

PLANNING COMMITTEE

Wednesday, 17 April 2024

5.30 pm

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

Membership:	Councillors Bob Bushell (Chair), Gary Hewson (Vice-Chair), Debbie Armiger, Chris Burke, Liz Bushell, Martin Christopher, Rebecca Longbottom, Bill Mara, Mark Storer, Edmund Strengiel and Dylan Stothard
Substitute members:	Councillors Councillor Natasha Chapman, Neil Murray, Clare Smalley, Aiden Wells and Joshua Wells
Officers attending:	Simon Cousins, Democratic Services, Kieron Manning, Louise Simpson and Dave Walker

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 - 20 March 2024	5 - 12
2. Update Sheet	To Be Tabled
3. 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.

4. Work to Trees in City Council Ownership	13 - 16
5. Applications for Development	
(a) Site of Victory Hotel 50, Boutham Park Road, Lincoln	17 - 58
(b) Central Market, Sincil Street, Lincoln (LBC)	59 - 80

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 2023
 4. National Planning Policy Framework - March 2012
 5. Applications which have Background Papers additional to those specified in 1 to 5 above set out in the following table. These documents may be inspected at the Planning Reception, City Hall, Beaumont Fee, Lincoln.

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

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

Criteria:

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

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

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

Present: Councillor Bob Bushell (*in the Chair*),
Councillor Gary Hewson, Councillor Debbie Armiger,
Councillor Alan Briggs, Councillor Chris Burke, Councillor
Rebecca Longbottom, Councillor Bill Mara, Councillor
Mark Storer and Councillor Calum Watt

Apologies for Absence: Councillor Liz Bushell, Councillor Martin Christopher,
Councillor Edmund Strengiel and Councillor
Dylan Stothard

67. Confirmation of Minutes: 31 January 2024

RESOLVED that the minutes of the meeting held on 31 January 2024 be confirmed and signed by the Chair as a correct record.

68. Confirmation of Minutes: 21 February 2024

RESOLVED that the minutes of the meeting held on 21 February 2024 be confirmed and signed by the Chair as a correct record.

69. Update Sheet

An update sheet was circulated 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.

70. Declarations of Interest

No declarations of interest were received.

71. Confirmation of Tree Preservation Order 181

The Planning Team Leader:

- a. advised members of the reasons why a temporary tree preservation order made under delegated powers by the Assistant Director for Planning should be confirmed at the following site:
 - Tree Preservation Order 181: 1no Tilia x Europaea (European Lime) tree situated in the grounds of 3 Upper Lindum Street, Lincoln LN2 5RN
- b. provided details of the individual tree to be covered by the order and the contribution it made to the area
- c. reported that the making of any Tree Preservation Order was likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees, however, this was contained within existing staffing resources

- d. reported that the initial 6 months of protection for this tree would come to an end for the Tree Preservation Order on 15 May 2024
- e. confirmed that the reason for making a Tree Preservation Order on this site was as a result of an application to fell the tree, due to damage to an adjacent boundary wall, allegedly caused by this tree, however, there was no evidence such as a structural engineers report submitted to support this
- f. added that on this basis a Tree Preservation Order was sought to prevent the tree being felled, which required consent due to it being in a Conservation Area
- g. advised that following an 8 week consultation period (to account for the Christmas and New Year period) no objections had been received to the order
- h. advised that confirmation of Tree Preservation Order 181 would ensure that the tree could not be removed or worked on without the express permission of the Council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to one of the Councils priorities of enhancing our remarkable place.

RESOLVED that Tree Preservation Order No 181 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

72. Application for Development - 1 Shearwater Road, Lincoln

The Planning Team Leader:

- a. referred to the application site at 1 Shearwater Road, Lincoln, a detached house located on the corner of Skellingthorpe Road and Shearwater Road
- b. reported that the property was accessed from Shearwater Road although the application proposed an additional access from Skellingthorpe Road and associated works including a dropped kerb, remodelling of the existing boundary wall and gates to create an opening
- c. added that the application also proposed an outbuilding within the rear garden adjacent to the boundary with No.5 Shearwater Close and the rear boundary of the application property
- d. advised that a previous application had been refused because of the outbuildings position close to a protected tree within the garden, the resubmission proposed a repositioning of the access and the outbuilding
- e. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Policy S53: Design and Amenity
 - Policy S66: Trees, Woodland and Hedgerows
- f. provided details of the issues to be assessed in relation to the planning application, as follows:

- Impact on Residential Amenity
 - Impact on Protected Trees
 - Highway Safety
- g. outlined the responses made to the consultation exercise
- h. confirmed that the material considerations for this application were the impacts of the dropped kerb and erection of the outbuilding only; comments regarding the main use of the property, the need for the proposals or motives of the applicant were not relevant and should not be given any weight in the planning balance
- i. referred to the Update Sheet circulated at this evening's Planning Committee which included additional representations and photographs received after the original agenda was published
- j. concluded that:
- The scale and design of the proposed outbuilding was acceptable and the design would sympathetically complement the local architectural style.
 - The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
 - Matters in relation to highways and impact on trees had been appropriately considered.
 - The application would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies S47, S53, and S66 and guidance within the National Planning Policy Framework.

