

PLANNING COMMITTEE

Wednesday, 5 October 2022

5.30 pm

**Committee Rooms 1 and 2,
City Hall, Beaumont Fee,
Lincoln, LN1 1DD**

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

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

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

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

A G E N D A

| SECTION A | Page(s) |
|--|--------------|
| 1. Confirmation of Minutes - 07 September 2022 | 5 - 18 |
| 2. Declarations of Interest | |
| Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary. | |
| 3. Update Sheet | To Be Tabled |

| | |
|---|----------------|
| 4. Work to Trees in City Council Ownership | 19 - 24 |
| 5. Tree Report. St Mary Le Wigford, Lincoln | 25 - 34 |
| 6. Application for Development: Former Carpets 4 Less, Dunford Road, Lincoln | 35 - 82 |

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

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present: Councillor Naomi Tweddle (*in the Chair*),
Councillor Bob Bushell, Councillor Debbie Armiger,
Councillor Biff Bean, Councillor Chris Burke, Councillor
Liz Bushell, Councillor Gary Hewson, Councillor
Rebecca Longbottom, Councillor Mark Storer, Councillor
Thomas Dyer and Councillor Rachel Storer

Apologies for Absence: Councillor Bill Mara and Councillor Edmund Strengiel

27. Confirmation of Minutes -10 August 2022

RESOLVED that the minutes of the meeting held on 10 August 2022 be confirmed and signed by the Chair as a true record.

28. Declarations of Interest

No declarations of interest were received.

29. Member Statements

In the interests of transparency:

- Councillors Hewson and C Burke wished it to be recorded in relation to Item No 4 (a) of the agenda, *471-480 High Street, Lincoln*, that they sat on the board of the Upper Witham Drainage Board, but had no interest in the matter to be determined.

30. Update Sheet

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

- An additional consultation response in respect of agenda Item No 4(a) 471-480 High Street, Lincoln (2021/0598/FUL)
- An additional consultee response and an updated officer recommendation in respect of agenda Item No 4(b)-Lincolnshire Sports Partnership, Tanners Lane, Lincoln (2021/0584/FUL)
- Additional consultee responses and photographs in respect of agenda Item No 4 (c) Garage Court, Derwent Street, Lincoln (2022/0542/RM)

RESOLVED that the update sheet be received by Planning Committee

31. Confirmation of Tree Preservation Order No.172

Kieron Manning, Assistant Director, Planning:

- a. advised members of the reasons why a temporary tree preservation order made by the Assistant Director for Planning under delegated powers should be confirmed at the following site:

- Tree Preservation Order 172: 1 no. Acer Pseudoplatanus (Sycamore) and 1 no Aesculus Hippocastanum (Horse Chestnut) tree in the back garden of Greestone House, Greestone Place, Lincoln, LN2 1PP
- b. provided details of the individual trees to be covered by the order and the contribution they made to the area
 - c. reported that the making of any Tree Preservation Order was likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees, however, this was contained within existing staffing resources
 - d. reported that the initial 6 months of protection for these trees would come to an end for the Tree Preservation Order on 26 November 2022
 - e. confirmed that the reason for making a Tree Preservation Order on this site was as a result of an application by the occupier to fell both of the trees; the trees were located within a Conservation Area, and it was through the assessment process that the Arboricultural Officer identified they were worthy of a Tree Prevention Order to ensure their protection in the future.
 - f. advised that following a one month consultation period, no objections had been received to the order
 - g. advised that confirmation of the Tree Preservation Order here would ensure that the tree could not be removed or worked on without the express permission of the council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to one of the Councils priorities of enhancing our remarkable place.

RESOLVED that Tree Preservation Order No 172 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

32. Applications for Development
33. 471 - 480 High Street, Lincoln

The Planning Team Leader:

- a) described the application site, located at the south end of the High Street on the eastern side, previously part of a Peugeot Garage which was now vacant, and included the former United Reform Church to the boundary of the site fronting High Street
- b) added that the site lay adjacent to the South Park/St Catherines roundabout, with Sincil Dyke located to the south, residential properties on the other side of the bank fronting South Park, and residential properties to the north lining Spencer Street
- c) confirmed that the site was situated within the St Catherines Conservation Area No 4

- d) stated that the scheme was submitted by Torsion Care, also the applicant for a planning permission recently granted to build a care home fronting High Street (2021/0597/FUL); whilst the applications had been submitted separately due to funding arrangements, the applicant intended to construct the two schemes simultaneously should the current application be granted
- e) advised that planning permission was sought for a new building comprising 20 retirement living apartments and conversion of the former United Reform Church to form 5 residential flats; the new building would be accessed via Cross Spencer Street with provision of 27 car parking spaces on the site including accessible spaces, an attenuation pond, refuse and cycle storage
- f) added that the proposals included demolition of the former Abacus Motor Group Showroom and ancillary motor repair buildings
- g) reported that pre-application discussions had taken place and further discussions had continued throughout the application process with the applicant and their architect; revisions had been submitted to address officer concerns regarding overlook, design and access
- h) provided details of the policies pertaining to the application, as follows:
- Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP9: Health and Wellbeing
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP11: Affordable Housing
 - 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 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
 - Policy LP35: Lincoln's Regeneration and Opportunity Areas
 - National Planning Policy Framework
- i) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
- Principle and Policy Background
 - Developer Contributions
 - Assessment of Impact to the Character and Appearance of the Conservation Area
 - Impact on the Residential Amenity
 - Highways and Drainage
 - Archaeology

- Contamination
- Other Issues

j) outlined the responses made to the consultation exercise

k) referred to the Update sheet which contained an additional response received in respect of the proposed application for development

l) concluded that:

- 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 was preserved.
- Technical matters relating to noise, highways, contamination, archaeology and drainage were to the satisfaction of the relevant consultees and could be dealt with as necessary by condition.
- The proposals would therefore be in accordance with the requirements of CCLP Policies and the NPPF.

Ian Ward, representing the applicant, Torsion Care, addressed Planning Committee in support of the application, making the following points:

- His company was expert in delivering communities for people to live, building modern care homes, assisted living, and extra care facilities of the future.
- They operated across the country including Lincolnshire and the East Midlands.
- It was considered that the best use for the site was the establishment of a care home and retirement apartments.
- The applicant had worked jointly alongside the case officer to arrive at the best possible scheme for the area.
- He referred to objections regarding potential overlooking onto South Park resulting from the Environment Agency having taken away trees; revisions had taken place to the scheme to address officer concerns regarding overlooking, design and access.
- The proposed building had been reduced in size from four-storey to mainly two-storey along Sincil Dyke rising to three-storey on its western corner where it met the care home.
- The number of units had been reduced to 20 residential units including the conversion of the existing former United Reform Church to form 5 additional 5 residential apartments.
- The width of Spencer Street was to be widened as part of the conditions of grant of planning permission for the care home.
- There was provision of 27 car parking spaces for the retirement living accommodation, two of which would serve the units in the former United Reform Church. This exceeded the required number of car parking spaces for retirement homes.
- His company specialised in the construction and operation of care facilities and community living.
- The proposed scheme would be of significant benefit to the City of Lincoln Council; it would also encourage and support the local community

- He hoped Members would offer their support to the planning application before them this evening.

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

The following comments were received from members:

- There had been a great deal of pre-application discussion to arrive at the present scheme.
- There had been no objection from the Highways Authority in respect of access.
- The care home scheme approved in April 2022 had been conditioned to prevent communal rooms on the second floor, south-side of the development being converted into habitable accommodation.
- The previous scheme was important in reducing bed blocking in local hospitals.
- The scheme before us this evening did not impose any issues with overlooking due to being reduced in height from 4 to in the main two storeys.
- It was difficult to understand why living accommodation was prohibited in other areas of the City due to flood risk, and in this case ground floor accommodation was proposed next to Sincil Drain.
- The proposed scheme would result in a massive change in demographics for the area, having great physical impact in a small heavily built up area.
- Spencer Street was an unsuitable access for the amount of vehicles that would use the road.
- It was pleasing to note that overlooking had been reduced in the revised plans, although there would still be an element present.
- The site should be developed, however, a more radical approach was required.
- The proposed building had a pleasing look.

The following questions were received from members:

- Were the alterations proposed to the Church purely internal?
- Was it clear that policies LP11: Affordable Housing and LP9: Health and Wellbeing had been adhered to? The application should make sure the scheme met these policies to be viable.
- S106 developer contributions had been requested in line with planning policy for affordable housing, playing fields/play space and the NHS. Why had the amount requested been reduced from £647,878.75 to £127,539?
- Was the revised s106 figure arrived at before the reduction in the number of dwellings was agreed?
- How was the viability clause administered logistically?
- Had Policy LP10: Meeting Accommodation Needs been met in that the block overlooking the Sincil Drain had no lift to the upper floor?
- Would there be a total of 20 retirement flats plus 5 in the Church for open use?
- An energy efficiency statement was to be submitted later. Were there likely to be any changes made to the build in this respect, as a result?

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

- In terms of energy efficiency, specified criteria must be met to reach the proposed EPC rating B, as detailed within the officer's report. This standard was above that of building regulation requirements. A pre commencement condition was proposed for the submission of an energy statement detailing how these conditions would be met, subject to the agreement and satisfaction of Planning officers.
- There would be the establishment of 20 retirement flats plus an additional 5 on the open market in the former Church.
- All the ground floor flats would be accessible. Policy LP10: Meeting Accommodation Needs, required 30% of the properties to be accessible, this number had been exceeded as part of the design of the scheme.
- Alterations to the former United Reform Church involved no additional building construction.
- The applicant had submitted a viability appraisal to show that the original proposed developer contribution rendered the scheme unviable. A viability expert chosen by officers and independent to the applicant had checked the revised submitted figure of £127,539, based on the original policy requirements. Each policy set out the reasons for the contribution required. National Planning Policy Framework dictated the rate to be applied, together with the process to deal with situations when the requirements could not be met by the developer. Both National Planning Policy Framework guidance and viability expert advice had been followed here.

Councillor Burke advised that the Highways Authority had failed us in not objecting to the proposed development access on Spencer Street which was inadequate. He also suggested that members should request that national legislation be reformed as the development in its current format would put unacceptable pressure on local medical practices in meeting the demand of elderly residents

Councillor Bob Bushell observed that although he was unhappy with the situation regarding reduced developer contributions, he accepted the constraints applied by National Planning Policy Framework.

Councillor Dyer asked whether the updated figures had been reached before recent increases in costs of materials?

The Planning Team Leader advised that the calculation had been reached fairly recently, about two months ago.

Councillor Bean asked what role the applicant played in the viability study?

The Planning Team Leader confirmed the process. The applicant was required to submit the viability appraisal costs in greater detail, which were then subject to officer and independent viability expert scrutiny to determine whether or not they were reasonable, based on widely accepted profit margin figures and National Planning Guidance.

RESOLVED that authority be delegated to the Assistant Director of Planning to grant planning permission subject to the signing of an S106 agreement to secure contributions to affordable housing, local green infrastructure and the NHS, and also subject to the following conditions:

- 3 Year time limit for commencement
- Development in accordance with approved plans

- Details of bat/bird boxes to be submitted
- Details of external lighting to be submitted
- Noise mitigation measures to be submitted
- A scheme for electric vehicle charging points to be submitted
- Contaminated land further information to be submitted
- Anglian Water - details of foul drainage to be submitted
- Details of materials to be submitted
- Details of surface water drainage to be submitted
- Details of landscaping to be submitted
- Details of boundary walls and fences to be submitted
- Archaeological WSI and foundation design
- Construction of the development (delivery times and working hours)
- Waste collection times to be restricted to avoid noise sensitive hours
- Construction and Delivery Hours to be restricted to avoid noise sensitive hours
- Highway construction management plan to be submitted
- Stopping up of access on the High Street once new access is brought into use

(Councillors Armiger, Dyer and Liz Bushell requested that their vote against this planning application be recorded.)

