

PLANNING COMMITTEE

Wednesday, 22 March 2023

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 - 25 January 2023 | 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. Applications for Development | |
| (a) 18A - 20 High Street, Lincoln | 25 - 80 |
| (b) 54 Sibthorp Street, Lincoln | 81 - 110 |

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

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

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

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

The application files contain the following documents:

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

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Debbie Armiger,
Councillor Biff Bean, Councillor Liz Bushell, Councillor
Gary Hewson, Councillor Rebecca Longbottom,
Councillor Bill Mara, Councillor Mark Storer and
Councillor Edmund Strengiel

Apologies for Absence: Councillor Chris Burke

54. Confirmation of Minutes - 30 November 2022

RESOLVED that the minutes of the meeting held on 30 November 2022 be confirmed and signed by the Chair as a true record.

55. Declarations of Interest

Councillor Biff Bean declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: He knew one of the objectors to the proposed development as a County Councillor and personal friend.

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

Councillor Bob Bushell declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: He served as a member on the Upper Witham, and Witham 3rd Drainage Boards.

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

Councillor Calum Watt declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: He served as a member on the Upper Witham Drainage Board.

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

Councillor Debbie Armiger declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: She served as a member on the Upper Witham Drainage Board.

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

Councillor Debbie Armiger declared a Personal and Pecuniary Interest with regard to the agenda item titled '20 Avondale Street, Lincoln'.

Reason: She knew one of the objectors to the proposed development as a personal friend.

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

Councillor Gary Hewson declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: He served as a member on the Upper Witham, Witham 1st and Witham 3rd Drainage Boards.

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

Councillor Gary Hewson declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: He knew one of the objectors to the proposed development as a County Councillor and personal friend.

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

Councillor Liz Bushell declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: She knew one of the objectors to the proposed development as a County Councillor and personal friend.

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

Councillor Rebecca Longbottom declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel, 50 Boultham Park Road, Lincoln'.

Reason: She served as a member on the Upper Witham Drainage Board.

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

56. Member Statements

In the interest of transparency the following Members requested it be noted that they knew the County Councillor having submitted an objection in relation to the application for development Agenda Item No 4(a) Site of Victory Hotel, 50 Boutham Park Road, however, not in a personal capacity:

Councillors

N Tweddle
B Bushell
C Watt
D Armiger
R Longbottom
E Strengiel

In the interest of transparency, Councillor Tweddle requested it be noted that she knew one of the objectors having submitted an objection in relation to the application for development Agenda Item No 4(b) 20 Avondale Street, Lincoln, however, not in a personal capacity.

57. Update Sheet

An update sheet was circulated at the meeting in relation to planning applications to be considered this evening, which included additional information for Members attention received after the original agenda documents had been published.

RESOLVED that the update sheet be received by Planning Committee.

58. Work to Trees in City Council Ownership

Dave Walker, Arboricultural Officer:

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

Clarification was sought as to whether the Cherry Tree identified to be felled within the schedule of works to trees in Glebe Ward was to be replaced.

The Arboricultural Officer advised that the tree in question was a self-set tree which had attained a considerable size and was poorly formed. It was capable of

generating a substantial amount of seed/fruit and poorly sighted adjacent to the footpath and brick-based boundaries, likely to lead to future structural damage. Unfortunately, it was not feasible to replant every self-set tree as there was insufficient space across the City.

The Chair expressed her opinion that it should still be replaced.

Clarification was sought as to the meaning of the term referred to as trees formed into 'snags'

The Arboricultural Officer advised that the term 'snag' was a more up to date description of a dead tree reduced to a trunk monolith, retained for biodiversity value.

Clarification was sought as to why a utility company was being allowed to drill through Tree Preservation Order roots in the Doddington Road area without authority, when permission was required for them to be cut and trimmed.

Kieron Manning, Assistant Director of Planning clarified that contract works were being undertaken in parts of the city by Communication operators, which affected trees.

Operators were entitled to achieve the status of a statutory undertaker to carry out contract works without consent as was the case here. There was no formality in terms of consultation from the companies concerned and the Planning Authority had no powers to intervene.

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

59. Applications for Development

60. Site of Victory Hotel, 50 Boultham Park Road, Lincoln

(Councillors Bean, Liz Bushell and Hewson left the room during the discussion of this item having declared a personal and prejudicial interest in respect of the planning application to be considered. They took no part in the discussion or vote on the matter to be determined.)

The Planning Team Leader:

- a) reported that the application for development related to the site of the former Victory Hotel, 50 Boultham Park Road, an irregular shaped parcel of previously developed land, located on the west side of the road, approximately 50m to the south of the junction with Dixon Street
- b) advised that planning permission was sought for the erection of one 2 storey building fronting Boultham Park Road and two 2½ storey buildings, to accommodate 18 flats, with associated external works including car parking, access gate, cycle and bin storage, and soft landscaping
- c) described the history to the application site as follows:
 - An open site frontage with the width of the site narrowing towards the rear.

- Relatively flat with areas of hardstanding and grass, currently used for vehicle storage.
- Previously occupied by The Victory Public House.
- Consent was granted in 2014 for the demolition of the building and a subsequent planning permission (2015/0038/F) also proposed its demolition to facilitate the erection of three detached buildings comprising 14 dwellings with four ground floor commercial units within the frontage building.
- A further application (2018/0074/CXN) was submitted and later granted for minor alterations to the approved scheme. The pre-commencement conditions associated with this permission had all been discharged and there had been a 'start on site.' This permission had therefore been implemented and, even though work had not progressed any further, this permission could be implemented in full at any point.

d) described the location of the application site as follows:

- The north boundary of the site was defined by approximately 1.8m high fencing with a number of mature trees and conifers adjacent, some within the site boundary and others sitting on neighbouring land.
- The side elevation of 48 Boutham Park Road was beyond this boundary, at the front of the site.
- The remainder of the north boundary, towards the rear of the site, formed the rear boundaries with the gardens of properties on Glenwood Grove. The semi-detached properties along here were occupied as ground and first floor flats (no's 1-23).
- The south boundary of the site was also defined by approximately 1.8m-2m high fencing with some smaller trees and plantings within the site and neighbouring gardens.
- The side elevation of 54 Boutham Park Road sat adjacent to this boundary at the front of the site.

e) confirmed that the site was located within Flood Zone 3

f) advised that prior to the submission of the application the site was subject to extensive pre-application discussions with the agent, applicant team and planning officers due to a number of concerns in relation to the initial proposal; there has been further discussions and negotiations, and a number of alternative schemes had been considered prior to the formal submission of the current proposals; officers had also engaged with Ward Members during the application process

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

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP9 Health and Wellbeing
- Policy LP12 Infrastructure to Support Growth
- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land Affected by Contamination
- Policy LP18 Climate Change and Low Carbon Living

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Supplementary Planning Document Central Lincolnshire Developer Contributions
- National Planning Policy Framework

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

- Principle of Use
- Developer Contributions
- Visual Amenity
- Residential Amenity
- Trees and Landscaping
- Parking and Highways
- Flood Risk and Surface Water Drainage
- Climate Change and Low Carbon Living
- Contaminated Land
- Archaeology
- Air Quality and Sustainable Transport

i) outlined the responses made to the consultation exercise

j) referred to the Update sheet which contained an additional consultee response, a tree survey plan, proposed tree planting and landscaping plan, a response by the City Arboricultural Officer, and a revised officer recommendation

k) confirmed the recommended S106 contributions to be made to Health, Education involving a reduced contribution to affordable housing to make the scheme viable following an independent assessment and case officer consultation

l) concluded that:

- The principle of the use of the site for residential purposes was considered to be acceptable and the development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design.
- The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
- A S106 would secure a financial contribution towards affordable housing, healthcare infrastructure and education.
- Matters relating to parking and highways, 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 and LP26 as well as guidance within the SPD and NPPF.

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

The following concerns were received from members:

- It would be ideal to see all car parking spaces removed in these types of developments to encourage modal shift, however, accommodation for some parking was considered appropriate.
- It was disappointing to see that s106 contributions were not as great as they might have been.

The following comments were received in support of the planning application

- Members thanked case officers for such a high level of consultation in on this planning application to arrive at its current visual amenity considerations.
- The proposed s106 contributions were considered to be reasonably acceptable.
- It was pleasing to see that issues of flood risk had been addressed with the shift to surface water only going into the sewage system as a last resort.
- There had been no objections in respect of flood risk.
- There was a desperate need for additional housing in the city, available space had to be utilised as long as it didn't encroach on existing residents.
- It was correct to support housing schemes on Brownfield sites such as this.

Members received confirmation that permeable bricks would be used in the car parking area.

A motion was moved, seconded, voted upon, and;

RESOLVED that provision of bat boxes, B Bricks and hedgehog houses be included as an additional condition should planning permission be granted.

A further motion was moved, seconded, voted upon and;

RESOLVED that the details of works condition be expanded should planning permission be granted to include the requirement for remaining trees to be coppiced and the gaps filled with native trees, to be traditionally laid.

RESOLVED that planning permission be granted, with delegated authority given to the Planning Manager to secure the financial contribution through a S106 towards affordable housing, health and education; and subject to the following conditions

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials including hard surfacing
- Existing site levels and finished site and floor levels
- Details of all walls, fences, railings and gates, including to raised walkway to south
- Details of refuse and cycle store
- Windows and doors to be set in reveal
- Assessment of off-site impact of all external lighting
- Hours of construction/delivery

- Bollard/other safety measure adjacent to parking spaces to south boundary
- Details of proposed works to hedgerow to north of the site (G4)
- Remaining trees to be coppiced and the gaps filled with native trees, to be traditionally laid
- Tree protection measures
- Implementation of landscaping scheme
- Closing of existing access
- Habitable finished floor levels no lower than 5.48m above Ordnance Datum
- No habitable rooms to ground floor of Blocks B and C
- Contamination, site characterisation, and remediation measures/implementation
- Provision of bat boxes, B Bricks and hedgehog houses

61. 20 Avondale Street, Lincoln

(Councillor Bean, Liz Bushell and Hewson returned to the meeting and re-took their seats as members of Planning Committee)

Councillor Debbie Armiger left the room during the discussion of this item having declared a personal and prejudicial interest in respect of the planning application to be considered. She took no part in the discussion or vote on the matter to be determined.)

The Assistant Director of Planning:

- a) reported that the planning permission was sought for the erection of single storey extensions to the existing property at 20 Avondale Street; a two storey terraced property with additional accommodation in the roof
- b) reported that the property had the benefit of a Certificate of Lawful use for its use as a House in Multiple Occupation (HMO) for up to 6 occupants (C4) and the use of the property would remain as a HMO
- c) advised that the application was made retrospectively as works had been completed without planning permission
- d) added that recent works to the property also included internal renovation and the conversion of the loft with a rear dormer window, these works were permitted development and did not form part of this application
- e) reported that the application was brought before Planning Committee at the request of Councillor Smalley and Councillor Christopher
- f) described the history to the application site as detailed within the officer's report
- g) provided details of the policies pertaining to the application, as follows:
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework

- h) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
- National and Local Planning Policy
 - Impact on Residential Amenity
 - Impact on Visual Amenity
 - Highway Safety, Access and Parking
- i) outlined the responses made to the consultation exercise
- j) referred to the Update sheet which included further representations received in respect of the proposed planning development
- k) concluded that the proposed extensions were appropriately designed and would not cause unacceptable harm to the character and appearance of the area nor the amenities of all existing and future occupants of neighbouring properties, in accordance with Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Annie Griffiths, local resident, addressed Planning Committee in objection to the proposed development, covering the following main concerns:

- She thanked members for allowing her the opportunity to speak.
- She was speaking on behalf of the residents at the bottom half of Avondale Street.
- This was a retrospective planning application. Consultations had not been viewed by local residents.
- Builders had sprayed over resident parking signage to allow parking of construction vehicles.
- Information signage regarding the consultation process had been removed from the area.
- Businessmen were buying up existing HMO's to increase the size of bedrooms to receive more rental income.
- The area was occupied by a large transient population/people passing through.
- Community spirit had all gone.
- Litter and Anti-Social Behaviour was rife in the area.
- Planning Committee members were in control of the development of housing in this area.
- The applicant had failed to submit a planning application before the work commenced.
- Objections had not been submitted because this was a retrospective planning application.
- Residents had enlisted the help of Councillors Smalley and Christopher to represent their views.
- Residents parking signage remained torn out and piles of building material had been left in parking areas.
- The scheme was an overdevelopment
- Over massing issues
- Overlooking issues.
- The proposals were intended to maximise profitability.
- Residents were desperate for action to stop these types of development to existing properties.

Councillor Clare Smalley addressed Planning Committee as Ward Advocate on behalf of local residents, covering the following main points:

- This retrospective planning application was submitted following an investigation by Planning Officers.
- She was concerned that residents had not been allowed to make comments.
- There were issues with contractors working hours, noise and disturbance.
- The extension resulted in a reduction in outdoor space.
- The number of bedrooms would be increased, which impacted on the local community.
- There was already a limit in the number of parking spaces in the street and residents permits were issued.
- This application may set a precedent for remaining HMO's to be extended which impacted on services in the area.

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

The following comments were made by members:

- A lot of the objections focussed on issues dealt with under separate policies e.g. HMO's, Residents Parking, Anti-Social Behaviour, Community Policing, Public Protection and Anti-Social Behaviour Team. Although these were valid issues, they did not form a basis for refusal of planning permission.
- Members shared sympathy with the problems residents had been exposed to.
- Some of the alterations had been made under permitted development. The only matter to be considered today was the extension at the rear of the property.
- The property was already an existing HMO, there was no material reason for refusal of planning consent.
- It was surprising this was a retrospective planning application as the architect who drew up the plans would of informed the applicant that planning permission was needed for the build.

Councillor Strengiel highlighted that he was totally against retrospective planning applications, and that he could not support this planning application.

The following questions were received from members:

- Had the Planning Authority undertaken its normal consultation process involving individual letters sent to affected properties, as there were no local objections to this planning application?
- How large were dormer extensions allowed to be built before planning consent was required?

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

- Six bedrooms were proposed here under permitted development whereas 7 bedrooms would require planning consent.
- There was a residents parking scheme currently in operation in the area.

- In relation to the problem of building materials left on the street, there was a requirement for builders to seek a licence from Lincolnshire County Council to position a skip on the highway for refuse disposal.
- A letter had been sent to every property sharing a boundary with the application site and also to Councillors as part of the consultation process.
- There was no requirement for a wider site notice to be erected as the proposed use as a HMO already existed.
- The dormer size of the proposed extension was 40 metres. A future member workshop would be arranged for Planning Committee members to discuss the size of builds classed as permitted development and those requiring planning permission

RESOLVED that planning permission be granted.

62. Central Market, Sincil Street, Lincoln

(Councillor Armiger returned to the meeting and re-took her seat as a member of Planning Committee)

The Assistant Director of Planning:

- a) reported that planning permission was sought for the installation of an external furniture store within the service yard to the west of the Central Market building for the purposes of housing the outdoor seating furniture for the Central Market, which was currently being refurbished
- b) confirmed that the property was grade II listed and located within the Cathedral City Centre and Conservation Area No.1
- c) described the location of the site within the Central Mixed-Use Area, owned by the City of Lincoln Council, who was the applicant
- d) reported that an accompanying planning application for listed building consent had also been submitted 2022/0680/LBC, which was considered as a separate agenda item at tonight's Planning Committee
- e) provided details of the policies pertaining to the application, as follows:
 - Policy LP25 The Historic Environment
 - National Planning Policy Framework
- f) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Local and National Planning Policy
 - Effect on the Setting of the Listed Building
 - Effect on the Character and Appearance of the Conservation Area
 - Effect on Visual Amenity
 - Highway Safety
 - Effect on Amenity
- g) referred to the Update sheet which contained a revised recommended officer Condition No 2 which related to plans listed at Table A, should planning permission be granted

h) concluded that:

- The proposed store was required to aid the successful operation of the refurbished Central Market building.
- The proposed store was not considered to be harmful to the setting of the listed building or to detract from the character or appearance of the Conservation Area, in accordance with both local and national planning policy.

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

The following concerns were received from members:

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

Standard Conditions

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

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

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

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

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

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

| Drawing No. | Version | Drawing Type | Date Received |
|-------------|---------|--------------|---------------|
|-------------|---------|--------------|---------------|

| | | | |
|------|--|-----------------------|------------------|
| 0112 | | Elevations - Proposed | 26th August 2022 |
| 0107 | | Layout | 26th August 2022 |

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

The Assistant Director of Planning:

- a) reported that listed building consent was sought for the installation of an external furniture store within the service yard to the west of the Central Market building for the purposes of housing the outdoor seating furniture for the Central Market, which was currently being refurbished
- b) confirmed that the property was grade II listed and located within the Cathedral City Centre and Conservation Area No.1
- c) described the location of the site within the Central Mixed-Use Area, owned by the City of Lincoln Council, who was the applicant
- d) reported that an accompanying application for full planning permission had also been submitted 2022/0679/FUL, which was considered as a separate agenda item at tonight's Planning Committee
- e) provided details of the policies pertaining to the application, as follows:
 - Policy LP25 The Historic Environment
 - National Planning Policy Framework
- f) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Local and National Planning Policy
 - Effect on the Special Architectural and Historic Interest of the Listed Building
- g) outlined the responses made to the consultation exercise
- h) referred to the Update sheet which contained a revised recommended officer Condition No 2 which referred to plans listed at Table A, should planning permission be granted
- i) concluded that:
 - The proposed store was required to aid the successful operation of the refurbished Central Market building.
 - The proposed store was not considered to be harmful to the special architectural or historic interest of the listed building, and was in accordance with both local and national planning policy.

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

Standard Conditions

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

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

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

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

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

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

| Drawing No. | Version | Drawing Type | Date Received |
|-------------|---------|-----------------------|------------------|
| 0112 | | Elevations - Proposed | 26th August 2022 |
| 0107 | | Layout | 26th August 2022 |

| | |
|-----------------------|-------------------------------------------------------------------------|
| 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)
E Mail:steve.bird@lincoln.gov.uk

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 2 / SCHEDULE DATE: 22/03/2023**

| Item No | Status e.g., CAC | Specific Location | Tree Species and description/ reasons for work / Ward. | Recommendation |
|----------------|-------------------------|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | N/A | 109 Woodfield Avenue | <u>Birchwood Ward</u> 1 x Lawsons cypress <u>Fell</u> This tree is poorly sited and is likely to cause structural issues to the surrounding hardstanding and building fabric. | Approve Works. Replace with 1 x Crataegus laevigata Paul's Scarlet; to be planted within the roadside verge located at the junction between Woodfield Avenue and Wheatfield Road. |
| 2 | N/A | Boultham Glebe – Allotment site | <u>Boultham Ward</u> 3 x Willow <u>Coppice</u> These trees are weighted towards property boundaries; all have features that raise the probability of unpredictable future collapse. | Approve works. |
| 3 | N/A | 11 Cottingham Drive – Rear Garden | <u>Glebe Ward</u> 1 x Sycamore <u>Fell</u> The removal of this tree has been requested by housing as it is causing direct damage to the property boundary. | Approve works. Replace with 1 x Prunus 'Amanogawa'. To be planted within the grassland located to the front of number's 18 and 20 Cottingham Drive. |
| 4 | N/A | 26 Hemswell Avenue – City owned land to the rear of the property. | <u>Hartsholme Ward</u> 3 x sycamore <u>Fell</u> These trees are located to the rear of the property – the trunks of the trees | Approve Works Replace with 3 x English Oak to be located at suitable locations along Bucknall Avenue. |

| | | | | |
|---|-----|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | prevent the occupier of the adjacent property erecting a fence line within his boundary. | |
| 5 | TPO | 2 Staffordshire Crescent – City owned Land to the side of the property. | <u>Hartsholme Ward</u> 2 x Silver Birch <u>Remove 1 x spire from T1</u> <u>Fell T2</u> These trees are of poor form and encroach over the adjacent property boundary. | Approve works. Replace T2 with 1 x Sorbus aria; to be located on the roadside verge at the junction with Hemswell Avenue and Ludford Drive. |
| 6 | TPO | 12 Sheraton Close – City owned trees to the rear of the property. | <u>Hartsholme Ward</u> 3 x Field Maple <u>20% canopy reduction.</u> Work is intended to remove canopy overhang from the property boundary as well as retaining the structural integrity of the tree canopies. | Approve works |

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| | |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application Number: | 2022/0762/FUL |
| Site Address: | 18A - 20 High Street, Lincoln, Lincolnshire |
| Target Date: | 23rd March 2023 |
| Agent Name: | Framework Architects |
| Applicant Name: | Mr Matt Pang |
| Proposal: | Conversion and extension of existing restaurant to form 1no commercial/retail unit at ground floor and 10no residential apartments (Class C3) with associated amenity space |

Background - Site Location and Description

Site Location

The site is located on the west side of High Street on the corner of High Street and Henley Street. The site is occupied by a three storey building fronting High Street which was previously a restaurant at ground floor with associated residential accommodation above. The site also includes some garages to the rear accessed from Henley Street.

