 42 beds and this proposal is almost double that size, what repurposing of the building might take place, and what would be the impact of a change of use to, for example, a hotel or student residence? This may have been a consideration already, as students are mentioned already within the proposal.

We look forward to your response and are happy to meet with the council or planning department to discuss the issues on site.

Best wishes

Vicki

## Tony Edens Ltd 466 - 468 High Street Lincoln Lincolnshire LN5 8JB (Objects)

Comment submitted date: Mon 09 Aug 2021

Planning submission 2021/05987/FUL and 2021/0598/FUL  
09/08/2021

Response from  
Tony Edens Ltd  
466-468 High Street  
Lincoln

As the owner of a local business I am registering my objections to the proposed development of the former Abacus Motor Group site.

We do not object to the erection of care home or accommodation for elderly residents.

Our objection is to:

1. The proposal to use Spencer Street and Cross Spencer Street to access the site.
2. The inadequacy of proposed parking allocation and the inevitable impact on local residents and businesses of the compound effects of increased domestic traffic, increased delivery and emergency vehicle traffic, overspill parking and the loss of

restriction-free parking for local residents and businesses.

3. The figures used to justify the application are drawn from projections, extrapolations and comparisons with larger cities with very different local infrastructures.

It is not reflective of the lived experience of local residents and businesses, many of whom would be keen to see the old garage forecourt used, but who will be understandably concerned by a proposal to decrease their established amenities.

The current plan is likely to have significant impact on the day-to-day running of our business as well as others locally.

Our reasons are:

1. Despite the proposal's assurances that there is no significant increase in danger, we would ask the council to note that:

i. The High Street is not a safe road for cycling as stated in the proposal. Cyclists already regularly use the footpath on both sides of the High Street, but particularly the one passing our shop front and the proposed development, as there is no safe cycleway. The safety of cyclists on the road is significantly compromised by the frequency of bus pull-ins, traffic pulling in and out of the short-term parking spaces lining the road on both sides and to allow rapid passage for police and ambulance traffic accessing the High Street and Tritton Road (via Dixon Street) from the new combined HQ on South Park, so they use the pavement. One of our employees was taken to A&E following an accident where a cyclist using the pavement collided with him as he left the front door of the shop.

Local cycle paths are unlit and away from public areas, and therefore are no more safe than the road at night or during the winter, as well as not affording access to shops and other local amenities.

ii. The proposal cites only 3 minor accidents in the past 5 years. This is potentially vastly inaccurate, as there have been three incidents directly involving my business in that time. One of those accidents is listed above, the second was an insurance claim in January 2018 for damage to our shop frontage and involved a delivery vehicle crossing both carriageways and the pavement prior to collision with our shop front. Fortunately nobody was injured. The third was an incident involving a car travelling too fast down Spencer Street from the High Street and colliding with our delivery van. The frequent bumps and near misses round the Spencer Street / Henley Street / High Street area are not cited in the report.

iii. Paragraph 3.3.8 of the proposal's transport assessment is irrelevant justification for this application, as this is not a proposed student development, it is not likely to be staffed primarily by students and is not in an area of high levels of student housing. This development is for elderly residents, who, if not car users themselves, are likely to have carers, personal and professional visitors, mobility accessible taxis, all of whom will be more likely to drive to the proposed development from other less well-served parts of rural Lincolnshire than to catch local public transport or cycle.

2. When it is realised that traffic, particularly delivery and maintenance traffic and emergency vehicles, require more space than the street allows when cars are parked, the double-yellow lines will be reinstated past the Cross Spencer Street junction.

This will result in:

- i. The loss of 15 parking spaces currently available to residents and local employees:
  - a. 3 car spaces between 1 Spencer Street and the rear entrance to our shop and delivery yard.
  - b. 8 car spaces between our rear entrance and Cross Spencer Street junction.
  - c. 4 car spaces on Cross Spencer Street itself, currently used during the day, and especially during school collection times and when there is a loss of parking in other areas due to matches and other functions at Lincoln City Football Sincil Bank Stadium.
- ii. A drop in trade when customer parking becomes a challenge.
- iii. An increase in difficulty running a sustainable business when employee parking and delivery vehicle access becomes even more challenging.
- iii. Parking at our rear entrance will become prohibited, creating issues with safely and legally loading and unloading vehicles.
- iv. Frustrated car users parking on double yellow lines due to a serious lack of residential and amenity parking. This is already a problem in this area, as anyone who visits out of hours will have noticed.

3. Access is already difficult for our rear entrance, especially for any vehicle larger than our delivery van. Larger delivery and collection vehicles, including refuse collection, frequently block the road, creating access difficulties and often requiring vehicles to mount and block the pavement. A proposal to use this street for a large development site will cause disruption for local small businesses or disruption to care home traffic, neither of which is going to improve the local area, and is contrary to paragraph 110 of NPPF 2018. This presents an increase in street clutter and a conflict with pedestrians and residential users.

A large care home will require efficient delivery of goods and services, it is also significantly more likely than average to require swift and trouble-free access for disability adapted and emergency vehicles. This could be problematic in an already congested area of the city. Alternative access via Shakespeare Street is frequently compromised by the requirements of a furniture store and long-established car dealer and garage, which diverts traffic down Spencer Street more often than it is able to accommodate additional traffic.

4. This is an area of low-cost housing, and is heavily occupied by young families. Pedestrian safety is a concern, as is the safety of children (walking and cycling) push-chair users in an already congested area with no alternative parking available.

5. Development and maintenance traffic will cause substantial disruption to access, parking and local business, which would all be avoided if the existing entrance on the High Street were used and the development was for fewer residents with a more future-proof parking plan and consideration of the rural nature of the rest of the county which will influence those servicing and visiting residents of the care home as well as the potential for residents to require travel to other less accessible places.

6. The use of the existing High Street entrance, especially with a 'Left Turn Only' exit, is likely to be safer and will certainly have less impact on the local amenity than

using Spencer Street.

7. The provision of more than the bare minimum of car parking in the proposal would ensure that the local streets are not used for over-spill parking. Courtesy parking for other local area users will help reduce conflicting interests and provide mutual benefit and community integration for residents. The current proposal for car parking does not appear to account for additional support services, additional medical carers or the doubling of staff vehicles at handover times.

Over-optimistic projections of vehicle use, parking and access requirements to maximise resident numbers and therefore profit would have a significant detrimental impact not only on local residents and businesses, but also on the residents and staff of the care home with no obviously available, sustainable or long-term solution.

## 13 South Park Lincoln Lincolnshire LN5 8EN (Objects)

Comment submitted date: Mon 10 Jan 2022

Good morning Julie.

Below I've detailed further comments about the proposed new build on the old Peugeot site. As you know I've had previous problems with submission due to the 'time out' facility on the website so would be grateful if you would copy and paste the following onto the site so that it is visible to all.

I have carefully reviewed the revised plans and say that they have not addressed the original objections I and others have made regarding size, light pollution and privacy for the residents of South Park and Spencer Street or obvious problems that are associated with traffic. The following comments are in addition to my preceding criticisms. Again I would state that we are aware the site should be developed and we have no objection to the erection of a residential home facility providing it is designed to fit in with the residential nature of the surrounding streets and not dwarfing existing houses.

1. It appears that the residents bedrooms have been moved to the opposite sides of the corridor and administrative offices now face onto the back gardens of South Park residents. This does not alleviate our privacy concerns as the windows still afford direct views into our bedroom, bathrooms and gardens 24 hours a day.

2. The illustrations of trees has been removed from the drawings. I assume the Environment Agency have informed the architects that trees can not be planted within 8 metres of the watercourse which in effect states that a privacy barrier of fast growing trees cannot be used.

A fence high enough to screen our houses from a 3+ storey build is not possible. The obvious solution is either to reduce the height of the building to 2 storeys and to move the boundary of the development inward by 8 metres therefore allowing scope

for tree planting or fencing.

3. Light pollution. This will be a 24 hour facility. Both indoor lighting and outdoor illumination will evidently be used. The Neighbourhood and Environment Act 2005 states that any new development should reflect the agent of change principle regarding an urban setting, taking into account residents concerns regarding location and nuisance - "addressing an adverse state of affairs that interferes with an individual's use and enjoyment of his or her property".

I cannot see how a 3+ storey building will sit within this legislative definition. It would be possible with a 2 storey build.

We are looking to engage a expert specialist advice on this issue.

3. Additional traffic engendered will substantially compromise parking and access for existing residents. This has been explored in previous threads. Thought must be given to main access from the High Street which would engender specific problems.

4. Taking into account all of the above this will have a hugely detrimental effect on the mental health of current residents.

5. Much weight has been given to the appearance of the plan from a High Street and St.Katherine's perspective. This has no bearing on our side of High Street and I am at a loss as to why the developers website give no consideration to the residents living spaces on South Park and Spencer Street

In conclusion - the reallocation of administrative and residents rooms is like shifting deck chairs on the Titanic. For this development to be welcomed into our community the size of the build should be drastically reduced in size and scope and residents very valid concerns regarding privacy taken into account and actioned.

Janet Nissler

**Comment submitted date: Mon 16 Aug 2021**

Re Planning Application 2021/0597/FUL

Proposed development:

471-480 High Street Lincoln LN5 8JG

Erection of 73 bedroom residential elderly care home

Name of Objector Ms.Janet Nissler

Address 13 South Park Lincoln LN5 8EN

Status member of public

1. The proposed development is for a total of 108 beds plus 5 additional residential apartments. The average UK residential home houses between 20 - 48 residents, this development is 100% larger and on a small site in the middle of a largely residential district.

2. The proposed development is bordering Sincil Dyke, on one

side Spencer Street and the other South Park. Both side have long established historical privacy and enclosed gardens bordering the Dyke, the houses and gardens dating from Victorian times

3. The proposed development of 3 storeys will have unhindered visual access over the back gardens. Spencer Street retains in the main cover by mature trees, nos.1 -15 South Park are now completely overlooked due the destruction of mature trees and vegetation along Sincil Bank by the Environment Agency. The proposed plans do not detail any landscaping provision for the residents privacy on South Park.

4. There is substantial concern from residents re refuse storage and collection, light pollution and noise levels from a 24 hour facility. Extra parking for visitors and staff will massively impact on an area already beyond saturation point for existing residents, no residents parking as yet in place.

5. What infrastructures have been discussed regarding health care provision by local GPs who are presently at full capacity? Have they been canvassed?

In conclusion we feel that this proposal( accepting that there is a need for extra residential care facilities in Lincoln) will adversely affect the local residents in many ways.

The building if it is to gain planning permission should be limited to 2 storeys.

The residents of South park Nos. 1-15 should be provide an acceptable level of substantial screening to their back garden aspects with fast growing hedging, walls and fencing of their choice and fully financed by the developers. This could be on the perimeter of the development site, on the perimeter of the private dwellings or a combination of both depending on negotiations with residents of South Park.

Parking and infrastructure issues must be addressed prior to final decision.

Residents and local businesses should be adequately financially compensated for reductions in house valuations and effects on mental health and well being.

## 6 Spencer Street Lincoln Lincolnshire LN5 8JH (Objects)

*Lauren White*  
*UKCP registered*  
*Individual and Group Psychotherapy*  
*6 Spencer Street, LN5 8JH*  
*01522538715/07913746337*  
[www.laurenwhitetherapy.co.uk](http://www.laurenwhitetherapy.co.uk)

Date: 09.08.21

Attn: Development Team, Planning applications,  
Directorate of Communities and Environment,  
City Hall, Lincoln.

**Re: Planning applications 2021/0597/FUL and 2021/0598/FUL , from Torsion Care, for  
471-480 High Street LN5 8JG**

I have some concerns about the two planning applications above. Whilst I feel that in general either of these developments would enhance the area, I believe the proposed access to them needs to be modified. According to the current site plans, the only road access appears to be through Cross Spencer Street. I live in Spencer Street, between the High Street and Cross Spencer Street. This is a narrow road with a sharpe turning into Cross Spencer Street, and I cannot see how this could sustain the coming and going of works vehicles, during the build, without negatively impacting - through noise, dirt, as well as potential structural damage caused by vibration, - the nearby houses (and cars at the turning point of the road). I work at home and this could also put my livelihood at risk.

There are sizeable car parks planned, accordingly to the site maps, so the problem would persist after completion, with presumably delivery lorries, refuse trucks, as well as cars trying to access the site. At the moment there are double yellow lines on one side of this part of Spencer Street, which means I can park outside my house. I am worried that in order to cope with the increased traffic flow the council may decide to put double yellow lines on both sides of the road. I feel this would devalue my property. In the light of all of the above, if these planning applications were approved I would have to consider selling up and moving elsewhere.