34. Lincolnshire Sports Partnership, Tanners Lane, Lincoln

The Assistant Director of Planning:

- a) described the application site, located at the bottom of Tanners Lane, currently accommodating a two storey warehouse along the west boundary with a hardstanding and a number of adjoined portacabins to the east
- b) advised that the site was currently used by Lincolnshire Co-operative Society for storage, accessed to the east from the High Street, via the single width of Tanners Lane
- c) described the layout of the site as follows:
 - A small car park to the north, beyond which was the Coach House and Firth Court, both occupied as offices;
 - The Ritz (Weatherspoon's) to the north east;
 - A service yard/car park to the east which sat to the rear of 137-140 and 141 High Street, and shared access to the site from Tanners Lane;
 - A former chapel, 134 High Street, to the east of the service yard, that abutted Tanners Lane, now occupied by Flames of Lincoln;
 - Tanners Court to the south of the site, a three and four storey residential development; and
 - To the west Royal Mail Sorting Office.
- d) confirmed that the site was not situated within a Conservation Area although it was abutted to the north by the West Parade and Brayford Conservation Area, which also incorporated properties on the High Street to the east; whilst The Ritz, The Coach House and 134 High Street were

of significance, these were not listed and there were no other listed buildings in the vicinity

- e) advised that planning permission was sought for the erection of a single storey extension to the roof of the existing two storey warehouse and a four storey extension to the east elevation to facilitate the conversion to 21 student cluster flats to accommodate in total 80 en-suite bed spaces along with shared communal areas
- f) reported that the extensions would be modern additions, intended to reflect and enhance the industrial character of the existing warehouse
- g) confirmed that there would be no on-site parking although cycle parking would be available within the landscaped forecourt, together with provision of an enclosed bin store
- h) reported that prior to the submission of the application, the site was subject to extensive pre-application discussions with the architect, applicant team, Planning Officer and Principal Conservation Officer; officers raised a number of concerns in terms of scale and massing of the extensions for the initial proposal, since then a number of alternative schemes had been considered prior to the formal submission of the current proposals
- i) provided details of the policies pertaining to the application, as follows:
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP9: Health and Wellbeing
 - 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 LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings within Lincoln 86
 - National Planning Policy
 - Central Lincolnshire Developer Contributions Supplementary Planning Document
- j) 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
 - Impact on Residential Amenity and Neighbouring Uses
 - Noise
 - Access and Highways
 - Climate Change and Low Carbon Living
 - Flood Risk and Surface Water Drainage

- Contaminated Land
- Archaeology

k) outlined the responses made to the consultation exercise

l) referred to the Update sheet which contained an additional response received in respect of the proposed application for development, together with an updated officer recommendation in respect of the proposed scheme for an additional condition to the standard archaeological conditions requiring evaluation trenching to be undertaken at the site

m) concluded that:

- The principle of the use on the site, within the Central Mixed Use Area, was considered to be acceptable.
- The retention of and works to the existing warehouse were welcomed, which would enhance its historic character.
- The design and scale of the extensions were considered to be acceptable, complementing the original architectural style of the building and surroundings.
- The proposals would therefore also preserve and enhance the views into and out of the conservation area.
- Neither the use nor the external works would cause undue harm to the amenities of neighbouring properties or uses and, subject to appropriate noise mitigation measures, the development would provide an appropriate level of amenity for future occupants.
- The site was in an accessible location, also offering cycle parking.
- A S106 agreement would secure a financial contribution towards local healthcare infrastructure.
- Matters relating to highways, climate change, flood risk, drainage, contamination and archaeology 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, LP12, LP13, LP14, LP16, LP18, LP25, LP26, LP33 and LP37, as well as guidance within the NPPF.

Stuart Allcock, local business owner, addressed Planning Committee in objection to the proposed development, covering the following main points:

- Tanners Lane was a very narrow access to the application site.
- Tanners Lane serviced vehicular access for the businesses in occupancy at 137-141 High Street
- The proposal would be similar to the halls of Residence at the University, with parents coming up the lane when students arrived and left at the end of term to drop off/pick up suitcases.
- There was a small town car park to the rear of the 139-140 High Street, used by his staff and customers which he believed would be used by visitors to the proposed student accommodation, thus impacting on the operation of his business.
- Putting a traffic order on the lane would not prevent this from happening.
- The lane would be used by vehicles delivering takeaways, Amazon, supermarket deliveries etc.

- His customers would complain about this inconvenience in access to the car park behind his shop resulting in a loss of custom at Speedframe.
- He hoped his views would be seriously considered.

Adam Wilson, representing the agent for the proposed development, addressed Planning Committee in support of the planning application, covering the following main points:

- He thanked members of Planning Committee for allowing him the opportunity to speak.
- This was a unique development.
- The designers worked from a local practice most of whom lived in the City.
- The development would have its own identity and raise the standard of student accommodation.
- The site represented part of the industrial growth of the City, sympathetic ideas had been taken from the existing warehouse.
- The applicant had worked through the objections received as part of the planning process.
- A turning point for vehicles had been created on site.
- Improvements to anti-social behaviour including a reduction in drug use/vandalism on Tanners Lane would be welcomed in the area.
- The development would improve a forgotten street in a key location.
- There had been no objection from the Highway Authority.
- There would be no available parking, only a turning area for vehicles.
- St Marks Shopping Area car parks were very close by for short-term use of students and their families on arrival/pick up times at end of term.
- The design and context of the scheme was supported by planning officers.
- As the City continued to grow there would be a finite number of buildings that could be converted to student accommodation. If this opportunity was not taken, purpose-built accommodation would not be available close to the University only further away in residential areas.
- The style/atmosphere of the building would be pleasing.
- The flats would be built in clusters with fewer bedrooms.

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

The following comments were received from members:

- Tanners Lane was not pedestrian friendly, currently consisting of a cobbled access road.
- There had been no objection from the University regarding over intensification of student accommodation.
- The operator of the accommodation should ensure it was well utilised by students, and provide opportunities for others to live there if not successful as such.
- The accommodation was ideally situated close to the City Centre.
- The concerns raised tonight by local businesses were understood.
- There were car parking issues.
- The Highways Authority had not objected to the proposal. If there became a problem related to student cars, local businesses should complain direct to Lincolnshire County Council as Highways Authority.
- The area was not well lit for pedestrians access.
- Royal Mail had also objected due to noise issues caused by their delivery office impacting on the student accommodation.

The Chair referred to conversations to be arranged between herself, the University and Planning Officers as to the current take up of student accommodation. She also highlighted that the Highways Authority had suggested a condition be imposed on grant of planning permission to manage drop offs/collections at the site.

The following questions were received from members:

- Developer contributions for student flats were limited. Was it possible to impose a condition for the development only to be used for student accommodation, to be referred back to Planning Committee for any proposed change of use?
- Was it possible for members to request a Traffic Order be imposed on the site?
- Who was responsible for Tanners Lane in its poor condition?
- The plans provided an opportunity to revitalise a very run down area., could the condition of the access road be addressed as part of the development?
- Would operation of works traffic be conditioned appropriately?

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

- There would be S106 implications should there be change of use of the development further down the line. The current use Sui Generis was for student occupation only. There was no need to impose a condition as such on grant of planning permission as any change of use would come back to Planning Committee for consideration.
- Access issues: Access to the site was not ideal. It was difficult where historic buildings were concerned. A marked area had been drawn up on the plans for turning of vehicles when making deliveries.
- The access road was an adopted highway and not a private lane.
- County Council Traffic Orders: He was not aware of any powers available to impose a traffic order on the access road. This could be factored into the member decision tonight, although the Highways Authority had not raised any objections to the proposals.
- Drop offs: If members were so minded a further condition could be imposed on grant of planning permission to secure a management plan for use of surface car parks nearby for this purpose.
- Noise concerns raised by Royal Mail: Planning Officers had held lengthy discussions with the Environmental Protection Officer. A Noise Impact Assessment had been conducted and he was satisfied that any concerns could be dealt with via conditions.
- A Construction Management Plan would be submitted to deal with impact of construction.

The Assistant Director of Planning suggested conversations could be held by officers with Lincolnshire County Council separate to tonight's planning decision to discuss whether a Traffic Regulation Order was appropriate to the development. Tanners Lane was an adopted road and as such as a matter for the Highways Authority to determine.

A motion was moved, seconded, voted on and carried that provision of a

Management Plan for Drop-Off/Collection Points for students be required as an additional condition of grant of planning permission.

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

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials including hard surfacing
- Site levels and finished floor levels
- Noise assessment
- Assessment of noise mitigation measures prior to occupation
- Boundary treatments
- Contamination
- Surface water drainage management strategy
- No surface water ground infiltration without prior consent
- Archaeology
- Construction management plan
- Landscaping implementation
- Provision of cycle storage prior to occupation
- Hours of construction/delivery
- Management plan-drop off/collection points for students.

35. Garage Court, Derwent Street, Lincoln

The Assistant Director of Planning:

- a) advised that Reserved Matters planning permission was sought including access, appearance, landscaping, layout and scale, for the erection of 4 dwellings on a parcel of land on Derwent Street, situated off Carholme Road
- b) described the area characterised by two-storey terrace properties, currently occupied by 18 single storey lock-up garages with outline permission granted for up to 4 dwellings
- c) provided details of the policies pertaining to the application, as follows:
 - Policy LP26:Design and Amenity
 - National Planning Policy Framework
- d) 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
- e) outlined the responses made to the consultation exercise

f) referred to the Update sheet which contained additional consultee responses and photographs in respect of the proposed application for development

g) concluded that:

- The proposed development would be of an appropriate design and would assimilate well into the streetscene.
- The proposal would have no adverse impacts on neighbours and would be an acceptable use in this location.
- The proposal therefore accorded with national and local planning policy.

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

- She lived on the curve of Derwent Street , to the front of which a car park would be built as shown on the photographs included on the Update Sheet.
- She had lived there for 16 years.
- The road was not wide.
- Emergency vehicles struggled to access the road due to its width.
- There was not enough room for turning space.
- If the houses were moved back 5.5metres a car parking space could be accommodated in front of the dwellings rather than reducing the available car turning area at the end of the street.
- The lamp post close to her house would need to be moved, making the area very dark around her property.
- One neighbour would experience overlooking from the proposed development.
- Construction vehicles parked on the side of her house meaning she had to wait to gain access to her driveway.
- The car parking area had been removed as part of the land although it did not belong to the developers.
- Cars often turned round at night in front of her window and that of neighbours, having to reverse due to lack of turning space.
- She hoped Planning Committee would listen to the impact on existing residents which would occur as a result of the proposed build.

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

The following comments were received from members:

- The concerns again related to highway issues, however as the Highways Authority had raised no objections to the proposed scheme there was no valid reason to vote against it.
- The remit of Planning Committee was to consider the application before it this evening, which already had outline planning permission.
- Land ownership was a legal matter and not within the remit of Planning Committee.
- Streets in the City Centre were typically narrow.
- There was sympathy for existing residents, however, car ownership had expanded in the modern world since the houses were originally built.

- If the planning application was to be refused, the Planning Authority would be open to serious challenge.
- This was the best development officers could provide here.
- The level of infill however was not acceptable

A motion was moved, seconded, voted on and carried that provision of Electric Vehicle Charging Points be required as an additional condition of grant of planning permission.

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

- Works to commence within 3 years
- Works to be carried out in accordance with the plans
- Hours of working restriction
- Electric Vehicle Charging Points to be provided.

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

1. Purpose of Report

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

2. Background

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

3. Tree Assessment

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

4. Consultation and Communication

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

5. Strategic Priorities

5.1 Let's enhance our remarkable place

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

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

i) Finance

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

ii) Staffing N/A

iii) Property/Land/ Accommodation Implications N/A

iv) Procurement

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

6.2 Legal Implications including Procurement Rules

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

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

6.3 Equality, Diversity and Human Rights

There are no negative implications.

7. Risk Implications

7.1 The work identified on the attached schedule represents the Arboricultural Officer's

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

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

8. Recommendation

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

Is this a key decision?

No

Do the exempt information categories apply?

No

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

No

How many appendices does the report contain?