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

- He thanked members of Planning Committee for giving him the opportunity to speak.
- He represented all those people having submitted objections.
- The issues raised here were concerns in relation to environmental impact, danger to life, safety issues and disturbance to local residents.
- The applicant already had an existing dropped kerb and rear access to the site and his property.
- If the outbuilding was to be used for storage, then why was vehicular access to it required.
- Was it to be used as a self-contained dwelling in the future.
- In relation to Policy S66, irreversible damage to the trees had already been caused and mechanical diggers used to take the roots away.
- Boundaries for the tree protection plan shown on page 70 of the agenda pack had been exceeded.
- The development would encroach on 70% of the trees in the area.
- Had trial excavations been carried out; he couldn't see any evidence of this in the officer's report.
- There were issues of drainage, the proposed exit would cause water displacement and lead to flooding.

- Objectors requested that this planning application be rejected. This was not a personal vendetta.
- It was quoted by the applicant that local residents apparently lived in 5 bedroomed properties that were criminally underutilised.
- Mini excavators had been used in the back garden of the application site which had destroyed/damaged trees.

Councillor Edmund Strengiel addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application. He covered the following main points:

- He was the County Councillor for Birchwood Division in which Shearwater Road and surrounding closes were situated.
- He was also a City Councillor for Birchwood Ward.
- He thanked members of Planning Committee for allowing him the opportunity to speak on behalf of local residents to express their concerns surrounding this planning application.
- Having conducted a site visit himself together with the residents and Councillor Clarkson, he shared their same concerns.
- The proposed planning application seemed more in line with business use. He had concerns that it was another potential step towards further development. Was this the thin edge of the wedge?
- Having served on Planning Committee for a number of years, members knew his views on retrospective or part retrospective planning applications, which 'cocked a snook' at planning regulations and officers, as with the previous application for this site which was rejected in November 2023.
- To a certain degree work had already started in the garden of 1 Shearwater Road, involving diggers and concrete breakers. Was this not another retrospective planning application?
- It was a great shame that one resident had upset so many of his neighbours.
- Damage could occur to trees and their roots, especially the one in possession of a Tree Preservation Order.
- He was disappointed to note that the Arboricultural Officer was not present here this evening.
- There was also issues of extra pollution from increased vehicle numbers and potential road safety issues should planning permission be granted.
- His main concern was the potential danger to pedestrians, cyclists and other road users due to the proposed installation of a dropped kerb allowing access onto a very busy Skellingthorpe Road.
- It appeared there was already access and egress for the site. Section 184 of the Highways Act 1980 stated that one per property should suffice. There was no need for another. He fully accepted resident's safety concerns.
- The proposed slip road exit onto the road appeared to be positioned at almost a 90 degree angle onto the highway. The Highway Authority stated that traffic would only be travelling at 40 miles an hour, however, he had witnessed a devastating fatal accident at Birchwood Avenue at only 30 miles an hour. He felt this was an accident waiting to happen and disagreed with the Highways Authority in their interpretation of safety concerns.
- It appeared that the applicant had no regard for the peace and tranquillity of a quiet residential area.

- He requested the application be rejected on the grounds of road, pedestrian and cycle safety, and not being in keeping with the surrounding neighbourhood.

Councillor David Clarkson addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application. He covered the following main points:

- Skellingthorpe Road was the narrowest main road in the City and a very busy road at that.
- The existing slip lane to Shearwater Road served 110 homes.
- The area was a popular walking and cycling route.
- The area was dark at night.
- He referred to page 89 of the agenda documents which contained a response from a retired police officer expressing road safety concerns regarding the proposal to insert a dropped kerb and driveway at the start of the slip road.
- The location of the dropped kerb would cause serious injuries/deaths.
- He urged that Planning Committee paid attention to the professional experienced concerns of this former police officer having worked in this line of work for many years.
- The applicant already had access to his property and land via an existing dropped kerb.
- Vans/ mechanical diggers could be seen on the photographs at the application site.
- The site already had a suitable access.
- Why was a new access required for a storage building?
- Why was a second dropped kerb necessary on a busy main road?
- How often would the storage building be visited by these vehicles?
- Was the storage facility for private use?
- This application should be rejected due to road safety issues.