I am not against the site being accessed from Cross Spencer Street but I feel this should not be the only access. At the moment the plot is accessed from the High Street which I feel would more easily sustain the entry and exit of large vehicles, and some cars, without damaging the environment.

I would like to discuss this further with the planning department please.

I would be grateful if you can confirm receipt of this letter please.

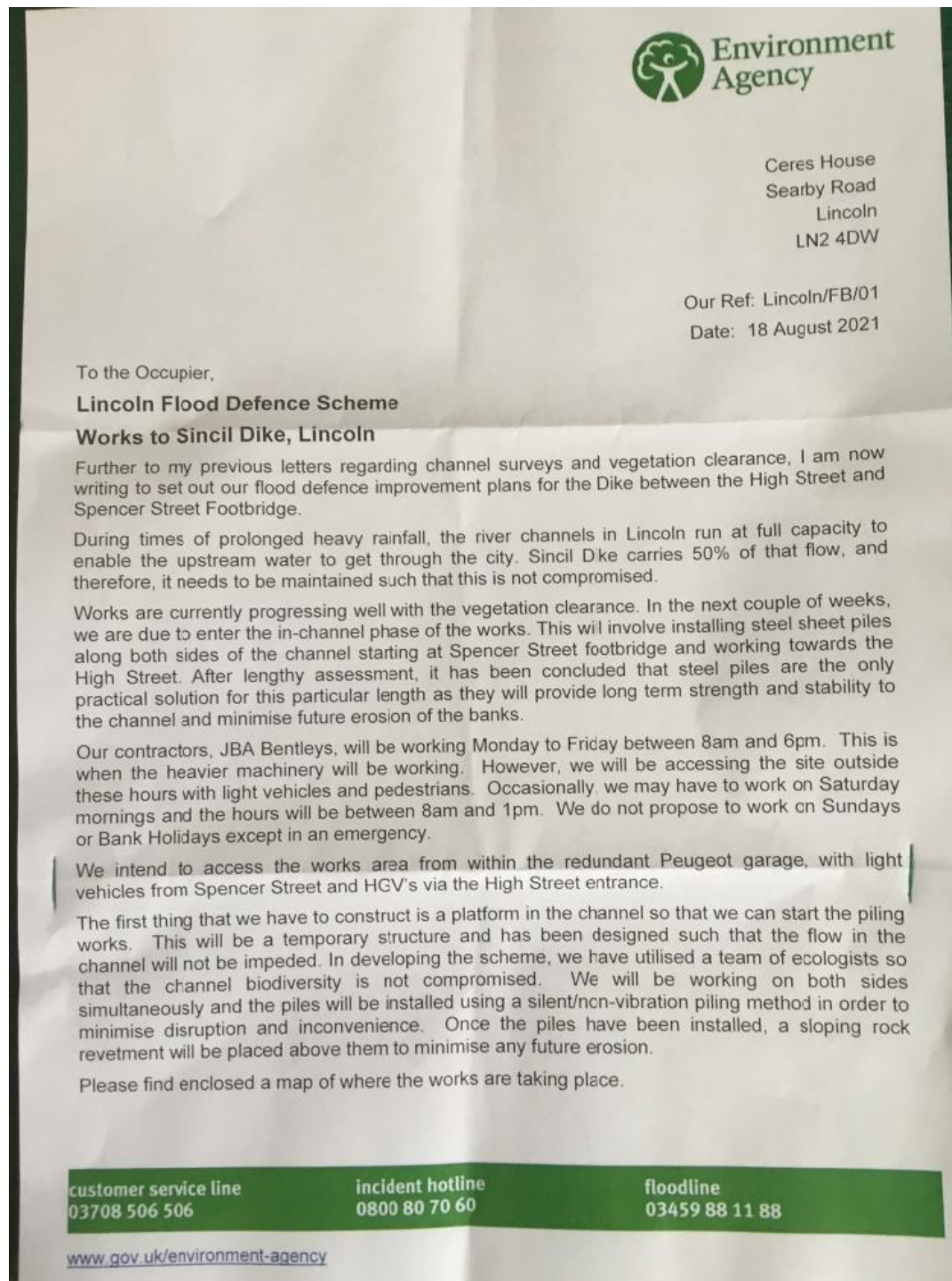
Yours faithfully

Lauren White.

2021/0597/FUL and 2021/0598/FUL please.

It is a letter from the environment agency regarding the flood defences which I believe demonstrates a government agency's understanding of the need to have more than access points to this site, specifically to have access from the High Street for heavy vehicles.

Kind regards  
Lauren White



*Lauren White  
UKCP registered  
Individual and Group Psychotherapy  
Consulting Rooms:  
Lincoln: 6 Spencer Street, LN5 8JH*

Date: 29.11.21

### **Revised plans 2021/0597/FUL**

Thank you for inviting a response to these revised plans. In addition to my previous letter and supporting document, I would like to express my disappointment that the concerns of the Spencer Street residents and businesses, situated between the High Street and Cross Spencer Street, have not been addressed in these plans.

I live here. I see this street every day: the traffic flow, the parking, and in recent months the comings and going's of the Environment Agency's contractor JBA Bentleys (currently based on this site doing flood defence works). The Environment Agency designated the High Street entrance to this site as suitable for HGV traffic and the Cross Spencer entrance as suitable for cars. I can only assume they did this after visiting the site and assessing both entrances. On two occasions, however, I have witnessed lorries trying to access the site from the Cross Spencer Street entrance. In both cases they had to abandon these attempts. These are seasoned lorry drivers presumably, and at first sight they must have believed they could make the turn from Spencer Street into the very narrow Cross Spencer Street. In practice, they discovered that driving in brought them dangerously close to the house wall on the corner of the turn, and that reversing brought them dangerously close to the parked cars, opposite. Has anyone from this developmental company, or indeed the council, spoken to JBA Bentleys, or attempted to drive a HGV into this entrance? Has anyone any practical experience of driving a fire engine into this entrance? I can't help thinking this might be a good idea before bringing vulnerable elderly people to live there.

One option, as identified by the Head of the Develop Manager for the County Council, would be to make this part of Spencer Street a no parking zone ( and even then the turn would be difficult due to the narrowness of cross Spencer Street) He says in his submission: " the swept paths for servicing vehicles demonstrate that the full width of Spencer Street will be required to undertake the turning manoeuvre in and out the site. One side of Spencer Street is parked up the majority of the time. Could further consideration be given to the servicing of the site?"

Making this part of Spencer Street a non parking zone would devalue my property and restrict my enjoyment of it beyond the point of wishing to remain. The prospect of lorries driving up and down all day would make living here extremely bleak for everyone.

Surely, in bringing new residents into the area, some consideration should be given to the quality of life of existing ones?

There is already a number of double yellow lines in the Spencer Street, Little Bargate, Shakespeare Street loop to and from the High Street, which makes residents' parking difficult. There are also peaks of traffic flow at certain times because it is easier to access both directions of the High Street, from Spencer Street.

The owner occupiers clinging on here, and our tenanted neighbours, already have to cope with landlords who fail to maintain their properties, or do the absolute minimum, with drug users and drunks from the High Street or South Park peeing etc here, with car tampering and vandalism, with overflow parking from commuters and football fans, with cars abandoned for 6-12 months at a time. I could go on. Should we have to endure further deterioration? I thought the whole point of the Sincil Bank Development Project was to improve the lot of residents.

Could consideration please therefore be given to insisting that there needs to be an access to this site from the High Street for HGV and emergency vehicles, if it is to go ahead?

The Environment Agency clearly saw the point of this for their contractors, and the County Council Head of Development, in his submission, also questions whether a dropped vehicular access should be required from the High Street.

Yours faithfully

Lauren White

## 466 High Street Lincoln Lincolnshire LN5 8JB (Objects)

Comment submitted date: Thu 19 Aug 2021

Whilst I am sympathetic to the need for residential care, this proposal is on the scale of a hospice or large hotel, and will change the local population balance significantly. This may be good for the profits of the developers, but it is not good for the local area or the profitability of local businesses. None of the 100+ proposed residents will be customers of local businesses such as the ones run by my employees and tenants.

As the owner of a local long-established business and the properties on the corner of Spencer Street I object to the size and scope of this proposal and 2021/0598/FUL, along with the proposed access from Spencer Street, for all the local and environmental reasons stated in objections already submitted by local residents.

A development of this size will have a significant and detrimental impact on the properties I own and the proposal offers nothing to improve the local area.

## 1 Spencer Street c/o 24 Saxilby Road, Sturton by Stow Lincoln LN1 2AB (Objects)

Comment submitted date: Thu 19 Aug 2021

As well as trading with a business which will be directly impacted by this proposal, I also share financial interest in, and maintenance responsibility for, commercial and domestic properties on the corner of Spencer Street and High Street.

I am in complete agreement with the objections already made by residents and business owners of Spencer Street, South Park and High Street. The construction of a three storey, high-density residential development, due to the issues already raised with regard to local infrastructure and especially access and parking with increased traffic using Spencer Street, will have a significant detrimental impact on the local area and therefore on the tenants, current and future who occupy properties I am responsible for and directly on my business.

## Not Available (Objects)

Comment submitted date: Thu 19 Aug 2021

DEAR sir/Madam, I am writing to you in order to object the construction of the following:

471-480 High Street: 2021/0597/FUL 73 bedroom care home and 2021/0598/FUL 32 apartments.

I am the owner of property number 4/A and in process of buying property number 4. ( The purchase of number 4 is in its latest stages. )

I want to object the planning as it is as it looks to me that there is nowhere near enough parking space provided within the project. I fear that cars of visitors will end up taking over the parking space for residents.

Also, the access from Cross Spencer Street, of big trucks both in construction phase and after will have a bad impact on proprieties ( due to vibrations , or damage they may cause during manoeuvre ) and on residents ( due to the noise and obvious traffic increase ).

All these things could be resolved by opening direct access from High Street . In regards to the parking space that space has to be provided inside the compound without leaving people to fight for traffic on an already small road.

As owner of 1 property and soon 2, I fear the plan as it is will have a bad effect of the value of the houses. On another side I do approve the fact that the space is being used in a useful way, I just wish this issues are resolved and we can all be happy with the new development.

## 12 South Park Lincoln Lincolnshire LN5 8EN (Objects)

Comment submitted date: Mon 16 Aug 2021

As a resident of South Park for 7 years I am objecting the proposal named above for a few reasons.

1. Due to the recent essential works carried out by the environment agency, the back of my property is now completely open. The development of a 4 storey building on that area land will alleviate any privacy to not only my back garden but the rooms at the rear of my property including two children's rooms.

2. Not only will I lose all privacy to the rear of my property. I will also lose a lot of natural light from the mid afternoon through to the evening. This will have a significant impact on the mental health and wellbeing of myself and my young family.

3. I am very concerned about the increased amount of traffic and vehicles wanting to park in the area. The footbridge leading from South Park to Spencer Street will be a convenient access path to the new development and is likely to be heavily used. The car park is often at capacity with a number of residents relying on the spaces there due to not having a driveway. Has any consideration been made to protect parking spaces for local resident through a residents pass scheme or similar?

4. I am also concerned about the potential increase in traffic because of the amount of children and young families in the area. Any increase in traffic puts additional risk to the young people in the area who are quite often seen playing in the streets, commuting to local schools and accessing the park on South Park.

5. The increase in refuse and refuse disposal is also a concern. We naturally have a lot of rodents in the area already due to the water. How often will refuse be collected for such a huge number of dwellings and what measures have been discussed to keep any rodent infestations at bay?

6. Noise pollution is also a concern. This is both during development and afterwards. How long will the development take? What measures are in place to ensure there is no negative impact to the lifestyle and wellbeing of the residents during this time? Once the development is complete, the constant turnover of staff and deliveries, refuse collection etc will have a significant impact on the wellbeing of residents trying to relax in their garden.

7. We have already seen a huge impact to the local wildlife in the area. We no longer see the range of birds, fish and reptiles along the banking due to the works carried out by the environment agency. With further developments and loss of natural land, what is being done to encourage the wildlife to return. It states there will be landscaping, what landscaping and will this be targeted to the local wildlife?

8. Air pollution and renewable energy does not seem to have had any consideration in the proposals. Other new developments around the city have taken greater considerations - the new medial school for example, is carbon neutral. The building consists of renewable energy sources, natural lighting and ventilation. Given that this development is in a conservation area has any consideration been done in relation to the impact on the environment?