To the north and attached to the building at first/second floor with an arch at ground floor is the Golden Eagle Public House. The pub's arch leads into its car park to the rear with a grassed outdoor seating area/garden located beyond to the west. To the west of the application site are terraced properties on the north and south side of Henley Street. The site is situated within the St Catherine's Conservation Area No 4.

Description of Development

The application proposes a commercial unit at ground floor with 10 residential apartments above and to the rear. The building fronting High Street would be extended upwards by raising the existing eaves and ridge height to provide accommodation within the roof space. A three storey extension would be added to the rear of the existing building to provide further residential accommodation.

Pre-application discussions have taken place and further discussions have continued throughout the application process with the architect. Revisions have been submitted to address officer concerns regarding the scale of the building on High Street, improvements have also been made to the fenestration proportions and design and treatment of the extension on Henley Street.

The application is brought to Planning Committee given the amount of objections received.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 7th March 2023.

Policies Referred to

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

- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP25 The Historic Environment
- 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

Issues

- Principle and Policy Background
- Impact of the Proposed Development on the Character and Appearance of the Conservation Area and Visual Amenity
- Impact on Residential Amenity and Impact on Adjacent Premises
- Highways and Drainage
- Contamination

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

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

Public Consultation Responses

| Name | Address |
|----------------------|-------------------------------------------------------------------------------|
| Mr Gary Bureau | 4 Neile Close Lincoln LN2 4RT |
| Mr Kev Pridgen | 2 Mill Stone Lane Waddington Lincoln LN5 9FR |
| Mr Frank Parr | 19 Henley Street Lincoln Lincolnshire LN5 8BB |
| Mr Frank Parr | 19 Henley Street Lincoln Lincolnshire LN5 8BB |
| Mrs Wenqing Yu | 17 Henley Street Lincoln Lincolnshire LN5 8BB |
| Mr Conor Tinsley | 29 Stocking Way Lincoln Lincolnshire LN2 4FX |
| Mrs Alison Greenwood | Tony Edens Ltd 466 - 468 High Street Lincoln Lincolnshire LN5 8JB |
| Miss Alice Kelly | 14 Cotman Road Lincoln Lincolnshire LN6 7PA |
| Ms Paula Hather | 24 Henley Street Lincoln Lincolnshire LN5 8BA |
| Miss Gemma Goymer | 36 Henley Street Lincoln Lincolnshire LN5 8BA |

| | |
|----------------------|------------------------------------------------------------|
| Miss Lauren Clare | 4 Antonius Way North Hykeham Lincoln LN6 9AD |
| Mrs Lauraine Compton | 291 Woodfield Avenue Lincoln Lincolnshire LN6 0PX |
| Mr Peter Rollings | 47 Harris Road Lincoln Lincolnshire LN6 7PN |
| Mr Daniel Finn | 14A The Sidings Saxilby LN1 2PX |
| Mr Martin Tasker | 17 Ferrous Way North Hykeham LN69ZN |
| Mr Nick Middleton | 13 Henley Street Lincoln Lincolnshire LN5 8BB |
| Mr Michael Hancock | 52 Woodfield Road Gainsborough DN21 1RF |
| Mr Yat Chun Chan | 29 Henley Street Lincoln Lincolnshire LN5 8BB |
| Mr Carter Beecroft | 8 Silver Street Bardney LN3 5SS |
| Peter Theobald | 120 Ripon Street Lincoln Lincolnshire LN5 7NF |
| Diane Brummitt | 86 West Parade Lincoln Lincolnshire LN1 1JY |
| Dr Peter Gostelow | 1 Westwood Drive Lincoln Lincolnshire LN6 0HL |

| | |
|-----------------------|---------------------------------------------------------------------|
| Mr N Woodburn | Callans Lane Kirkby Underwood Bourne PE10 0SA |
| Lucy McCann | 55 St Catherines Grove Lincoln Lincolnshire LN5 8ND |
| Mr A Malsher | 42 Mareham Lane Sleaford Lincoln NG34 7FS |
| Tracey Darby | 37 Henley Street Lincoln Lincolnshire LN5 8BB |
| Miss Talia Thornberry | 20 Kathleen Grove Grimsby DN32 8JT |
| Mr Donald Barton | 1 Sorrel Court Lincoln LN6 0YL |
| Neil Renshaw | 29 Lotus Court North Hykeham LN69UQ |
| Mr Ashley Sewell | 32 St Hughs Drive North Hykeham Lincoln LN6 8RD |
| Jackson Pearse | 288 Newark Road Lincoln Lincolnshire LN6 8RU |
| Mrs Marianne Langley | Lantern House 8 The Avenue Lincoln Lincolnshire LN1 1PB |
| Tsvetelin Petkov | 15 Henley Street Lincoln Lincolnshire LN5 8BB |
| Mrs Hayley Bruce | 25 St Catherines Road Lincoln Lincolnshire LN5 8DY |

| | |
|---------------------|--------------------------------------------------------------|
| Mr Owen Jones | 7 Blankney Close Saxilby Lincoln LN1 2JA |
| Ms Wendy Margetts | 32 St Hughs Drive North Hykeham LN6 8RD |
| Mr Oliver Dockery | 9 Peterborough Road Newark NG23 7SP |
| Mr Conor Tinsley | 29 Stocking Way Lincoln LN2 4FX |
| Mr Karlo Hine | 5 Yarborough Road Lincoln Lincolnshire LN1 1HT |
| Darren Pearson | 363 Burton Road Lincoln Lincolnshire LN1 3XE |
| Mr Darren Nicholas | Curtis Drive Lincoln LN41GF |
| Ms Linzi Cook | 8 Croxton Drive Lincoln Lincolnshire LN6 0AN |
| Ian Tinsley | 3 Kexby Mill Close North Hykeham Lincoln LN6 9TB |
| Mrs Kirsten Pearson | 363 Burton Road Lincoln Lincolnshire LN1 3XE |
| Christopher Wright | 30 Webb Street Lincoln Lincolnshire LN5 8DL |
| Tyla Hall | Flat 21 High Street Lincoln Lincolnshire LN5 8BD |

| | |
|---------------------|--------------------------------------------------------|
| Christopher Tyers | 21 High Street Lincoln Lincolnshire LN5 8BD |
| Miss Sophie Hodgson | 26 Henley Street Lincoln Lincolnshire LN5 8BA |
| Mr Adrian Lucas | 6 Macaulay Drive Lincoln Lincolnshire LN2 4DY |
| Mr Jez Christopher | 6 Denefield Skellingthorpe Lincoln LN6 5AX |
| Mr Mike Smith | 76 Newark Road Lincoln Lincolnshire LN5 8PY |
| Mr Ben Smith | 1 Roman Road Welton Lincoln LN23RJ |
| Mr Philip Harrison | 4A Henley Street Lincoln Lincolnshire LN5 8BA |
| Mr John Illingworth | 30 Henley Street Lincoln Lincolnshire LN5 8BA |
| Miss K Bradish | 2A Henley Street Lincoln Lincolnshire LN5 8BA |
| Mr David Parker | 6 Crane Grove Lincoln LN6 7SN |

Consideration

Various objections have been received to the proposal, these are from both residents within the City and some from outside the city with regard to the impact on the adjacent public house. All representations are included on the agenda and main concerns raised

are:

Concern regarding parking and that the proposal will increase existing parking pressures, concern with the modern design of the proposal, scale of proposal, increased traffic, lack of demand for flats in the area. Many of the objections raise concern with the impact on public house to the north including loss of light into the building and to the outdoor area, increased potential for noise complaints from new residential properties regarding the pub's events. Concern regarding the impact on the flat above the pub including overlooking, loss of light and structural issues from proposed building height increase.

The concerns raised are discussed throughout this report.

Principle and Policy Background

Central Lincolnshire Local Plan Review

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

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

CLLP Policy LP1 states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the local plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the NPPF. 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. The CLLP sets out growth requirements of 36,960 dwellings between 2012-2036. The 36,960 dwelling figure should not be seen as a ceiling, but rather the level of growth which is both needed and anticipated to take place in the plan period. All house types are required to ensure the target can be met as a minimum and given the proposal is located within a mixed use area with a range of housing provided in the area, it is considered that the proposed flats would add to this mix.

The site is located within a Central Mixed Area and a Secondary Shopping Frontage as defined in the CLLP. Policy LP33 encourages residential uses in the Central Mixed Use Area but also requires that active uses prevail at ground floor (formerly Classes A1 to A5 Now Use Class E) within Secondary Shopping Frontages. This is also required through Policy LP35 which supports regeneration through appropriate development for housing

(above ground floor level) with commercial ground floor uses including shops, cafes, restaurants, pub/bars and offices. Policy LP35 also seeks to ensure existing shopfronts are retained and refurbished.

The use at ground floor as commercial on the High Street elevation would maintain a level of activity with residential above. These uses would be wholly in accordance with the aims of LP33 and LP35. The site has been vacant for some time and the proposal would have the potential to bring the site back into use.

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

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

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

The site is occupied by a building which is lower in eaves than its adjoining neighbouring property on High Street. The Henley Street elevation is occupied by single storey garages. The existing building fronting High Street is of three storeys and has a rendered front elevation. The windows are a mixture of horizontal and vertical proportions all modern in style. The shop front and window pattern do not positively contribute to the character and appearance of the conservation area, which consist of domestic fenestration and brick slips at ground floor. A more traditional shop front would be included to the front elevation, wrapping around to the side on Henley Street.

The proposal would retain the existing three storey building fronting High Street although its roof would be raised. The eaves would be increased to be in line with the neighbouring building and its ridge would sit slightly higher. Originally the drawings proposed a higher eaves line than the adjacent public house which officers considered to be uncharacteristic when viewed in terms of scale. It also created an uncharacteristic space created between the top of the second floor windows and the new eaves of the building. Revisions have been incorporated to ensure this elevation is better proportioned. The dormer windows have also been reduced in size and now reflect the proportions of the windows below in the front elevation to create a more vertically proportioned elevation.

On Henley Street, the three storey extension would occupy the space where the existing garages would be demolished. The extension would take a more modern form than the High Street elevation with larger recessed windows over two storeys and a third floor which is set back from the main façade. The new extension would be attached to the original building by a link where pedestrian access would be taken into the building at ground floor. The materials to be used for the link would be different to those used for the new extension, representing the transition from the original building to a more modern design. The extension would be set off the boundary with the adjacent public house which creates an outdoor courtyard area to the north; this will provide an outdoor amenity area for residents, as well as space for bin and cycle storage.

PV solar panels are proposed on the roof of the new extension; given this is on a flat part of the roof, these would not be visible from the street.

The architect has revised the designs, in line with officer comments, in order to introduce a more vertically proportioned elevation fronting High Street, which responds to its locality. The revisions have also reduced dormer sizes on the High Street elevation, ensuring these better relate to the elevation below. The introduction of a traditionally designed shopfront is welcomed and will help to rebalance the front elevation and reverse the previous uncharacteristic changes to the building. The eaves line will reflect that of its neighbouring property and whilst the alterations will increase the ridge height beyond that of the neighbouring property; differing ridge heights are commonly seen throughout the conservation area and it is not considered that this would be harmful. It is considered that the building would sit comfortably in its position without appearing out of scale to the established prevailing character.

The extension fronting Henley Street would represent a contrast to the front elevation; it takes a contemporary form with large openings framed by recessed brick detailing. Whilst the top floor would be higher than the adjacent Victorian terraces on the north side of Henley Street, this relationship represents the transition from commercial on the High Street to the more domestic scale on side streets and is not uncommon in the area. The top floor being set back will also give relief to the scale. The use of red brick on the ground and first floor of the extension would reflect the adjacent terraced properties.

With regard to materials, the existing elevation fronting High Street is rendered at first and second floor. It is proposed that this would remain as rendered and this would extend around the original side elevation. Red brick would be used for the extension, whilst the top floor and link between existing and proposed would have a different treatment. Aluminium panels/render are proposed. Whilst some general information has been received with regard to the materials to be used, it would be considered entirely appropriate to condition further details of the proposed materials, ensuring that they are of a suitable quality and appropriate to the street and wider conservation area.

The proposal is contemporary in style, particularly the new extension, whilst being sympathetic to the historic townscape of the south of High Street and indeed the Conservation Area. The proposal, in its revised form, responds positively in form and scale to the context. The proposal would secure improvements to the existing building, which is not, at present, positively contributing to the Conservation Area. The proposal would also have the potential to introduce a use to this site which has been vacant for some time. The proposal accords with Policies LP25 and LP26 of the Central Lincolnshire Local Plan and paragraph 199 of the NPPF.

In addition to the NPPF, the City Council are also duty bound by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990. The re-development of the site both preserves and enhances the character and appearance of the Conservation Area in accordance with Section 72 (1).

Residential Amenity and Impact on Adjacent Premises

In terms of impact on adjacent premises, the Golden Eagle Public House is positioned to the north of the application which is attached to the main part of the building fronting High Street. The public house also has a long rear projecting off shoot over two floors which forms the bar at ground floor and accommodation above. Planning permission was

granted in 2006 to extend the premises providing an additional bedroom within the first floor offshoot, the application stated that the flat was utilised as staff accommodation; the flat is accessed from inside the pub.

The main outlook from the proposed flats are either to High Street or Henley Street. The main bulk of the proposed extension has been designed to be positioned off the boundary to the north which creates a private courtyard for future residents as well as providing breathing space between the new development and the existing public house.

There are windows proposed within the side elevation of the proposed extension facing the adjacent public house although the applicant has limited the impact of overlooking by ensuring that the majority of these windows are to circulation corridors. There would be new bedroom windows on the first and second floor although these would be positioned further west than the windows in the off shoot at the public house and therefore would not directly overlook the residential flat. Similarly, new windows within the rear elevation on the first and second floors would be adjacent to the side boundary with the public house although given the position to the offshoot at this point, direct overlooking would be difficult and certainly would not warrant refusal on the current application on these grounds.

The adjacent public house has an access from High Street into its car park to the rear with a small, covered seating area adjacent to the side boundary with the application site. Some of the objections incorrectly state that the proposal would create overshadowing to the main large beer garden which is positioned further to the west and behind No.6- 10 Henley Street. It is not considered that this area would be impacted upon by this development. Given the smaller area within the access/carparking area is covered and adjacent to the existing approximately 3 metre high boundary wall, it is not considered that the development would impact on this area either. Similarly, light to the first floor windows within the side elevation of the flat to the public house are unlikely to be impacted to a harmful degree. With regard to light lost to the bar area itself, limited weight can be given to such matters when compared to that of a residential property particularly if light is afforded over 3rd party land. However, given the proposed building's position, offset from the boundary, it is not considered loss of light would be significant to the public house.

Many of the objections raise concerns regarding noise from the pub and whether the creation of additional flats will impact on the existing public house's ability to hold live music events and operate as it does currently. The pub is already surrounded by residential properties and the application site itself previously contained residential on its upper floors. The principle of residential in this location is supported in the local plan and it would not be reasonable to refuse permission on this perceived impact given the existing context. The City Council's Pollution Control Officer has assessed the proposal and suggested that a noise impact assessment is submitted prior to commencement of the development to ensure that the proposed development incorporates mitigation measures to reduce noise impacts, such as acoustically enhanced glazing and ventilation.

The City Council's Pollution Control Officer has also advised that while this is a relatively small development, due to the proximity to neighbouring sensitive uses, there is potential for problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. While issues relating to the construction phase are not a material planning consideration a condition restricting the construction and delivery hours can be applied to any grant of permission to help limit any potential impact.

The adjoining neighbouring occupant has raised concerns regarding additional load bearing on their property and the height of their chimney in relation to the proposed development. These are not material planning considerations but the development will need to ensure it is compliant with other safety and fire regulations and the Building Regulations.

The proposal has a blank side elevation adjacent to the end terraced property, No. 2 Henley Street. There is a stairwell window proposed but this is setback enough from the side elevation to ensure loss of privacy would not be an issue. The building itself would be slightly beyond the existing rear elevation although separated by a passage which would lead to the courtyard area to the rear. It is not considered that the proposed extension would pose an unduly overbearing relationship to the occupants of No. 2 nor would loss of privacy be an issue.

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

Highways and Drainage

In terms of the commercial unit, parking bays are available on both sides of the High Street at this point for visitors. Henley Street has no formal residents parking scheme in place therefore many residents have raised concerns that the residential development will increase pressure to on street parking in the area. No parking is provided on site and officers do not consider it could be successfully designed into the scheme, however, the site is highly sustainable with good access via walking, cycling and public transport. Cycle storage is provided in the secure courtyard to the rear and further details will be secured via condition. The County Council as Highway Authority has assessed the proposal and does not raise any objections to the application in respect of highway safety or traffic capacity subject to a condition to ensure an existing dropped kerb access to the garages on Henley Street is reinstated following completion of the development.

Subject to the recommended conditions, officers consider the development would have access to 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.

Drainage

The application has been considered by the County Council as Lead Local Flood Authority (LLFA) who have raised no objections to the proposed arrangements. The site hard surfaced and therefore the surface water discharged rate would from the site will not change due to the proposals. The development would therefore satisfy the requirements within paragraph 167 of the NPPF and LP14 of the CLLP.

Contaminated Land

The City Council's Pollution Control Officer has advised that, due to past uses on the site, there is the potential for unsuspected contamination to be identified during the development. A condition has been requested which will be attached to the grant of any permission.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

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

Application Determined within Target Date

Yes.