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

The following concerns were raised in relation to the planning application:

- The erection of the outhouse had already begun, also a balcony had been erected previously without planning permission.
- The proposed dropped kerb was dangerous.
- Why did the applicant require an additional entrance/drop kerb?
- An experienced former police officer had raised concerns regarding road safety.
- Access onto a busy roadway was a material planning consideration.
- Drainage had been mentioned this evening although there was no mention of this within the officer's report.
- There were safety concerns as this was a very fast road. The dropped kerb increased the risk of accidents.
- The current cycle route was not adequate either.
- On a practical level there was no need for another dropped kerb.
- It was concerning that there was no one here speaking for the planning application.
- Traffic could travel up to 40mph on this part of Skellingthorpe Road.
- The proposed new access/egress was very dangerous being close to that of Shearwater Road.

- This was a narrow footpath making it a road safety issue for school children/ other pedestrians crossing the proposed new entrance.
- A potential catastrophic accident was possible.

The following comments were made in support of the planning application:

- The material planning considerations to be considered tonight were the impact on the dropped kerb, impact from the storage building and tree protection.
- Our Arboricultural Officer had raised no objections to the proposals, neither had the Highways Authority.
- The storage facility was only slightly above the height of the eaves limit to require planning permission.
- The application was not retrospective. It had been discussed with Planning officers and the Highways Authority.
- The use of the storage facility was not a material planning consideration.
- Would one more driveway really make a difference to the road when there were numerous others already.
- It was not for Planning Committee to question why the applicant needed a side entrance to his property.
- The access was set back which allowed vehicles to be off-road on entrance/exit.
- The Arboricultural Officer had provided a plan of action and advice in relation to the trees on the site.
- Impact on tree protection had been mitigated.
- Impact on residential amenity was minimal.

The following questions were raised in relation to the planning application:

- Could clarification be given to the 'no dig' method to be used?
- What protection would have been afforded to the trees if the storage facility had not required planning permission?

The Planning Team Leader offered the following points of clarification in relation to the planning application

- Works on the site had not started. Remedial work had taken place the previous year.
- The necessity for the access was not a material planning consideration.
- Whether or not it was harmful was the matter to be determined.
- The foundations for the storage unit would be installed using a no dig method whereby the ground was pre-laid with a 'raft' and levelled out without digging down into it.
- Lincolnshire County Council as lead flood authority had raised no objections in relation to drainage on site.
- Although many objections had been raised locally, the Highways Authority had not objected.
- In terms of the height of the building, had it not required planning permission, there would have been a separate application covering the works to trees. The Arboricultural Officer was satisfied with the proposed work.

A motion was proposed, seconded, and put to the vote that planning permission be granted. The motion was lost.

RESOLVED that planning permission be refused due to its location on busy Skellingthorpe Road which was fast/dangerous. The addition of another dropped kerb would be an unnecessary extra hazard.

This page is intentionally blank.

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:

Steve Bird,
Assistant Director (Communities & Street Scene)
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: 17/04/2024**

Item No	Status e.g. CAC	Specific Location	Tree Species and description/ reasons for work / Ward.	Recommendation
1	N/A	53 Outer Circle Drive Housing property	Glebe Ward 1 x Leyland Cypress Retrospective notice of tree removal This is a mature tree located in close proximity to the adjacent building; there are multiple included bark unions present at the base of the main co-dominant stems which place the tree at high risk of unpredictable failure.	Replace tree with 1 x Silver Birch; to be located in a suitable position within grassland located at the junction between Outer Circle Drive and Nettleham Road.
2	N/A	80 Westwick Drive Housing Property	Moorland Ward 1 x Ash Remove tree to ground. This tree has poor structural form and is also poorly sited, being in close proximity to the adjacent property. The continued presence of the tree is likely to cause future damage to the structure of the residence.	Approve works. Replace tree with 1 x Small cherry cultivar; to be located on the highway verge outside number 59 Moorland Avenue

Application Number:	2023/0854/FUL
Site Address:	Site of Victory Hotel 50, Boultham Park Road, Lincoln
Target Date:	30th April 2024
Agent Name:	Rob Bradley Building Design Ltd
Applicant Name:	JST Homes Limited
Proposal:	Erection of 9 dwellings. (Revised plans)

Background - Site Location and Description

The application relates to the site of the former Victory Hotel, 50 Boultham Park Road. The application site is 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. It has an open site frontage with the width of the site narrowing towards the rear. The site is relatively flat and includes areas of hardstanding and grass. It is currently used for vehicle storage and was 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 have all been discharged and there has been a 'start on site.' This permission has therefore been implemented and, even though work has not progressed any further, this permission could be built out at any point.