Whilst I do not disagree that the area needs more post retirement residential options, I feel that full consideration has not been given to local residents and the new residents of this development. What privacy are they guaranteed against the residents in the area? More needs to be done to protect everyone and to ensure the lifestyle and wellbeing is not impacted. A maximum of 2 storeys plus substantial hedging, walls or fencing around the perimeter of either the development land or

the affected private dwellings must be considered. Parking and traffic management must have a thorough discussion before any final decision is made. The proposed access point/parking does not seem sufficient. Any reduction to house valuations should be adequately compensated for as a result of the development.

Re: Planning Application 2021/0597/FUL

Proposed development:

471-480 High Street, Lincoln, LN5 8JG

Erection of 73 bedroom residential elderly care home

Name of Objector MRS WENDY CROOKS

Address: 14 South Park, Lincoln LN5 8EN

Status member of the public

Back in June 2021, a person knocked on my door requesting to survey my property as there was going to be 'work' commenced on the Sincil River bank which runs along the bottom of my garden. This was to check my house at that time, and for me to report if any damage occurred as a result of the work. Not once during this survey was it mentioned to me that this 'work' would be related to the proposed development of an erection of an elderly residential home. Me, assuming this 'would be work' relating to the tidying up of the river bank and flood prevention. **WEEKS** later the residents of South Park (in particular numbers 1 – 15) are beginning to realise/find out what this 'work' entails, and by then the process of clearing the proposed site (471-480 High Street, Lincoln) had already commenced. I also add that this 'work' had begun **BEFORE** we received the proposal letter. I received the letter written on the 28<sup>th</sup> July 2021 on 29<sup>th</sup> July 2021 leaving me only 2 weeks to properly review the proposal and respond/object accordingly.

I enclose a copy of the letter sent by my Neighbour (13 South Park, Lincoln) and emphatically agree and support everything she states therein. I am sure there are other sites in Lincoln that could support the size of the proposed property with enough surrounding space; in order to reduce the infringement of any resident's privacy, and also not devalue property sales, which would be inevitable in this case.

I feel that this has all been proposed/planned rather 'sneakily' – and the letters of proposal should have been sent to residents much more in advance, and certainly prior to any work being started. Already trees (probably growing there for decades, providing privacy to our houses maybe even from the Victorian era), have been cut down. This includes the trees on the South Park (opposite side of the proposed site) river bank, which really **DID NOT** need to be destroyed. Having said this no mention of tree removal in the proposal. Reiterating, although you state in your letter, representations from residents are given to the 20<sup>th</sup> August to respond, the 'work' to clear the site including the destruction of trees has already been taken place. As residents who would be affected by the proposal, we feel that **NO WORK** should have commenced, until all objections from residents involved were heard and responded to appropriately.

[REDACTED] I strongly feel that having such an impeding property there, literally just across the river will affect my rest. Due to the nature of a nursing home it will be noisy and brightly lit for 24 hours a day (especially at night). This will create sleepless and/or disturbed sleep and as a consequence affect my work, a job where I cannot afford to make mistakes due to tiredness.

Also (as residents being opposite the proposed property) the height of three storeys (even at two storeys), in such close proximity to our property (together with the destruction of the covering trees), we feel we will no longer have ANY privacy at all. We will lose all privacy in our gardens and also in our homes, which we feel is a definite infringement. I especially feel that the occupants of the home, but more concerning the staff will find 'fun and entertainment' in observing what residents do in their gardens and homes. Perhaps a smaller property, two storeys with a high hedge around it would be more approving.

There will be extra movement in traffic on an already very busy road, right before a pedestrian crossing and a roundabout which we feel should be a highway safety concern. Nothing mentioned of parking space provided for the proposed building which would facilitate staff and visiting vehicles. As residents on South Park, there are no parking spaces allocated to us so if a car park is not provided (also not mentioned on the proposal), where are the vehicles parking? Without taking up the limited spaces the residents of South Park use. What of heavy vehicles like refuse Lorries finding the space to stop to empty countless bins?

In conclusion residents of 1-15 South park object to such a large scale property being built on such a small site. We also feel (like Janet says) if this construction goes ahead, all things\* should be considered. Especially with the proximity and nature of such a large building we guarantee we WILL lose value in our property, which is why adequate financial compensation should be a must, as "who would want that at the bottom of their garden" .....Would you?

- Parking
- Noise and light reduction
- Proximity to residential property - Lack of privacy - Privacy proposals
- Traffic increase – highway concern
- Height and size of building too much for such a small plot of land
- Listen to our concerns

- 4 5. What infrastructures have been discussed regarding health care provision by local GPs who are presently at full capacity? Have they been canvassed?

In conclusion we feel that this proposal( accepting that there is a need for extra residential care facilities in Lincoln) will adversely affect the local residents in many ways.

The building if it is to gain planning permission should be limited to 2 storeys.

The residents of South park Nos. 1-15 should be provide an acceptable level of substantial screening to their back garden aspects with fast growing hedging, walls and fencing of their choice and fully financed by the developers. This could be on the perimeter of the development site, on the perimeter of the private dwellings or a combination of both depending on negotiations with residents of South Park.

Parking and infrastructure issues must be addressed prior to final decision.

Residents and local businesses should be adequately financially compensated for reductions in house valuations and effects on mental health and well being.

**Customer Details**

Name: Mr Christopher Bonnett

Address: Woodbine Cottage, No. 5 South Park Lincoln

**Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Formal Objection to Planning Application 2021/0597/FUL

Mr. C Bonnett

Woodbine Cottage,

No.5 South Park,

Lincoln.

LN5 8EN

10th December 2021.

Dear Planning Department,

Firstly, could I thank you for alerting me to the fact that the Developers for this proposal have resubmitted plans for the 73 bed Nursing Home which will potentially be built at the back of my home on South Park, Lincoln and on the redundant site at the top of the High St which was formally a car show room.

I have written previously to you with a list of my concerns about the proposal which has been indexed to the Planning Application under the "Comments" section.

I was pleased to hear the revised plans had been submitted and had hoped that the Developers had listened to the concerns of residents both on South Park and the adjoining streets. However, on viewing the plans for the first time I could see very little change to the proposed height and elevation of the building which runs along the length of the Sincil Bank Dyke and looks directly into my property both in terms of my private garden and the windows of my home both upper and ground floors.

The only difference I could see on the external visual image of the Sincil Bank side of the development was that the mature trees on the original drawing have now been removed which opens the views up from my home and into the new building and of course vice-verse. This significantly compromises my privacy despite me having a six -foot woven fence forming a boundary to my property at the back of my home.

On further observation I do note that the bedrooms to the second floor of the Nursing Home have been changed into service rooms for the building including a Guest Lounge, Linen Store, Training Room, Laundry and Manager's Office.

Whilst I assume that this is to address the concerns that I and other residents had about our privacy at home being compromised, I am concerned the use of the rooms on the second floor will revert to bedrooms in response to demand for beds once the Nursing Home is up and running. Could I ask whether the use to the 2nd floor rooms on the Sincil Bank side of this intrusive building would be subject to change of use and therefore must be agreed through planning consent? People accessing the service areas on the 2nd floor of the new building will have an excellent view into my bedroom, bathroom and kitchen of my home. Surely these can't be right?

As these rooms are now no longer to be used as bedrooms on the 2nd floor and are now service rooms for the building could I enquire whether the windows going to be fitted with obscure glass to protect the neighbour's privacy for those houses which the new building directly affects?

I am disappointed to see that the building remains too large and too high for the plot, and I remain concerned how this building will affect me, my wellbeing and the value and salability of my home in the future.

I have not up to this point formally objected to the development and building of the Nursing Home at the back of my home but as the building remains at a three level (ground floor and two further floors) I now have no other options but to formally place an objection to the proposed plans.

Objection to the Planning of the Proposed Nursing Home for the following reason

- 1) The building is three levels high and poses a significant intrusion to my privacy both from the 1st and 2nd levels. Residents on the 1st and 2nd floors of the Nursing Home will be able to see directly into my bedroom, bathroom, kitchen and small conservatory. Accessing my current "private" garden would also be at risk. I feel that having a new building on three levels is over development and perhaps the building would be best moved back some considerable distance from the Sincil Bank dyke which I some way my protect resident's privacy.
- 2) The 2ND floor of the amended plans denotes that there is a change of use from bedrooms to meeting room, guest lounge, team room and manager's office. I suspect this will encourage increased people to access the second floor and therefore this will increase to my privacy at home being compromised. Frosted glazing to the Sincil Bank side of the development would go some way in reducing this intrusion. Has this been considered I wonder?
- 3) Would the changes to the upper 2nd floor level be subject to planning consent if the owners of the Nursing Home decide to convert the service rooms back into resident bedrooms as I can see these rooms being converted back into bedrooms due to demand for beds.
- 4) Increase light pollution during the night- time/ darkness hours... There would be a considerable amount of light generated by residents accessing their bedrooms, and the communal areas of the building. This would impact upon my sleeping and back rooms of my property.

5) I am also concerned that there would be street lighting for the area on the Sincil Bank side of the development which would impact upon my home and perhaps affect my sleep due to the level of light pollution this would create.

6) I am concerned that there are gates which open onto the High Street on the Sincil Bank side of the development. Are vehicles going to be accessing the site from these gates and how often will there be vehicles going up and down at the back of the development? We already have substantial traffic noise pollution from South Park at the front of our properties and having increased traffic at the back of our home would be unacceptable.

7) Noise from the Nursing Home due to vehicles accessing, visitors calling, ambulances, people walking along to site to the gardens at the far end of the development would again cause intrusion and again impact upon my wellbeing...

8) Phase one of this build appears to be the construction of the Nursing Home and further development of the four-floor block of elderly flats further along the Sincil Bank Drain would I assume then commence. Whilst this is not part of the planning application for the Nursing Home, it is part of the long- term plan for this small pocket of redundant, urban land. I again feel this would be an over development of this site, severely impact on the local community and be extremely intrusive to current resident's lives. I urge the planning department to seriously consider the needs of the residents and ask the Developers for reasonable adjustments to be made to the Nursing Home plans... with a maximum height of the building at the back of the elevation to the High Street build being just two floors.

Thank you once again for giving me the opportunity to comment and formally object to the Nursing Home Plans.

I have no objections for this redundant site at the top of the High Street being developed and brought back into use but feel that more consideration needs to be given by the Developers of how this can be best achieved and with the least impact upon the residents of the area.

Your sincerely

Mr. Christopher Bonnett

Resident of South Park, Lincoln.

Mr C Bonnett.

No. 5 Woodbine Cottage,

South Park,

Lincoln.

LN5 8EN

Dear Sir /Madam

**Concerns over the Planning Application for the site 417-480 High Street, Lincoln, Lincolnshire, LN5 8JG.**

*I am writing to raise my concerns over the planning application for the development of the redundant site which lies at the back of my property on South Park, Lincoln and across from the Sincil dyke. I have lived in my current home for the past five years and have raised concerns recently over the removal of the mature trees at the back of my property by the environment agency which I have been told was due to the upgrade of the flood defences in the area.*

*The removal of the trees has caused some distress for me as it has created a lack of privacy at the back of my property, a huge increase in noise pollution from the high street and it has had a huge effect on the amount of wildlife in the area with the reduction on bird species which were present in the garden and along the riverbank. I have not seen the regular kingfishers feeding from the river for a number of weeks nor many of the other bird visitors to the garden.*

*The removal of the trees has created a lot of noise pollution in the garden from vehicles and people on the high street and it is far to say that I feel my property is now exposed to residents living in the second floor flats above the shops on the high street.*

**Not objecting to the development of the land**

*Can I be clear that state that I am not objecting to the development of this site for an elderly person's residential home and older person's flats as I feel this is a really useful and much needed service provision for Lincoln.*

*I work in social care myself and understand from my colleagues working for the Adult Frailty Service that they struggle to find beds for Lincoln people when there is a need for them to have 24/7 care.*

*The High Street profile of how the development will look after building work is completed looks really good and improves the aesthetic of the top of the high street greatly and this is currently run down and looking rather shabby after the car show room closed about three years ago.*

*I would prefer a development for older people rather than social housing due to the problems these developments often bring to the community.*

*I also think it's a really good use of the lovely old chapel which is currently redundant and will help preserve this important architectural building for this area which reflects the social history of Lincoln.*

***My Concerns about the Proposed Development.***

- *Referencing the Sincil Dyke plans and impression on how this will look at building- I feel that the buildings are too high for this site and it's over development. Both buildings, the Nursing Home and the Residential Units would have an impact upon my home and personal wellbeing for the following reasons.*
- *Lack of privacy- My home is parallel with the Nursing Home site. The proposal is a tall, a 73 bed building on three floor and this would overlook my garden and back of the property. Residents would be able to look into my small conservatory, kitchen, bedroom and bathroom causing a lack of privacy. Residents on the 1<sup>st</sup> and 2<sup>nd</sup> floors would be able to see over my six foot fence and into my garden which I am not happy about. Surely this would be an invasion of my privacy?*
- *Invasion of Light from the Nursing Home during the evening and night-time- The Proposal isn't too far back from the Dyke and is very tall. I can*