1

List of Background Papers:

None

Lead Officer:

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

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 8 / SCHEDULE DATE: 05/10/2022**

| <i>Item No</i> | <i>Status e.g. CAC</i> | <i>Specific Location</i> | <i>Tree Species and description/ reasons for work / Ward.</i> | <i>Recommendation</i> |
|-----------------------|-------------------------------|---|---|---|
| 1 | N/A | Rear garden of 15 Tower Crescent | <u>Abbey Ward</u> 1 x Purple plum <u>Fell</u> This is likely to be a self-set tree. There is minimal space available to allow further incremental growth of this tree which is poorly sited next to a retaining wall. | Approve works |
| 2 | N/A | Boultham Park – to rear of St Helens Church | <u>Boultham Ward</u> 1 x Ash <u>Fell</u> This is a mature tree, currently retained as standing deadwood. | Approve works and fracture prune the stump at a height of 3 metres, to provide deadwood habitat. |
| 3 | N/A | The Lawn – John Dawber Garden | <u>Carholme Ward</u> 1 x Larch <u>Fell</u> The canopy of this tree is composed of approximately 90% deadwood. | Approve works and replant a replacement, Larch; to be located in close proximity to the original tree. |
| 4 | N/A | The Lawn – John Dawber Garden | <u>Carholme Ward</u> 1 x Eucalyptus <u>Coppice</u> This tree has formed tight lower unions known as compression forks. Due to the height and weight of the main stems this puts the tree at risk of failure during wind loading events. | Approve works Coppicing is intended to allow the tree to regenerate as a smaller specimen, as was originally intended for this location. |

| | | | | |
|---|-----|---------------------------|---|---|
| 5 | N/A | St Giles Community Centre | <u>Glebe Ward</u> 1 x Laburnum <u>Coppice</u> This tree is causing direct damage to the adjoining fence line; the canopy is also being used by young adults to climb over the spiked palisade fencing, which puts them at risk of injury. | Approve works Coppicing will allow the tree to be retained but in a multi-stemmed form which will be easier to maintain. |
| 6 | TPO | 11 Tudor Road | <u>Hartsholme Ward</u> 2 x English Oak <u>Reduce canopies by 20%</u> Work is intended to reduce boundary overhang. | Approve Works |
| 7 | TPO | 14 Tudor Road | <u>Hartsholme Ward</u> 2 x English Oak <u>Reduce the canopy of T1 by 20%</u> <u>Remove one scaffold branch from T2</u> Work is intended to reduce boundary overhang. | Approve works |
| 8 | TPO | Chippendale Road footpath | <u>Hartsholme Ward</u> Multiple trees <u>Create pathway clearance</u> Most trees are scheduled for canopy lifting and thinning however 1 Willow will be pollarded as a proactive method of retaining the specimen in situ. | Approve works |
| 9 | TPO | 7 Tudor Road | <u>Hartsholme Ward</u> 2 x Alder <u>Fell</u> T1 has significant defects within the lower branch unions which identify that the tree is at risk of | Approve works and replant with 2 replacement Alders; to be situated utilising suitable locations within the roadside verge. |

| | | | | |
|----|-----|---|---|---|
| | | | unpredictable collapse. T2 is in close proximity to the adjoining garage; the loss of T1 is likely to lead to destabilisation of this tree. | |
| 10 | TPO | 5 Tudor Road | <u>Hartsholme Ward</u> 1 x Silver Birch <u>Retrospective notice</u> This tree was felled due to an extensive decay cavity which was present in the lower section of the trunk. | Approve works |
| 11 | N/A | 10 Grosvenor Court - Amenity Grassland to rear. | <u>Park Ward</u> 1 x Gleditzia <u>Fell</u> This tree is in close proximity to, and causing damage to, the adjoining property boundary; the tree is also in very close proximity to the adjacent pathway. | Approve works and replant with a replacement Gleditzia; to be located at a suitable position within the adjacent grassland. |
| 12 | CAC | St Mary le Wigford Church | <u>Park Ward</u> 6 x London Plane <u>Canopy maintenance</u> Five canopies are to be reduced by 20% to reduce property overhang; 1 x tree requires canopy lifting to allow highways clearance. | Approve works |

Tree Report. St Mary Le Wigford, Lincoln

Location Overview.

The trees border the church grounds, four trees are situated on the northern side of the church, the largest and most prominent being located on the north-western corner of the area. The remaining two trees are on the southern boundary in proximity of the rail line to the rear of the church. One of the trees (T3) was removed in the past, this was situated between T2 and T4.---

The area is somewhat typical of an urban street scene with the trees located within planting pits; a mixture of slab and brick work making up the pavement and the borders of the tree pits. Some large gravestones have been laid near the trees.

Due to the proximity of Lincoln train station and numerous high street shops etc the area has a high footfall traffic and car traffic. Cars seem to park under the trees between the edge of the pavement and the church itself despite no defined parking bays or any signage stating restrictions or parking hours.

The numbering of the trees below is based on the initial report lodged by Horthholme



Tree Species Overview

Platanus x acerifolia common name London Plane is a deciduous tree, the species was formed from hybridisation in the 17th century. Widely planted worldwide due to it being a tree ideal for an urban environment, providing shade in summer, its distinctive silhouette and appearance offering visual interest throughout the year. The tree is robust to the difficulties of the urban environment and shows good adaption to the following biotic and abiotic conditions: compacted soil, pollution, dry and wet weather

conditions, and extreme temperatures. The tree is very tolerant of pruning and tree management techniques.

The taller specimens of the species grow to between 30-35 metres. The tree forms a heart root system which suits an urban environment where trees tend to be planted within a tree pit.

Data Collection.

Tree surveying undertaken on the 5th of July 2022, weather condition on the day were still, 16 degrees Celsius, and overcast.

Tree Reference: T1 London plane

Tree Height: 22m

DBH: 157cm

Crown Spread

| North | East | South | West |
|--------------|-------------|--------------|-------------|
| 10.5m | 11m | 9.5m | 7.5m |

The tree is situated on the north-eastern corner of the church bordering with the train station car park.

- Tree has a large basal flare located in a tree pit with a surrounded by closely associated brick and slab work; there is evidence of minor slab damage to exposed eastern root. There is evidence of ground works with some cut and broken slabs that have been re-laid and the removal of a brick pier from the boundary wall.
- Bark shedding observed during the survey however is typical and expected of the species. No tonal resonance was found when the base of the tree was sounded via the use of a fibreglass mallet.
- There is a seam of suppressed force flow between buttress roots, blunt nose rib present on northern side of stem. There is a shallow fissure seam no signs of decay or cavity present in seam.
- There is a small area of decay that appears to be from an old lateral root that has been damaged by vehicle access very minor in scale.
- The main trunk is bifurcated at a height of 4m , second bifurcation forming in the Southern co-dominant stem.
- Tree has previously been pollarded the current canopy is comprised of stems which have formed from this work, burr formation can be observed around the base of the original pollard points however this is typical of the species.
- There is an un-occluded pruning wound on western stem with possible cavity
- The canopy forms at 1.5m and forms a cohesive canopy with T2.
- Tree at time of inspection has high vitality with dense leaf coverage.
- The canopy is slightly asymmetrical due to the presence of the building influencing the growth towards the east.
- Extension growth identified by the distance between girdle scars indicates the has not experienced any lack of vigour in the recent past.

- Plane Anthracnose (*Apiognomonia veneta*) was observed within the canopy; in London plane this fungal infection tends to be unsightly rather than detrimental to the tree's health.

Amenity Value: Using the Arboricultural Association approved 'Helliwell System' of Visual Amenity Valuation of Trees and Woodlands, I have evaluated this tree as follows:

| | |
|--|-----------------|
| Size | 7 |
| Useful Life Expectancy | 4 |
| Importance of Position in Landscape | 3 |
| Presence of other Trees | 4 |
| Relation to Setting | 4 |
| Form | 2 |
| Special Factors | N/A |
| Total | 2688 |
| Total Value | £110,208 |

QTRA Assessment.

Using the quantified tree risk assessment methodology, the tree has been given a threshold of 1/300k which under the QTRA guidelines is "Tolerable where imposed on others"

Recommendations.

As the tree is considered a lapsed pollard at this current stage, I would not recommend re-pollarding of the canopy, as per British standards document BS3998:2010 tree work recommendations if "the pollard cycle has been allowed to lapse over many years, the crown should instead be reduced"

The canopy can be reduced removing up to 20% of current canopy volume. The works would allow clearance of the church as well as reducing bio-mechanical stress on the extended canopy towards the neighbouring carpark. Removal of deadwood is also recommended as works take place.

Tree Reference: T2 London plane

Tree Height: 22m

DBH: 126cm

Crown Spread

| North | East | South | West |
|--------------|-------------|--------------|-------------|
| 8.5m | 9m | 6m | 6m |

Tree is located towards the northern face of the church, brick works, and graves border the tree pit. An access port for drainage is located towards the rear of the tree.

- Base of the tree appears to be in good health and condition it is however outgrowing its current location and growing over the brickwork bordering the tree pit.

- Loose bark is present (like T1) and typical of the species. Increment strips can be observed on both northern and north-easterly sides of the lower stems a small fissure can be observed on the eastern side of the bole, no visible signs of decay.
- The main Stem has a fairly gradual change in diameter with a slight increase from basal flare to approximately 1m in height this may be due to adaption as the tree has grown adaptive timber resulting in the change of diameter. Evidence of some minor fibre buckling.
- The Main scaffold union forms at approximately 4m with a slight lean towards the north.
- Slight burring present around original pollard point
- The upper canopy is weighted towards the north and east, canopy had good vitality with dense leaf coverage, some larger pruning wounds present within lower canopy resulting in heavy regrowth.

Amenity Value: Using the Arboricultural Association approved 'Helliwell System' of Visual Amenity Valuation of Trees and Woodlands, I have evaluated this tree as follows:

| | |
|--|-----------------|
| Size | 7 |
| Useful Life Expectancy | 4 |
| Importance of Position in Landscape | 3 |
| Presence of other Trees | 4 |
| Relation to Setting | 4 |
| Form | 2 |
| Special Factors | N/A |
| Total | 2688 |
| Total Value | £110,208 |

QTRA Assessment.

Using the quantified tree risk assessment methodology, the tree has been given a threshold of 1/300k which under the QTRA guidelines is "Tolerable where imposed on others"

Recommendations.

As the tree is considered a lapsed pollard at this current stage, I would not recommend re-pollarding of the canopy, as per British standards document BS3998:2010 tree work recommendations if "the pollard cycle has been allowed to lapse over many years, the crown should instead be reduced"

The canopy can be reduced removing up to 20% of current canopy volume. The works would allow clearance of the church as well as reducing the canopy extending towards the road. Crown lifting of canopy to highways standards if required and the removal of deadwood.

Tree Reference T4 London plane**Height:** 10m**DBH:** 27cm**Crown Spread**

| North | East | South | West |
|-------|------|-------|------|
| 2.4m | 2.7m | 2.8m | 2.1m |

Young vigorous tree in good condition and with good form, slight lean towards the north and upper canopy lacks apical dominance.

| | |
|--|---------|
| Size | 4 |
| Useful Life Expectancy | 4 |
| Importance of Position in Landscape | 3 |
| Presence of other Trees | 4 |
| Relation to Setting | 4 |
| Form | 2 |
| Special Factors | N/A |
| Total | 1536 |
| Total Value | £62,976 |

QTRA Assessment.

Using the quantified tree risk assessment methodology, the tree has been given a threshold of 1/300k which under the QTRA guidelines is "Tolerable where imposed on others"

Recommendations.

Tree is in good health and condition recommended works are to allow for pedestrian clearance crown lifting of the canopy to 2.5m. Removal of deadwood is also recommended.

Tree Reference T5 London Plane**Height** 22m**DBH** 98cm**Crown Spread**

| North | East | South | West |
|-------|------|-------|------|
| 5.5m | 4.5m | 5.2m | 5.6m |

Tree is located towards the north-western corner of the church.