More recently an application (2022/0352/FUL) for two buildings to accommodate 18 flats was submitted. This was approved by Members of the Planning Committee in January 2023 with delegated authority granted to officers to secure a S106 legal agreement for a financial contribution towards affordable housing, health and education. However, a formal decision was never issued as a discrepancy with the site ownership was identified during the conveyancing process for the S106. A strip of land to the north of the site, which provided historic access to former buildings to the west, is owned by another party. The scheme that was approved by committee could not therefore be constructed without this land being purchased by the applicant. The applicant did not wish to go through this process and decided to withdraw the application.

This current application, on a slightly smaller site which does not include the land to the north, proposes to erect nine, three bedroom dwellings. A terrace to the front of the site will accommodate six properties with a further terrace at the rear of the site accommodating three. The application also proposes associated external works including car parking and soft landscaping. The existing access point towards the north will be reconfigured to be the main access into the development, with the additional access point to the south being closed.

The boundary to the north of the site, with the strip of land, is not currently defined. Beyond this are the boundaries with 48 Boultham Park Road, the side elevation of this property faces the site at its frontage, and properties on Glenwood Grove. The semi-detached properties along Glenwood Grove are occupied as ground and first floor flats (no.s 1-23). The boundaries are defined by approximately 1.6-1.8m high fencing with a number of mature trees and conifers adjacent, some within the strip of land and others sitting on neighbouring land. None of these trees fall within the application site boundary. The south boundary of the site is also defined by approximately 1.8m-2m high fencing with some smaller trees and plantings within neighbouring gardens. The side elevation of 54

Boultham Park Road sits adjacent to this boundary at the front of the site. The remainder of the south boundary beyond sits adjacent to rear gardens with properties on Sunningdale Drive. To the west of the application site is the rear elevation of an industrial unit on the Sunningdale Trading Estate, off Dixon Close.

The site is located within Flood Zone 3.

Revised plans were received during the process of the application, proposing alterations to the rear terraces. All neighbours that adjoin the site, including those that have made representations, were re-consulted on the revised plans. Further revised plans were submitted to address concerns raised by the occupants of 54 Boultham Park Road. This neighbouring occupants were accordingly notified of this.

The application is being presented to Members of the Planning Committee for determination at the request of Councillor Watt.

Site History

Reference:	Description	Status	Decision Date:
2018/0074/CX N	Variation of conditions 2 (plans) of planning permission 2015/0038/F to include changes to fenestration to north elevation of units 1-8, alterations to roof of units 9-10, alterations to fenestration and guttering of units 11-14 and changes to materials to be used	Granted Conditionally	8th March 2018
2015/0038/F	Demolition of public house and garages and erection of three detached buildings comprising 14 dwellings and 4 ground floor commercial units for A2 'Financial and Professional Services' or B1 'Office' purposes (REVISED DESCRIPTION)	Granted Conditionally	1st May 2015
2014/0269/DE M	Demolition of public house.	Prior Approval Not Required	29th May 2014
2022/0352/FU L	Erection of one 2 storey and two 2½ storey buildings accommodating 18 flats. Associated external works including car parking, access gate, cycle and bin storage and soft landscaping. (Revised plans and supporting documents).	Withdrawn	11th May 2023

Case Officer Site Visit

Undertaken on 6th March 2024.

Policies Referred to

- Policy S1 The Spatial Strategy and Settlement Hierarchy
- Policy S2 Growth Levels and Distribution
- Policy S3 Housing in the Lincoln Urban Area, Main Towns and Market Towns
- Policy S6 Design Principles for Efficient Buildings
- Policy S7 Reducing Energy Consumption - Residential Development
- Policy S12 Water Efficiency and Sustainable Water Management
- Policy NS18 Electric Vehicle Charging
- Policy S21 Flood Risk and Water Resources
- Policy S47 Accessibility and Transport
- Policy S53 Design and Amenity
- Policy S56 Development on Land Affected by Contamination
- Policy S57 The Historic Environment
- Policy S60 Protecting Biodiversity and Geodiversity
- Policy S61 Biodiversity Opportunity and Delivering Measurable Net Gains
- Policy S66 Trees, Woodland and Hedgerows
- Policy S77 Housing Site in the Lincoln Urban Area
- National Planning Policy Framework