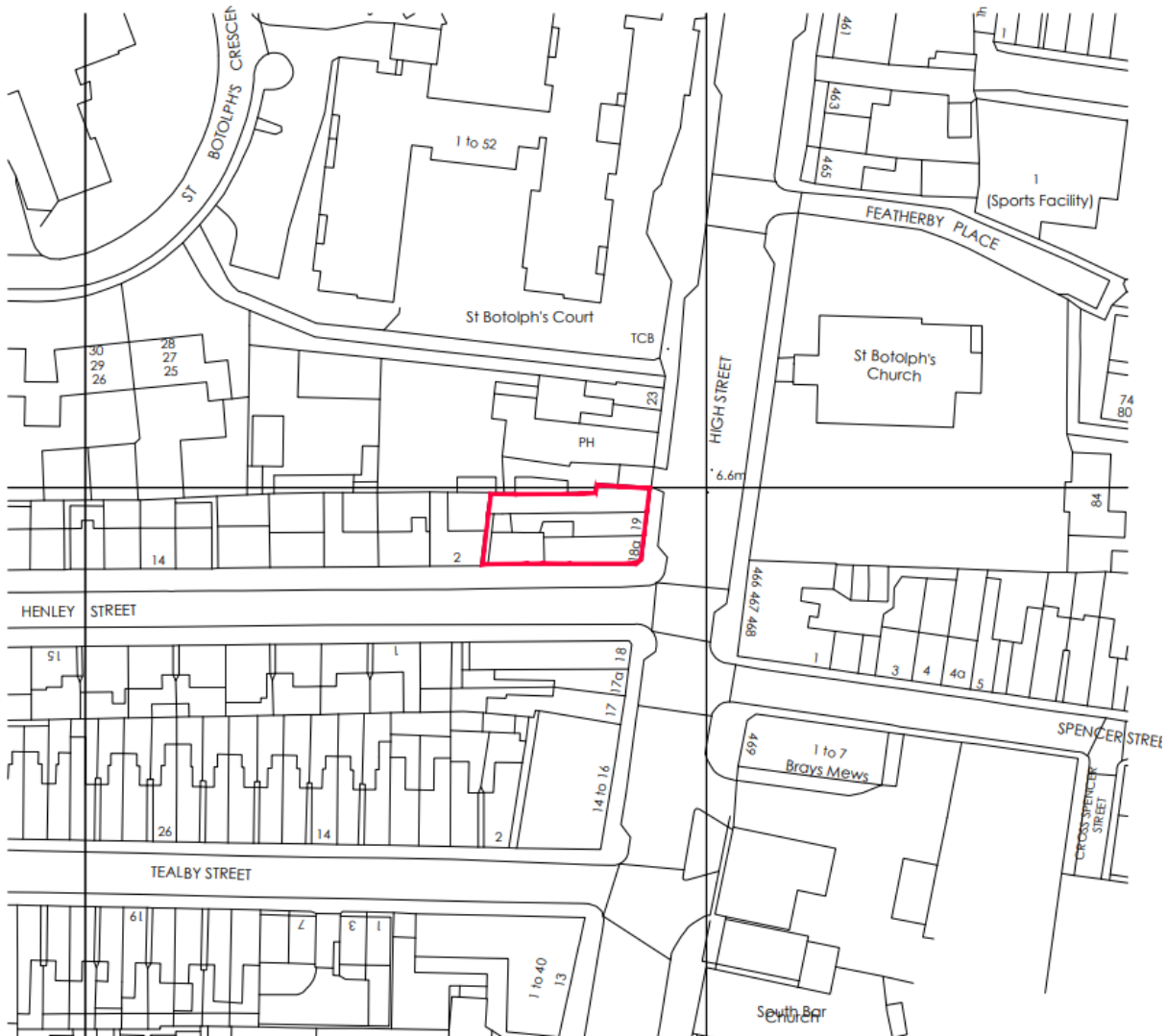
Recommendation

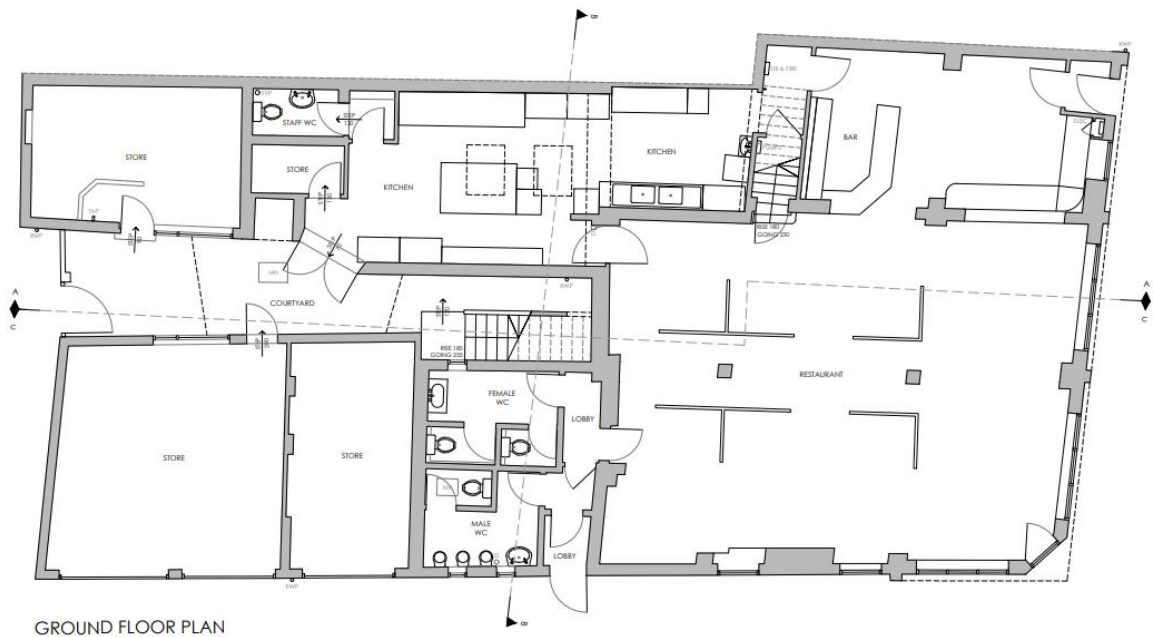
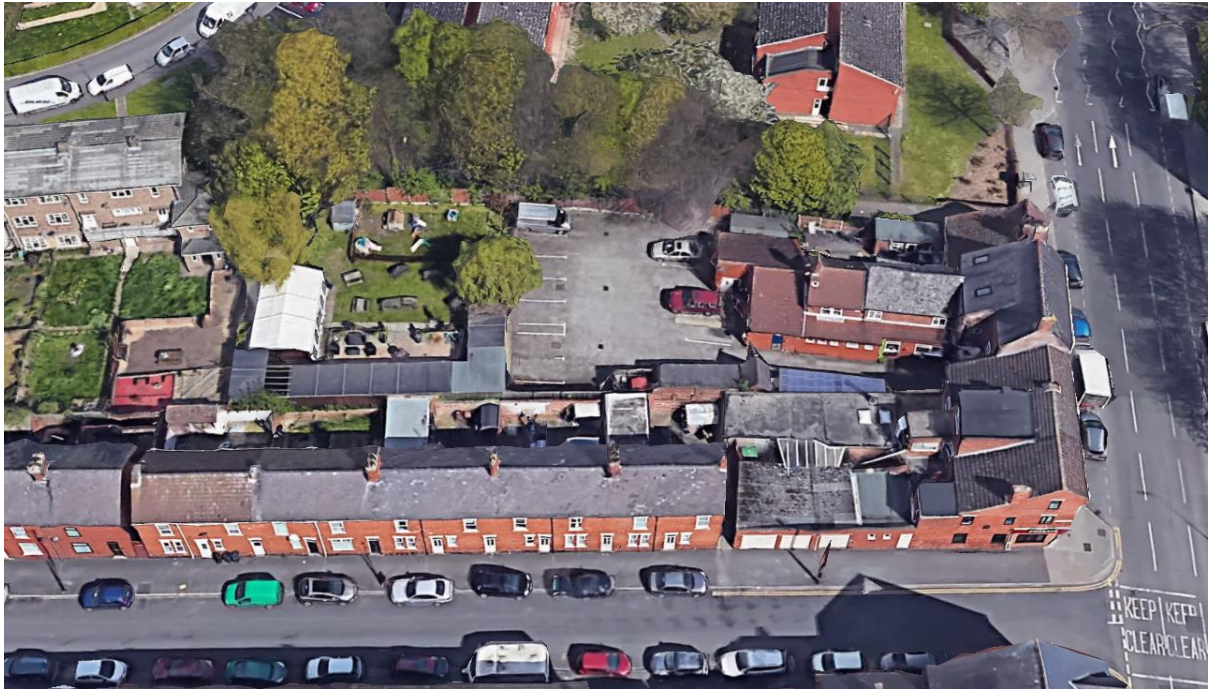
That the application is Granted Conditionally.

Standard Conditions

- Time limit of the permission
- Development in accordance with approved plans
- Noise mitigation measures to be submitted
- Contaminated land
- Materials
- Cycle storage
- Construction of the development (delivery times and working hours)
- Existing dropped kerb to be reinstated to Henley Street
- Ground floor unit shall be use class E

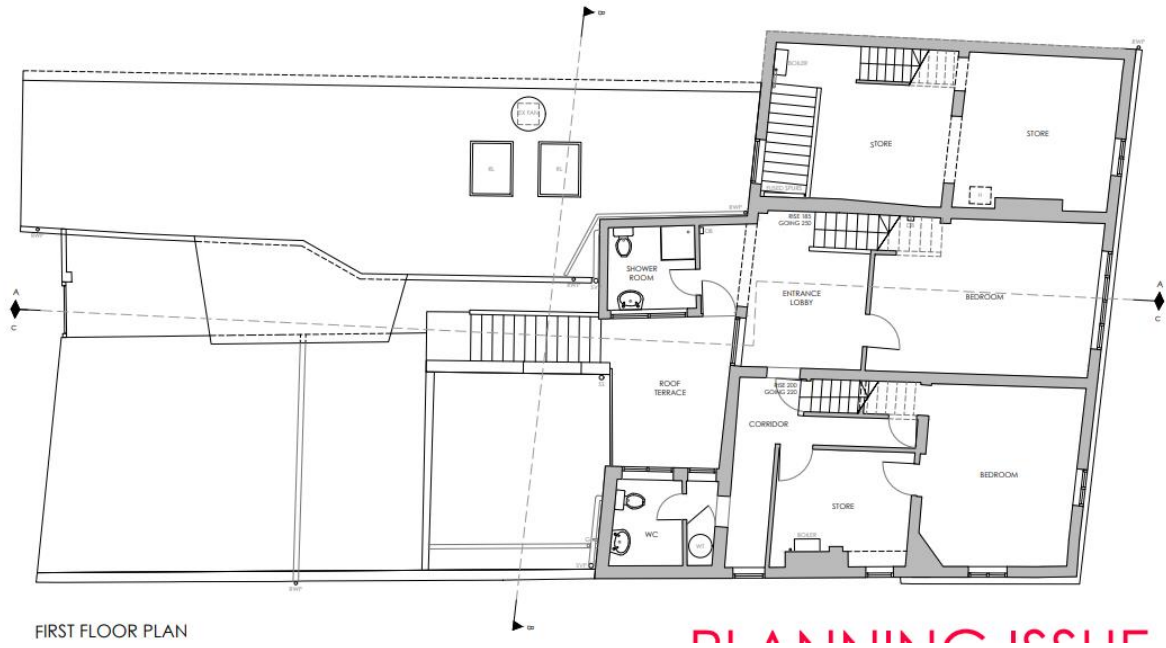
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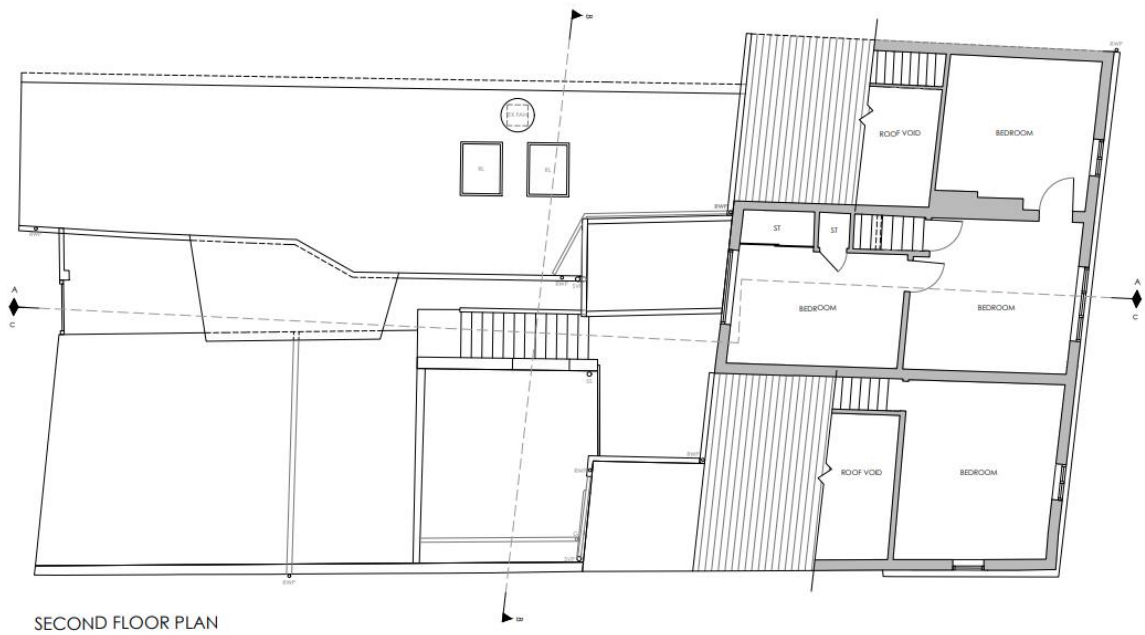