- T5 is the most prominent tree out of the 6 trees within the area due to its proximity to the pedestrian crossing and its visibility from the high street and Wigford way.
- Root and basal flare appears to be in good condition with large, pronounced buttress roots, root flare is symmetrical in shape.
- Brick and slab work bordering the tree pit has begun to lift.
- Some minor vandalism appears to be bark picking or scratching present on southern side of stem is not severe enough to be detrimental to the trees overall health and vitality.

- Slight bulging of stem present on eastern side no signs of decay found in or around bulging via sounding with a fibreglass hammer.
- Multiple stems form at approximately 6.4m; large unions appear healthy and well secured.
- Evidence of limb removal in lower canopy. Multiple laterals form on the north-eastern stem with a possible wedge union forming.
- Tree appears to have been pruned in the past and has responded well to this.
- Unions within the upper canopy appear healthy and well secured.
- Minimal deadwood present within canopy.
- Dense leaf cover at time of inspection with good vitality.

| | |
|--|-----------------|
| Size | 7 |
| Useful Life Expectancy | 4 |
| Importance of Position in Landscape | 3 |
| Presence of other Trees | 4 |
| Relation to Setting | 4 |
| Form | 2 |
| Special Factors | N/A |
| Total | 2688 |
| Total Value | £110,208 |

QTRA Assessment.

Using the quantified tree risk assessment methodology, the tree has been given a threshold of 1/300k which under the QTRA guidelines is “Tolerable where imposed on others”

Recommendations

As the tree is in good health and condition minor reduction works are recommended to reduce the canopy encroaching towards the church thinning of the remaining canopy as to provide an aesthetic shape and feature due to the tree’s prominent location. No more than 20% of canopy volume to be removed during reduction and thinning works. Crown lifting to highways standards as required and removal of deadwood.

Tree Reference T6 London plane

Height 22m

DBH 129cm

Crown Spread

| North | East | South | West |
|--------------|-------------|--------------|-------------|
| 10 | 8 | 5.2m | 10m |

Tree is located on the southern boundary of the area running parallel to the train lines.

- Very large basal flare and buttress roots present.
- Large flaky bark plates around base of tree to approximately 4m.
- Several spheroplasts present on southern side of stem.
- Increment strips present on western side of stem.

- No variation in tonal resonance found while sounding with a fibre glass hammer
- Evidence of helical coiling can be observed in the lower trunk, ascending towards lower canopy formation.
- A large limb has been removed in the past, the wound has not fully occluded with some exposed heartwood present; there are no signs of decay or dysfunctional timber present.
- The main canopy is composed of reiterative growth that has formed from previous pollard points, the canopy attachments appear healthy and secure with some burring formed around base of stems.
- A large branch forms and grows towards the southwest.
- The canopy is encroaching towards adjoining signal room.
- The canopy shows good vitality with healthy and dense leaf coverage being observed at the time of the survey.
- Only minor deadwood is present within the canopy.

| | |
|--|-----------------|
| Size | 7 |
| Useful Life Expectancy | 4 |
| Importance of Position in Landscape | 3 |
| Presence of other Trees | 4 |
| Relation to Setting | 4 |
| Form | 2 |
| Special Factors | N/A |
| Total | 2688 |
| Total Value | £110,208 |

QTRA Assessment.

Using the quantified tree risk assessment methodology, the tree has been given a threshold of 1/300k which under the QTRA guidelines is “Tolerable where imposed on others”

Recommendations.

As the tree is considered a lapsed pollard at this current stage, I would not recommend re-pollarding of the canopy, as per British standards document BS3998:2010 tree work recommendations if “the pollard cycle has been allowed to lapse over many years, the crown should instead be reduced”

The canopy can be reduced removing up to 20% of current canopy volume. The works would allow clearance of the signal room as well as reducing the canopy extending towards the church. Crown lifting of canopy to highways standards if required and the removal of deadwood. Canopy extending over the rail line to be excluded until correct permissions etc are acquired.

Tree Reference T7 London Plane**Height** 22m**DBH** 132cm**Crown Spread**

| North | East | South | West |
|-------|-------|-------|------|
| 10m | 10.2m | 7.8m | 6.8m |

Tree is neighbouring T6.

- T7 has a Large basal flare and associated buttress roots.
- There appears to be a small area of compacted soil to the rear of the tree.
- An inspection cover was observed to be near the base of the tree.
- There are large increment strips present on the base of the bole which appear to be associated with the root buttress formation.
- There is evidence of limb removal at the base of the tree which has occluded well; there is no evidence to suggest there is dysfunction at this point.
- No variation in tonal resonance was experienced when the base of the tree was sounded vi the use of a fibreglass mallet.
- A significant seam is present on the northern side of the trunk no visible sign of decay in seam.
- Spheroplasts are present on the southern side of the trunk.
- The main canopy is composed of reiterative growth that has formed from previous pollard points, the canopy attachments appear healthy and secure.
- The canopy shows good vitality with healthy and dense leaf coverage being observed at the time of the survey.
- Minor deadwood is present within the canopy.

| | |
|--|-----------------|
| Size | 7 |
| Useful Life Expectancy | 4 |
| Importance of Position in Landscape | 3 |
| Presence of other Trees | 4 |
| Relation to Setting | 4 |
| Form | 2 |
| Special Factors | N/A |
| Total | 2688 |
| Total Value | £110,208 |

QTRA Assessment.

Using the quantified tree risk assessment methodology, the tree has been given a threshold of 1/300k which under the QTRA guidelines is "Tolerable where imposed on others"

Recommendations.

As the tree is considered a lapsed pollard at this current stage, I would not recommend re-pollarding of the canopy, as per British standards document BS3998:2010 tree work recommendations if "the pollard cycle has been allowed to lapse over many years, the crown should instead be reduced"

The canopy can be reduced removing up to 20% of current canopy volume. The works would allow clearance of the signal room as well as reducing the canopy extending towards the church. Crown lifting of canopy to highways standards if required and the removal of deadwood. Canopy extending over the rail line to be excluded until correct permissions etc are acquired.

Conclusion.

The trees around St Mary Le Wigford are of good condition and form and add much needed amenity, greenery, shade and aesthetic value to the area, large scale pollarding works would be detrimental to all these values as well as not following industry best practice laid out within BS3998:2010. Comparatively minor works to reduce the canopies will abate some nuisance caused by the trees while still retaining the value they provide. With the possibility of massaria (*Splanchnonema platani*) developing I also recommend that the trees are surveyed aerially during works to inspect the crown, branch unions and features mentioned within the report.

This page is intentionally blank.

| | |
|----------------------------|--|
| Application Number: | 2022/0168/FUL |
| Site Address: | Former Carpets 4 Less, Dunford Road, Lincoln |
| Target Date: | 8th September 2022 |
| Agent Name: | Faber Architecture Ltd |
| Applicant Name: | Mr Aziz |
| Proposal: | Demolition of existing building to facilitate the erection of a part four-storey, part five-storey mixed use building containing 47 apartments, 2 ground floor retail units (use class E) with associated car, motorcycle and bicycle parking. |

Background - Site Location and Description

This application seeks planning permission for the erection of a part four-storey, part five-storey building containing 47 apartments and two ground floor retail units. The apartments would consist of 33 one bedroom and 14 two bedroom apartments with associated car, motorcycle and bicycle parking.

The site is of a triangular shape located to the southeast of the City Centre, immediately south of Pelham Bridge. The two storey flat roofed building on the site was formerly occupied by Carpets 4 Less and has since stood vacant for a number of years. The site is located within a Regeneration Opportunity Area as identified in the Central Lincolnshire Local Plan (CLLP) and is located within Flood Zone 2. Vehicular access to the site is from Dunford Road to the northeast.

Kesteven Street and Dunford Road bound the site to the northeast and north. The area beyond comprises light industry buildings and retail units. To the south is the former Jacksons building that is now occupied by Buildbase and is attached to the showroom room building on the site. Canwick Road is to the west with residential properties located on its west side, facing the application site.

Pre-Application Discussions

The proposals have been subject to extensive pre-application discussions with your officers, which began in October 2020. During pre-application discussions the scale of the proposal has been considerably reduced from that originally proposed.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 2nd March 2022.

Policies Referred to

- Policy LP13 Accessibility and Transport
- Policy LP11 Affordable Housing
- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy

- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land Affected by Contamination
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP35 Lincoln's Regeneration and Opportunity Areas
- Policy LP12 Infrastructure to Support Growth
- Policy LP10 Meeting Accommodation Needs
- National Planning Policy Framework
- Policy LP26 Design and Amenity

Issues

The key issues for consideration are:

- Principle of Use
- Objections Received
- Visual Amenity
- Impact on Residential amenity
- Traffic and Pedestrian Safety
- Flood Risk and Drainage
- Archaeology
- Contaminated Land
- Crime and Anti-Social Behaviour
- Developer Contributions

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|---|-------------------|
| Lincolnshire Police | Comments Received |
| Lincoln Civic Trust | Comments Received |
| Education Planning Manager, Lincolnshire County Council | Comments Received |
| Environment Agency | Comments Received |
| Upper Witham, Witham First District & Witham Third District | Comments Received |
| NHS England | Comments Received |

| | |
|---------------------|-------------------|
| Highways & Planning | Comments Received |
|---------------------|-------------------|

Public Consultation Responses

| Name | Address |
|-----------------------------|---|
| Upper Witham Drainage Board | Witham First District Internal Drainage Board Witham Third District Internal Drainage Board Upper Witham Internal Drainage Board North East Lindsey Drainage Board |
| Miss Caroline Curry | 61 Canwick Road Lincoln Lincolnshire LN5 8HE |
| Mr S C Fota | 89 Canwick Road Lincoln Lincolnshire LN5 8HE |

Consideration

Summary of Representations

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, the scale of the building, loss of light and traffic.

National and Local Planning Policy

Principle of Use

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

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

Officers are therefore satisfied that the principle of the proposed mix use development of the site for apartments with two small ground floor retail units in this location is acceptable and in accordance with CLLP Policy LP35.

Visual Amenity

The prevailing character along Canwick Road to the West is two/ three storey terraced residential properties. On the east side of the road and to the south within the 're-development area' defined by LP35, are a number of large-scale industrial buildings which are of an equivalent scale of 4/5 storey buildings. To the north is the Pelham Centre building a 3 storey building with an equivalent storey of plant rooms above.

The proposed building would have a triangular shape layout largely dictated by the shape of the site, the building would be five storeys in height, with the ground floor occupied by two retail units and parking, the remaining floors above would accommodate residential apartments. The top floor is set back from the primary façade, constructed from a different material to the rest of the building, which helps minimise the perceived height of the building.

In terms of scale, the building would have a similar eaves level height of the adjacent BuildBase building whilst being lower than its ridge height, ensuring longer views of the historic hill side are not interrupted from longer range views.

The proposed building picks up on the strong vertical emphasis of the adjacent BuildBase building. The main body of the building has an uninterrupted brick exoskeleton approach, with a repetition of fenestration set within deep reveals to maintain a rhythm to the design. Whilst there is a vertical emphasis, the design also includes horizontal detail that is carried through from the separate floor levels. Recessed rendered panels and deep window reveals will create light and shade and add interest to the elevations. At ground floor the shop fronts would continue the design theme from above; the openings serving the parking area would feature grey aluminium louvres.

Samples of materials to be used in the development would be required by conditions although officers raise no objections with the general palette of materials suggested. Officers consider the contemporary design as submitted is appropriate for the site.

The proposed part four storey part five storey building is considered to be appropriate to the site and its surrounding context. Furthermore, the setting back of the top floor from the primary façade, helps break the building up, ensuring that massing is not an issue and adds interest from longer views.

Overall, the development is of a scale that would not appear overly dominant in this part of the City and, long views of the historic hillside are not interrupted by this development. It is considered that the proposal is appropriate in terms of making a positive contribution to local character and distinctiveness and responding to the established character of the area in accordance with Policy LP26 of the Local Plan and paragraph 130 of the NPPF.

Impact on Residential Amenity

The design and scale of the building has been carefully considered to minimise as far as practicable physical impact on adjacent residents. The closest distances from the development to existing properties are approximately 16 metres to the residential properties to the west on Canwick Road. This relationship would be relatively close, however in this close urban context it is not considered to be inappropriate. It is clear there would be a change in circumstances, including limited overshadowing and introducing a new overlooking relationship which has not been present previously from the site.