Issues

- Policy context and principle
- Visual amenity
- Residential amenity
- Access, parking and highways
- Flood risk
- Drainage
- Energy efficiency and consumption
- Trees, landscaping and biodiversity net gain
- Contaminated land
- Archaeology

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Lincolnshire Police	Comments Received
Environment Agency	Comments Received
Highways & Planning	Comments Received

Upper Witham Drainage Board	Comments Received
Anglian Water	Comments Received

Public Consultation Responses

Name	Address
Mrs Lorraine Smith	2 Sunningdale Drive Lincoln Lincolnshire LN6 7UD
Mrs Emma Richards	27 Glenwood Grove Lincoln Lincolnshire LN6 7BA
Mrs Jenny Connell	54 Boultham Park Road Lincoln Lincolnshire LN6 7BB

Consideration

Policy Context and Principle

Central Lincolnshire Local Plan (CLLP) Policy S1 advises that the Lincoln Urban Area, which includes the City of Lincoln, along with allocated sites will be the principal focus for housing development in Central Lincolnshire. CLLP Policy S2 deals with growth levels and distribution of housing, allocating a mix of sites to meet housing need. The spatial strategy identifies that the Lincoln Strategy Area will secure around 64% of the supply for the Central Lincolnshire area.

The site is allocated as a housing site (COL/BOU/003) within the CLLP allocations map. The application site also has the benefit of planning permission for residential/commercial development and the most recent application, although not formally granted, was supported by officers and Members of the Planning Committee. Officers are therefore satisfied that the principle of the residential use is wholly appropriate in this location, which will help meet the identified housing need.

Supporting the application would also be in accordance with the National Planning Policy Framework's (NPPF) presumption in favour of sustainable development.

Visual Amenity

CLLP Policy S53 advises that development should integrate into the surroundings and relate well to the site as well as its local and wider context. It should reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for

innovative design which sympathetically complement or contrast with the local architectural style. Paragraph 135 of the NPPF requires that development should function well and add to the overall quality of the area.

The character of the surrounding area is predominantly defined by two storey detached and semi-detached properties. However, in the wider area there are also bungalows and three storey residential properties, with the single storey car sales premises opposite the site. Buildings are generally constructed in red brick. Render is used often as a feature to the first floors, bays and side gables of some properties, including the neighbouring 48 and 54 Boultham Park Road.

The application site has a wide frontage, which will accommodate the main two storey terrace with the re-configured access to the north. The front elevation will sit in line with the frontage of 48 and 54 Boultham Park Road. A streetscene plan has been submitted with the application to demonstrate this relationship. Paths from the highway and small landscaped areas would sit in front of the properties. The entrance doors to each property sit at street level with the ground floor level raised internally to meet flood risk requirements, achieved by internal steps within the entrance hall. This results in a raised terrace to the rear of the properties with steps down into each property's own private garden. In terms of the height of the terrace, the eaves will sit in line with the neighbouring no. 54 with the ridge sitting slightly higher, but only by approximately 300mm. To the rear of each of the end properties a gable will project to the rear, to add variation to the footprint and interest to the end elevations.

The terrace will be constructed in Ibstock Leicester Weathered red bricks and Marley Edgemere Riven Anthracite Slate effect rooftiles. Photovoltaic (PV) panels are proposed on the front and rear roof slopes. The front elevation will include UPVC anthracite feature cladding above and below the windows, with the windows and doors being UPVC with an anthracite finish.

The terrace to the rear of the site is essentially identical in design, albeit smaller accommodating three dwellings as opposed to six. It faces into the site, across the central parking area and towards the rear elevation of the front terrace. The rear gardens would extend up to the rear, west boundary.

Officers consider that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated access, parking and garden areas. The development represents a good use of land. It would put to use a site that has been vacant for some time and would visually be an improvement on the current arrangement, which comprises vehicle storage and informal grassland. Officers have no objection to the height and scale. As previously referenced, the street scene elevation illustrates the height of the front terrace in relation to the neighbouring properties on Boultham Park Road. The development sits marginally higher but would not appear unduly dominant or prominent in the street. The application also includes site sections indicating the height of the rear terrace comparable to Glenwood Grove and Sunningdale Drive. There is no objection to these height relationships. Existing land levels and finished land and floor levels have been provided, principally to satisfy the flood risk requirements, but officers do not consider that these will compromise the appearance of the development. Officers are therefore satisfied that the proposal would relate well to the context in relation to the street layout, building types, size, siting, height, scale and massing, in accordance with Policy S53.