GROUND FLOOR PLAN

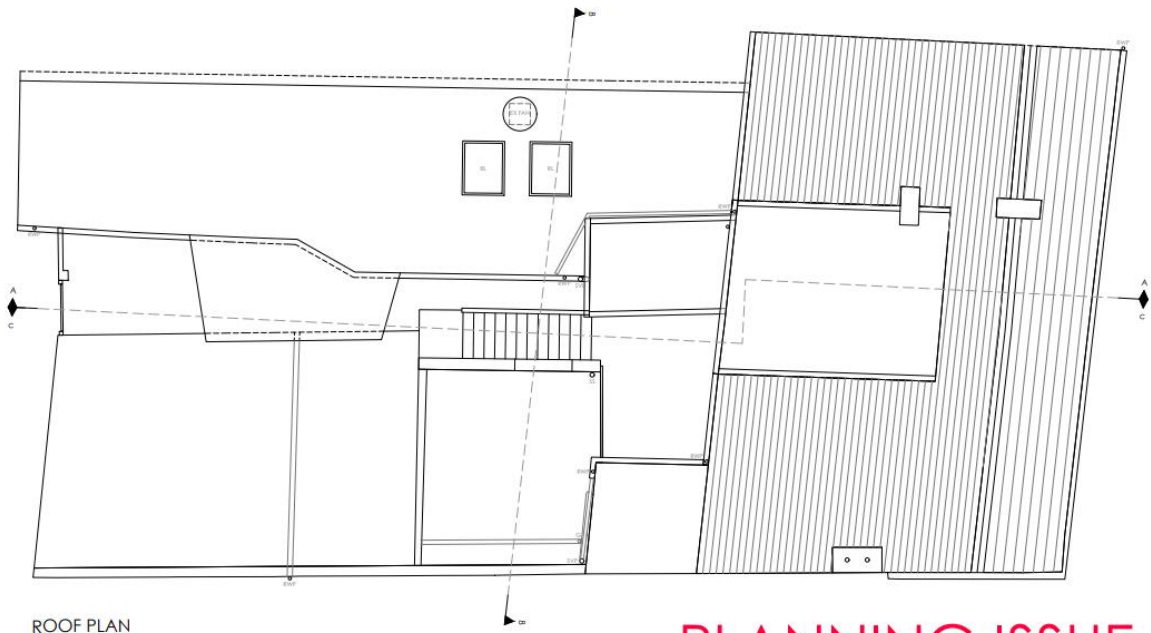
Existing Ground Floor Plan



Existing First Floor Plan



Existing Second Floor Plan



DI ANTONIO ISLIP

Existing Roof Plan



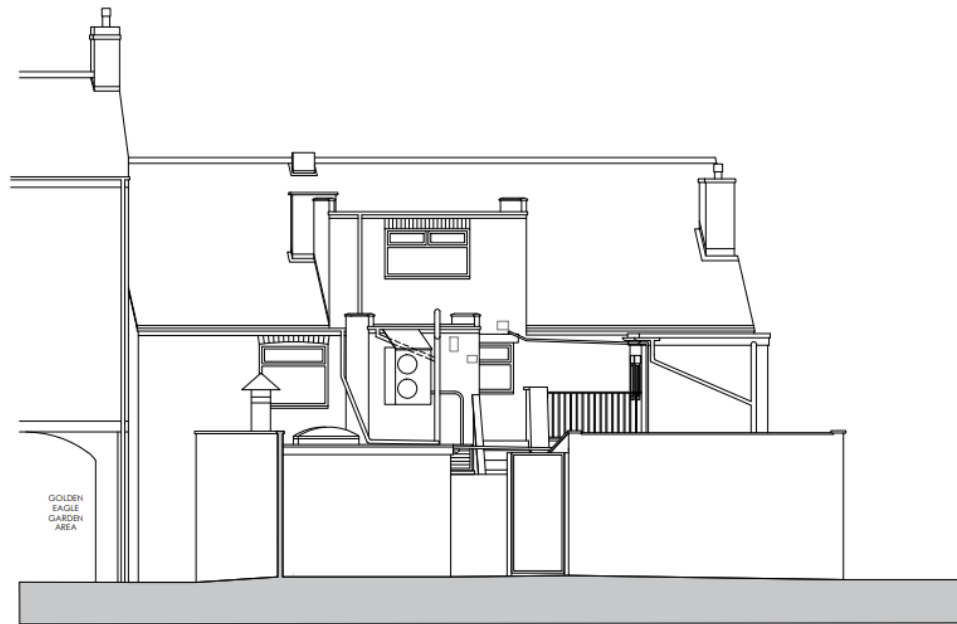
Existing East Elevation



SOUTH ELEVATION

Existing South Elevation

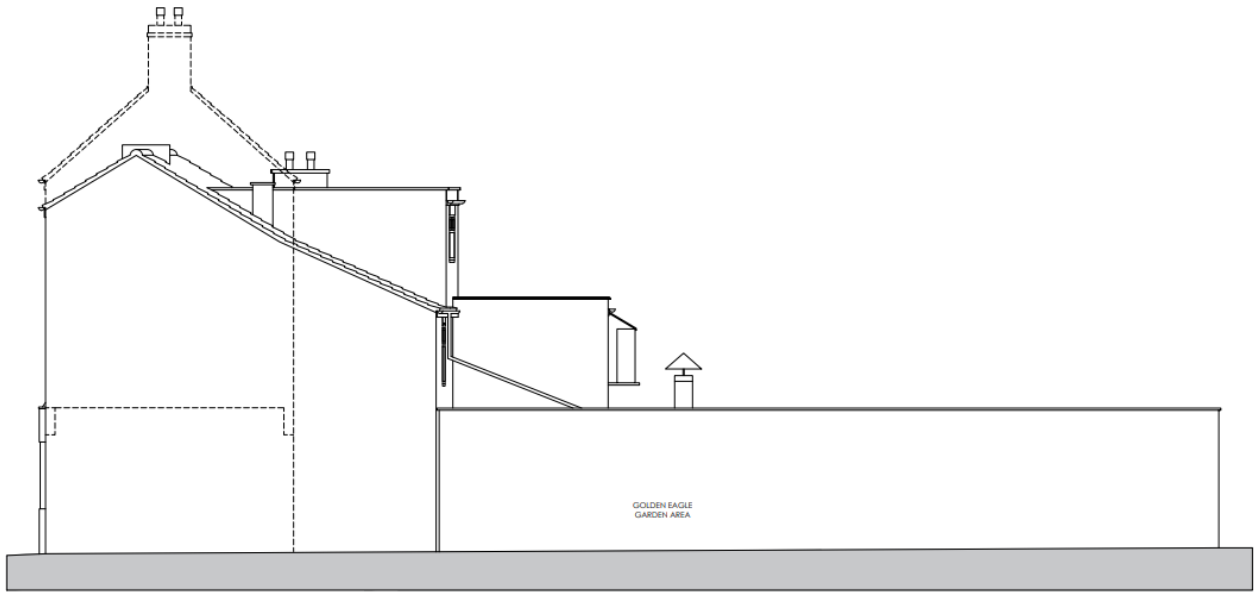
OR BY FAX THROUGH THE LONDON BY POSTING UP FRAMEWORK



GOLDEN
EAGLE
GARDEN
AREA

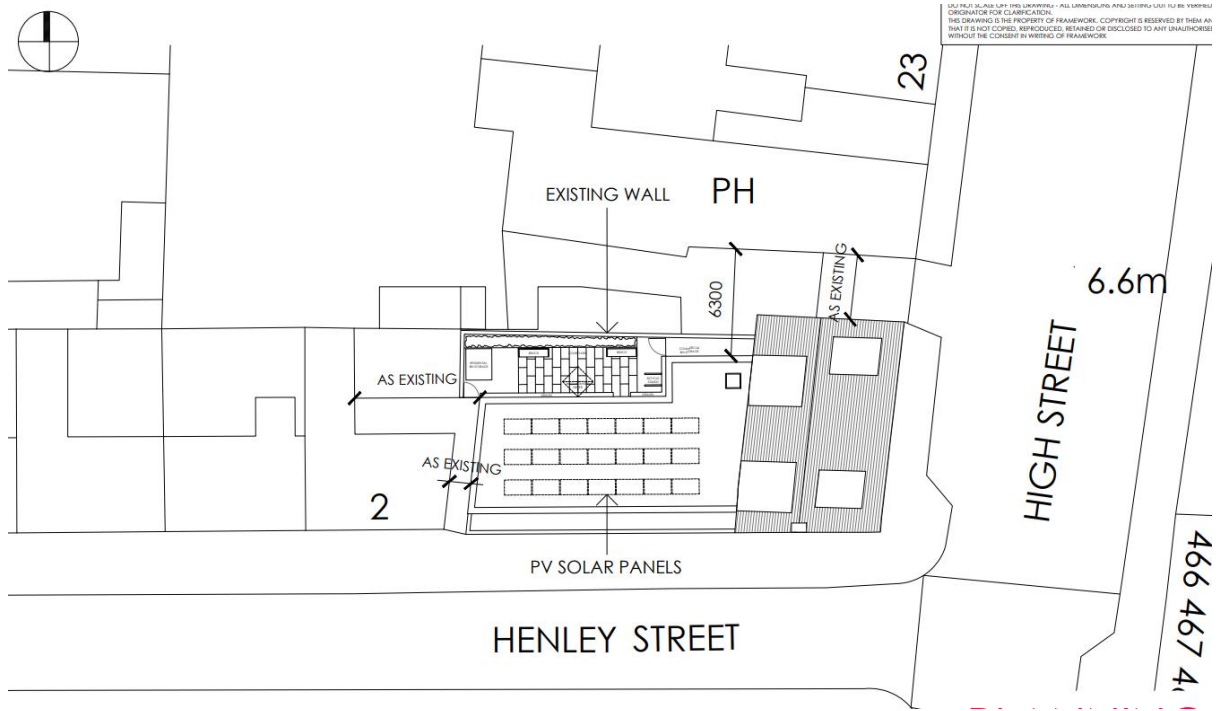
WEST ELEVATION

Existing West Elevation

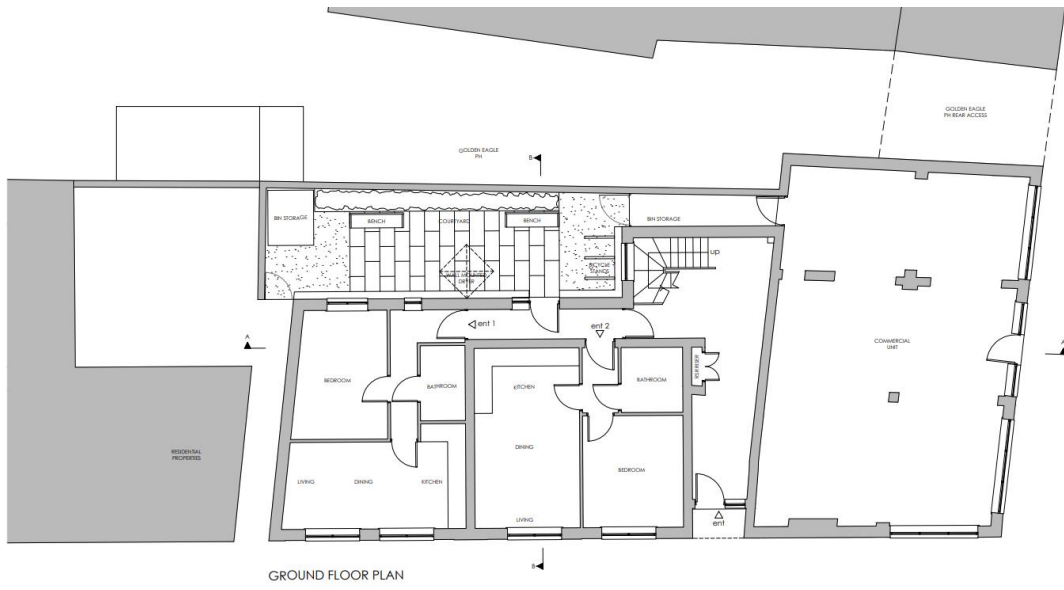


NORTH ELEVATION

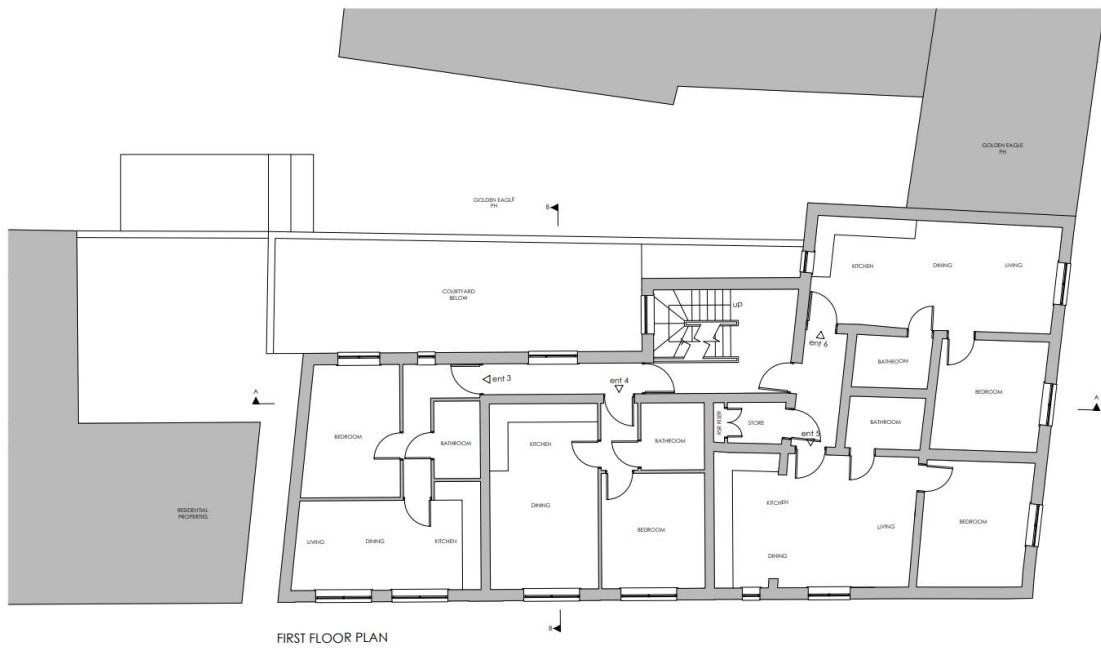
Existing North Elevation



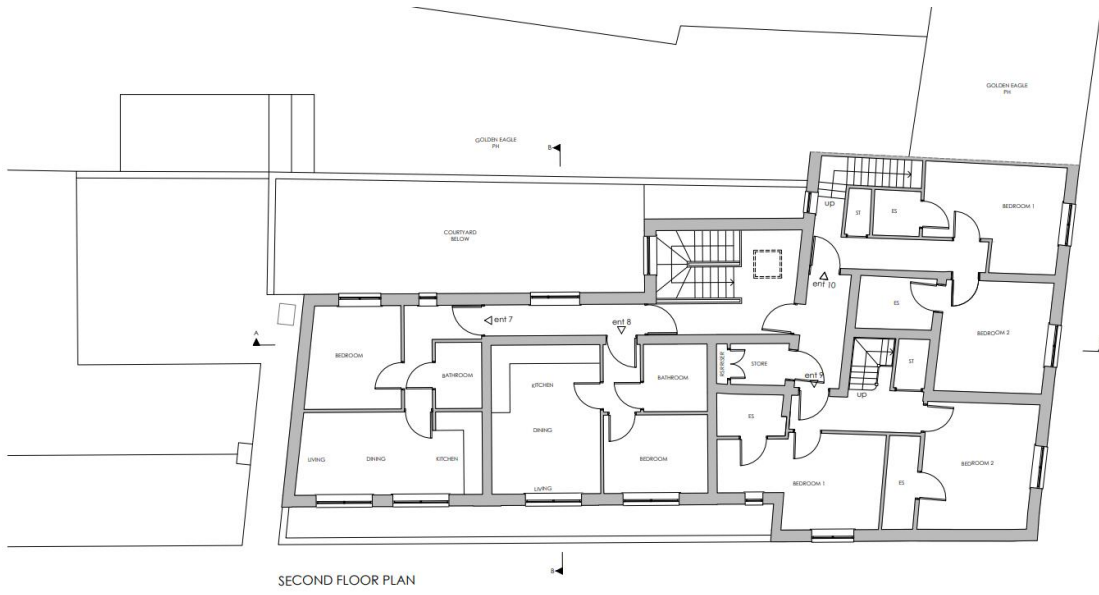
Proposed Block Plan



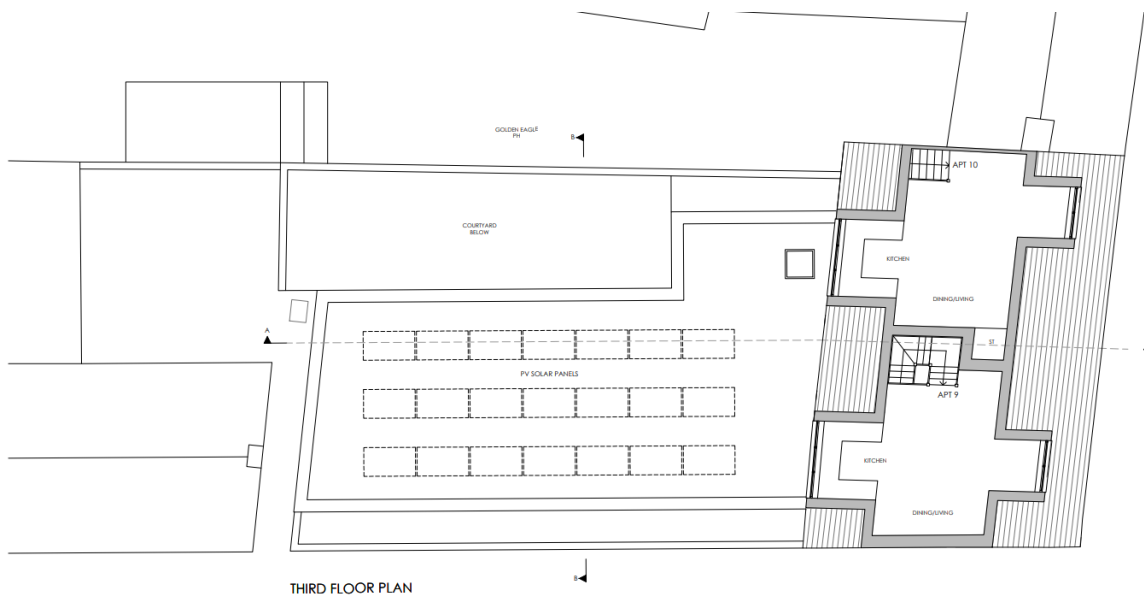
Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Second Floor Plan



Proposed Third Floor Plan



HIGH STREET ELEVATION



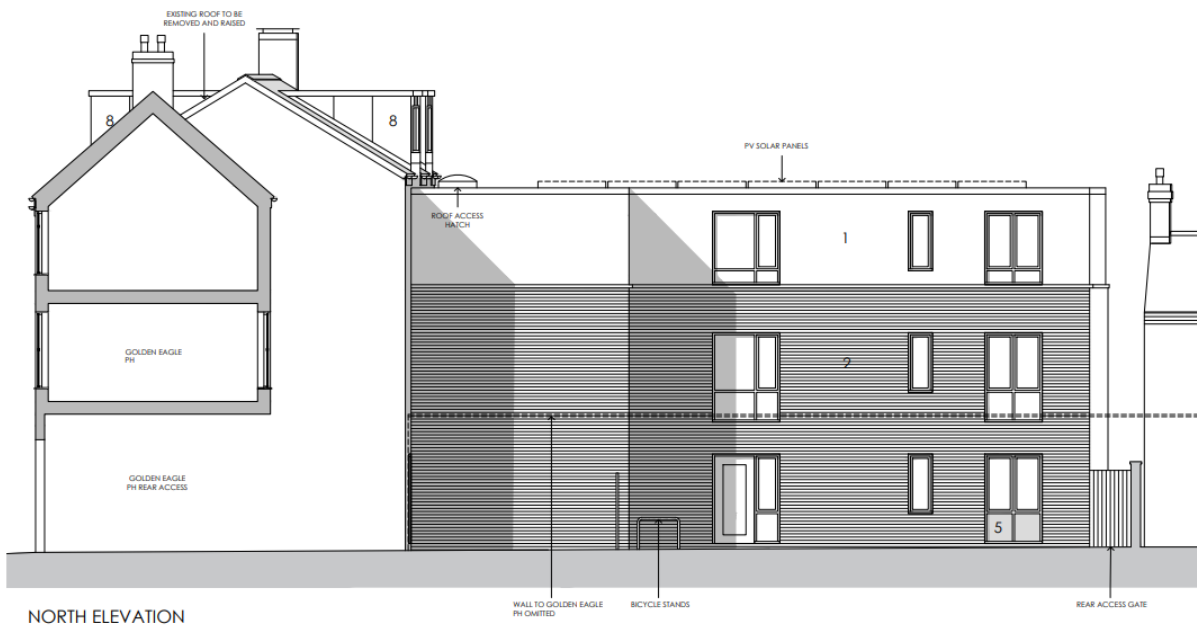
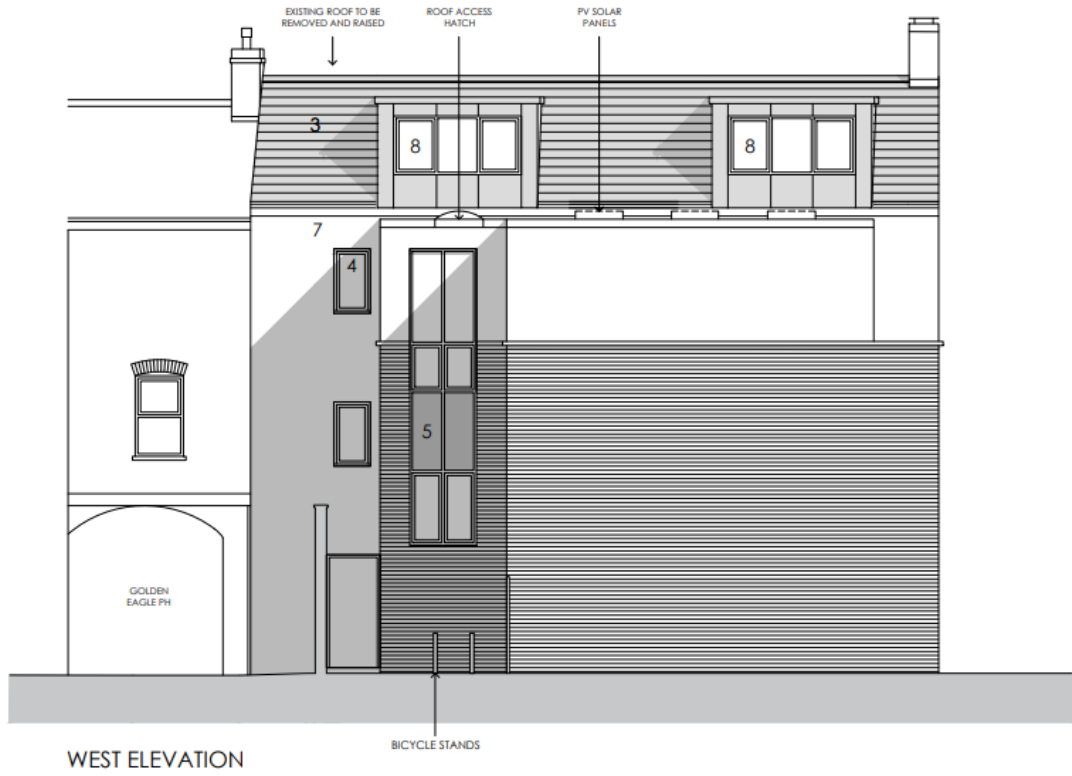
HENLEY STREET ELEVATION



EAST ELEVATION



SOUTH ELEVATION





View 1 looking North towards the building, along High Street.



View 2 looking west towards the building, along Henley Street illustrating the poor elevational treatment and scale of the existing storage wing.



View 3 taking from the Golden Eagle PH yard looking east towards the rear of the subject site.



View from High Steet showing front elevation and adjacent public house

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2022/0762/FUL - 18A – 20 High Street Responses

13 Henley Street Lincoln Lincolnshire LN5 8BB (Objects)

Comment submitted date: Thu 01 Dec 2022

I live at number 13 Henley Street and I very strongly object to this proposed building going ahead. The parking is already a huge problem on this street so the proposed plans shouldn't be allowed to go ahead. I feel that it will also impact negatively on the golden Eagle pub, mainly the two-storey proposed building casting shadows onto the beautiful beer garden that the Golden Eagle has and I think this would ruin it and be very detrimental. The street has already seen an influx of residents in the last 5 years with terrace houses being converted into flats or HMO'S. The issue of parking is also already a major problem for us residents, when football matches happen twice a week it's an absolute nightmare getting parked on our own street let alone outside of our actual house, so I don't see how all of the new residents in this proposed building would help that issue.

42 Mareham Lane Sleaford Lincoln NG34 7FS (Objects)

Comment submitted date: Thu 03 Nov 2022

I STRONGLY object to this application. I travel a 30 mile round trip to visit and support the events hosted at The Golden Eagle Pub.

The pub brings in visitors to the city which in turn brings income.

The pub is well established as supporting local musicians and runs outdoor events in the summer as well as open mic nights.

There is the strong probability these could be severely affected which will make running the pub very difficult.

A second storey will over-shadow the outside of the pub and ruin it as an outside venue.

1 Roman Road Welton Lincoln LN23RJ (Objects)

Comment submitted date: Sat 29 Oct 2022

I object to the proposed extension of the property as it will negatively impact on the business next door, namely the Golden Eagle Public House. At a time when pubs are already struggling, I feel that complaints from residents of the flats are inevitable as the pub relies on events and music to stay afloat. This, alongside the obstruction to natural light in the beer garden caused by such an extension, would be catastrophic for the venue. The Golden Eagle is one of Lincoln's oldest public houses and a big part of our local heritage. To allow building to go ahead would, in my opinion, deal a fatal blow to one of the few remaining traditional public houses in the city.

55 St Catherines Grove Lincoln Lincolnshire LN5 8ND (Objects)

Comment submitted date: Fri 28 Oct 2022

The Golden is essentially a community pub. If the Conversion for flats is approved then The Eagle would almost certainly be adversely affected. The flats would stop natural light into the pub and complaints over noise by residents would, potentially stop events taking place. For a lot of lonely elderly people the pub is a place to meet like minded people and for a few hours have some company.

24 Henley Street Lincoln Lincolnshire LN5 8BA (Objects)

Comment submitted date: Fri 28 Oct 2022

Parking is already a huge problem on this street so the proposed plans shouldn't be allowed to go ahead. I feel that it will also impact negatively on the golden Eagle pub. The street has already seen an influx of residents in the last 5 years with terrace houses being converted into flats or HMO'S. The issue of parking is also already a major problem for us residents, when football matches happen twice a week.

25 St Catherines Road Lincoln Lincolnshire LN5 8DY (Objects)

Comment submitted date: Thu 27 Oct 2022

I feel this development would cause considerable issues for the pub next door, such as blocked light etc. And as a result would have a large negative impact on the business. This development would also cause issues with parking in an already congested area.

47 Harris Road Lincoln Lincolnshire LN6 7PN (Objects)

Comment submitted date: Wed 26 Oct 2022

The residential flats would block sunlight from the popular, historical pub The Golden Eagle, & the residents might complain about noise from the musical events which take place at the pub. The pub contributes to the local economy & music scene & should be given priority

14 Cotman Road Lincoln Lincolnshire LN6 7PA (Objects)

Comment submitted date: Wed 26 Oct 2022

I lived on Henley Street for 4 years and have recently moved. Parking is a huge issue for residents on Henley Street as it is, south common events, football parking, people parking to walk into town to shop, work, eat and drink, local shop staff parking. My elderly grandmother still lives on Henley street and she has visitors often, some of which are elderly and/or have mobility issues.

36 Henley Street Lincoln Lincolnshire LN5 8BA (Objects)

Comment submitted date: Wed 26 Oct 2022

This street is already over run with people using the street as a car park. With the addition of 10 flats there will be no space for residents to park. On match days its already ridiculous. I am completely against this extension! It will be an eyesore and will massively impact local traffic and cause far too much mess whilst in construction. After speaking with many residents on this street I know everyone is against this .

6 Macaulay Drive Lincoln Lincolnshire LN2 4DY (Objects)

Comment submitted date: Wed 26 Oct 2022

The Golden Eagle pub next door to the proposed development is a valuable community asset, hosting live music and beer festivals. It nurtures new musical talent. I fear that if residential accommodation is allowed to go ahead the residents will complain about the music/noise and could kill off the community activities taking place at The Golden Eagle.

On another matter there is surely not sufficient parking space to serve 10 new flats in this area. Henley Street and surrounding streets are already packed with on-street parking.

Callans Lane Kirkby Underwood Bourne PE10 0SA (Objects)

Comment submitted date: Tue 25 Oct 2022

The planned development is likely to have a detrimental effect on the Golden Eagle public house.

2 Mill Stone Lane Waddington Lincoln LN5 9FR (Objects)

Comment submitted date: Tue 25 Oct 2022

If this application could in anyway effect the social functions of the Golden Eagle public house then I object. The outdoor social events such as the beer festival are well established and have been running for many years.

30 Webb Street Lincoln Lincolnshire LN5 8DL (Objects)

Comment submitted date: Tue 25 Oct 2022

I object to the plans. I have friends who have lost pubs because of people building flats NEXT to pubs and then having said tenants/owners complain of noise when the pub was there first.

This will happen with the golden eagle which isn't fair. Especially when it is a pillar pub for football fans, home and away alike.

363 Burton Road Lincoln Lincolnshire LN1 3XE (Objects)

Comment submitted date: Tue 25 Oct 2022

I object to this proposal as I believe that this will have a detrimental impact of the business of the Golden Eagle Pub. This venue is historical to Lincoln dating back to the 1700's. It has always been known as cosy place to go & any noise pollution from outside areas would make such a difference to the quaintness of this public house.