However, officers do not consider the conditions currently enjoyed by the occupants on this section of Canwick Road would be unduly harmed to warrant refusal of the application.

Therefore, it is considered the scale of development can be satisfactorily accommodated within the local area without undue harm to residential amenity in line with Policy LP26 of the Central Lincolnshire Local Plan.

In terms of the impact to future occupants of the development, a noise impact assessment was submitted with the application to establish if the occupants would be affected by significant level of noise associated with road traffic and commercial uses nearby. The report concludes the occupants would be adversely affected by significant noise levels associated with the adjacent road network. The report accordingly provides examples of noise attenuation measures that could be used in the building to ensure future occupants would not be exposed to unreasonable level of noise. The City Council's Pollution Control Officer acknowledges the noise can be adequately mitigated and has requested a condition, to ensure the specified mitigation measures are provided and implemented with the development.

The City Council's PC Officer has also requested the mitigation measures included within the submitted 'construction management plan' detailing hours of construction/demolition, delivery times etc should be applied to any grant of permission, to help limit any potential impact to adjacent premises during construction.

Subject to the above conditions it is considered that amenity would not be harmed as a result of this development in line with Policy LP26 of the Central Lincolnshire Local Plan

Traffic and Pedestrian Safety

The site would be accessed via Dunford Road for both pedestrian and vehicular access. The vehicular access would take a new access with Dunford Road which leads to an area of undercroft car parking, located to the south-east of the building, this would be suitable for fire appliance access.

A total of 17 car parking spaces are to be provided, of which one will be a dedicated disabled space. 7 motorcycle spaces and 11 secure Sheffield Stands comprising 22 cycle spaces are proposed. A scheme for electric vehicle charging points at the site would be required via a condition, should planning permission be granted.

The site is located within a walkable distance to the city centre with good access to public transport, and cycle and pedestrian routes. A Transport Statement has been submitted with the application that concludes the proposal would not result in a severe residual cumulative impact on highway safety or capacity.

The application has been the subject of consultation with the Highway Authority at the County Council and their comments are appended to this report. The Highway Authority have raised no objection to the development subject to a condition requiring the amendment/resubmission of the construction management plan to take account of the comments raised by the Highway Authority.

The advice from the Highway Authority also contains a request for this site to contribute towards the Broadgate Public Realm and environmental improvements. However, there is no justification or calculation for the sum of money requested or any scheme at present for

which the money could be attributed. It does not therefore meet the tests set out in legislation in relation to off-site contributions from development; the request is not reasonable or proportionate.

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

Flood Risk and Drainage

The site lies within Flood Zone 2 therefore a Flood Risk Assessment and Drainage Strategy has been submitted with the application. The developer has also undertaken a sequential testing exercise which has concluded that the development site passes the test.

The FRA concludes that:

- The ground floor level for the development shall be set 500mm above the existing ground level to the north of the development (4.65mODN) and is only to be used for Less Vulnerable uses consisting of the residential entrances, 2 No retail units and MEP Plant (5.150mFFL). The resident's car park is to be set at 5.00Modn
- The 'More Vulnerable' uses (residential) are located at first floor level and above, set at 8.90mODN which provides a safe haven for the occupants.
- Any impact of damage to the property can be foreseen and mitigated against by relatively simple design and construction techniques. They will be constructed using materials which are flood resilient construction as outlined in the report.
- As this site is in an area that is capable of receiving flood warnings from the Environment Agency Floodline Warning Direct system. It is recommended that the property residents contact the Environment Agency's Floodline on 0845 988 1188 to register the property to receive advance warning of flooding.

The Flood Risk assessment has been considered by the Environment Agency who have raised no objections to the proposals.

The drainage strategy for the site establishes that due to the spatial requirements of soakaway features, infiltration drainage would be unfeasible for the site. The nearest watercourse to the site is Sincil Dike located 350m away, the urban environment precludes a direct outfall to Sincil Dike. A direct connection is proposed to the combined sewer for the surface water for the proposed development, this would be restricted using a flow control to 5l/s.

The access road to the development would consist of impermeable construction, surface water runoff generated by the access road and parking spaces will be directed toward linear drains and gullies which will then discharge to a below ground gravity drainage system. The majority of the roof water will be collected by the 'blue roof' system which will provide some attenuation and restrict flows into the downpipes that discharge into the below ground drainage system.

Foul drainage from the proposed development is to be discharged to the existing Anglian Water combined water sewer adjacent to the site.

The drainage strategy has been considered by the County Council as Highway Authority and Lead Local Flood Authority (LLFA) who have raised no objections to the proposed arrangements. The development would therefore satisfy the requirements within paragraph 167 of the NPPF and LP14 of the CLLP. Your officers are satisfied with the approach taken by the applicants and we are happy to recommend that this aspect of the development is acceptable.

Archaeology

A Desk Based Assessment (DBA) has been submitted with the application in order to assess the potential impacts on archaeological remains that may be present within the site. The report concludes that *"The lack of archaeology predating the 1850s in the assessment area and the likely low archaeological value of the industrial remains thought to be present, no archaeological work is recommended."* Overall, the City Archaeologist is in agreement with the findings of DBA and does not request further archaeological work. Officers therefore consider the proposal accords with LP25 of the CLLP and paragraphs 189 and 190 of the NPPF.

Contaminated Land

A preliminary risk assessment has been submitted with the application; this report recommends an intrusive site investigation is undertaken. The report has been assessed by the Council's Scientific Officer as well as the Environmental Agency in relation to controlled waters, they consider that any potential ground contamination can be dealt with in an acceptable manner via a pre-commencement condition on any grant of permission in accordance with Policy LP16.

Crime and Anti-Social Behaviour

Lincolnshire Police have raised no objections to the proposals although have offered advice for the applicant in designing-in crime reduction measures within the site and building which have been directed to the applicant for their information.

Developer Contributions

Due to the nature of the proposed use as apartments with retail on the ground floor the development is not Community Infrastructure Levy (CIL) liable. There is a requirement for S106 contributions relating to affordable housing, education, playing fields/play space and NHS.

Central Lincolnshire Local Plan (CLLP) Policies LP11 and LP12 and the Central Lincolnshire Developer Contributions Supplementary Planning Document (SPD) state that affordable housing provision will be sought on all qualifying development sites of 11 dwellings or more, or on development sites less than 11 units if the total floorspace exceeds 1,000 sqm. The development exceeded this threshold, being for 47 residential units, and is therefore the policy position is that the development would be expected to provide contributions towards affordable housing.

Other contributions in line with Policy requirements were as follows:

| | |
|---------------------|---------------|
| Affordable housing- | £1,197,207.50 |
| Education- | £11,276 |
| NHS- | £16,775 |
| Open space- | £37,894 |

The applicant made a case that the requirement for these contributions would make the scheme unviable, and a viability report was submitted to support this position. The SPD advises that development viability is not only relevant but critical to determining planning applications.

The applicant's report was assessed on behalf of the authority by an independent third party viability specialist, selected by the Council. The independent assessment concurred with the appraisal from the applicant which showed that the scheme would be unviable even before any planning policies are applied. It was concluded that the scheme could not provide any contributions.

However, the applicant has agreed to enter into a S106 review mechanism agreement, this would allow the council the opportunity to revisit viability in the future and in the event that viability improves, potentially securing some contributions at a later date. The review would take place after the construction of the development and the sale of a proportion of the apartments. In that way there would be real time data in respect of sales figures that would be able to inform another viability assessment and if it turns out that the development is more profitable than we currently anticipate then there would be an opportunity to secure some s106 contributions.

Conclusion

The principle of the use of the site for residential with ground floor commercial is considered to be acceptable and the development would relate well to the site and surroundings in respect of siting, height, scale, massing and design. The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. An independently assessed viability appraisal has concluded that the development would not be viable if it were to provide affordable housing and contributions towards playing fields, HNS and local green infrastructure. Subject to the signing of an S106 officers are satisfied that this can be managed with a requirement for such payments should the profitability position of the development change at the time of completion. Technical matters relating to access and parking, contamination, flood risk and trees are to the satisfaction of the relevant consultees and can be dealt with appropriately by condition. The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP14, LP16, LP25 and LP26, as well as guidance within the SPD and National Planning Policy Framework.

Application Determined within Target Date

Yes- With extension of time.

Recommendation

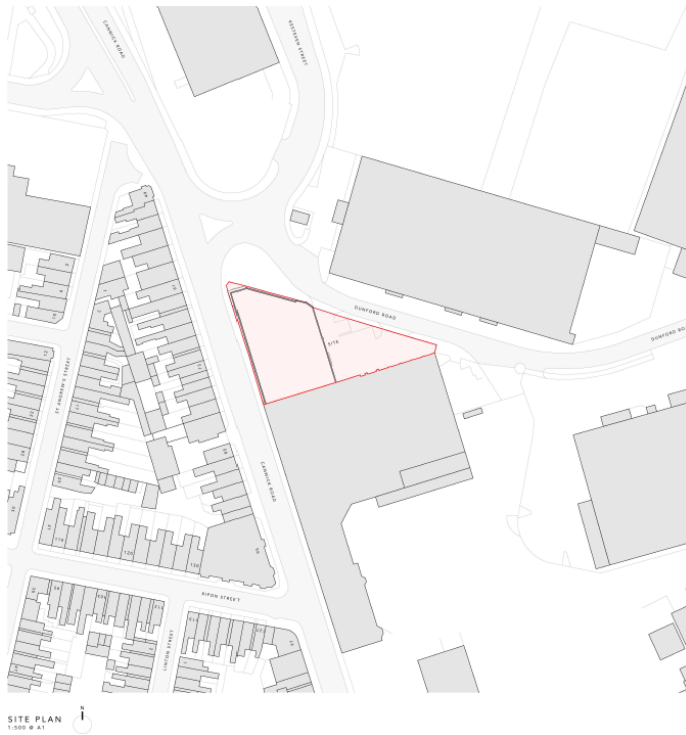
Delegate the application to grant upon signing of the S106 subject to the conditions set out below.

Standard 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. Construction management plan
6. Noise mitigation measures to be implemented
7. EV charging points to be submitted
8. Flood Risk mitigation measures to be implemented
9. Construction and delivery hours
10. Material surfacing

This page is intentionally blank.