With regard to the proposed design, it is considered that the front terrace would sit comfortably in the street. The pitched roof and use of brick with small areas of cladding would relate well to neighbouring properties. The front elevation would include entrance doors with porch canopies. This design approach is replicated on the rear terrace. The occupant of 2 Sunningdale Drive has commented that the design is in keeping with what has already been built nearby.

The simple and modern design approach is considered by officers to be acceptable. The vertical emphasis of the windows and the overall proportions of the properties is successful and would relate well to other properties in the area. Officers are therefore satisfied that the development would sit comfortably in the context, complementing the existing character of the area, in accordance with Policy S53.

Conditions would require samples of the proposed materials for approval and the setting of windows and doors within reveal to ensure the overall finish and quality of the development is to a high standard. A condition will also require details of all boundary treatments for approval. Surfacing will comprise tarmac and shared surfaces. Landscaping will be considered in more detail later within the report, although it is clear that the proposed scheme will soften the edges of the central parking court and also at the back edge of Boultham Park Road. The development will therefore provide appropriate landscape and boundary treatments, ensuring that the development can satisfactorily assimilate into the surrounding area, in accordance with CLLP Policy S53.

The proposal would therefore be in accordance with CLLP Policy S53 and paragraph 135 of the NPPF, which requires that developments should make effective and efficient use of land, add to the overall quality of the area and be sympathetic to local character.

Residential Amenity

The side elevation of the property within the front terrace would sit approximately 1.4m from the south boundary with 54 Boultham Park Road. The side elevation of no. 54 sits approximately 2m beyond incorporating a ground floor and first floor window. A low level wall defines the boundary opposite the neighbour's side elevation, which then increases to an approximately 1.8m high fence to the neighbour's garden beyond. The proposal would sit roughly in line with the front elevation of no. 54 and project approximately 1.5m beyond the rear. The bulk of the building will therefore sit opposite the neighbour's facing elevation. The relationship of the building proposed under the previous application was not dissimilar, although this projected beyond the front as well as the rear elevation of this neighbouring property. The ridge height of the proposal will sit approximately 300mm higher than the ridge of no. 54. The terrace to the rear of this property projects a further 2m to the rear, although this is screened by a 1.8m high wall adjacent to the boundary with no. 54. The step accessing the terrace are set on the opposite side boundary of the property's garden, away from the boundary with no. 54.

Whilst the building has a close relationship with the neighbouring 54 Boultham Park Road, and there will undoubtedly be some impact, it is not considered that this impact would be unacceptable. The impact certainly wouldn't be sufficiently harmful to warrant the refusal of planning permission, particularly when the site has a historic permission for a building in a similar position and of a comparable height. It is not considered that the proposal would appear unduly overbearing and any loss of light would be minimal given the position of the proposal and its orientation to the north. The screen to the terrace would also not appear unduly overbearing and would limit overlooking from here and the glazed doors within the

rear elevation. It is also not considered that the first floor bedroom windows above would be an issue in terms of overlooking, these will face west and therefore any overlooking towards no. 54 will be at an oblique angle.

Within the facing side elevation of the proposed dwelling there is a kitchen window and two first floor windows, which would be obscure glazed as they serve a bathroom and an en-suite. The occupant of 54 Boultham Park Road has objected to the application, raising a concern regarding overlooking from the kitchen towards their window, which sits opposite. Officers agreed and this issue was raised with the agent, requesting that the window be changed to be high level. Revised plans have been duly submitted, also changing the other side windows within the front and rear terrace to be high level. These plans were shared with the neighbouring occupant, and their response confirmed they were much happier with the development. Officers are therefore satisfied that the development would not result in undue harm to this neighbour's amenity through overlooking, loss of light or the creation of an overbearing structure, in accordance with the requirements of Policy S53.

The opposite side elevation of the front terrace would be located approximately 10m from the side boundary with 48 Boultham Park Road, which is defined by an approximately 1.8m high fence. The proposal would be over 13m from this neighbour's side elevation, and in between is the access road into the site, the strip of land adjacent to the site as well as some mature trees. Accordingly, officers have no concerns regarding this relationship.

The side, north elevation of the terrace to the rear of the site would be located approximately 6m from the boundary with the gardens of Glenwood Grove. The boundary is defined by an approximately 1.6m high fence. The separation between the proposal and the rear elevations of the neighbouring properties would be over 30m. The side, south elevation of the terrace would be located approximately 1.7m from the opposite boundary with the gardens of properties on Sunningdale Drive and over 20m from their rear elevations. Officers are satisfied that these separation distances are sufficient to ensure that the proposal would not appear overbearing or result in an unacceptable degree of loss of light. There would be no issues of overlooking as the windows proposed within the facing side elevations are either obscure glazed or high level. Officers are therefore satisfied that the development would not result in undue harm to the amenities of neighbouring properties on Glenwood Grove or Sunningdale Drive through overlooking, loss of light or the creation of an overbearing structure, in accordance with the requirements of Policy S53.