*see there being a lot of light pollution from this building which potentially could affect my sleep and again my privacy at the back of my property.*

- *Noise- I am not concerned about the amount of noise from the Nursing Home or Residential Residents -I am concerned about that substantial noise from South Park not being able to dissipate at the back of my property as the Nursing Home will create a barrier and the noise will return to the back of my house, therefore there will be increased noise in the garden and along the Dyke. This would be reduced if the Nursing Home and the proposed flats were not such a high profile (height wise).*
- *Lack of sunlight in the afternoons- The Nursing Home proposal would affect the amount of sunlight/sunshine I would receive back the back of the property in the afternoons as the height of the new build would block out the sun in after 3 pm.*
- *Over development of the site.. I feel the business who submitted the proposal for consideration is attempting to over- develop this site. There are references for less flats (16 I think) and more individual units which would look more aesthetically pleasing rather than a thirty six block of flats for elderly residents. Could this perhaps be looked at again? I think I read this in the "Preliminary ecological proposal" paperwork of the application.*

### **Questions about the development.**

*Having looked at the proposed plans in some detail and have the following questions about the landscaping of this site which may address some of my concerns.*

- 1) *On the artists impressions and proposed plans there appear to be trees planted along the side of Sincil Dyke every few meters. Can I ask whether these reference the trees which have now been removed by the environment agency so they are able to complete their work on the site*

*or are they newly planted trees as these would form some screening to my property and therefore create the privacy I would be lacking otherwise?*

- 2) Is the patio area on the Residential Flats site a café area please as this would encourage people to be at the back of my property and possibly create some privacy issues for me?*
- 3) Is there a walk -way from the High St along the side of the water to the pond at the far end of the site?*
- 4) Will there be street lighting on site which will create further light pollution at the back of my property?*
- 5) The impact of the removal of the mature trees on the Drain has been substantial for the wildlife in the area including the bat population and their feeding grounds. Apart from the development of the pond at the end of the site has any further thoughts been given to the wildlife and creating habitats on this development for them?*
- 6) Has the Residential Development got lifts? As this limits access and the type of residents who may want to rent/purchase these properties in the future.?*

*Once again could I take this opportunity to state that I am not opposed to the development of the site or the planning application for a Nursing Home and older person's residential units which are very much needed in the area. I am opposed however to the development on both sites being three storey, my lack of privacy, light pollution and noise escape for the very busy South Park Rd at the front of my property.*

*Thank you for your consideration of this matter and reading my concerns over the planning application..*

*I look forward to hearing from you..*

*Yours sincerely,*

*Mr Christopher Bonnett*

*South Park Resident.*

<b>Application Number:</b>	2022/0077/HOU
<b>Site Address:</b>	59 Hawthorn Road, Lincoln, Lincolnshire
<b>Target Date:</b>	1st April 2022
<b>Agent Name:</b>	RJM Design Studio
<b>Applicant Name:</b>	Mr S Smith
<b>Proposal:</b>	Erection of single storey rear extension

### **Background - Site Location and Description**

Permission is sought for the erection of a single storey rear extension to 59 Hawthorn Road. The host property is a semi-detached red brick and render property situated on the north side of Hawthorn Road.

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

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 17<sup>th</sup> March 2022.

### **Policies Referred to**

- Central Lincolnshire Local Plan
- Policy LP26: Design and Amenity

### **Issues**

- Principle of Development
- Impact on Neighbours
- Visual Impact
- 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

### **Public Consultation Responses**

No responses received.

## **Consideration**

### **Principle of Development**

The principle of altering an existing dwelling in an established residential area is acceptable and supported by Policy LP26 subject to all technical matters being agreed.

### **Visual Impact**

Planning permission is sought to erect a single storey rear extension. The extension would be finished in render with a flat roof. It would be of a scale in keeping with the original house. The existing traditional conservatory would have to be demolished to allow the proposed extension to be constructed on a slightly larger footprint.

It is therefore considered that the proposal would accord with local plan policy LP26.

### **Impact on Neighbours**

The proposed extension would have a flat roof and be single storey. The proposal would have no adverse impact on the neighbour as there would be no overlooking or loss of light. The proposed extension would have no greater impact than the existing conservatory and as such would be in accordance with local plan policy.

The neighbours have raised no objections.

### **Technical Matters**

The Highways Authority have raised no objections.

## **Conclusion**

The proposed development would have no adverse impact on neighbours and would be an appropriate design for the existing dwelling and the surrounding area. Therefore, the proposal accords with national and local planning policy.

## **Application Determined within Target Date**

Yes.

## **Recommendation**

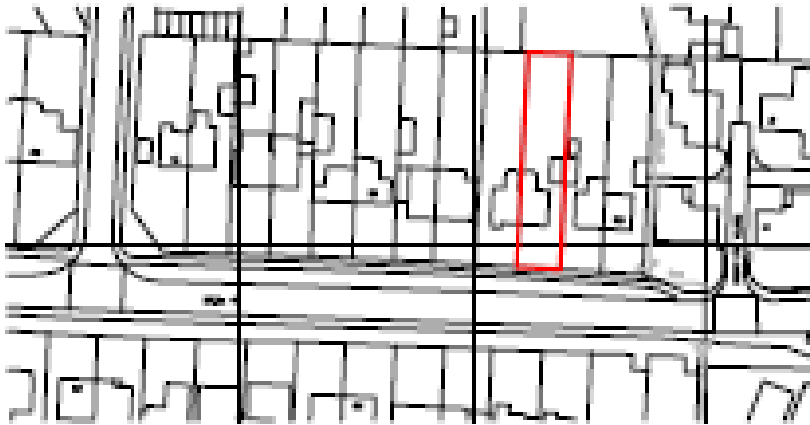
That the application is Granted Conditionally.

## **Conditions**

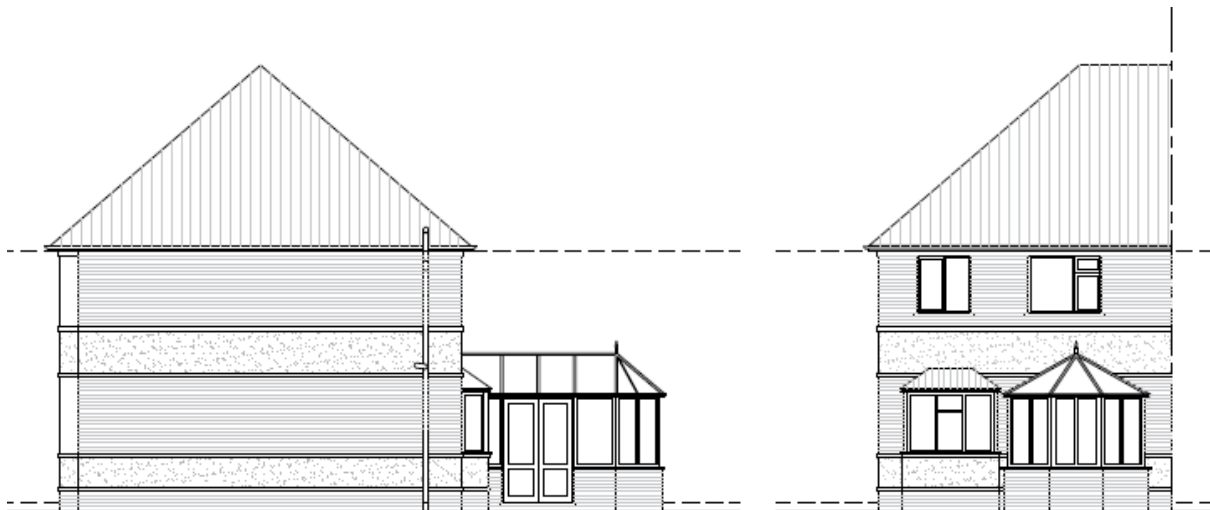
- Development to commence within 3 years
- Development to be carried out in accordance with the submitted plans