Existing site plan



Proposed site plan





SOUTHWEST ELEVATION - PROPOSED
1:100 @ A0



NORTHEAST ELEVATION - PROPOSED
1:100 @ A0



SOUTHEAST ELEVATION - PROPOSED
1:100 @ A0



SECTION AA - PROPOSED
1:100 @ A3



SECTION BB - PROPOSED
1:100 @ A3



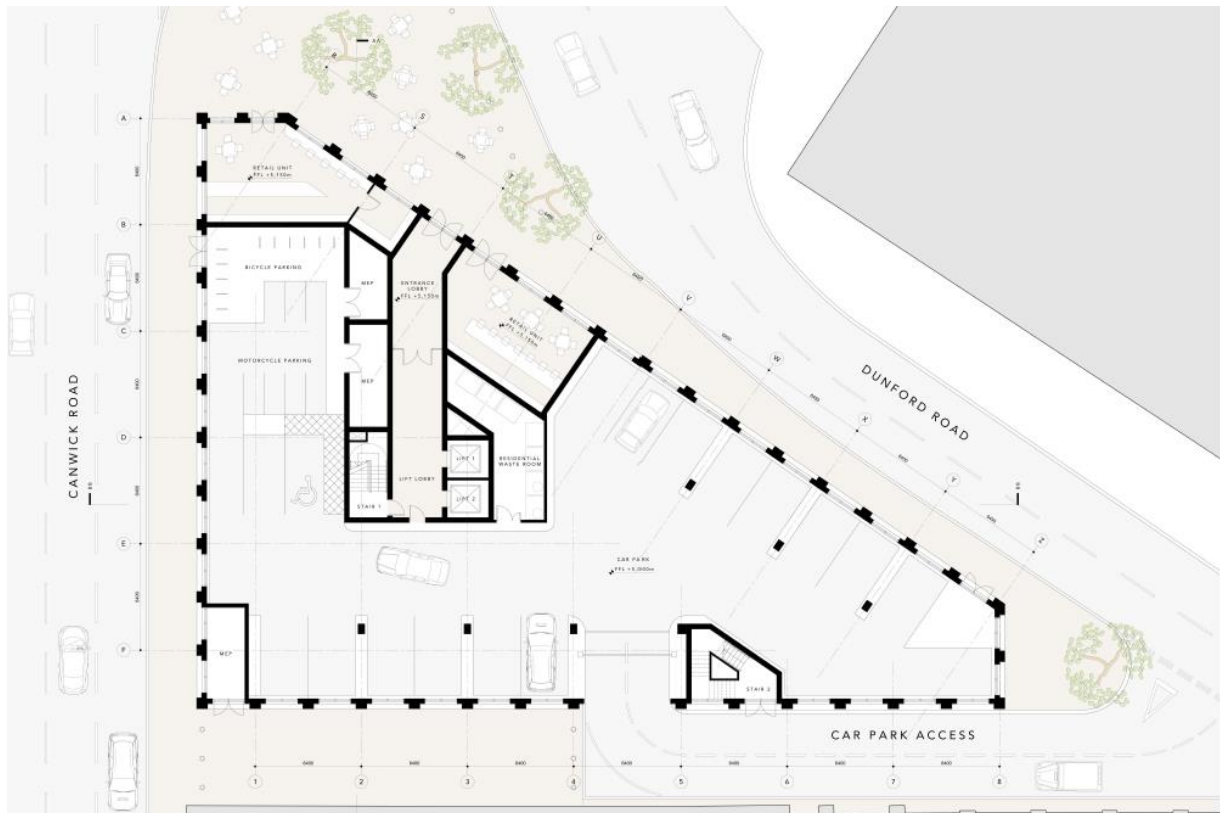
Canwick Road view looking south – Proposed



Canwick Road View looking East- Proposed



Dunford Road View Looking West – Proposed



Ground level Proposed

First Floor proposed

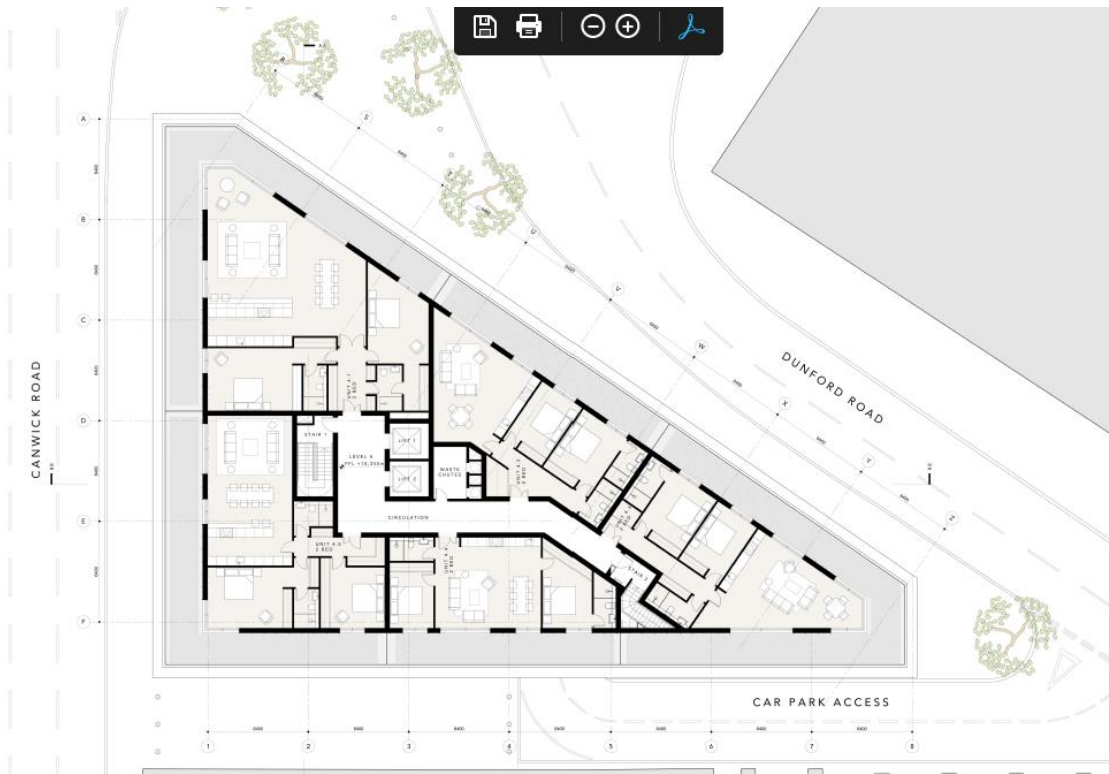




Proposed second level



Proposed third floor



Proposed four floor



Proposed roof level

View from the Junction of Canwick Road and Kesteven Street



View from the footpath oppposite the site



View from the corner of Kesteven street and Dunford Road junction



View west along Dunford Road



View from the footpath opposite the site looking down Dunford Road



View from the footpath opposite the site



View from footpath on Pelham Bridge looking south

This page is intentionally blank.

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: 2022/0168/FUL

Proposal: Demolition of existing building to facilitate the erection of a part four-storey, part five-storey mixed use building containing 47 apartments, 2 ground floor retail units (use class E) with associated car, motorcycle and bicycle parking

Location: Carpets 4 Less, Dunford Road, Lincoln, LN5 8HF

With reference to the above application received 1 March 2022

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.

This is an application for 33 no. 1 bed apartments and 14 no. 2 bed apartments, with 115sqm retail space. The site is in a highly sustainable location with facilities within easy walking and cycling distance, and good connections to the public transport network.

17 car parking spaces are proposed to serve the site, alongside 7 motorcycle spaces and 22 bicycle spaces.

Kesteven Street and Canwick Road are public highway, however Dunford Road is not, and therefore the site access is not served directly from the public highway. Refuse collection will be undertaken from Dunford Road.

The visuals submitted to support the planning application demonstrate public realm improvements to the land at the site frontage, with trees, lighting and a pavement café. LCC supports and encourages this vision, which will be enhanced by the future Broadgate Corridor scheme mentioned later in our response.

Surface water from the access road and parking area will be collected by linear drains and gullies. A

green roof is proposed, with attenuation provided at roof level with a restricted discharge into a downpipe. The surface from both these systems will be attenuated in below ground crate storage before discharging to a mains sewer at 5l/s. Some small areas of the roof will drain traditionally via downpipes at an unrestricted rate, as existing.

The applicant has submitted a Construction Management Plan. We request that this is updated in accordance with the below comments. An amended version can be submitted at this time, during the planning consultation, for consideration, or alternately a pre-commencement condition is included below if this is preferred.

'Works will only be allowed to take place on Canwick Road between the hours of 19.00 - 06.00hrs. At all other times the highway must be clear. Please be advised that a contra flow system is in operation on Canwick Road and any work will require the involvement of LCC's Traffic Signals team to alter the contra flow system. Additional temporary traffic management will be required to manage the traffic flows.

The pedestrian flow on Canwick Road's footway should be maintained at all times. The footway under Pelham Bridge is poorly lit and is not a suitable alternate route. In all circumstances measures put in place to manage pedestrian movements during construction must not lead to pedestrians walking on Canwick Road carriageway.

We request that the appointed contractor makes contact with LCC's Streetworks and Permitting Team as soon as possible so that collaboration for disconnections, new connections and sewer connections can be achieved on site. This is particularly pertinent for works on Canwick Road.'

Highway Informative 08

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

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

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

Highway Condition 00

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

The Construction Management Plan and Method Statement shall include;

- the parking of vehicles of site operatives and visitors;

- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- 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.

S106 Contributions

The adopted Lincoln Transport Strategy lists public realm and environmental improvements to Broadgate as a primary infrastructure intervention. These improvements will seek to capitalise on the reduction in traffic in the city centre following the opening of the Lincoln Eastern Bypass and enhance the city's historic core. It will improve the public realm through targeted landscaping, planting and gateway treatments, improve links with the upgraded walking and cycling network through improved crossings and look to reduce vehicle speeds improving safety. The scheme will also stimulate economic growth along the Broadgate corridor. The proposed development is located in a highly sustainable location and as such car parking provision has been limited and residents will be reliant on walking, cycling and public transport, particularly across Broadgate to access facilities located to the east, within the city centre. We request a S106 contribution of £94,000 towards the Broadgate Public Realm and Environmental Improvements.

Case Officer:

Date: 6 April 2022

Becky Melhuish

for Warren Peppard

Head of Development Management



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

Our ref: AN/2022/132867/01-L01
Your ref: 2022/0168/FUL
Date: 25 March 2022

Dear Sir/Madam

Demolition of existing building to facilitate the erection of a part four-storey, part five-storey mixed use building containing 47 apartments, 2 ground floor retail units (use class E) with associated car, motorcycle and bicycle parking
Carpets 4 Less, Dunford Road, Lincoln, LN5 8HF

Thank you for consulting us on the above application, on 1 March 2022.

We have reviewed the submitted details, in particular the proposed floor plans, Flood Risk Assessment dated January 2022 by RM Associates and Preliminary Geo-Environmental Risk Assessment dated March 2021 by Delta-Simons.

Environment Agency position

Land contamination

Based on the information provided, we recommend the following conditions with regard to the protection of controlled waters. Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

The previous use of the proposed development site as part of a larger engineering works presents a 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 over a Secondary A aquifer.

The application's Preliminary Risk Assessment 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.

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

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

Cont/d..

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

in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will 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.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework. We recommend that a controlled waters risk assessment is undertaken and that groundwater samples are collected on a minimum of two separate occasions and tested for all potential contaminants of concern.

Condition 2

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing

Cont/d..

2

how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

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

As you are aware, the discharge and enforcement of planning conditions rests with your authority. You must therefore be satisfied that the proposed condition meets the requirements of the 6 tests in paragraph 56 of the National Planning Policy Framework. Further guidance on the 6 tests is provided in the planning practice guidance (<https://www.gov.uk/guidance/use-of-planning-conditions>).

Advice to the applicant

We recommend that developers should:

- Follow the risk management framework provided in '[Land contamination: risk management](#)' when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land](#) pages on gov.uk for more information

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on gov.uk for more information.

Flood risk

The site is at a risk of flooding in a 1% annual probability + 20% climate change event; however, the proposed measures (residential accommodation at first floor and

Cont/d..

above only and raised finished floor levels) are appropriate to keep people safe from flooding.

Advice to the applicant

It is strongly recommended that all users of the building sign up for flood warnings and know how to respond in the instance of such an event.

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

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

**CITY OF LINCOLN COUNCIL
DIRECTORATE OF DEVELOPMENT & ENVIRONMENTAL
SERVICE**

M E M O R A N D U M

**To: Development Team
Development Control**

**From: Ian Wicks,
Pollution Control Officer**

Planning Ref: 2022/0168/FUL

Date: 23 March 2022

Demolition of existing building to facilitate the erection of a part four-storey, part five-storey mixed use building containing 47 apartments, 2 ground floor retail units (use class E) with associated car, motorcycle and bicycle parking at Carpets 4 Less, Dunford Road, Lincoln

Further to your consultation on the above application, I would make the following comments:

Contaminated Land

I would advise that due to past uses on the site there is the potential for significant contamination to be present. It is noted that a preliminary risk assessment has been submitted in support of the application, which concludes that an intrusive site investigation will be required. As such, I recommend that the following conditions be attached to the consent, if granted:

Pre commencement conditions – details to be submitted and approved before work commences on site

▪ **Site Characterisation**

No development shall take place until an investigation and risk assessment has been completed to assess the nature and extent of any contamination on the site and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's 'Land Contamination: Risk Management (LCRM) Guidance' (available on www.GOV.UK).

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

▪ **Submission of Remediation Scheme**

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and been approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

▪ **Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, submitted and approved in writing by the Local Planning Authority.