The occupants of 54 Boultham Park Road also objected to the application in relation to the proximity of the air source heat pump (ASHP), with concerns that noise will result in disturbance when they are in their garden. Whilst the City Council's Pollution Control (PC) Officer has raised no concern regarding noise, as ASHPs are now becoming typical additions to residential properties, officers did make the agent aware of the neighbour's concerns. In response the agent has moved the ASHP further away from the neighbouring boundary, as can be seen on the submitted revised plans. These were shared with the neighbouring occupant, and as mentioned above, they have confirmed that they are now much happier with the development.

A comment from the Pollution Control Officer has noted that this type of development often includes the installation of external lighting to serve parking and other communal areas. If not sympathetically designed and installed, such lighting can give rise to problems offsite due to overspill and glare. Therefore, he has recommended a condition to require an

assessment of the potential off-site impact of all external lighting and, where necessary, a scheme should be submitted proposing appropriate mitigation. This will be applied to any grant of consent.

Officers have therefore carefully considered the relationship of the proposal with neighbouring properties, taking account of the objections received. Officers are satisfied that the development would not result in undue harm to neighbour's amenity, in accordance with the requirements of Policy S53.

With regard to the amenities of future occupants, the floor area of the dwellings is acceptable when considered against the Nationally Described Space Standard guidance for three bedroom properties. Each bedroom and kitchen/living area would be served by a window and/or glazed door. The development is laid out so there is an acceptable separation between the buildings and each property benefits from its own private garden. Officers are therefore comfortable with the arrangement of the development and consider that it would provide a good level of amenity for future occupants, in accordance with the requirements of CLLP Policy S53.

Access, Parking and Highways

Access to the site will be taken from the reconfigured access point to the north. The application proposes 13 car parking spaces to serve the nine, three bedroom properties. Opportunities for cycle storage would be available within each of the private gardens.

During the process of the application the Lincolnshire County Council (LCC) in their capacity as Local Highway Authority requested that the applicant amend the block plan to show revisions to the proposed crossing point, incorporating a tactile crossing. They also advised that the existing access that is no longer required will need to be removed and the footway reinstating. The agent has provided a revised plan to indicate that a tactile crossing point will be included and that the footpath at the other access will be reinstated. The LCC were re-consulted with this plan and subsequently submitted a response of no objection. Their response concludes that they do not consider the proposed development would have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network. They have, however, requested a condition to require the aforementioned access to be stopped up. This will be applied to any grant of consent as will the LCC's suggested informatives providing advice to the applicant regarding works within the public highway.

In addition to the development providing a level of parking acceptable to the LCC and there being opportunities for cycle storage, officers would also note that the site is in a sustainable location with good access to local facilities and public transport. Travel can therefore be minimised and the use of sustainable transport modes maximised, as required by CLLP Policy S47.

Flood Risk

The application is accompanied by a Flood Risk Assessment & SuDS Strategy (FRA). The application site lies within Flood Zone 3, which is land defined by planning practice guidance as having a high probability of flooding. The applicant sought pre-application advice from the Environment Agency (EA) and the development has been designed to meet their requirements; that all habitable finished floor levels shall be set no lower than 5.48m AOD. The application advises that the proposed scheme incorporates

non-habitable areas (lower level accommodation - WC/hall/cupboard) built 335mm above existing ground level with habitable accommodation being set 1265mm above lower ground floor level. Therefore, all habitable accommodation is set at 5.67m AOD (1.6m above existing ground level), which is higher than the finished floor level required by the EA. It is also noted that the properties are two storey in height, thus a safe refuge is provided at first floor level.

The EA has considered the FRA as part of the application consultation process. They have advised that the proposed development will only meet the NPPF's requirements in relation to flood risk if any grant of consent is conditioned to require that the development is carried out in accordance with the submitted FRA. The requested condition specifically notes the suggested mitigation measures requiring that all habitable ground finished floor levels of the dwellings shall be set no lower than 1.6m above external ground levels, the dwellings shall have at least two storeys and the flood resilience and resistance measures shall be incorporated into the proposed development as stated. This condition will be duly applied to any grant of consent. The EA has also suggested informatives in relation to a Flood Warning and Evacuation Plan and signing up to Floodline Warnings Direct, which will duly be applied to any grant of consent.