## Plans

### Site Location Plan

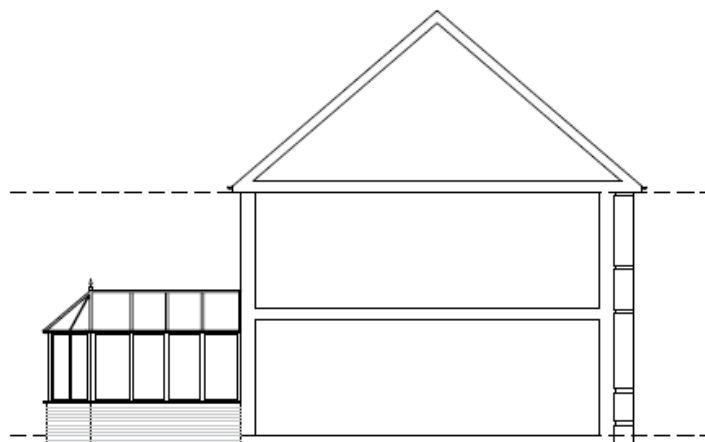


### Existing

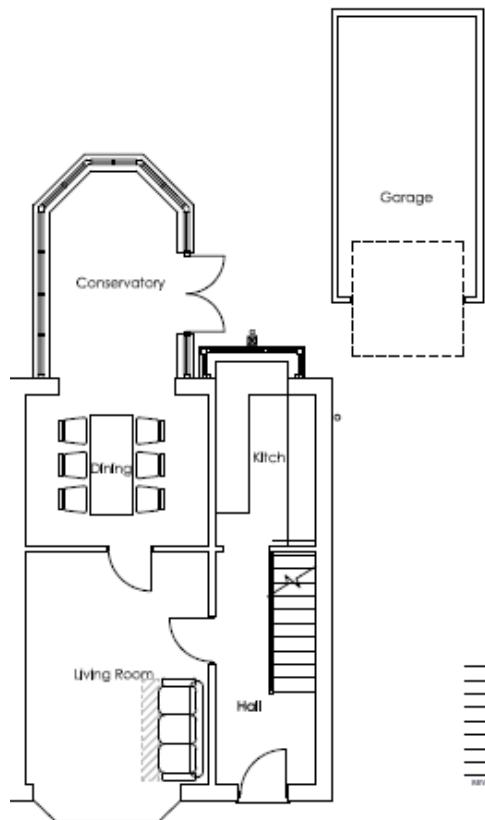


East Elevation 1:50

North Elevation 1:50

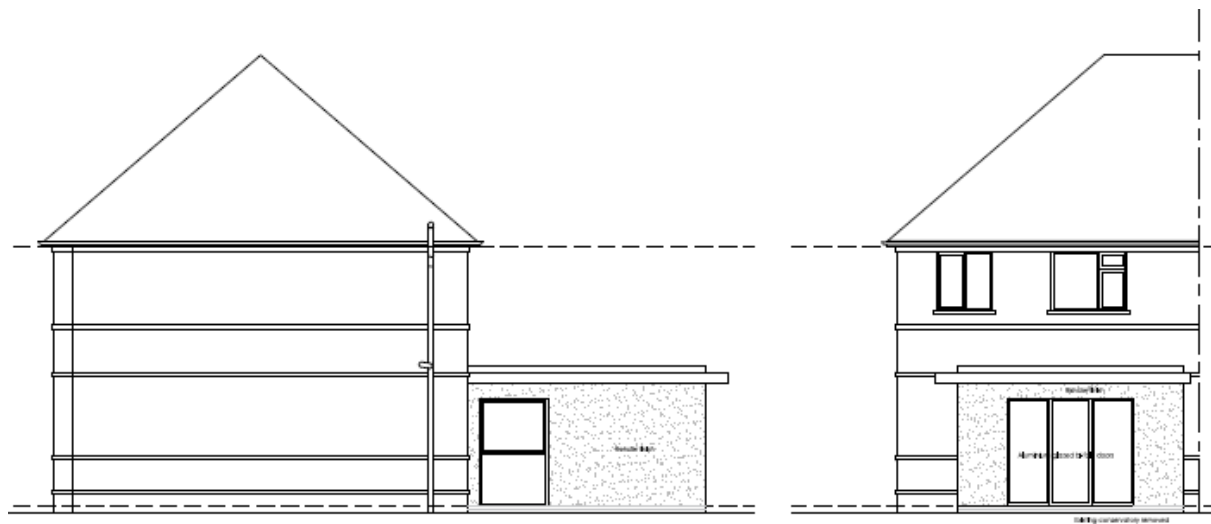


West Sectional Elevation 1:50



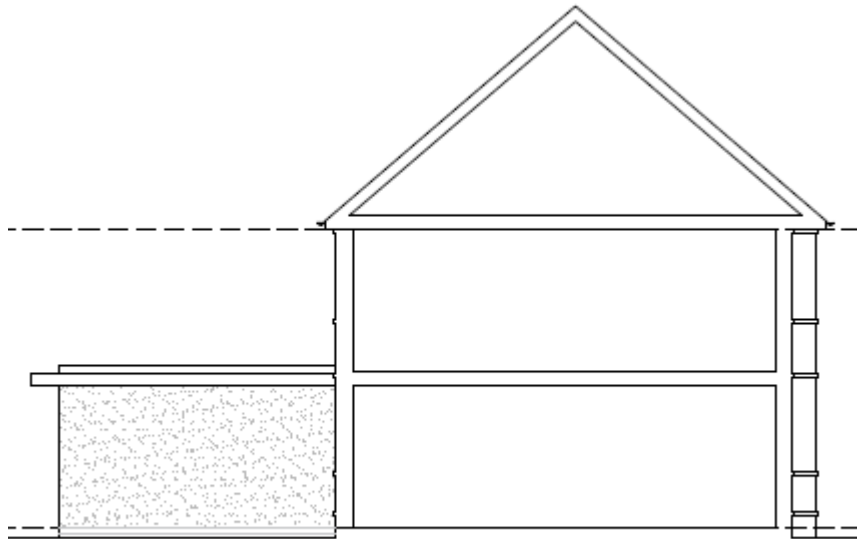
Ground Floor Plan 1:50

### Proposed Plans

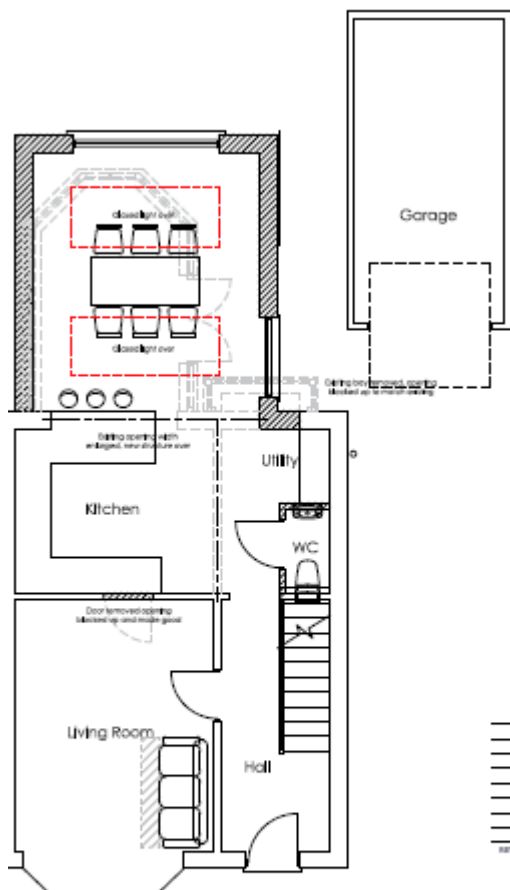


East Elevation 1:50

North Elevation 1:50



West Sectional Elevation 1:50



Ground Floor Plan 1:50

## Site Photos



## Consultee Comments



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: 2022/0077/HOU

Proposal: Erection of single storey rear extension

Location: 59 Hawthorn Road, Lincoln, Lincolnshire, LN2 4QX

With reference to the above application received 3 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.

For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the drainage proposals for this planning application.

NO OBS

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

Case Officer:

Date: 21 February 2022

*Sam Wood*

for Warren Peppard  
Head of Development Management

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<b>Application Number:</b>	2021/0765/FUL
<b>Site Address:</b>	Telecommunication Station 63673, Firth Road, Lincoln
<b>Target Date:</b>	21st April 2022
<b>Agent Name:</b>	Sitec Infrastructure Services Ltd
<b>Applicant Name:</b>	Cornerstone
<b>Proposal:</b>	Removal of existing 12.5m Hutchison Elara Streetworks Monopole to be replaced with proposed 15m high Hutchison Engineering and associated ancillary development (Revised Proposal).

### **Background - Site Location and Description**

The original proposal was for the erection of a 20m high monopole situated within the footpath, however following concerns raised by the Highway Authority regarding the monopole restricting the footpath for pedestrians, the proposal was amended by the agent to address this concern.

The revised application seeks the removal of the existing 12.m high monopole and the erection of a 15m high Hutchinson monopole. The proposed site is located on the east side of Firth Road, the site sits within the grass verge, at the back edge of the footpath. The area around the site is predominantly characterised by large commercial premises with open land surrounding including siemens and the rear service yard of Tritton Retail Park. There are some two storey residential Terrace properties located approximately 94m to the north of the site.

A declaration has been submitted with the application to confirm that the equipment is in line with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines (ICNIRP).

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 8th October 202.

### **Policies Referred to**

- National Planning Policy Framework
- Local Plan Policy 26

### **Issues**

In determining this prior approval application, the Local Planning Authority can only consider the siting and appearance of the proposed telecommunications equipment.

### **Consultations**

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

## **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	No Response Received
Highways & Planning	Comments Received
Environmental Health	Comments Received

## **Public Consultation Responses**

Name	Address
Cllr Bob Bushell	

## **Consideration**

### **National Planning Policy Framework**

Section 10 of the National Planning Policy Framework (NPPF) outlines the Government's general approach is to facilitate the growth of new and existing communications infrastructure. Specifically, paragraph 114 advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Paragraph 115 advises that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Furthermore, paragraph 117 advises that for a new mast or base station, the application should be accompanied by evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 130 advises that developments should be sympathetic to local character, including the surrounding built environment.

### **Local Policy**

LP26 states that development should respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and form. All development proposals must take into consideration

the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place.

#### Impact upon Visual Amenity

The proposed monopole which is being applied for would be 15m high which is below the maximum height allowed under the permitted development allowance. The proposed monopole would replace an existing 12.5m high monopole sited on to the grass verge near to the entrance of Siemens site. There are various items of street furniture along this section of Firth Road including street lighting and street trees up to approximately 12.5m in height. It is considered this predominately commercial setting is an appropriate location for the scale of the proposed telecommunications equipment. It is acknowledged that the height of the new mast would exceed that of the existing mast, and the additional 2.5m in height would make the mast more visible from public vantage points, it is not considered that the scale or mass of the equipment would have a particularly harmful visual impact. Particularly when this impact is balanced against the benefits of providing the enhanced technology and capacity of 5G it is considered, in this particular case, that the proposal would be acceptable.

It is therefore concluded that the proposal would not have a harmful impact upon the visual quality of the wider street scene and therefore there are no grounds upon which to resist such a development.

#### Impact on Amenity of Nearby Properties

The site is over 94m from the closest residential property and accordingly it is not considered that the mast would cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with CLLP Policy LP26.

A declaration has been submitted with the application to confirm that the equipment is in line with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines (ICNIRP), and as such the NPPF states that the issue of health is not a material planning consideration.

#### Highways & Parking

The amendment to the application would see the proposed monopole located in the same position as the existing mast and therefore would not restrict the width of the footpath for pedestrians as initially proposed.

#### **Conclusion**

It was considered that the siting and appearance of the proposed monopole would not have a harmful visual impact on the character and appearance of the area or have a harmful effect on residential amenity, in accordance with the Central Lincolnshire Local Plan Policy LP26 and paragraph 130 of the National Planning Policy Framework.

#### **Application Determined within Target Date**

Yes.

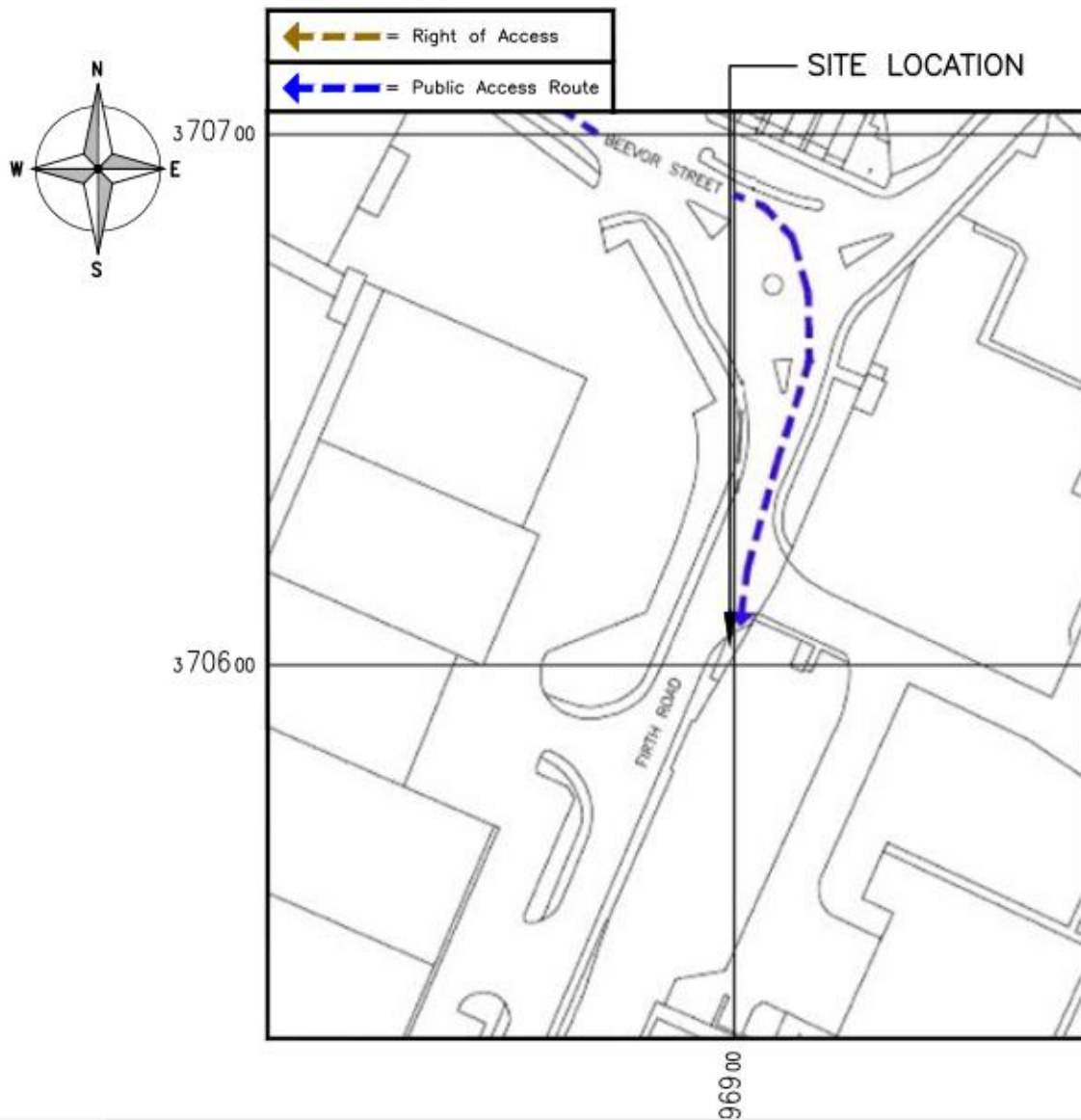
### **Recommendation**

That the application is granted conditionally

### **Standard Conditions**

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

## Site location



**PROPOSED SITE PLAN**

(1:100)

0 5000 10000

[illegible]

TOP OF PROPOSED POLE +15.0m AGL

TOP OF PROPOSED ANTENNAS +14.90m AGL

C/L OF PROPOSED ANTENNAS +13.90m AGL

U/S OF PROPOSED ANTENNAS +12.90m AGL

EXISTING TEF 12.5m HIGH HUTCHINSON ENGINEERING ELARA POLE ON 0.6m ROOT FOUNDATION C/W 3m ANTENNAS WITHIN SHROUD TO BE REMOVED AND REPLACED WITH PROPOSED 15m HIGH HUTCHINSON ENGINEERING ELARA COLUMN ON EXISTING ROOT C/W 3m ANTENNAS WITHIN SHROUD

EXISTING TEF COMSCOPE LANCASTER MA2 CABINET (1) ON ROOT FOUNDATION TO BE UPGRADED INTERNALLY

EXISTING TEF COMSCOPE LANCASTER MA2 CABINET (2) ON ROOT FOUNDATION TO BE UPGRADED INTERNALLY

EXISTING 2.5m HIGH BRICK WALL AND PIERS WITH ANTI CLIMB ALONG TOP

EXISTING TEF LUCY METER PILLAR C/W SINGLE PHASE REC SUPPLY & ISOLATOR TO BE REMOVED

EXISTING 300mm HIGH BRICK STUB WALL

TOP TREE (APPROX.) +11.0m AGL

LAMPOST (APPROX.) +10.0m AGL

EXISTING LAMPOST C/W STREET SIGN

PROPOSED TEF SFMC 150 METER CABINET TO BE INSTALLED ON CONCRETE BASE C/W SINGLE PHASE REC SUPPLY

SIEMENS

PROPOSED SOUTH ELEVATION  
(1:100)

5000 0 5000 1000

ORIGINAL SCALE AT A3 = 1:100

ALL DIMENSIONS IN MILLIMETRES

The drawings comply with TEF & VF standard ICHIRP guidelines.  
Viewed in accordance with Centimetre documents: 25/03/12 v1.0

[illegible]

Site photos





Comments received



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: 2021/0765/FUL

**Proposal: Removal of existing 12.5m Hutchison Elara Streetworks Monopole to be replaced with proposed 20.0m high Hutchison Engineering Orion V2 Streetworks Pole on a new root foundation and associated ancillary development**

**Location: Telecommunication Station 63673, Firth Road, Lincoln, Lincolnshire**

With reference to the above application received 29 September 2021

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

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

**ADDITIONAL INFORMATION REQUIRED**

The proposed pole are located within the existing footway. It is not advisable for this footway to be narrowed to accommodate the proposed apparatus. LCC request that the applicant considers locating the apparatus in a more suitable location which would not restrict the footway for pedestrians.