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

Pre occupation – before occupation/commencement of the use

▪ **Reporting of Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (**SPECIFY (1)**) and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (**SPECIFY (2)**), which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (**SPECIFY (3)**).

Where no unexpected contamination is found written confirmation of this must be provided to the Local Planning Authority prior to any occupation of the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out.

Air Quality and Sustainable Transport

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 112 of the revised NPPF states "...applications for development...should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations"

It is noted that this proposed development will include off street parking and, therefore, it is recommended that the applicant be required to incorporate appropriate electric vehicle recharge facilities into the development in line with the recommendations of paragraph 112 of the NPPF.

If deemed necessary to secure the installation of the recharging facilities, it is recommended that the following condition be attached to the planning consent:

- *Prior to the commencement of the development, details of a scheme for the provision of electric vehicle recharge points for each dedicated off-street parking space shall be submitted to the planning authority for approval. The approved scheme shall be implemented prior to the occupation of the development and shall be maintained thereafter.*

Noise

Due to its location, the proposed development is likely to be affected by significant levels of noise associated with road traffic and potentially from nearby commercial/industrial uses. In order to address these concerns, it is noted that the applicant has submitted a noise impact assessment in support of their application.

The noise assessment appears to use a reasonable methodology and appropriate assessment criteria to determine the level, type and impact of noise affecting the proposed development site. In summary, the assessment confirms that the development would be adversely affected by significant noise levels associated with the adjacent road network. The report goes on to provide examples of mitigation measures that could be employed to ensure that future occupants of the development would not be exposed to unreasonable levels of noise, primarily focussing on acoustically upgraded glazing and alternative means of ventilation.

Although the noise report adequately demonstrates that impacts can be mitigated, it is beyond the scope of the report to specify the actual mitigation measures to be implemented as part of the development. As such, in order to ensure that an appropriate noise reduction scheme is incorporated into the development, I recommend that the following condition be attached to the consent, if granted:

- *Prior to the commencement of the development, details of a noise mitigation scheme shall be submitted to the planning authority for approval. The noise mitigation scheme shall provide details that meets the requirements of the applicant's noise impact assessment (ref. dBC 10407, dB Consultation Ltd, dated 22nd March 2022) and shall include ventilation proposals. The approved scheme shall be implemented prior to the occupation of the development and shall be maintained thereafter.*

Construction/Demolition Impacts

Due to the close proximity of the proposed development to neighbouring sensitive uses, there is potential for significant problems due to noise, vibration and dust during the demolition/construction phase unless adequate control measures are put in place. It is noted that the applicant has submitted a Construction Management Plan (CMP) that seeks to address these concerns and in doing so recommends mitigation measures, including working and delivery hours, which appear to be reasonable for this location. To ensure that the recommendations in the CMP are observed, I would recommend that the following item be included as a consent condition:

- *The mitigation measures, including construction working and delivery hours, contained within the approved construction management plan (ref. Construction Management Plan for Dunford Road Apartment Development, Lincoln, LN5 8HG – SRN Estate Ltd) shall be implemented throughout the demolition and construction phase of the development.*

Regards

Ian Wicks
Pollution Control Officer
(Ext 3794)

Consultee Comments for Planning Application 2022/0168/FUL

Application Summary

Application Number: 2022/0168/FUL

Address: Former Carpets 4 Less Dunford Road Lincoln Lincolnshire LN5 8HF

Proposal: Demolition of existing building to facilitate the erection of a part four-storey, part five-storey mixed use building containing 47 apartments, 2 ground floor retail units (use class E) with associated car, motorcycle and bicycle parking.

Case Officer: Craig Everton

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

OBJECTION

We have serious concerns over the suitability and size of this development. We appreciate that this site has been empty for some time and is badly in need of development.

1. It is a prime site given its prominent position on Canwick Road but it is on the industrial/commercial side of Canwick Road and not the residential side. It would be the only residential building on the commercial side and we feel it is an inappropriate development. It will present some logistical problems as the area is normally visited by the public by use of private transport and not on foot and hence safe and convenient pedestrian routes are not provided. Furthermore, there are to be 17 car park spaces and 22 cycle spaces serving 47 apartments which would suggest that the developers are expecting most occupiers to walk. We find that this ratio to be totally unacceptable. We also feel that with the proximity of a major artery and the East West Link Road, the air quality and noise level will not be conducive for residential living.
2. Irrespective of its use, we feel the sheer mass of the development is too great and is considered as overdevelopment. We appreciate that the developers wish to maximise the potential of the site but we feel that the proposal goes beyond what is acceptable.
3. We note that there are proposed two retail units on the ground floor but there appears to be no facility for delivery vehicles provided.
4. There also appears to be no mention of alternative energy sources such as solar panels

NHS Lincolnshire Clinical Commissioning Group
Application Number: 2022/0168/FUL
Location: Carpets 4 Less, Dunford Road, Lincoln

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|---------------------------------|-----|---------------------------------------|----------------|----------------------|---------|---------------------------------------|---------------------------------------|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|---------------------------------|-----|---------------------------------------|----------------|----------------------|---------|---------------------------------------|---------------------------------------|
| Impact of new development on GP practice | <p>The above development is proposing 47 apartments which, based on the average of 1 person per dwelling for the one-bedroom apartments and 2 people per dwelling for the two-bedroom apartments for the City of Lincoln Council area, would result in an increase in patient population of 61.</p> <p>The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.</p> <p>Consulting room GP - 1 bed</p> <table border="1" data-bbox="464 819 1166 1140"> <tr> <td>Proposed population</td><td>33</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td>$0.033 \times 5260 = 174$</td></tr> <tr> <td>Assume 100% patient use of room</td><td>174</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td>$174/50 = 3.5$</td></tr> <tr> <td>Appointment duration</td><td>15 mins</td></tr> <tr> <td>Patient appointment time hrs per week</td><td>$3.5 \times 15/60 = 0.9$ hrs per week</td></tr> </table> <p>Consulting room GP - 2 bed</p> <table border="1" data-bbox="464 1238 1166 1559"> <tr> <td>Proposed population</td><td>28</td></tr> <tr> <td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr> <td>Anticipated annual contacts</td><td>$0.028 \times 5260 = 147$</td></tr> <tr> <td>Assume 100% patient use of room</td><td>147</td></tr> <tr> <td>Assume surgery open 50 weeks per year</td><td>$147/50 = 2.9$</td></tr> <tr> <td>Appointment duration</td><td>15 mins</td></tr> <tr> <td>Patient appointment time hrs per week</td><td>$2.9 \times 15/60 = 0.7$ hrs per week</td></tr> </table> | Proposed population | 33 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.033 \times 5260 = 174$ | Assume 100% patient use of room | 174 | Assume surgery open 50 weeks per year | $174/50 = 3.5$ | Appointment duration | 15 mins | Patient appointment time hrs per week | $3.5 \times 15/60 = 0.9$ hrs per week | Proposed population | 28 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.028 \times 5260 = 147$ | Assume 100% patient use of room | 147 | Assume surgery open 50 weeks per year | $147/50 = 2.9$ | Appointment duration | 15 mins | Patient appointment time hrs per week | $2.9 \times 15/60 = 0.7$ hrs per week |
| Proposed population | 33 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.033 \times 5260 = 174$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 100% patient use of room | 174 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $174/50 = 3.5$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 15 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time hrs per week | $3.5 \times 15/60 = 0.9$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed population | 28 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.028 \times 5260 = 147$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 100% patient use of room | 147 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $147/50 = 2.9$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 15 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time hrs per week | $2.9 \times 15/60 = 0.7$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|--------------------------------|------|---------------------------------------|-------------------|----------------------|---------|---------------------------------------|---------------------------------------|---------------------|----|-------------|------------------------|-----------------------------|---------------------------|--------------------------------|------|---------------------------------------|-------------------|----------------------|---------|---------------------------------------|---|
| | <p>Treatment room Practice Nurse - 1 bed</p> <table><tr><td>Proposed population</td><td>33</td></tr><tr><td>Access rate</td><td>5260 per 1000 patients</td></tr><tr><td>Anticipated annual contacts</td><td>$0.033 \times 5260 = 174$</td></tr><tr><td>Assume 20% patient use of room</td><td>34.7</td></tr><tr><td>Assume surgery open 50 weeks per year</td><td>$34.7/50 = 0.694$</td></tr><tr><td>Appointment duration</td><td>20 mins</td></tr><tr><td>Patient appointment time hrs per week</td><td>$0.6 \times 20/60 = 0.2$ hrs per week</td></tr></table> <p>Treatment room Practice Nurse - 2 bed</p> <table><tr><td>Proposed population</td><td>28</td></tr><tr><td>Access rate</td><td>5260 per 1000 patients</td></tr><tr><td>Anticipated annual contacts</td><td>$0.028 \times 5260 = 147$</td></tr><tr><td>Assume 20% patient use of room</td><td>29.5</td></tr><tr><td>Assume surgery open 50 weeks per year</td><td>$29.5/50 = 0.589$</td></tr><tr><td>Appointment duration</td><td>20 mins</td></tr><tr><td>Patient appointment time hrs per week</td><td>$0.589 \times 20/60 = 0.2$ hrs per week</td></tr></table> <p>Therefore an increase in population of 61 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 | 33 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.033 \times 5260 = 174$ | Assume 20% patient use of room | 34.7 | Assume surgery open 50 weeks per year | $34.7/50 = 0.694$ | Appointment duration | 20 mins | Patient appointment time hrs per week | $0.6 \times 20/60 = 0.2$ hrs per week | Proposed population | 28 | Access rate | 5260 per 1000 patients | Anticipated annual contacts | $0.028 \times 5260 = 147$ | Assume 20% patient use of room | 29.5 | Assume surgery open 50 weeks per year | $29.5/50 = 0.589$ | Appointment duration | 20 mins | Patient appointment time hrs per week | $0.589 \times 20/60 = 0.2$ hrs per week |
| Proposed population | 33 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.033 \times 5260 = 174$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 20% patient use of room | 34.7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $34.7/50 = 0.694$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 20 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time hrs per week | $0.6 \times 20/60 = 0.2$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Proposed population | 28 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Access rate | 5260 per 1000 patients | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Anticipated annual contacts | $0.028 \times 5260 = 147$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume 20% patient use of room | 29.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Assume surgery open 50 weeks per year | $29.5/50 = 0.589$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Appointment duration | 20 mins | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Patient appointment time hrs per week | $0.589 \times 20/60 = 0.2$ hrs per week | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| GP practice(s) most likely to be affected by the housing development | <p>Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.</p> <p>The development will impact Abbey Medical Practice, Brayford Medical Practice, Portland Medical Practice and University of Lincoln Health Service as the development is within their catchment area.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | |
|---|--|--------------------------|-------------|----------|------------|-------------|
| Issues to be addressed to ensure the development is acceptable | <p>This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.</p> <p>Lincolnshire Clinical Commissioning Group (LCCG) wishes for the Section 106 contribution from the development of 47 apartments on Carpets for Less, Dunford Road, Lincoln to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Marina Primary Care Network (PCN) at University of Lincoln Health Service/Portland Medical Practice. Alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.</p> <p>The strategic direction both nationally through the development of PCN and locally through the Sustainability Transformation Plan is to provide primary care at scale, facilitating 100% patient population primary care and services delivered in the community in an integrated way. Included within the PCNs this is the introduction of additional roles to enhance the delivery of primary care, including a Clinical Pharmacist, Physiotherapist and Social Prescriber.</p> <p>Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), includes measures to:</p> <ul style="list-style-type: none">• Improve out-of-hospital care, supporting primary medical and community health services;• Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025;• Support older people through more personalised care and stronger community and primary care services;• Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer. <p>The University of Lincoln Health Service & Portland Medical Practice are within the LCCG Marina PCN 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.</p> | | | | | |
| Fairly and reasonably related in scale and kind to the development. | | Average list size per GP | Required m2 | £ per m2 | Total cost | £per person |
| | GP team | 1,800 | 170 | 2,300 | £391,000 | 217 |
| | GP furnishings | 1,800 | | | £20,000 | 12 |
| | | | | | | 229 |
| | Contingency requirements @ 20% | | | | | 46 |
| | Total per resident | | | | | 275 |
| | Total per dwelling (resident x 1) for the single occupancy apartment | | | | | 275 |
| | Total per dwelling (resident x 2) for the double occupancy apartment | | | | | 550 |

| | |
|---|--|
| | <p>The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined.</p> <p>This figure is multiplied by 1 for the single occupancy apartment and 2 for the double occupancy apartment (the average number of persons per dwelling for City of Lincoln Council) to provide a funding per dwelling of £550 for the double occupancy apartment and £275 for the single occupancy apartment.</p> |
| Financial Contribution requested | <p>The contribution requested for the development of £16,775.00 (£7,700.00 x 14 double occupancy dwellings and £9,075.00 x 33 single occupancy dwellings).</p> <p>Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.</p> |
| Trigger point | <p>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> |

Lincolnshire Clinical Commissioning Group
21st March 2022

Coucom, Milly (City of Lincoln Council)

From: Richard Wright <richard.wright@witham3idb.gov.uk>
Sent: 14 March 2022 10:11
To: 'HighwaysSUDsSupport@lincolnshire.gov.uk'; Technical Team (City of Lincoln Council)
Subject: FW: OBSERVATIONS ON CONSULTATION REQUEST
Categories: Milly Coucom

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.