1 Westwood Drive Lincoln Lincolnshire LN6 0HL (Objects)

Comment submitted date: Tue 25 Oct 2022

I can only echo the many comments relating to the impact on the Golden Eagle public house. This is a rare community venue offering live music, the open mic events in particular being invaluable in providing opportunities for new musicians to develop. It is very likely that the impact of the development, both in terms of noise sensitivity, and also in the loss of light to the beer garden, would be detrimental to this community venue.

86 West Parade Lincoln Lincolnshire LN1 1JY (Objects)

Comment submitted date: Tue 25 Oct 2022

The pub has many a good events going on ,there is not many regular pubs left now let's not Spoiler it with a eye saw of a building please leave it as it is

120 Ripon Street Lincoln Lincolnshire LN5 7NF (Objects)

Comment submitted date: Tue 25 Oct 2022

Lincoln's once vibrant live music scene has been diminishing over the past decade as a direct result of venues being crowded out by residential planning applications being granted next to venues that have existed for decades. This is a significant cultural loss to the city and has a direct and negative affect on the communities surrounding these venues.

Not only will this venue suffer from loss of revenue but the proposed development will turn a pleasant outdoor seating area into a dark and overlooked cubby hole and this will directly impact the profitability of a successful, well established and well loved pub at a time when so many are already suffering.

With the cost of living rising daily and the quality of live falling for so many, establishments

such as this are vital in ensuring and promoting the community spirit of the areas they serve. It is on these grounds that I would like to lodge my formal objection to the approval of this development.

288 Newark Road Lincoln Lincolnshire LN6 8RU (Objects)

Comment submitted date: Tue 25 Oct 2022

The high Street doesn't need more cheapo poverty housing for in house workers ran by shady proprietors which I've seen elsewhere.

I understand the logic.

The golden Eagle are established as a brilliant community pub.

It houses events.

I totally oppose this development because it will end badly for others.

No.

The Golden Eagle will suffer and I'd rather support that than the possibility of what looks like a total disregard from a takeaway.

Is what is.

Lantern House 8 The Avenue Lincoln Lincolnshire LN1 1PB (Objects)

Comment submitted date: Tue 25 Oct 2022

I agree with other comments that the proposed development would have a detrimental effect on the amenity value and appeal of the neighbouring pub, in particular the outside space. This in turn will impact the viability of the business. The Eagle is one of Lincoln's few remaining cherished live music pubs and needs protecting. It is inevitable that a new residential development in such close proximity will be exposed to the noise that accompanies live music performances. This will lead to a poor quality of life for the new residents and will ultimately lead to complaints.

5 Yarborough Road Lincoln Lincolnshire LN1 1HT (Objects)

Comment submitted date: Tue 25 Oct 2022

This would be terrible for the business of the Golden Eagle pub which hosts regular open mic nights and community gatherings, creating a warm and friendly atmosphere for regulars and first timers alike

7 Blankney Close Saxilby Lincoln LN1 2JA (Objects)

Comment submitted date: Tue 25 Oct 2022

I completely object. The Golden Eagle is a place for people who are struggling to get together and a haven for live music. This expansion will take away one of the most important venues for Lincoln's musicians as there aren't very many pubs in Lincoln who support it. We have all suffered in the last 2 years and some of us are still struggling; places like the Golden Eagle are essential for people's mental health and wellbeing. We as a community implore the people behind this expansion to very simply build somewhere else.

4 Neile Close Lincoln LN2 4RT (Objects)

Comment submitted date: Tue 25 Oct 2022

The Golden Eagle is a community network meeting point for all . A place for mental health issues to be discussed between friends and for building relationships between generations. If the approval goes through all this will be lost

6 Crane Grove Lincoln LN6 7SN (Objects)

Comment submitted date: Tue 25 Oct 2022

As a frequent user of the golden eagle I object to this on four points

- 1) parking - the area already struggles with lack of parking
- 2) live music - the pub is one of the remaining pubs in the city that continues to support live music. The proximity of the new flats will certainly draw complaints - tap and spile was a prime example. The same will happen here
- 3) beer garden - the eagle beer garden is a hidden gem and tempts people away from the city centre to the area. This should be encouraged and the development will remove natural light and make the place a less friendly space
- 4) community - lockdown, the cost of living, beer taxes etc have driven people away from pubs. The eagle is a friendly space where all are welcome and is the only pub of its kind in the area where you feel comfortable taking in elderly relatives or children. I feel this development will endanger the future of the pub.

32 St Hughs Drive North Hykeham LN6 8RD (Objects)

Comment submitted date: Tue 25 Oct 2022

I strongly object to this proposal

- 1 - increased residential property means the requirement for more parking - this area of town is already congested for parking and lack of spaces will affect local businesses.
 - 2 - The Golden Eagle pub is an excellent community pub with a lovely garden. This proposal would see one of its greatest assets (the garden) become overshadowed- natural light blocked and no doubt complaints from new residents about noise etc when the pub was there first.
 - 3 after the lock down and restrictions in the last 2 years and going into a recession, pubs need every bit of help to survive -- take away the garden from this pub and their ability to hold events that allow more customers to use their facilities, meaning their business will become smaller seems counter productive.
 - 4 this is a family run business with the community and local people at the centre of what they do.
- Please do not allow this proposal to go through.

32 St Hughs Drive North Hykeham Lincoln LN6 8RD (Objects)

Comment submitted date: Tue 25 Oct 2022

This development is detrimental to the community as the adjoining premises is not only a public house but an asset of community value, and acts as a multi purpose venue at times.

29 Lotus Court North Hykeham LN69UQ (Objects)

Comment submitted date: Mon 24 Oct 2022

This development will undoubtedly lead to complaints about noise from the pub next door. Case in point being the development opposite The Tap and Spile pub on Hungate. This led to many complaints and ultimately the pub stopping live music.

291 Woodfield Avenue Lincoln Lincolnshire LN6 0PX (Objects)

Comment submitted date: Mon 24 Oct 2022

I've visited the Golden Eagle for many years and would be hugely disappointed if outdoor events and music was disrupted by the building of these apartments. It would ruin the garden, blocking light and I expect would mean noise reduction at the venue. Pubs have enough problems at the moment without making the situation worse.

76 Newark Road Lincoln Lincolnshire LN5 8PY (Objects)

Comment submitted date: Mon 24 Oct 2022

I think that Housing built next to the Golden Eagle pub is a very Bad move as Complaints from people who move in will complain ,but the pub has been there for well over 200 years and it is a vital community asset, Pubs are in a difficult situation without this extra pressure on them, I most strongly Oppose this Application. regards M Smith.

6 Denefield Skellingthorpe Lincoln LN6 5AX (Objects)

Comment submitted date: Mon 24 Oct 2022

As a member of the public being told about the planned 10 flats I was totally dismayed with the total disregard of the neighbourhood. Local parking is major problem 20 new people in the area means potentially 20 more cars that means more parking spaces needed also the effect on the Golden Eagle public house which I believe has been there since the early 1800's will be major including natural light issues and potential noise complaints. What for 10 small flats with no character or thought for anyone in the local area.

3 Kexby Mill Close North Hykeham Lincoln LN6 9TB (Objects)

Comment submitted date: Mon 24 Oct 2022

I have previously commented on this proposal but it doesn't seem to have been submitted I don't think the area could cope with more traffic problems due to extra cars being parked in the area also the effect it will have on established businesses and the traditional public houses. I hope this one is submitted

Comment submitted date: Mon 24 Oct 2022

As a regular visitor to this area I think it would have a detrimental effect on the local businesses in the area many of which have been there many years, the parking is already a problem and on busy Saturdays/match day nearly none existent also the effect on a traditional public house

4 Antonius Way North Hykeham Lincoln LN6 9AD (Objects)

Comment submitted date: Mon 24 Oct 2022

As other comments have already mentioned the golden eagle pub next door will suffer terribly if the flats are built. One of the pubs best features is its brilliant outdoor space, the building of flats will block all natural light into the garden. Could also cause issues with noise complaints. The parking in the area is already bad enough, if there were to be 10 flats it would only be worse.

20 Kathleen Grove Grimsby DN32 8JT (Objects)

Comment submitted date: Mon 24 Oct 2022

I strongly object to the planning that has been put forward for the extension of flats. I visit Lincoln very regularly & also work closely with the pub the golden eagle situated next door. The parking for the already limited high Street & surrounding areas is non existent building extra housing there is not the answer. It would limit the audience.

Also the golden eagle is an old vibrant establishment that with my own business works closely with weekly, so building a higher constructed building next door would block out light making the beautiful hard working beer garden look dull & uninviting, it would also cause unnecessary hassle to the pub from potential noise complaints. It could be damaging for the pub & it's welcoming vibe. It would also have a damaging affect on my business that is linked regularly to the pub. It has the potential to close & destroy a community popular independent business.

1 Sorrel Court Lincoln LN6 0YL (Objects)

Comment submitted date: Mon 24 Oct 2022

Along with my wife we strongly object to the proposed flats next door to the Golden eagle public house. This establishment is the only traditional pub on the lower high street. The pub has a long local history behind it., and this needs protecting.

Building the proposed development next door will rob the property of natural daylight. Totally robbing the natural atmosphere in the bar and having a negative effect on the beer garden. With recent events that have affected many people in the last few years, establishments as the Eagle are vital in the well being of many people in their personal wellbeing. The Golden eagle as a business does not deserve the extra commercial pressures that a development as proposed next door would inflict on it.

8 Silver Street Bardney LN3 5SS (Objects)

Comment submitted date: Mon 24 Oct 2022

As a supporter of local live music, I think it to be inconsiderate to build residential property overlooking the beer garden of a popular live music venue. Either disgruntled residents or the end of a great venue are sure to follow.

52 Woodfield Road Gainsborough DN21 1RF (Objects)

Comment submitted date: Mon 24 Oct 2022

I have concern that this will block out natural light for the pub and cause issues with potential noise complaints.

This is a community spot which hosts many events including within the beer garden, this project has real potential to damage the arts community and a local business.

Please take this into consideration when discussing the proposal and if it is not possible to reasonably limit and detriment to the pub and this should be decided by the pub and its visitors then I suggest you reject.

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

Comment submitted date: Mon 24 Oct 2022

We are the shop opposite. We would comment as follows:

1. The parking situation for residents at this end of the High Street is dire already, without the addition of 10 more households. A Residents Parking restriction scheme would have a detrimental effect on both our customers and our employees, tipping the balance gradually

towards our business, and other small, independent retailers, becoming unsustainable, with the additional risk that the proposed retail unit would potentially be non-viable.

2. There is a large residential development being constructed on the old garage site on the opposite side of the road, which will significantly impact the area both in terms of additional traffic, already congested parking and access to services such as health care and amenities.

The construction of 10 more flats on the Henley Street corner with no provision of off-street parking is not likely to be a positive addition to the local area, regardless of the visual improvement to the high Street end of Henley Street the architects imply.

3. The proposal makes provision for traditional shop windows, but this would require more detail and clarity. We are aware, from our own enquiries to improve our energy efficiency, that this is an area of historical importance and that the original built character of this part of the High Street is high priority. Therefore, we would expect the council to require the shop fronts to be returned to a traditional appearance, in keeping with both the area and the original construction of the building.

4. The proposal is taller at the rear than the original 2 storey character of Henley Street and so will dominate and overshadow a historically important and largely unaltered area. The addition of some height to the front elevation is likely to have less impact on the local character, as the Golden Eagle next door is already taller, as are several other High Street facing properties, but this proposal increases the height of the development above that of the adjoining property, meaning it will no longer be subordinate.

5. We welcome initiatives to improve and regenerate the local area, and the Phoenix property does not enhance the local area in its current state, but we see this proposal as being too dense a development to bring much needed disposable income and a balance of residents to this area.

17 Ferrous Way North Hykeham LN69ZN (Objects)

Comment submitted date: Mon 24 Oct 2022

I strongly object to this planning request.

As a regular to the Golden Eagle pub, I believe this to be very damaging to the livelihood of the pub and the local community that visit the pub. One of the biggest appeals to the Golden Eagle is its fantastic garden, and the proposed buildings will heavily reduce natural light into the garden. As a result this will effect the local community who visit the pub for its Garden, especially in the spring and summer months. Not to mention the knock on effect this will have financially to the business and the family that run this excellent venue.

Secondly, in what is already quite a congested area for parking, and factoring in match days, more housing in this area does not make any sense.

9 Peterborough Road Newark NG23 7SP (Objects)

Comment submitted date: Mon 24 Oct 2022

The Golden Eagle pub next door to this request is a traditional English pub with a twist. The twist is the phenomenal garden area. This request would block out all natural lighting for that area.

This pub is known nation wide, because of this garden area. Football fans all over the country come and visit, with a welcoming atmosphere and exemplary record of lack of trouble.

Special interest groups from motorcyclists to pool teams use this area. Most importantly, the area allows an increased capacity and ability to serve at those busy times, maintaining the great environment for everyone.

Pubs have taken an absolute beating over the past 2 years, and continue to do so with spiralling energy prices and inflationary pressures. This planning application would

undoubtedly be another blow to the income of one of Britain's greatest institutions, the local pub. The council should be doing everything it can to maintain these, before the British pub dies, and the next generation views pubs soulless and unfriendly places, such as an unnamed national chain.

14A The Sidings Saxilby LN1 2PX (Objects)

Comment submitted date: Mon 24 Oct 2022

As a regular visitor to the local area, the plans to build flats in this area is a bad idea and will greatly affect the residents and visitors.

As well as the parking issues mentioned by the local residents, the lovely traditional pub next door will greatly suffer from these planned high flats. Not only will these be an eye sore but will block the natural light reaching the garden of The Golden Eagle pub next door. The outdoor area of the pub is lovely and well used by all visitor. The pub itself relies on this space to make their customers feel comfortable and welcome which these flats will stop happening.

Please stop these flats, it is not a good idea at all

8 Croxton Drive Lincoln Lincolnshire LN6 0AN (Objects)

Comment submitted date: Mon 24 Oct 2022

I would like to strongly object to this application! Not only is it going to cause major problems for current residents in regards to parking (as previously mentioned), it is also going to cause problems for a lovely local pub. I am a regular at the pub and I enjoy spending time there with my family. Erecting new flats is going to dull the currently beautiful and peaceful gardens.

363 Burton Road Lincoln Lincolnshire LN1 3XE (Objects)

Comment submitted date: Mon 24 Oct 2022

I believe this will make my time at the local public house next door less comfortable, the area where I sit outside would have reduced natural light due to the upward building of these premises, I like going to socialise there, if this was to be given permission then I would reconsider where I socialise

Curtis Drive Lincoln LN41GF (Objects)

Comment submitted date: Mon 24 Oct 2022

To whom it may concern,

I think this is a very good example of a very selfish planning application. You can already see from the comments available that parking around this area is an absolute nightmare and it will hugely inconvenience residents if you were to add more dwellings here. Not only that, but it is going to hugely impact businesses that operate in the area. I am a regular visitor to The Golden Eagle Public House and I can already see the disastrous effect this would have. Not only would it suffer from the aforementioned parking problems, but it would also ruin the overall vibe of the pub when you are sat staring at flats instead of the wonderful natural light and there would be inevitable complaints from residents due to customers enjoying the beer garden.

This is a terrible, terrible idea.

29 Stocking Way Lincoln LN2 4FX (Objects)

Comment submitted date: Mon 24 Oct 2022

I object over the concerns that this will seriously hold negative impacts for the local business' This will encroach on the traditional pub next door which holds to be a safe, welcoming and local space for many. The pub thrives off of its outdoor spaces of which this will seriously impact negatively with the ongoing noise, building works, local pollution and permanent blockage of sunlight.

This will ruin the local space and general feel of this business

29 Stocking Way Lincoln Lincolnshire LN2 4FX (Objects)

Comment submitted date: Mon 24 Oct 2022

As a regular user of the local area it is already a growing worry and concern of mine and those who accompany me that we struggle to get close enough to have access due to the parking limitations and over population of the general area already. It has become dangerous at times to try and park down this section of the high street and any subsequent side streets.

19 Henley Street Lincoln Lincolnshire LN5 8BB (Objects)

Comment submitted date: Fri 21 Oct 2022

I wish to object to the redevelopment of the Phoenix restaurant into 10 flats. Please be aware that in recent years parking in my own street has come to mean long waits to find a space, unloading shopping or disabled passengers means blocking the road completely. Building the proposed accommodation without an extra parking facility will mean even more misery for existing residents. Please don't allow it to proceed.

19 Henley Street Lincoln Lincolnshire LN5 8BB (Objects)

Comment submitted date: Thu 20 Oct 2022

I wish to object strongly to the proposed development of the Phoenix Restaurant.

The addition of another 10 homes to the street will make parking impossible for existing residents.

Recent decisions to allow HMO's on the street have added so much parking pressure that is often already impossible to park anywhere in your own street.

The development is out of character for the area, will ruin the only decent pub in the area by casting shadow over the sunny beer garden.

I ask you to turn down the application flat and refuse any temptation to negotiate a smaller version of the same scheme.

I would also like to know why I had to hear about this ill-advised scheme by chance and why the usual notices were not posted?

2A Henley Street Lincoln Lincolnshire LN5 8BA (Objects)

Comment submitted date: Thu 20 Oct 2022

When I was informed of the potential plans for the restaurant, I couldn't be more against it.

Parking is already a nightmare with the general public using the street as there are no parking restrictions (no permits required) We have employees from the pharmacy, CO-OP and their customers who use the street for parking on a daily basis and if there is a home football match at Sincil Bank, best believe fans also use the street. I've been on Henley Street for 2 years now and the current parking issues, although it can be frustrating, it is bareable. However I feel that if these plans are accepted this will cause a huge amount of stress for myself and the other residents on the street.

17 Henley Street Lincoln Lincolnshire LN5 8BB (Objects)

Comment submitted date: Thu 20 Oct 2022

The street does have enough space for the flats parking. It will have a huge negative impact on the residents' parking. It will not be fair for the existing residents. They are selfish for thinking about their own benefits.

30 Henley Street Lincoln Lincolnshire LN5 8BA (Objects)

Comment submitted date: Thu 20 Oct 2022

I completely agree with the views of other residents of Henley Street on the proposed development. There would be a detrimental impact on the availability of parking for residents. I have spoken to other neighbours who may not be able to comment online - they too object to this proposed development. Thank you.

15 Henley Street Lincoln Lincolnshire LN5 8BB (Objects)

Comment submitted date: Thu 20 Oct 2022

As a resident of Henley Street I can confirm how after 5-6pm there is little to no parking spaces available. Having 10 extra households will just make the street complete nightmare for parking.

It is a good thing business to grow, but they have to do underground parking or another alternative if they want to expand without frustrating other residents. An extra parking spaces, could be very profitable when there's a football game. Like that investors will have some money coming back, future households will have peace of mind with parking spaces available at all times, and residents on Henley Street will be able to park near their homes. I think, that's the only option for the project to go ahead. They can't just add extra apartments in a already busy area.

26 Henley Street Lincoln Lincolnshire LN5 8BA (Objects)

Comment submitted date: Wed 19 Oct 2022

I would like to object the planning permission currently being considered for the Phoenix Chinese on Henley Street. Henley Street is already over taken by cars, residents (and non-residents) of the street and most of the time we struggle to park our car anyway. If planning permission goes ahead, this WILL cause even more traffic and parking problems down our street. Having a 10 month old baby makes it hard to just park anywhere as I don't want to get her out of the car in the middle of the road or 5 streets down!!

Most residents down Henley Street have all agreed with this and are not happy about the planning permission being considered.

Please take into consideration the current residents and the traffic and parking problems already down our road.

Thanks.

4A Henley Street Lincoln Lincolnshire LN5 8BA (Objects)

Comment submitted date: Wed 19 Oct 2022

Residents who live on Henley Street already struggle to get parked on Henley Street, an additional 10-20 cars would make this impossible!

29 Henley Street Lincoln Lincolnshire LN5 8BB (Objects)

Comment submitted date: Wed 19 Oct 2022

Dear Sir/Madam,

Regarding to the redevelopment of the Phoenix restaurant. I feeling their will have a very

serious parking issue. Usually there was 1 to 2 car per flat, include the staff members of the shop just in front of Henley Street, they will also park the car in Henley Street as well. The parking will become a very important problem, even there are not counting the visitor, there have many people will just leave the car in Henley Street even they are not living here and go for the football match. There have a experience for me was I'm just came back from a long drive and I just looking for a space for parking, even not looking for in front for our own flat, just random space. There have no space, there have around 3 cars include me are waiting for parking space for like around 2 hours. There redevelopment of Phoenix restaurant will cause a serious problem of the parking, either day time of night time.