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

Date: 14 October 2021

## Consultee Comments for Planning Application 2021/0765/FUL

### Application Summary

Application Number: 2021/0765/FUL

Address: Telecommunication Station 63673 Firth Road Lincoln Lincolnshire

Proposal: Removal of existing 12.5m Hutchison Elara Streetworks Monopole to be replaced with proposed 20.0m high Hutchison Engineering Orion V2 Streetworks Pole on a new root foundation and associated ancillary development.

Case Officer: Craig Everton

### Consultee Details

Name: Mr Ian Wicks

Address: Directorate Of Development And Environmental Services, City Hall, Beaumont Fee  
Lincoln, Lincolnshire LN1 1DF

Email: Not Available

On Behalf Of: Environmental Health

### Comments

I confirm that I have no objections or observations to make regarding this application.

RE: Updated Whitelist Report



Bushell, Bob (City of Lincoln Council)

To: Coucom, Milly (City of Lincoln Council)

Cc: Cousins, Simon (City of Lincoln Council); Manning, Kieron (City of Lincoln Council)

You forwarded this message on 12/10/2021 08:40.

Reply Reply All Forward

Mon 11/10/2021 17:56

Can I request that the monopole replacement applications at both Firth Road 2021/0765/FUL and Moorland Ave. 2021/0804/FUL be considered at the next Planning Committee please to ensure Transparency and consistency.

Many thanks,

Regards,

Bob Bushell

<b>Application Number:</b>	2022/0133/PAT
<b>Site Address:</b>	Birchwood Telephone Exchange, Whisby Road, Lincoln
<b>Target Date:</b>	15th April 2022
<b>Agent Name:</b>	WHP Telecoms Ltd
<b>Applicant Name:</b>	Cellnex UK Ltd
<b>Proposal:</b>	Alterations to existing base station including a 5m extension to the existing mast, installation of sector & dish antennas on the existing shared mast to be mounted on the new tower extension and headframe, installation of ground-based radio housing equipment within an existing compound and installation of cabling and associated development

### **Background - Site Location and Description**

The application seeks to establish whether prior approval is required for the installation of the following:

- A 5m extension to the existing mast
- The installation of sector & dish antennas on the existing shared mast to be mounted on the new tower extension and headframe.
- The installation of ground-based radio housing equipment within an existing compound
- The installation of cabling and associated development

The proposal relates to the upgrading of an existing 15m lattice tower and associated ancillary equipment housed within the compound of the Birchwood Telephone Exchange on the eastern side of Whisby Road, close to the junction with Doddington Road. The site is located within the grounds of the BT Exchange with the existing two storey building screening the majority of views of the existing mast.

This application is submitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016.

Due to the fixed 56 days in which Local Authorities must inform mast operators of the decision on whether prior approval is required for siting and appearance and to let the operator know of its decision, it has not been possible on this occasion for this prior approval to be presented at committee before determination. However, this report details for the considerations taken during the application.

A declaration has been submitted with the application to confirm that the equipment is in line with the Public RF Exposure Guidelines.

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 16th March 2022.

### **Policies Referred to**

- National Planning Policy Framework – Section 10
- Policy LP26

### **Issues**

In determining this prior approval application, the Local Planning Authority can only consider the siting and appearance of the proposed telecommunications equipment.

### **Consultations**

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

### **Statutory Consultation Responses**

Consultee	Comment
Cadent Gas Ltd	Comments Received
North Kesteven District Council	Comments Received
Highways & Planning	Comments Received
Environmental Health	Comments Received

### **Public Consultation Responses**

No responses received.

### **Consideration**

#### **General Permitted Development Order**

Part 16 of the GPDO permits:

Development by or on behalf of an electronic communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code, consisting of:

- a) the installation, alteration or replacement of any electronic communications apparatus,
- b) the use of land in an emergency for a period not exceeding 18 months to station and operate moveable electronic communications apparatus required for the replacement of unserviceable electronic communications apparatus, including the provision of moveable structures on the land for the purposes of that use, or

- c) development ancillary to radio equipment housing.

Part A.3 (4) of the Order states that:

Before beginning the development described in paragraph A.2(3), the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

#### National Planning Policy Framework

Section 10 of the National Planning Policy Framework (NPPF) outlines the Government's general approach is to facilitate the growth of new and existing communications infrastructure. Specifically, paragraph 114 advises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Paragraph 115 advises that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.

Furthermore, paragraph 117 advises that for a new mast or base station, the application should be accompanied by evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

Paragraph 130 advises that developments should be sympathetic to local character, including the surrounding built environment.

#### Local Policy

LP26 states that development should respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and form. All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place.

#### Consideration of the Siting and Appearance

In terms of siting the existing mast is located immediately south of the Telephone Exchange Building, measuring approximately 15m in height with associated equipment and surrounding compound. The proposal seeks to attach a 5m extension to the existing mast with sector & dish antennas to be mounted upon the new extension and headframe.

The application site has been selected by the operator as this will provide the required

level of 5G network coverage while properly meeting national town planning policy objectives for the shared use of existing electronic communications masts and sites, in this case owned / operated by Cellnex.

It is acknowledged that the new monopole would be of a rather significant height and whilst it would have an impact on visual character of the area it is located within an area predominantly defined by commercial and industrial uses, with the exception of some residential properties to the north of Doddington Road. The impact of the extension should be balanced against the benefits of providing the enhanced technology and capacity of 5G. The proposed mast is a standard design, widening at the top to accommodate the antennae. The diameter and overall form is similar to many other masts throughout the city and is not considered to be unduly harmful in this location.

As the existing mast is located behind the telephone exchange building the telecommunications equipment would not result in any excessive visual clutter within the street. The proposal would not have an unduly harmful impact upon the visual amenity of the premises or wider street scene and therefore it is considered that it would be the most appropriate method of enhancing the existing telecom coverage in the area.

### **Conclusion**

It was considered that the siting and appearance of the proposed monopole would not have an unduly harmful visual impact on the character and appearance of the area, in accordance with the Central Lincolnshire Local Plan Policy LP26 and the National Planning Policy Framework. The application was therefore determined under delegated powers by the Assistant Director. Prior approval under Class A of Part 16 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2016 (as amended) was thereby approved.

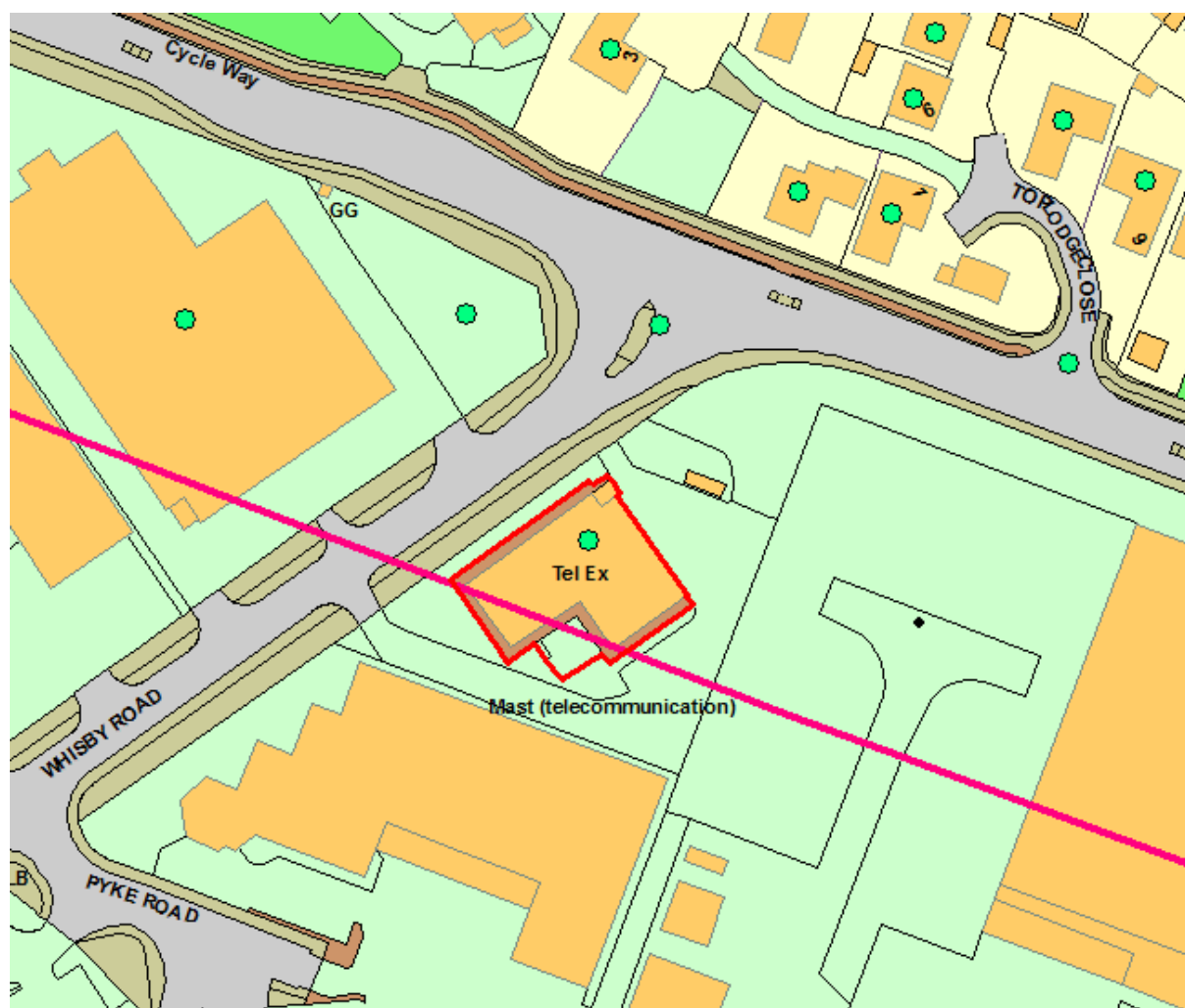
### **Application Determined within Target Date**

Yes.