FD-5968-2022-PLN

Dear Sir/Madam,

REFERENCE: 2022/0168/FUL

DEVELOPMENT: DEMOLITION OF EXISTING BUILDING TO FACILITATE THE ERECTION OF A PART FOUR-STOREY, PART FIVE-STOREY MIXED USE BUILDING CONTAINING 47 APARTMENTS, 2 GROUND FLOOR RETAIL UNITS (USE CLASS E) WITH ASSOCIATED CAR, MOTORCYCLE AND BICYCLE PARKING
LOCATION: CARPETS 4 LESS, DUNFORD ROAD, LINCOLN, LN5 8HF

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

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

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

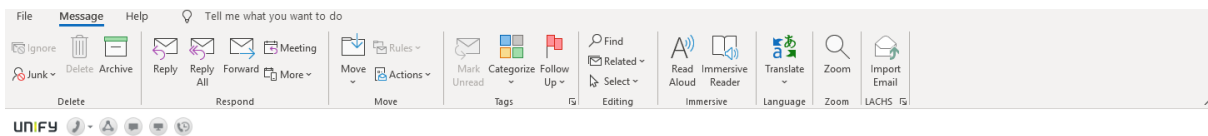
Regards,

Richard Wright
Operations Engineer

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

Four independent statutory Land Drainage and Flood Risk Management Authorities working in partnership.

www.witham3idb.gov.uk



2022/0168/FUL - Former Carpets 4 Less Dunford Road



MacIntosh, Alastair (City of Lincoln Council)
To: Everton, Craig (City of Lincoln Council)

Reply Reply All Forward
Mon 14/03/2022 16:11

Hi Craig,

Further to our earlier conversation re. the site above, I can confirm that the DBA submitted in support of the application is in my opinion sufficient to fulfil the requirements of NPPF paragraph 194. I can further advise you that I am in agreement with its findings and that I do not believe there is any need for further archaeological work on this site.

Best,

Mac

Alastair MacIntosh
City Archaeologist

T 01522 873478



City of Lincoln Council
City Hall, Beaumont Fee, Lincoln, LN1 1DF
<http://www.lincoln.gov.uk/planning>

We are all currently working from home so please contact me or my colleagues by email and we will respond as usual.

We request that all applications be submitted through the planning portal wherever possible www.planningportal.co.uk

Please note from 1st February 2019 we will no longer be accepting paper plans exceeding A3 (12"x16" approx.) in size. Any plans that exceed this will need to be submitted electronically either via www.planningportal.co.uk or developmentteam@lincoln.gov.uk

Corporate Property Team
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL

Email:
Property_Strategy@lincolnshire.gov.uk

City of Lincoln Council
Development Control
Planning Department

My Ref: S106/COLC/0168/FUL/2022
08 March 2022

Dear Sir/Madam

Development – Demolition of existing building to facilitate the erection of a part four-storey, part five-storey mixed use building containing 47 apartments, 2 ground floor retail units (use class E) with associated car, motorcycle and bicycle parking.

Application Number – 2022/0168/FUL

Thank you for your notification of 01 March 2022, concerning the proposed development at the above site. I have now had the opportunity to consider the impact on the local schools reasonably accessible from the development. Please see below overview in relation to the impact, and details for primary, secondary and sixth-form that follow.

Overview

County Offices, Newland
Lincoln LN1 1YL

Please see below table in relation to the number of places required and available in local schools from/for the proposed development:

| Type | Children produced by scheme | Sufficient places available 2024/25 (Y/N/Partial) | Places to be mitigated | Contribution sought |
|------------|-----------------------------|---|------------------------|---------------------|
| Primary | 1 | N | 1 | £ 11,276 |
| Secondary | 1 | N | 1 | £ 16,991 |
| Sixth-form | 0 | N | 0 | £ 0 |
| | | | Total | £ 28,267 |

Please note, where an application is outline a formulaic approach will be taken in a section 106 agreement, this may result in a higher contribution if a high proportion of large houses are built. This would be finalised at the reserved matters stage. All section 106 agreements should include indexation using the Tender Price Index of the Royal Institute of Chartered Surveyors Building Cost Information Services (RICS BCIS TPI).

The above contributions would be spent on the following:

| Type | Amount | Scheme |
|------------|--------|-------------------------------------|
| Primary | £ | Lincoln South Primary Planning area |
| Secondary | £ | N/A - CIL |
| Sixth-form | £ | N/A - CIL |

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests for items formerly on a Regulation 123 list are now permitted; the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) still restricts secondary and school-based sixth form to CIL only. Requests can also be made toward more than one scheme to provide the ability to extend the most appropriate school to mitigate the impacts of development at the time those impacts are felt.

Detail

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

| House Type (if known) | No of Properties | PPR Primary | Primary Pupils | PPR Secondary | Secondary Pupils | PPR Sixth Form | Sixth Form Pupils |
|-----------------------------|------------------|-------------|----------------|---------------|------------------|----------------|-------------------|
| 2 Bedroom | 14 | 0.09 | 1.26 | 0.09 | 1.26 | 0.018 | 0.252 |
| 3 Bedroom | 0 | 0.17 | 0 | 0.17 | 0 | 0.034 | 0 |
| 4+ Bedroom | 0 | 0.33 | 0 | 0.27 | 0 | 0.054 | 0 |
| Unknown | 0 | 0.2 | 0 | 0.19 | 0 | 0.038 | 0 |
| Total (rounded down) | 14 | - | 1 | - | 1 | - | 0 |

Capacity is assessed using the County Council's projected capacity levels at 2024/25, this is the point when it is reasonable to presume that the development would be complete or well on the way.

| Type | Local School/School Planning Area | Pupils generated | Sufficient places available 2024/25 (Y/N/Partial) | Places to be mitigated |
|------------|-----------------------------------|------------------|---|------------------------|
| Primary | Lincoln South | 1 | N | 1 |
| Secondary | Lincoln South | 1 | N | 1 |
| Sixth-form | Lincoln South | 0 | N/A | 0 |

As the development would result in a direct impact on local schools, a contribution is therefore requested to mitigate the impact of the development at local level. This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2019) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application.

The level of contribution sought in this case is in line with the below table.

| Type | Places to be mitigated | Contribution per place* | Sub-total | Local multiplier** | Total contribution requested |
|--------------|------------------------|-------------------------|-----------|--------------------|------------------------------|
| Primary | 1 | £12,257 | £12,257 | 0.92 | £11,276 |
| Secondary | 1 | £18,469 | £18,469 | 0.92 | £16,991*** |
| Sixth-form | 0 | £20,030 | £0 | 0.92 | £0*** |
| Total | - | - | £30,726 | - | £ 11,276 |

*current cost multiplier per pupil place based on National Cost Survey

**to reduce cost and to reflect Lincolnshire's lower than average build cost compared to national average

***amounts for indicative purposes only, request reduced to £0 in line with Developer Contributions Supplementary Planning Document

We would suggest the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability.

Please note the County Council retains the statutory duty to ensure sufficiency of school places and this includes capital funding provision of sufficient places at maintained schools, academies and free schools. We would invest the funding at the most appropriate local school(s) regardless of their status, but ensure the s.106 funding is used only to add capacity as this is the only purpose for which it is requested.

I look forward to hearing from you, thank you for your notification of the application and thank City of Lincoln Council for your continued cooperation and support.

Yours sincerely

Mr S C Fota
89 Canwick road
Lincoln
LN5 8HE

4th March 2022

Tel: 01522 546650

Dear Sir/Madam,

I wish for it to be known that I strongly object to the proposed planning permission for the development of carpets for less Dunford road, Lincoln.

I feel that building 47 flats and two retail units on the site along with car parking etc would be detrimental for the area and also for the residents of Canwick road.

The area already has far too much congestion and pollution from motor vehicles, it is a constant battle done in vain trying to keep ones property clean and free from the fumes and dust from the road. No matter how hard I try to keep the house clean I find black soot on all surfaces inside and out which is a constant worry, it cannot be healthy at all!

I would also like to point out that since the building of Cheriton court flats on Canwick road and the conversion of Globe house into residential apartments the water pressure is now very poor indeed. The low water pressure affects my combi boiler and electric shower in such a way that the shower cuts out and the boiler has to be reset every now and again, all due to low water pressure and caused by the added demand, putting up another 47 flats would virtually cut my water supply to a trickle!

I believe that I am at a huge disadvantage with my objection as the vast percentage of Canwick road residents are transitional tenants and so most likely not affected by the proposal and so therefore will not file an objection.

In my opinion the proposal is just too much, trying to cram in as much as possible in every conceivable way, affecting water pressure cutting out daylight adding extra traffic and even more pollution no thank you! the site is better suited for commercial use.

Yours Sincerely,



Mr S Fota

MISS CAROLINE CURRY

61 CANWICK ROAD

LINCOLN

LN5 8HE

14TH MARCH 2022

TEL = 01522 872960

DEAR MR MANNING,

I RECEIVED YOUR LETTER ON FRIDAY REGARDING THE PROPOSED DEVELOPMENT OF THE FORMER CARPETS 4 LESS, DUNKFORD ROAD, LINCOLN.

WHILE I UNDERSTAND THE NEED TO DEVELOP EMPTY BUILDINGS AND BRING NEW LIFE TO THE AREA I AM VERY CONCERNED THAT THE NEW BUILDING WILL BE 4+5 STOREYS HIGH!

IF THE BUILDING IS THAT HIGH IT WILL TOTALLY BLOCK THE MORNING SUN THAT I PRESENTLY ENJOY SHINING THROUGH MY LIVING ROOM AND BEDROOM WINDOWS. NOT ONLY WILL IT MAKE MY HOME DARK I WILL ALSO LOSE THE BENEFIT OF THE HEAT THAT THE SUN SHINING IN BRINGS FOR WHICH I AM GRATEFUL AS I DON'T HAVE ANY FORM OF HEATING!

I HAVE ALREADY LOST GETTING ANY SUN AT THE REAR OF MY PROPERTY DUE TO ONE OF MY NEIGHBOURS BUILDING 2-STORY FLATS IN THEIR GARDEN AND THE OTHER SIDE HAS PUT IN DOUBLE DOORMA WINDOWS AT THE REAR, THE LATTER BLOCKING ALL SUN UNTIL WELL INTO THE AFTERNOON MEANING I HAVE TO HAVE MY KITCHEN LIGHT ON MOST OF THE DAY!

IF THE NEW BUILDING REMAINED THE SAME HEIGHT IT WOULDN'T AFFECT ME SO I WOULDN'T HAVE ANY CONCERNS ABOUT THE

DEVELOPMENT.

I HOPE YOU CAN UNDERSTAND HOW MUCH
THIS WILL AFFECT ME AND TAKE IT INTO
CONSIDERATION WHEN MAKING YOUR DECISION.

BEST REGARDS,

CCYRNEY.