Thanks

Tyla Hall
Flat 21 High Street
Lincoln
LN5 8BD

Dear Mr Manning,

I would like to object to the planning proposal submitted for redevelopment of 18A-20 High Street Lincoln 2022/0762/FUL.

The proposed plans cause a lot of concerns regarding my quality of living in my current home, Firstly I feel the proposed plans are very overbearing and overshadowing within such a close proximity of our home.

The proposed plan has multiple windows pointing directly towards many windows in my home including both me and my partners bedroom and my Daughters bedroom, I feel this results in a major loss of privacy as they are clearly less than the required 21m required between windows which I believe also extends to 28m if a 3 storey building, the proposed first floor plan kitchen window and both kitchen windows of the third floor proposal although not directly facing our windows they will also allow residents to see into our windows too.

There is also a major issue regarding natural light into my home which also covers our bedrooms, office, bathroom and the south west facing living room window which in that room is our main source of natural light due to its direction. Once again due to the close proximity of the proposed development this will block out all natural light through these windows of which the bedrooms, office and bathroom only have windows facing towards the proposed development so we will receive no natural light at all, which I feel leaves a major issue regarding right to light in our property. The proposed plans will also have a major effect on natural heating into my home as it will sit in the shadow all day of the proposed overbearing design, this will result in higher energy usage for heating and lighting to counter the effects of overshadowing caused by the proposed new development.

I also have concerns regarding my chimney stack and fire safety. With how close it is to the proposed elevated roofline I believe this is a major issue to chimney stack guidelines regarding fire safety. This chimney is used regularly during the winter months as a means of heating our living room which due to its location above our entranceway and lack of double glazing due to the required style of windows facing the high street and the age of the building this room takes a lot of heating and solid fuel is a great money saving alternative to myself over the cost of central heating. I'm also concerned about the adjoining wall and the effect that will have in causing heat to be retained in the chimney

stack and the potential fire risks but also understand its not as simple as extending the chimney stack due to other risks involved with doing so.

I would ask you to take great consideration when considering the proposed plans and the effects it will have on the quality of life to myself and my family and also the potential added financial burden of increased energy bills caused by the overshadowing of the proposed building. And also the effects on my family business.

I would like to thank you for taking the time to read my concerns.

Yours sincerely



Tyla Hall

Christopher Tyers
The Golden Eagle
21 High Street
Lincoln
LN5 8BD

Dear Mr Manning.

I Write to you to inform you of my objections to the proposed development 18A – 20 High Street Lincoln reference number 2022/0762/FUL.

As the current landlord and business owner of the Golden Eagle I have many fears regarding the proposed development and certain effects it will have on the business.

The proposed redevelopment without a single doubt will cause a major lack of natural light into my premises, our main bar area only has access to natural light from the side of our building facing towards the proposed development. The proposed development will cause a total block of all natural light and natural heating from the sun, resulting in the main bar area to become naturally dark and not welcoming to our guests and will also result in a large increase in energy cost from extra use of lighting and heating where previously natural light and heat made for an enjoyable environment for our customers, an environment which will without a doubt be lost should the proposed development go ahead. Our outdoor area where customers come to enjoy our facilities of a sunny warm outdoor drinking area will also suffer the same fate as the bar area and will without a doubt see a downturn of use from customers due to it becoming a cold shaded area.

I also fear the design of the development will cause an acoustic issue regards normal sound associated with a public house, we also support Lincoln's local music community by hosting a long running successful open mic night every Monday which not only gives the very talented community somewhere to exhibit their talents it also helps us as a business to bring custom in on what would normally be a quiet night in the pub trade. The main unavoidable issue we have is our single entrance to the pub is located directly opposite the proposed development and as previously mentioned so are our only windows, during times of high temperatures and mass of customers these windows and door are key to ventilation in the bar area.

To date we have managed to run successful live music events, parties and large gathering events without a single noise complaint, having spoken to a local sound engineer he believes the proposed development will cause entrapment of sound leading to an echo effect of any sound from the premises which would be unavoidable, while I feel common sense would tell anyone that moves into such a close proximity of a public house there will normal operating noise sadly its not too unfamiliar

to hear of people doing this, making noise complaints and sadly the business getting shut down or major restrictions put in place leading to a major drop in profitability ultimately resulting in the business having to close.

The Golden Eagle has been successfully operating as a coach house/public house since circa 1830, the Golden Eagle is currently listed at No1 on Lincolns building and structures of local importance and is also situated in city of Lincoln conservation area 4 – St. Catherines.

Not only is the Golden Eagle a historical asset to Lincoln it is also a current treasured local asset as a community hub for local music talent to exhibit their talent to the public, for the older generations of Lincoln City F.C fans to be able to gather pre and post match to be able to enjoy a beer with like minded football fans in a relaxed enjoyable environment that not all pubs supply on a match day and for the local older generations to attend where they know they will be greeted by a friendly face and a welcoming ear to listen. we have some customers that if it wasn't for the conversation and interaction they receive from staff and other customers when they attend The Golden Eagle they could go long periods of time without human interaction.

I feel with everything The Golden Eagle has to offer the local community and the city of Lincoln with its historical status I would ask that very careful consideration be taken regarding any development that may jeopardise the running and existence of the Golden Eagle, to lose such a highly loved community asset would be a great shame for the local area and the history of the building and the city.

I also feel the proposed elevation changes to the High St facing side adjoined to my building are overbearing and may increase load bearing onto our exterior wall and foundations and potentially cause damage to our building considering its age, I am also concerned of the roof height and potential fire risks due to the close proximity to our chimney which serves an active open fireplace in the living room which is regularly used during the winter months as a heat source for the living area above the pub. The proposed plan will block the outer wall which the chimney runs along which will cause a lack of heat dissipation and with the roof line so close to the top of the chimney the potential for embers to exit the chimney and land on the roof before extinguished, both of these issues added together I feel add a real potential fire risk.

From research carried out by myself the general rules for chimney stacks is the stack needs to be 3 feet higher than the point it passes through a roof and 2 feet taller than any part of a building that's within 10 feet of the chimney which although not to scale the proposed plans don't appear to meet these requirements, and further research I have found that extending the height of our chimney to suit the proposed plans isn't really an option as a chimney that is too tall can effect the drafting performance of the chimney and the heated air cooling too much by the time it reaches the top of the chimney stack can create negative pressure inside the stack that results in smoke and gasses being pushed back into the home.

The proposed plans to the rear of the building I also feel are not in fitted with the design of the local area or the street they adjoin to, I feel the design is very overbearing and not suited to the area and lack forward thinking and longevity regards their use. While I understand the developer is saying these developments are within an area of Lincoln that public transport facilities are within walking distance the average person still requires a car for other activities other than commuting to work.

Also I feel lack of off street parking is going to cause an already over populated area regarding cars to become even worse, the lack of off street parking also brings with it a major issue of moving forward regarding carbon emission's emitted from motor vehicle use as the residents of the proposed development have no off street parking so the ownership of a fully electric car will never be a viable option to the residents as without off street parking and installed charge points the use of electric car charging at the home address is not a safe or viable option.

If you were to look around the local area and recent development and pending development there is a clear indication that flats/apartments are not required this end of the high street. There are many unoccupied/for sale apartments on St Catherine's muse which in my opinion in a busy housing market is a clear indication of lack of interest from both potential home owners and investors as rental properties. We need to also take into account the planning permission granted on the site off The Golden Cross public house, it is my belief that planning permission has long been granted on that site for flats and still to date no investors have come forward to purchase the land to build the permitted development, another clear indication that more flats are neither needed or wanted in the local area.

Regarding the change of usage of the restaurant to a commercial retail unit means the loss of what I believe could once again be a successful restaurant, with the correct management could return to its former glory of being regarded as one of Lincoln's best restaurant's, having been shut for a very long period of time after Covid restrictions were lifted and continuing to operate as just a takeaway I feel this was very damaging to reputation of the restaurant and caused a decline in customer base. The building operating as a restaurant no matter the cuisine on offer also boosts business at the Golden Eagle and also helps protect its future operating as a public house, we regularly welcome groups of visitors pre or post dining in the restaurant next door so the community asset of a restaurant is also beneficial to local businesses and with its location outside of the city centre will always attract diners who want to dine in an area without the hustle and bustle of the city centre.

Due to the floor area of what would become a commercial retail shop I imagine it would command a high rental price, a rental price that being so far away from town I feel would put off a lot of prospective occupants of a retail outlet to look elsewhere, there are already many retail shop units available for rent in prime locations in town where natural footfall would benefit prospective business rather than being approximately 1 mile from the town centre with little footfall. These considerations taken into account I feel the retail unit will struggle to find an occupant as many shop fronts currently do towards this end of the high street, resulting in empty retail units which will give the visual impression of a unused run down area which after a period of time I can only imagine will lead to more proposed development to turn an unused retail outlet in even more unneeded housing in the area.

I also feel as a retail shop frontage will cause more traffic issues for the area, once again no off street parking for the staff as the high street is restricted time so that would force staff to park on one of the local residential streets. As a business we currently have issues with people parking and blocking our entrance resulting in customers not being able to get into or out of our carpark and on occasion has resulted in vehicles getting damaged due to trying to squeeze in and out of our narrow archway when a car has parked partially over it, and also causing major traffic and pedestrian safety issues when trying to enter the high street from our entrance and visibility is blocked from cars parked encroaching on our entrance. while this predominantly is an issue in the evenings when the restaurant is active we appreciate its not the Fault of the restaurant where people that are using

their facilities park but due to the operating hours of the restaurant this causes us very little issue during the day and allows us to have no issues regarding stock deliveries or access to the car park should this become a retail shop unit it will become frequent all through the day and not just the evenings.

All these things taken into account I would urge you to take careful consideration regarding the change of usage to a retail shop unit and the damaging effects it will have on my business and the drop in footfall from visitors to the restaurant, and what is certain to cause accessibility issues to my carpark via way of inconsiderate drivers parking over my entrance way.

I thank you for taking the time to reads and consider my concerns regarding the proposed development.

Yours Sincerely

A solid black rectangular box used to redact the signature of Christopher Tyers.

Christopher Tyers



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: 2022/0762/FUL

Proposal: **Proposed conversion and extension of existing restaurant to form 1no commercial/retail unit at ground floor and 10no residential apartments (Class C3) with associated amenity space**

Location: **18A - 20 High Street, Lincoln, LN5 8BD**

With reference to the above application received 3 October 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.

CONDITIONS (INCLUDING REASONS)

Highway Condition 12

The existing dropped kerb access to the garages on Henley Street shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points to the development, in the interests of road safety.

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services

or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk

The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal. The proposal will not reduce any parking spaces in the area as the current garages are used for storage. There is on street parking available near by and cycle parking is being provided.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to Drainage on all Major Applications. This application will not change the impermeable area or the current footprint of the building so it is considered that the existing drainage strategy will be sufficient for this proposal. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

Case Officer:

Date: 21 October 2022

Laura Rowett

**for Warren Peppard
Head of Development Management**



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

10th October 2022

Your Ref: 2022/0762/FUL

Town and Country Planning Act 1990

Consultation on Planning Permission

18A - 20 High Street, Lincoln, Lincolnshire, LN5 8BD

Proposed conversion and extension of existing restaurant to form 1no commercial/retail unit at ground floor and 10no residential apartments (Class C3) with associated amenity space.

Lincolnshire Police do not have any objections to this application

External Doors and Windows

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

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

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

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

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

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

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

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

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



Individual Flat or Unit Doors.

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

Access Control

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

Access from within the under-croft areas should likewise benefit from full access control systems and any emergency exits onto the street for rapid dispersal should have suitable and regulated 'break glass' units and all such doors should be equipped with an audible warning system linked to the buildings security alarm system.

Communal Areas & Mail Delivery

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

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

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

Lighting

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

Utilities

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

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

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

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

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

Yours sincerely,

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

Force Designing Out Crime Officer (DOCO)



Planning Applications – Suggested Informative Statements and Conditions Report

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

AW Site Reference: 195172/1/0155868

Local Planning Authority: Lincoln District (B)

Site: 18A - 20 High Street Lincoln Lincolnshire LN5 8BD

Proposal: Conversion and extension of existing restaurant to form 1no commercial/retail unit at ground floor and 10no residential apartments (Class C3) with associated amenity space

Planning application: 2022/0762/FUL

Prepared by: Pre-Development Team

Date: 6 October 2022

ASSETS

Section 1 - Assets Affected

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

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Canwick Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Section 3 - Used Water Network

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

Section 4 - Surface Water Disposal

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

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

Section 5 - Trade Effluent

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that the following text be included within your Notice should permission be granted.

"An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991."

Section 6 - Suggested Planning Conditions

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

Surface Water Disposal (Section 4)

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

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

Next steps

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

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

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

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

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website -<http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Lincoln Civic Trust

Comment Date: Tue 25 Oct 2022

OBJECTION

We are concerned about the concentration of occupants in the proposed building and feel that this is overdevelopment. Whilst we can see the replacement of the rear section of the building facing Henley Street is necessary, we are concerned that it would appear that the new structure would be three storeys whereas all the buildings facing onto Henley Street are all two storeys. There is no detailed scaled elevation plan provided in the papers for us to view the impact of a flat roofed three storey building would have of the existing street scene. We also object to the addition of dormer windows on the High Street Elevation which is also out of keeping with the area. We must also point out that there is no public provision for car parking in the area and hence will only cause more problems for the existing residents. This is particularly true once the new build on the east side of High is completed. This proposal needs to be re-considered.

Upper Witham, Witham First District & Witham Third District

Comment Date: Mon 17 Oct 2022

The Board has no comments on this application, the development does not affect the interests of the Board.

NHS - ICB

Comment Date: Mon 03 Oct 2022

I can confirm that NHS Lincolnshire Integrated Care Board will not be submitting a bid for this application due to the size of the development.

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| | |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application Number: | 2022/0927/HOU |
| Site Address: | 54 Sibthorp Street, Lincoln, Lincolnshire |
| Target Date: | 24th March 2023 |
| Agent Name: | Awake Architects Ltd |
| Applicant Name: | Mr T Rehman |
| Proposal: | Erection of a single storey rear extension and installation of 2 conservation rooflights on the front elevation. (Revised Description) (Revised Plans received 31st January 2023 and 3rd February 2023) |

Background - Site Location and Description

The application proposes the erection of a single storey rear extension and installation of 2 conservation rooflights on the front elevation. The application property is 54 Sibthop Street a two storey mid terrace dwelling.

The site is located within the City of Lincoln Sibthorp No .7 Conservation Area.

The property has the benefit of a Certificate of Lawful use for its use as a House in Multiple Occupation (HMO) for up to 6 occupants (C4). The use of the property would remain as a HMO.

The application was subject to extensive negotiations with the agent securing revisions to the proposal to overcome some of the concerns raised by Officers, neighbours and the Conservation Officer. Revised plans were submitted and a re-consultation was carried out.

The application is brought to Planning Committee due to the number of objections against the application.

Site History

| Reference: | Description | Status | Decision Date: |
|---------------|--------------------------------------------------------------------------------------------------------------------|---------|---------------------|
| 2022/0661/CLE | Continued use of property as a House in Multiple Occupation (Class C4) (Application for Certificate of Lawfulness) | Granted | 30th September 2022 |

Case Officer Site Visit

Undertaken on 6th January 2023.

Policies Referred to

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

To assess the proposal with regard to:

- Planning Policy
- Effect on Visual Amenity and the Character and Appearance of the Conservation Area
- Effect on Residential Amenity
- Effect on Highway Safety

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

| Consultee | Comment |
|--------------------------------|-------------------|
| Highways & Planning | Comments Received |
| Environmental Health | Comments Received |
| Principal Conservation Officer | Comments Received |

Public Consultation Responses

| Name | Address |
|---------------------------|----------------------------------------------------------|
| Sibthorp Street Residents | Sibthorp Street Lincoln LN5 |
| Mr Aaron Swain | Sibthorpe Street Lincoln LN57SH |
| J Howson | Sibthorp Street Lincoln LN5 7SH |
| Mr Sotiris Yiakoumi | 52 Sibthorp Street Lincoln Lincolnshire LN5 7SH |
| Mrs Shauna B | Sibthorp Street Lincoln LN5 7SH |

Consideration

Planning Policy

Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) requires development within, affecting the setting of, or affecting views into or out of, a Conservation Area to preserve (and enhance or reinforce it, as appropriate) features that contribute positively to the area's character, appearance and setting.

Policy LP26 'Design and Amenity' is permissive of alterations to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both construction and life of the development, the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

The proposed works require planning permission as permitted development rights would be exceeded. Given the proposed development would be in an established residential area, the principle of developing an existing property would be acceptable in principle. However, this is dependent on consideration of other matters, including design and amenity issues.

Impact on Residential Amenity

The property has an existing offshoot and detached outbuilding, the proposal would increase the width of the extension and join with the outbuilding. The majority of the off shoot is located on the boundary with 56 Sibthorp Street which has a matching off shoot. The extension projects 2.4 metres beyond the off shoot where it meets the existing outbuilding, given the single storey nature and minor projection, it is not considered that the extension is unduly overbearing when viewed from No. 56, nor would loss of light to No. 56 be unduly compromised. There are no windows proposed in the elevation facing No. 56 and therefore there would be no issues of overlooking to this neighbouring property.

Similarly, it is not considered that the extension would be overbearing on the other neighbouring property No. 52 Sibthorp Street. There is a new window proposed within the new extension facing No. 52 it is considered that this would not create any new overlooking. Both properties have full permitted development rights and could build up the boundary treatment to 2 metres should they consider it necessary in the future. It is not considered that the extension would appear unduly overbearing when viewed from No. 52, nor would loss of light to No. 52 be unduly compromised.

To the rear is 4 Nelthope Street the proposal would be obscured by the existing building there would therefore be no harm to the residential amenities of this property.

The new conservation rooflights to the front would not be harmful to the residential amenities of neighbouring properties.

Neighbouring properties were consulted on the proposal and objections have been received from these properties; these are attached in full in the report. There are concerns

that the extension will lead to an increase in occupants at the property. It is noted an additional two bedrooms would be created through the conversion of the second floor however the property remains to be a lawful C4 use which allows up to 6 unrelated people to live at the property. There is concern from direct neighbours regarding noise and disturbance during and following construction it is recommended should Members be minded to approve the application that a construction hours condition is placed on an approval of planning permission, changes to the internal layout of the dwelling do not require planning permission and therefore conditions relating to this matter cannot be considered. Matters raised in the objections relating to drainage would need to be considered by a Building Inspector, the applicant has been advised of these concerns.

Officers raised concerns with the agent during the consideration of the application that the use of the extension as a bedroom would likely have an unduly harmful impact on the residential amenity of neighbouring residents and the floor plans were subsequently amended to remove the bedroom from the proposed extension. Should Members be minded to approve a condition ensuring the extension is not used for sleeping accommodation is recommended to be placed on an approval of planning permission.

There are no other properties in the vicinity which would be affected by the proposal it is therefore considered that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with CLLP Policy LP26.

The City Council's Pollution Control Officer has confirmed they have no observations to make regarding this application.

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

Following negotiations with the agent the proposal has been amended to reduce the impact on visual amenity and the character and appearance of the conservation area.

The extension would be constructed from brick and tiles to match that of the existing property. It is considered that the palette of materials is appropriate and the extension would complement the original architectural style of the property. Given the extension's position to the rear, it would not have an impact on the character and appearance of the wider area.

The use of conservation rooflights which have been positioned evenly on the roofslope are considered acceptable additions and would preserve the character and appearance of the Conservation Area,

The property's original architectural style and character would remain largely unchanged to the front. Consequently, it is considered that the proposed development would relate well to the application property and preserve the character and appearance of the Conservation Area, in accordance the duty contained with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with the Central Lincolnshire Local Plan Policies LP25 and LP26.

Effect on Highway Safety

Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. It is considered that the proposal would not be

detrimental to highway safety or traffic capacity.