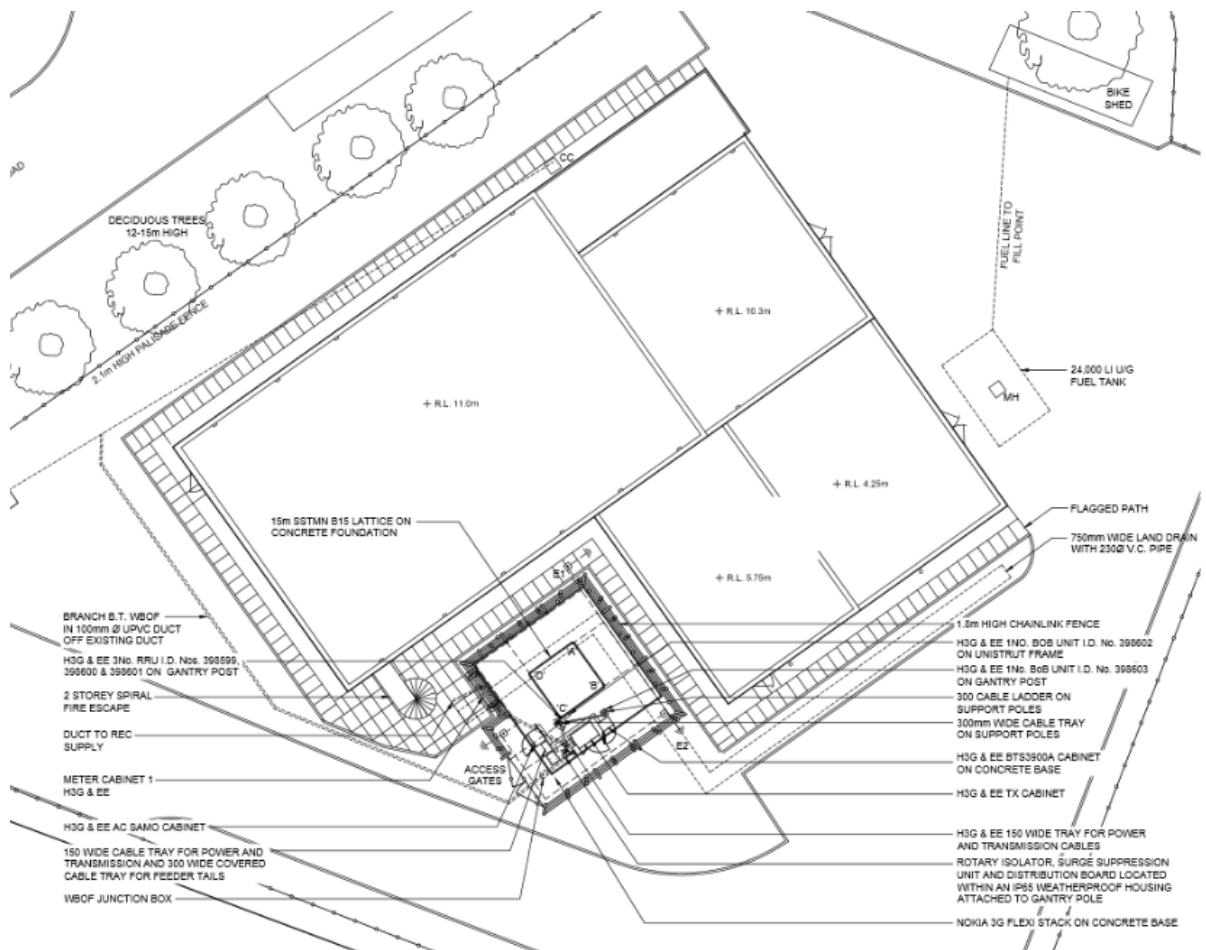
### **Recommendation**

That Councillors take note of the contents of the report and decision.

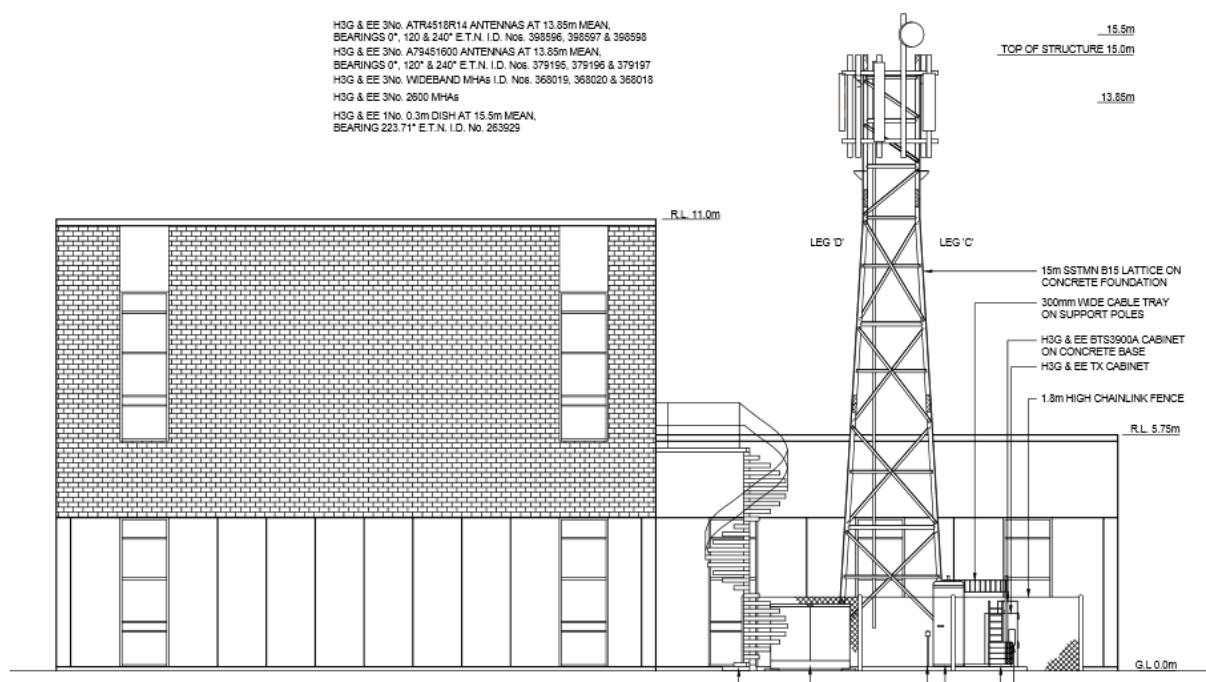
## Site Location



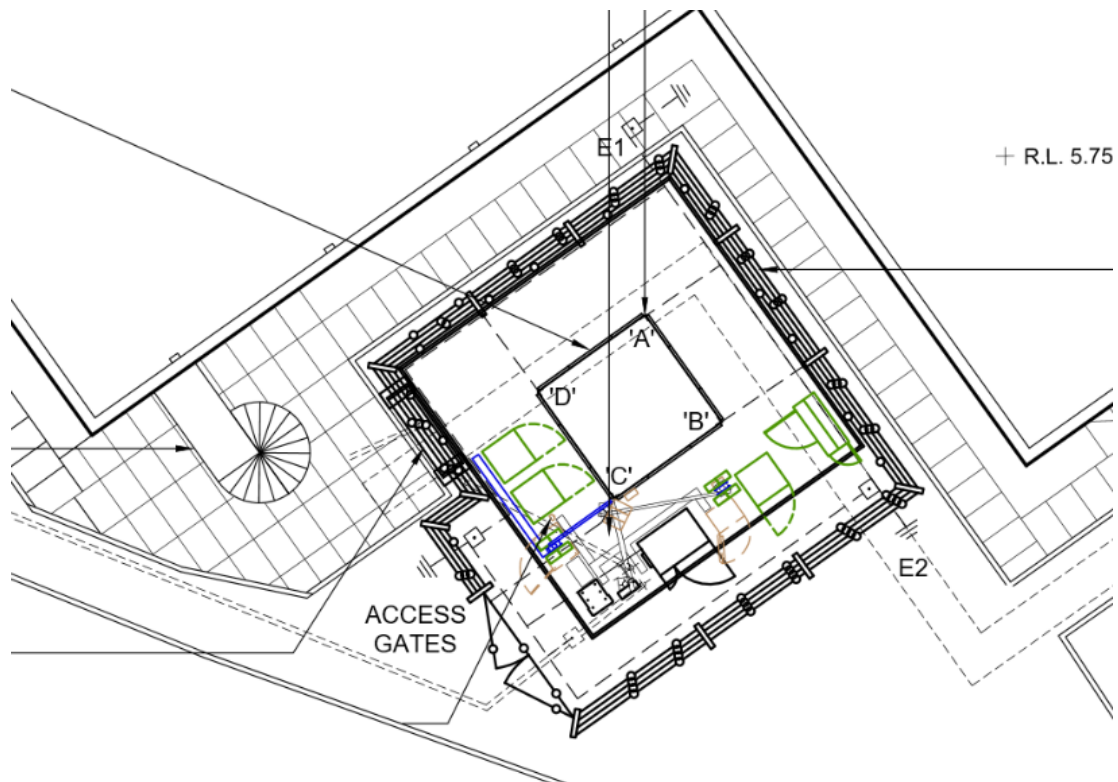
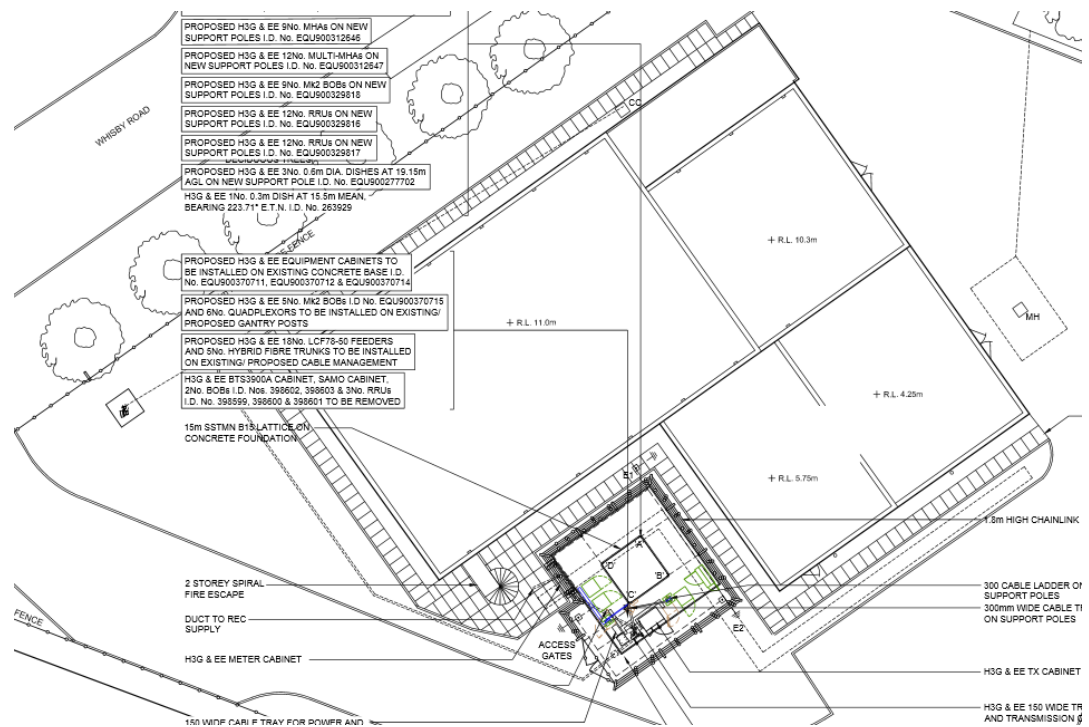
## Existing Drawings

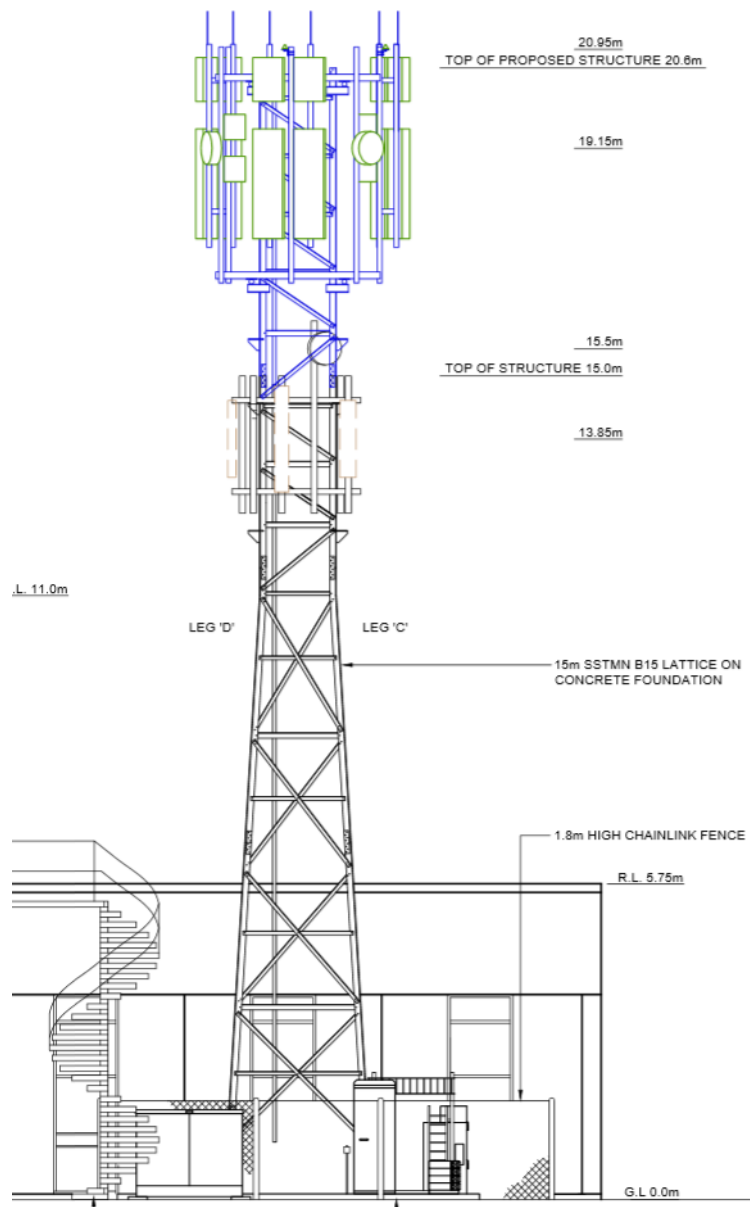


H3G & EE 3No. ATR4518R14 ANTENNAS AT 13.85m MEAN, BEARINGS 0°, 120° & 240° E.T.N. I.D. Nos. 368596, 368597 & 368598  
H3G & EE 3No. A79451600 ANTENNAS AT 13.85m MEAN, BEARINGS 0°, 120° & 240° E.T.N. I.D. Nos. 379195, 379196 & 379197  
H3G & EE 3No. WIDEBAND MHAs I.D. Nos. 368019, 368020 & 368018  
H3G & EE 3No. 2600 MHAs  
H3G & EE 1No. 0.3m DISH AT 15.5m MEAN, BEARING 223.71° E.T.N. I.D. No. 263929