Central Lincolnshire Local Plan Review

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposed development is of an appropriate design that would not materially harm the character and appearance of the building or conservation area, in accordance with the duty contained within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, policies LP25 'The Historic Environment' and LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally subject to the following conditions:

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

- No sleeping accommodation in bedroom
- Hours of construction

2022/0927/HOU - 54 Sibthorp Street, Lincoln, LN5 7SH

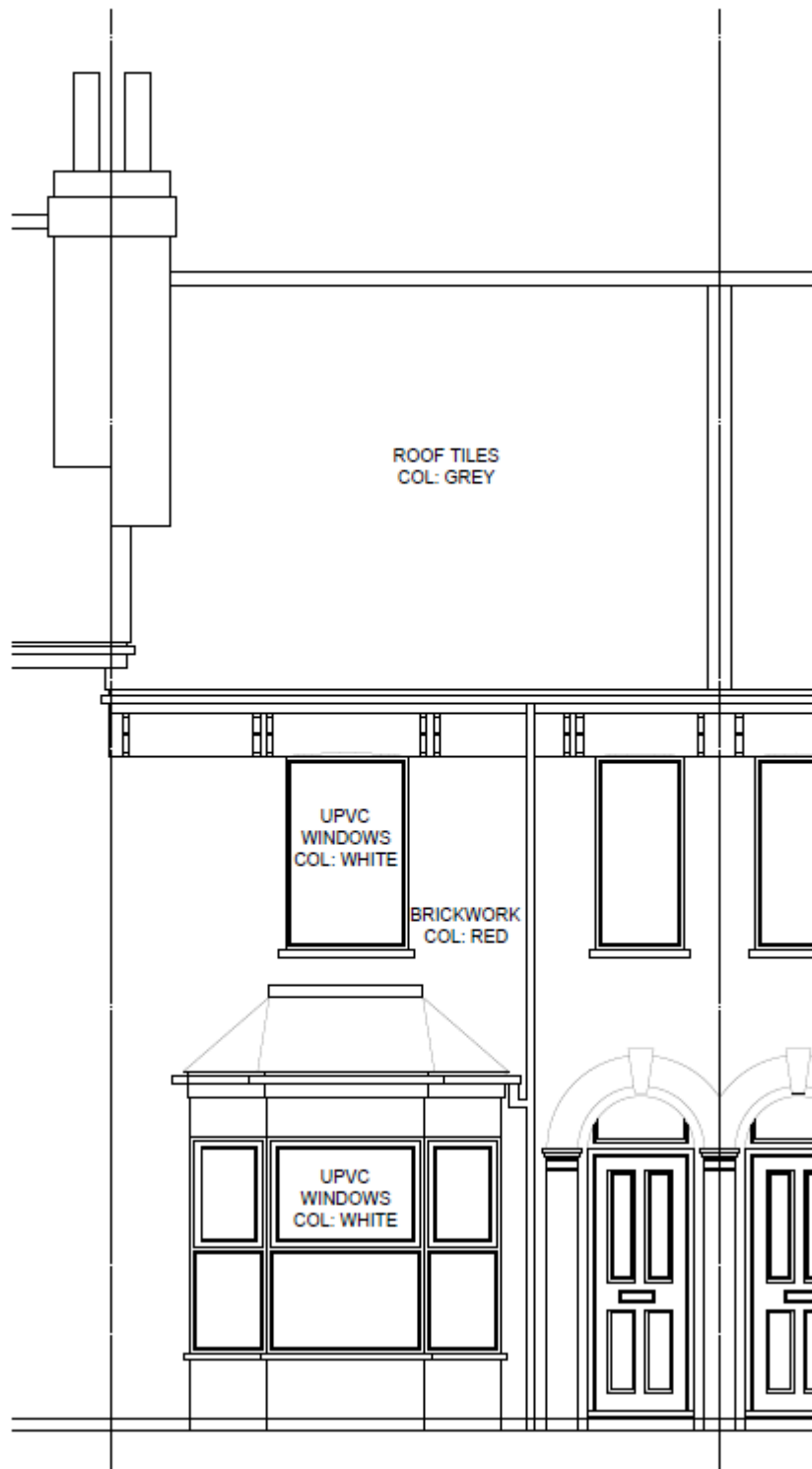
Plans and Photographs

Site Plan

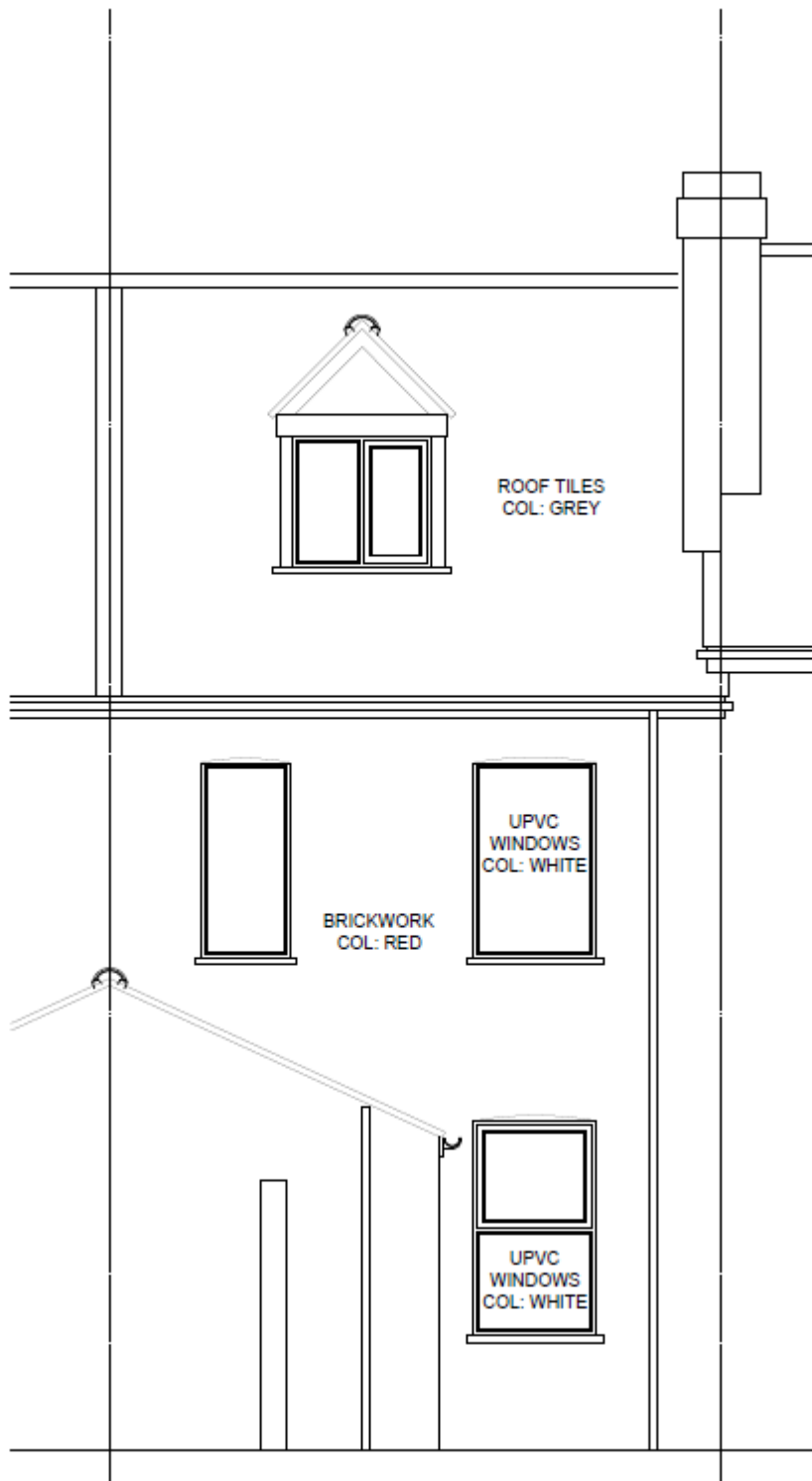


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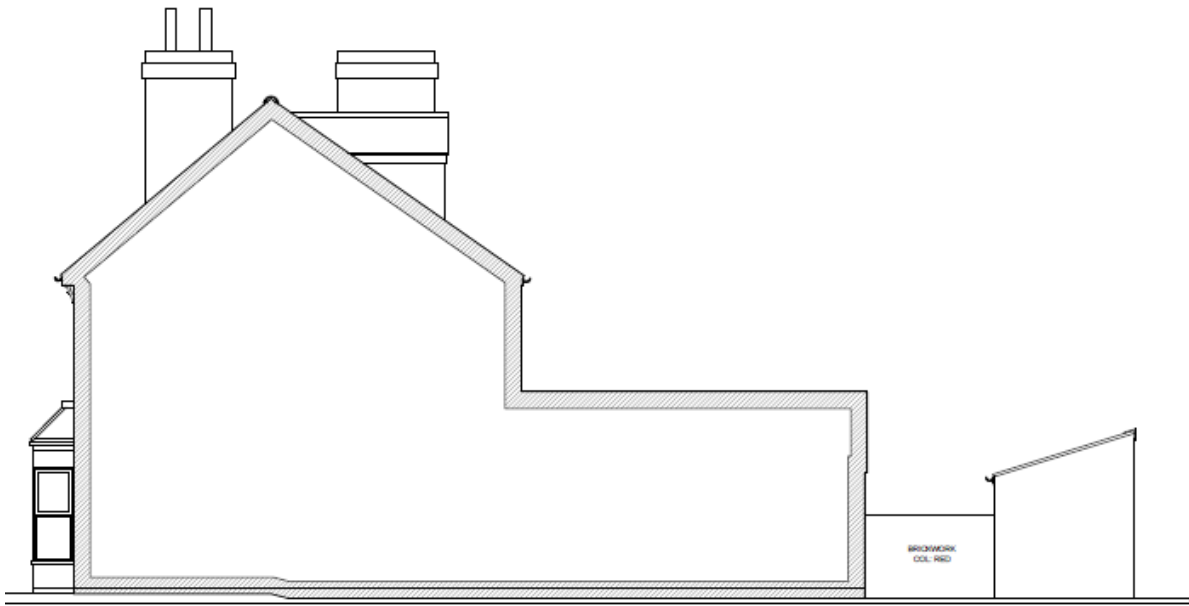
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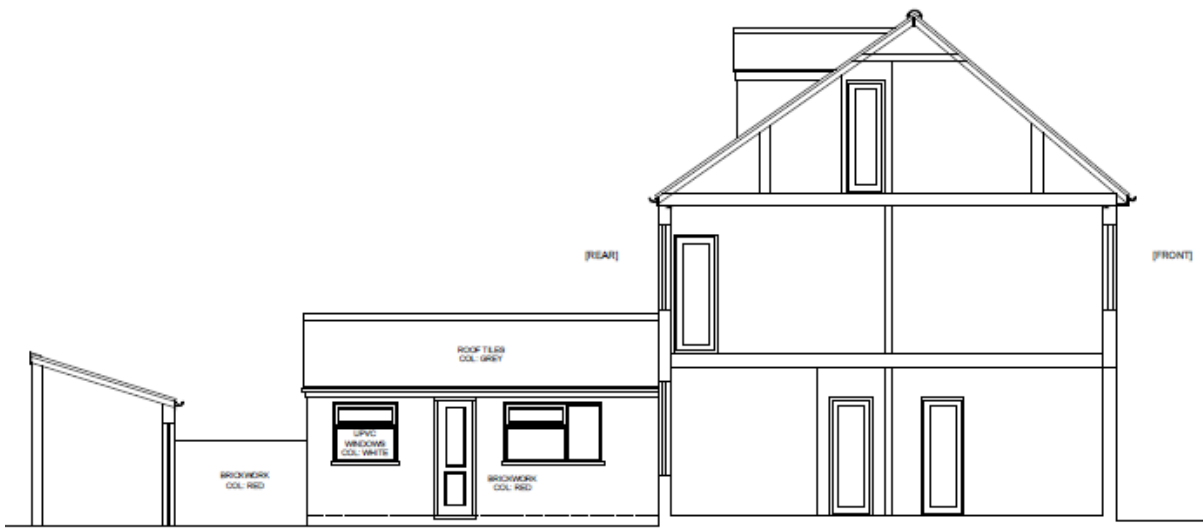
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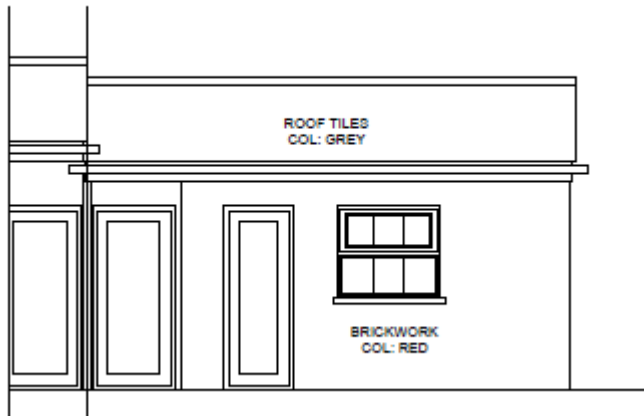
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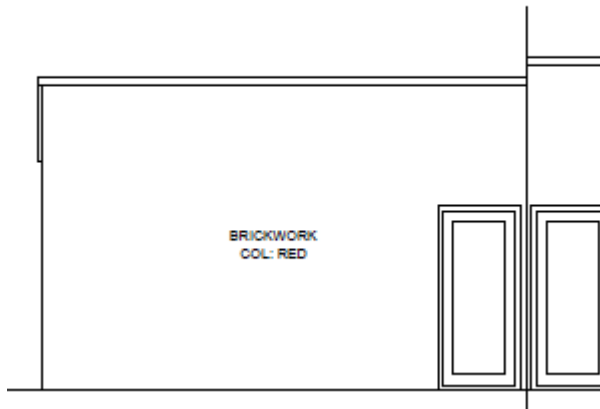
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Outbuilding Front Elevation