## Proposed Drawings

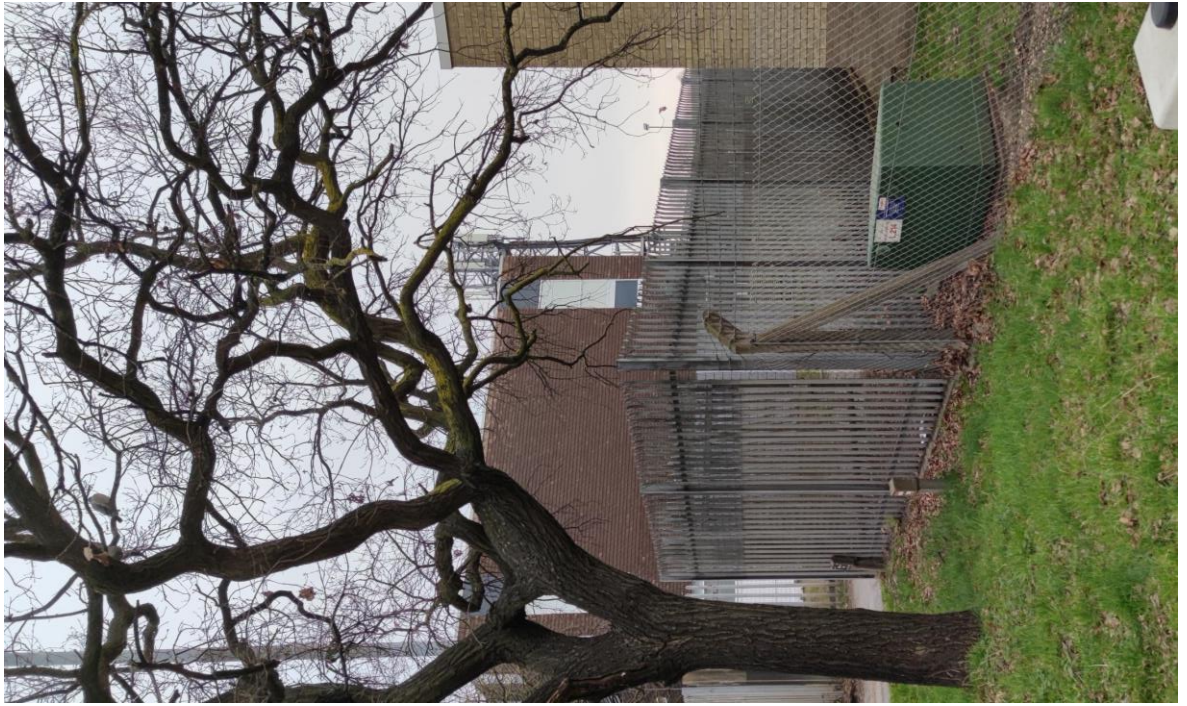




## Site Photos







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## Written Representations



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: 2022/0133/PAT

**Proposal:** Alterations to existing base station including a 5m extension to the existing mast, installation of sector & dish antennas on the existing shared mast to be mounted on the new tower extension and headframe, installation of ground-based radio housing equipment within an existing compound and installation of cabling and associated development

**Location:** Birchwood Telephone Exchange, Whisby Road, Lincoln, Lincolnshire, LN6 3QT

With reference to the above application received 22 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 highway or surface water flood risk.

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

NO OBS

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

Case Officer:

Date: 7 March 2022

*Sarah Heslam*

**for Warren Peppard  
Head of Development Management**

**Coucom, Milly (City of Lincoln Council)**

---

**From:** .box.emplantprotectionops <emplantprotectionops@cadentgas.com>  
**Sent:** 23 February 2022 13:23  
**To:** Technical Team (City of Lincoln Council)  
**Subject:** EM\_3WWX\_24820623 2022/0133 Birchwood Telephone Exchange Whisby Road  
Lincoln Lincolnshire LN6 3QT

**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.**

Good afternoon

Looking at the above planning application **2022/0133 Birchwood Telephone Exchange Whisby Road Lincoln Lincolnshire LN6 3QT** we ( Cadent ) would not object as the Intermediate and high pressure gas pipelines in the area would not be affected by the application

Regards

Steven biddle  
Network Technician  
PipelinesPlant Protection  
Cadent  
[REDACTED]

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**Neighbouring Authority Consultation**



Name and address of applicant

Name and address of agent (if any)

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

**Notice of decision to raise no objections to the proposal**

**Application number:** 22/0281/NEIAUT

**Proposal:** Alterations to existing base station including a 5m extension to the existing mast, installation of sector & dish antennas on the existing shared mast to be mounted on the new tower extension and headframe, installation of ground-based radio housing equipment within an existing compound and installation of cabling and associated development

**Location:** Birchwood Telephone Exchange Whisby Road Lincoln LN6 2QT

North Kesteven District Council hereby raises **no objections** to the proposed development as referred to above.

<b>Application Number:</b>	2022/0218/RG3
<b>Site Address:</b>	Hartsholme Country Park, Hartsholme Park, Lincoln
<b>Target Date:</b>	10th May 2022
<b>Agent Name:</b>	None
<b>Applicant Name:</b>	Ruth Simons
<b>Proposal:</b>	Partial removal of existing structure and installation of a storage container.

### **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 former Aviary structure located to the west of the Visitor Centre within the park.

The application proposes works for the partial removal of the existing aviary structure and the installation of a storage container to facilitate secure storage and amenity space for staff and volunteers.

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 25th March 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

### **Consultations**

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

### **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received

Environmental Health	No Response Received
Shane Harrison	No Response Received
Lee George	No Response Received
Lincolnshire Wildlife Trust	No Response 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 partial removal of the existing dilapidated aviary structure that is attached to the west elevation of the Visitor Centre. The part of the aviary that is to be removed, is constructed from brick pillars with a timber framed roof, wire mesh is strung across the apertures. The existing corrugated steel structure to the rear of the aviary is to be retained and repaired for the storage of wood.

The structure is a later addition to the existing visitor centre building and is of little to no architectural value or significance. Officers therefore have no objection to its removal.

A green coloured corrugated steel container unit measuring 7m long by 2.44m wide is proposed to be sited in the position of the current aviary to facilitate secure storage and amenity space for staff and volunteers. The applicant has stated the container would be repainted externally to address the flaking paint that is currently revealing a multiple colour finish.

Whilst the structure is rather utilitarian in appearance the green finish would help to blend the container into the landscape, views of the structure would be limited by the existing visitor centre building and mature landscaping to the west and south. The proposal would therefore preserve and protect the character and setting of the Historic Park and Garden

#### Highways & Parking

Lincolnshire County Council as Highway Authority has assessed the application and raised no objections. Therefore, based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

#### **Conclusion**

The proposed container will provide secure storage and amenity space for staff and volunteers at the park. Whilst the structure is rather utilitarian in appearance, views of the structure are limited by the existing building and landscaping. The proposal would therefore preserve and protect 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

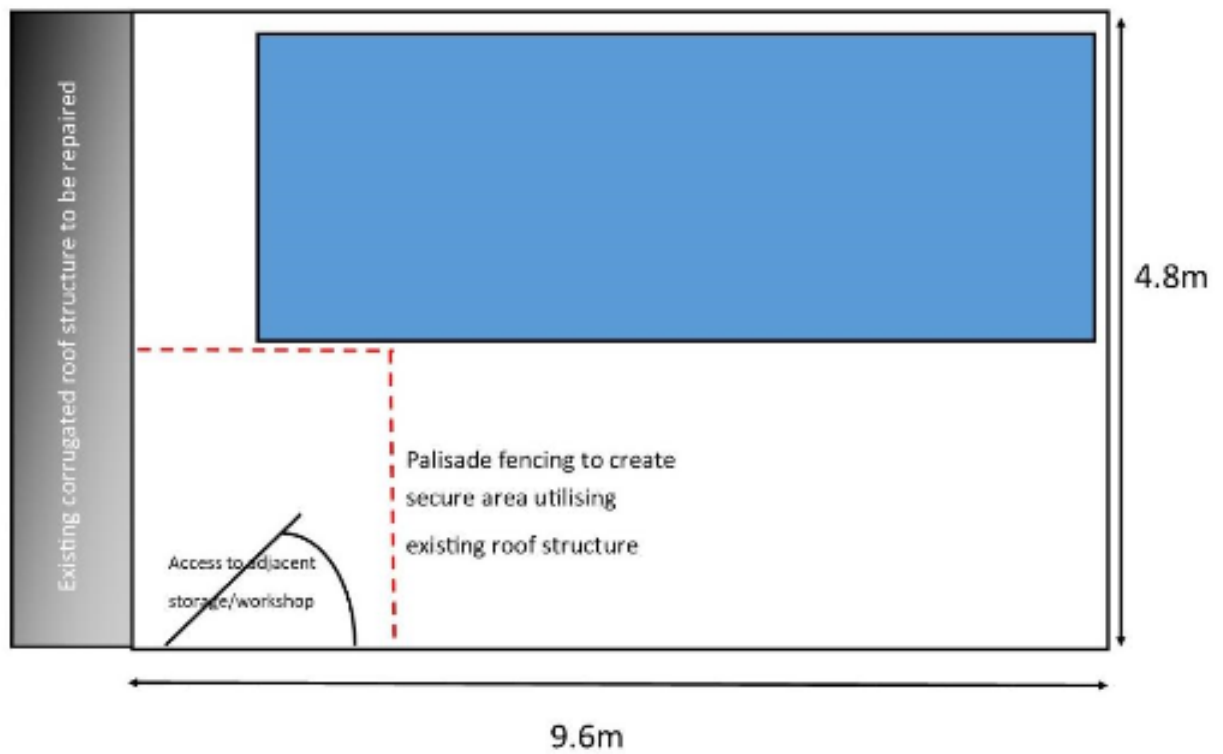
Site location plan



Proposed container



### Proposed site plan



### Site photographs





## Written Representations



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: 2022/0218/RG3

Proposal: **Partial removal of existing structure and installation of a storage container**

Location: **Hartsholme Country Park, Hartsholme Park, Lincoln, LN6 0EY**

With reference to the above application received 17 March 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.

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: 22 March 2022

*Becky Melhuish*

for Warren Peppard  
Head of Development Management

## **Consultee Comments for Planning Application 2022/0218/RG3**

### **Application Summary**

Application Number: 2022/0218/RG3

Address: Hartsholme Country Park Hartsholme Park Lincoln Lincolnshire LN8 0EY

Proposal: Partial removal of existing structure and installation of a storage container.

Case Officer: Craig Everton

### **Consultee Details**

Name: Mr Ian Wicks

Address: Directorate Of Development And Environmental Services, City Hall, Beaumont Fee  
Lincoln, Lincolnshire LN1 1DF

Email: Not Available

On Behalf Of: Environmental Health

### **Comments**

I confirm that I have no objections or observations to make regarding this application.

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