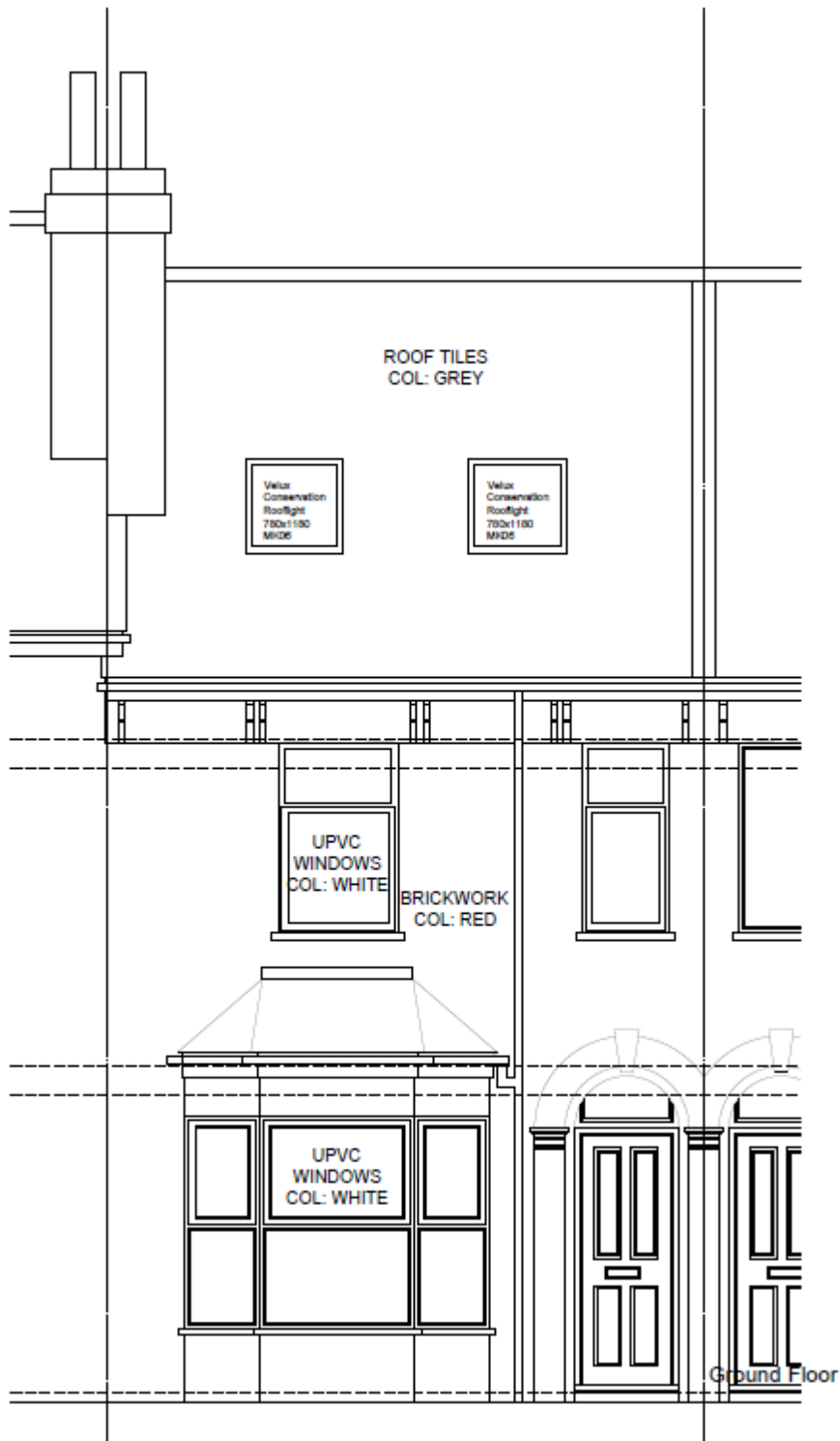


Outbuilding Rear Elevation

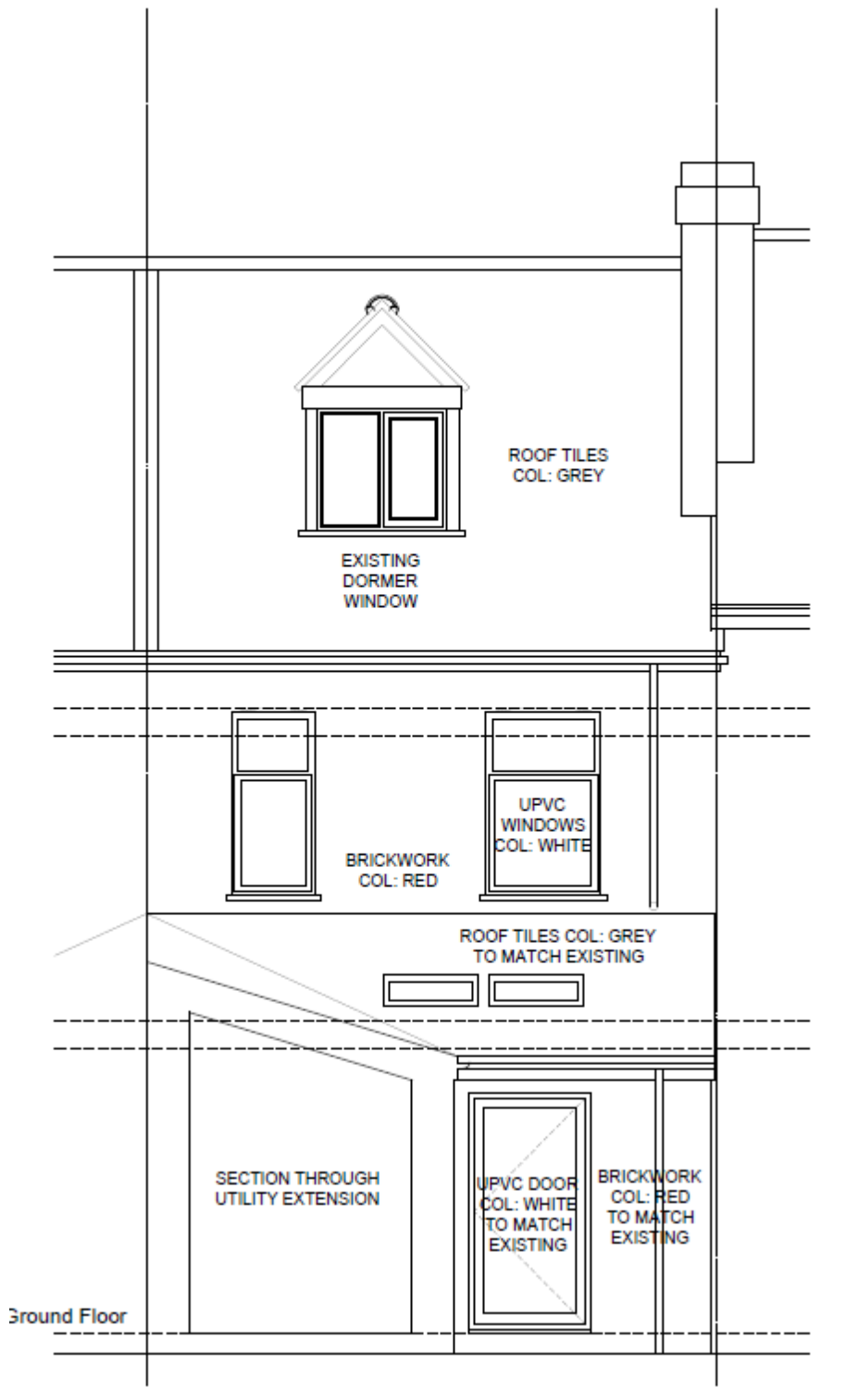


Proposed Elevations

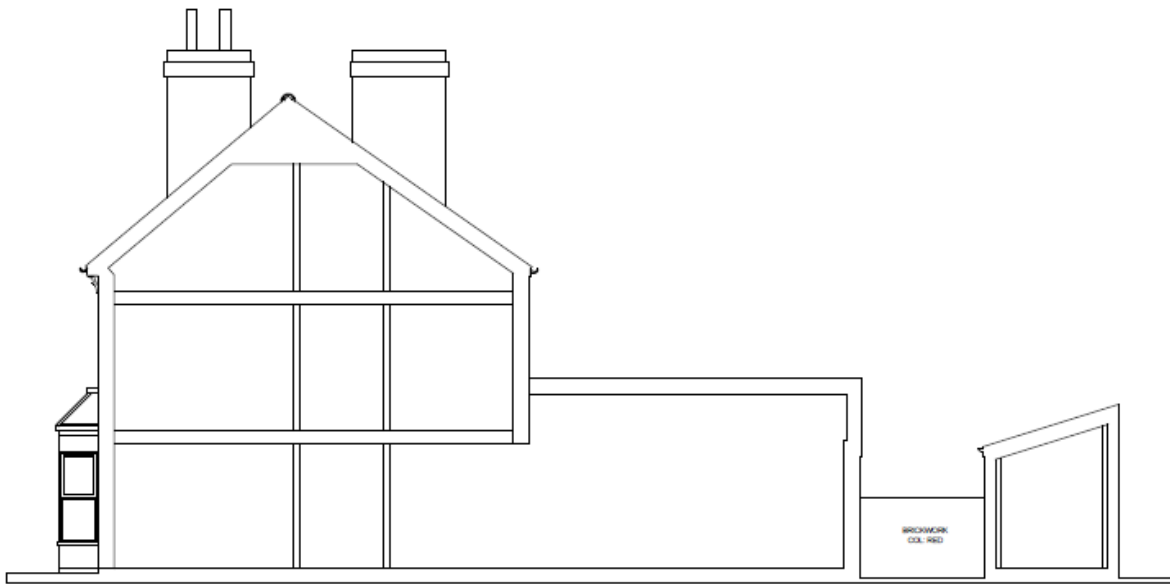
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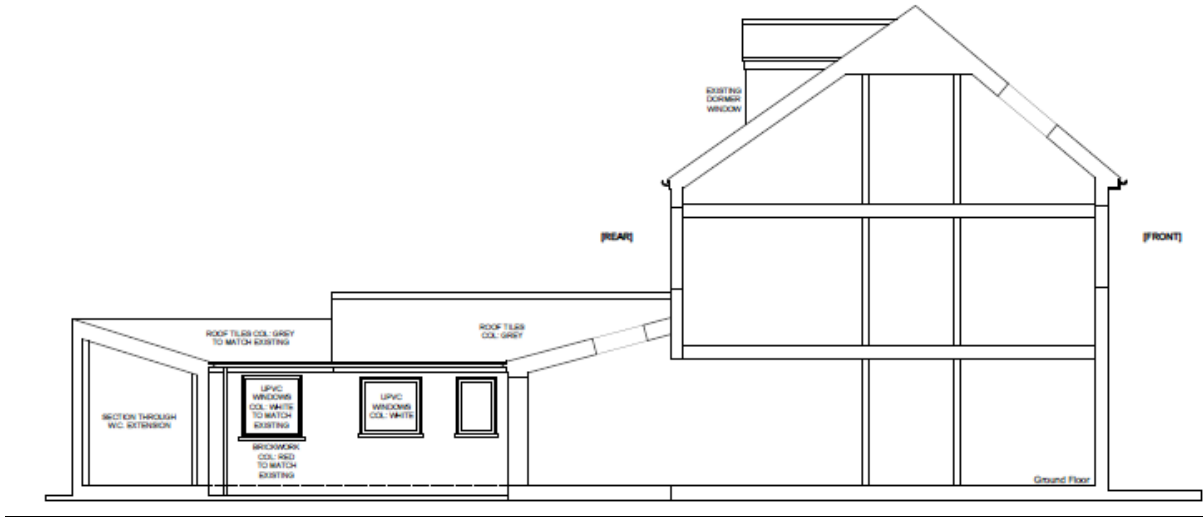
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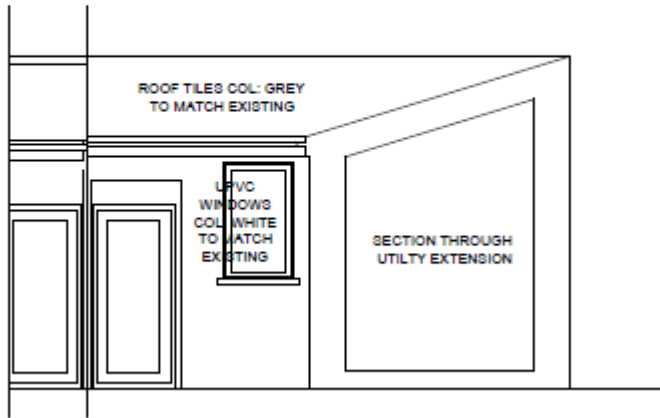
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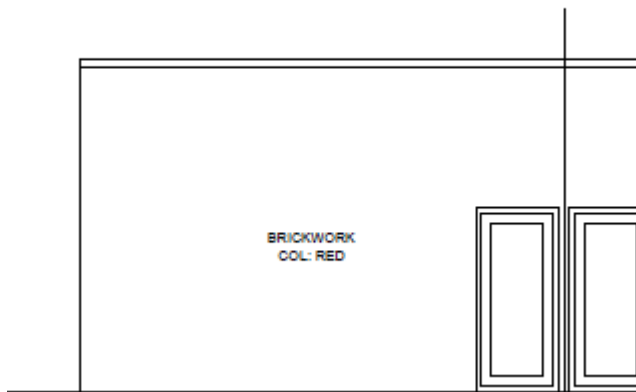
Side



Front Elevation of Outbuilding

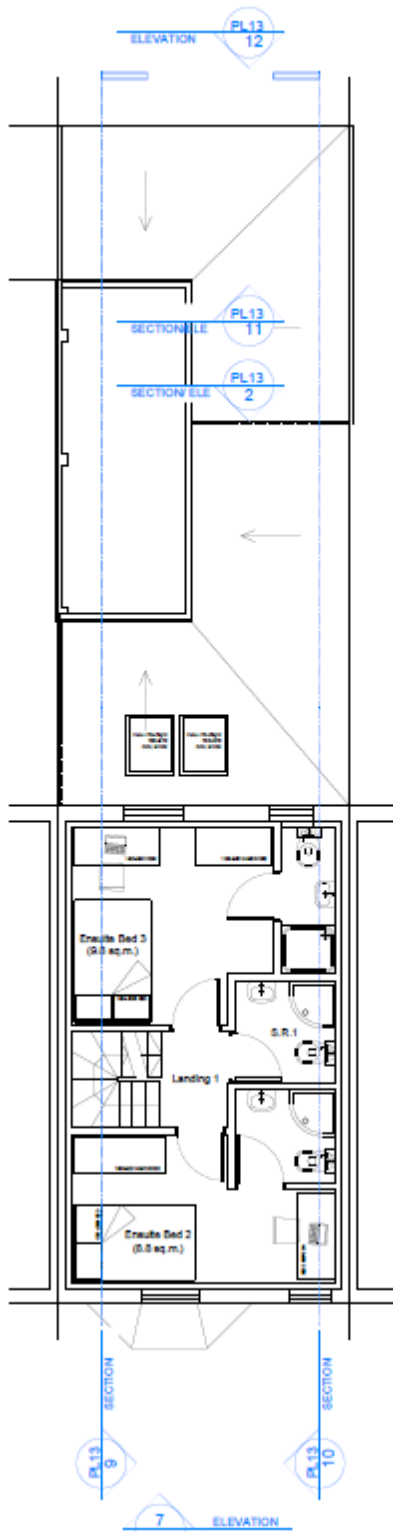


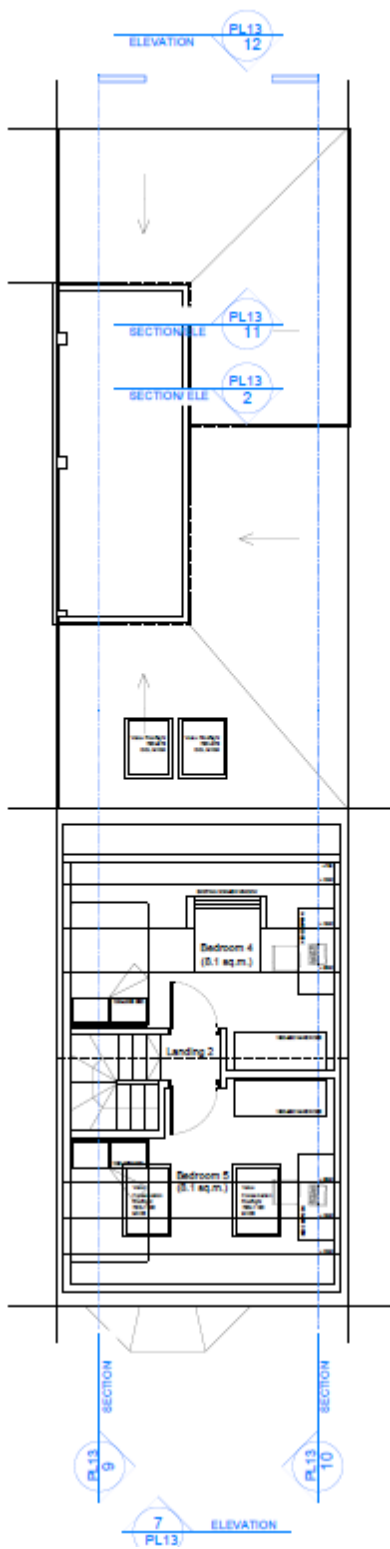
Rear Elevation of Outbuilding



Proposed Floor Plans







Photographs -Taken from the Neighbouring Property









2022/0927/HOU– 54 Sibthorp Street, Lincoln, LN5 7SH

Consultation Responses

Customer Details

Name: Sibthorp Street Residents

Address: Sibthorp Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are a group of residents on Sibthorp Street and we all object to this building and the landlord's plans for the house.

This is a three-bed house that has already been turned into four bedrooms by using the downstairs lounge as a bedroom. The docs show that the landlord now wants to turn it into a six bed HMO (Ref. No: 2022/05378/IN Extension, Refurbishment and loft conversion to form 6 Bedroom HIMO).

The house has already been used for student rental for years but adding even more tenants is totally unacceptable. We don't want more students here. We are a quiet and respectable street and we want to maintain this character of our street as a place for respectable people and families. We don't want this student palace on our street and don't want our street and area turning into student town.

This landlord does not even live in the county. They obviously only care about making money and don't care about the impact on the character of our street and area.

The HMO permission for students should not have been granted in the first place and should not have been renewed without consulting local residents (why didn't council do this?)

We object to this building and the landlord's plans.

Customer Details

Name: Mr Aaron Swain

Address: Sibthorpe Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 1. Changes to dormer and rooflights are not in keeping with the rest of the houses on the street.

2. We applied for permission to have our ground floor adapted to be open plan in 1988. Permission was not given because apparently there is some sort of historical conservation order on the street preventing "extensive alterations" to interior and exterior. Property owner should be aware of this. It should have been mentioned in the legal paperwork when they purchased the house.

3. Impact on limited local amenities - parking. No parking on the odd-numbered side of the road due to yellow lines. No parking at the High Street end due to the Guildhall (spaces there have parking meters). No parking at the Nelthorpe Street end due to red lines (turning into Sibthorpe from Nelthorpe Street). Spaces are already limited, crowding more residents onto the street will have an impact. Unfair to existing residents for one house to claim so many spaces.

4. Violates local noise restrictions. This is a residential quiet area. Loud noise is not allowed at any time. Noise is not allowed at all after 10 pm. The neighbourhood will be disturbed by excessive noise while building is done. This is not essential work to maintain or preserve the house and not a commercial/development area. Additional residents will inevitably create more noise if the intention is to rent to students as is the trend. Check with Anti-Social Behaviour team for complaints figures re HiMOs in the area.

5. Council has a moral responsibility to protect vulnerable residents. The adjacent and nearest neighbours are elderly and should not be made to suffer months of extreme construction noise and dirt. Is this developer going to pay for the nearby houses to be cleaned externally or will residents have to pay?

Customer Details

Name: J Howson J Howson

Address: Sibthorp Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: If this one house is going to have six tenants they could potentially be using up to six parking spaces on the street plus anyone that's visiting them.

It's bad enough we only have parking on one side of the road because it's too narrow. We don't have driveways and garages. Can't park at the top of the road because it's meters outside St Mary's. The end terraces can't park outside their houses because of being on the corner. I already have trouble getting a space outside my own home without adding more and more cars onto the street from HMOs.

Customer Details

Name: Mr Sotiris Yiakoumi

Address: 52 Sibthorp Street Lincoln

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: I strongly suggest contacting Anglian Water before approving or commencing this proposed construction as I believe that the main drains and main water supply for the properties at this end of Sibthorp Street run across the back yards and could potentially be damaged.

The outbuildings in the back yards are the original (outdoor) toilets from when the properties were constructed. My property still has an outdoor toilet and water supply in the outbuilding. The drains are over 100 years old now and I believe are already damaged by other neighbours attempting construction over the years so I believe it would be prudent to investigate before carrying out any work that could potentially cause further damage.

A former neighbour at number 56 who lived on the street for many years told me that a previous owner of the end-terrace property had attempted a similar extension to the proposed. This had to stop as they partially collapsed the main drain during the initial construction and caused sewage from all the nearby properties to backup and flood the back yards and rear passage leading to Nelthorpe Street. I think this was possibly in the 1960s-70s.

There have been similar occasions since I have lived on the street where issues with the drains have caused sewage to backup and seep into the rear passage. I believe Anglian Water had to dig in one of the back yards and draw out the accumulated waste.

The same neighbour told me that there was a historic issue with a damaged water main at number 54 that flooded their back yard and number 56. Similarly, he told me that number 50 had their outbuilding removed in order to repair a burst water main in their back yard that was flooding the adjoining yards and rear passage. There was also an occasion where water was leaking from a section of the main water supply at number 50 and caused considerable damage to our outbuilding.

The existing ground-floor bathroom on number 54 is already an extension to the original construction. It may be that they did not extend further due to the water supply and drains below or some other issue.

I can neither support nor object to the proposed construction as it does not appear to interfere with my own property as far as I can understand from the plans. I have chosen to comment as the owner of number 54 has only recently acquired the property and will not have the local knowledge mentioned above.

Given these historic issues, I suggest that it would be advisable to find out whether the proposed construction can be carried out without risking any further damage that would affect all the local properties as well as number 54.

Customer Details

Name: Mrs Shauna B

Address: Sibthorp Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Hi, we live near this house but only found out about these plans yesterday when we spoke to our friends who also live on the street. Please can you pass on our comments to the Planning Officer in charge of this case and any other involved team. Thank you.

Like our neighbours, we are objecting for these following reasons –

This is a conservation area and the changes this developer wants to make are not in-line with the other houses on the street, especially the next door neighbour houses:

Extension at the back -

The shed at the back is an existing building so it can be renovated (as long as it stays within the same shape and dimensions) but the part that would join the shed to the main house changes the overall appearance and is not in-line with the other houses. One of the comments says number 54 has already had an extension to the back but that has rightly only been allowed in-line with the length of the houses next door. Any further extension violates conservation rules.

Dormer and Rooflights -

This design for an extended dormer is also not in-line with the other houses. It would feel like this is looming over the nearby back yards (invasion of privacy?) and really be unattractive.

Room sizes -

There is no way that small shed is big enough to meet modern minimum requirements for a bedroom, never mind a bedroom with an en suite bathroom in it. The attic room is fine as one bedroom but no way large enough for two with en suites and an access corridor. Obviously they want to use the dormer to make the new attic rooms bigger but those bedrooms will still be smaller than police cells!

Noise -

We all have a legal right to use our homes without being disturbed by others. The city Council has a responsibility to make sure our rights are upheld and the developer should also make sure that their property and tenants do not impact or disturb the neighbours (or even each other). The walls in these houses are really thin. For example, we have a couple next door to us and we can hear them talking through the wall, literally every word as if they are in our own lounge. Our daughter can hear them snoring at night!

Realistically, the tenants will spend most of the time in the lounge. Even if they are not partying every night, six people and their mates just talking/laughing normally is going to be loud. There is no way that many people are going to be quiet, even if they don't mean to be loud. It's not fair for the neighbours and they should not have to suffer in their own home.

The neighbour's comment mentions the developer is using Kingspan but that's no good, it's only for warmth. A bit of Kingspan and a plaster board isn't going to do anything to stop noise. Even if only one or two tenants are loud (or have loud mates coming round) it can have a huge effect on the neighbours. The developer will be doubling the existing number of tenants so should make sure that the property is properly soundproofed to stop the additional noise going through and prevent disturbing the neighbours and violating their legal rights.

The HIMO licence might give them permission for 'up to six tenants' but that doesn't mean six tenants can live in that house without being a problem.

Also, if any building work is happening, we think there should be restrictions on the working hours and days. There are elderly neighbours (including next door to and at the back of number 54) and people working from home, night shifts etc. It's not fair for them to suffer ten hours of building noise every day. People can't just leave home all day.

HIMO licence -

We think the city Council should reconsider the HIMO licence on this house. It seems like this has been treated as a renewal but it's a new landlord that is proposing changes to the house so should be treated as an entirely new application. The local residents were not given a chance to feedback as concerned/affected parties. The developer might not need the neighbours permission but they should have been allowed to voice their concerns. There was a history of the property being used as a HIMO by the previous owner but there was no effort to determine if there has been any negative effects on the neighbours or street as a consequence. Surely that would affect if it should be allowed to continue?

Also, this HIMO license has possibly been granted on the assumption that it would continue in the same way (three tenants). There is obviously going to be far more impact from six tenants than from three. There should have been some consideration if it would be suitable for this house to have six tenants in and what possible effects that could have on the neighbours and community. If this same landlord has other houses in the city (or there are other landlords with similar rental houses) then it's worth looking at those and seeing how local residents have been affected before renewing this licence. It would just have been a few letters to the neighbours asking if they have concerns to help inform the decision.

Comments on revised proposal

Customer Details

Name: Mr Sotiris Yiakoumi

Address: 52 Sibthorp Street Lincoln

Thank you for your letter requesting my comments on amended plans for 54 Sibthorp Street.

I have already expressed my concerns on the previous design. In brief, my concerns are related to the increased noise that will be coming through the shared walls due to the significant increase in tenants. The landlord is undertaking major renovation of the property and I feel should make adequate provision for soundproofing so that noise from the tenants does not impact my own home. Given the scale of the work, I think this will not be a significant inconvenience for the landlord and will prevent a lot of issues once the property is in use. Please can you refer to my previous comments where I have explained this fully.

I can see that other neighbours have raised objections and concerns, many of which had not occurred to me but certainly seem valid. I assume that the number of objections and their content will be considered in their own right so I need not repeat them myself. However, I do want to highlight the suggestion of limiting the days/hours of construction. I strongly support this as we and other immediate neighbours are usually at home and I think 60 hours a week of extreme building noise and vibrations is too much.

Thank you.

Consultee Details

Name: Mr Ian Wicks

Address: Directorate Of Development And Environmental Services, City Hall,
Beaumont Fee

Lincoln, Lincolnshire LN1 1DF

Email: Not Available

On Behalf Of: Environmental Health

Comments

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

LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Lincoln City Council
Application number: 2022/0927/HOU
Application Type: Householder
Proposal: Erection of single storey rear extension
Location: 54 Sibthorp Street, Lincoln, Lincolnshire, LN5 7SH

Response Date: 22 November 2022

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

General Information and Advice

Outline applications and contributions

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

Application number: 2022/0927/HOU
Application Type: Householder
Location: 54 Sibthorp Street, Lincoln, Lincolnshire, LN5 7SH

Highway and Lead Local Flood Authority Report

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Recommendation:

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Highway safety

The proposal is for a rear extension and it does not have an impact on the Public Highway or Surface Water Flood Risk.

Flood Risk and Drainage

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

Officer's Name: Laura Rowett
Officer's Title: Senior Development Management Officer
Date: 22 November 2022