LCC Councillor Clarke raised a query regarding whether the floor level of this development will need to be raised as per other new developments in the area. Officers have shared the plans with him, and he has raised no objection.

The Upper Witham Internal Drainage Board (the Board) objected to the application, as they do in principle to any development in Flood Zones 2 and 3. At the time their comments were received the FRA had not yet been submitted, and the Board accordingly noted the absence of this or annotated drawings denoting floor levels. The Board were duly re-consulted with this information, and they have advised that their previous comments still stand. Officers are satisfied that the EA has appropriately considered the matter of flood risk and that the condition will ensure that the risk of flooding will be reduced, in accordance with the requirements of CLLP Policy S21.

Drainage

Policy S21 requires that development proposals should incorporate Sustainable Drainage Systems (SuDS). The occupant of 27 Glenwood Grove has raised concerns that the development may adversely affect the surrounding properties with regards to drainage and flooding. The Board has requested that, in consultation with the LCC, the local planning authority should require and approve a surface water drainage scheme. The LCC as well as Anglian Water has advised that they do not provide advice on minor developments such as this (nine dwellings or fewer). Having discussed the proposal with the City Council's Building Control Department, officers are satisfied that the matter of SuDS will be appropriately dealt with as part of the Building Regulations process.

Energy Efficiency and Consumption

CLLP Policy S6 relates to design principles for efficient buildings. It requires that, when formulating development proposals, the following design expectations should be considered and in the following order:

1. Orientation of buildings – such as positioning buildings to maximise opportunities for solar gain, and minimise winter cold wind heat loss;

2. Form of buildings – creating buildings that are more efficient to heat and stay warm in colder conditions and stay cool in warmer conditions because of their shape and design;
3. Fabric of buildings – using materials and building techniques that reduce heat and energy needs. Ideally, this could also consider using materials with a lower embodied carbon content and/or high practical recyclable content;
4. Heat supply – net zero carbon content of heat supply (for example, this means no connection to the gas network or use of oil or bottled gas);
5. Renewable energy generated – generating enough energy from renewable sources on-site (and preferably on plot) to meet reasonable estimates of all regulated and unregulated total annual energy demand across the year.

The policy also states that Energy Statements, as required by Policies S7 (Residential Development) and S8 (Non-Residential Buildings), must accompany applications and set out the approach to meeting each of the above principles. Policy S7 is applicable in this case. This policy requires that developments should generate at least the same amount of renewable electricity on-site (and preferably on-plot) as the electricity they demand over the course of a year. To help meet this, it is also required that a target achieving a site average space heating demand of around 15-20kWh/m²/yr and a site average total energy demand of 35 kWh/m²/yr is achieved through a 'fabric first' approach to construction.

The application is accompanied by an Energy Statement, which advises:

The energy consumption of the proposed development has been assessed using the National Calculations Method (NCM) - SAP 10 (Standard Assessment Procedure), in order to determine the predicted annual energy demand of the development and the associated planning policy targets. The proposed development will need to generate at least the same amount of renewable electricity on-site as the electricity it demands over the course of a year, such demand including all energy use (regulated and unregulated). It is also noted that to assist in achieving the energy generation target, the proposed development should target an average space heating demand of between 15-20 kWh/m² /yr and an average total energy demand of 35 kWh/m²/yr, through a 'fabric first' approach to construction. No single dwelling unit should have a total energy demand in excess of 60 kWh/m²/yr, irrespective of the amount of on-site renewable energy production.

The proposed development benefits from a range of passive design features including internal layouts that facilitate natural cross-ventilation which should act to reduce overheating risks during the summer months and reduce the likelihood of any mechanical cooling being installed in the future. The use of PV panels is the most viable and cost effective technology for use within the proposed development. This will provide a local source of renewable electricity for occupant use as well as an affordable reduction in the calculated carbon dioxide emissions. The use of MCS Approved Air Source Heat Pumps is proposed as a means of providing the dwellings with a decentralised source of low carbon heating and hot water. The proposed development will have an average space heating demand of 31.79 kWh/m² /year, together with a total average energy demand of 42.90 kWh/m² /year. Furthermore, through the proposed installation of PV panels, the proposed development will generate 172.11 kWh more renewable electricity onsite than the electricity that it will demand over the course of a year for all regulated and unregulated energy use.

Officers are therefore satisfied that the development meets the requirements of both CLLP Policies S6, in relation to the orientation and fabric of the buildings, and S7, as it has been demonstrated that the development can generate at least the same amount of renewable electricity on-site that it will demand over the course of a year. Standard conditions will be applied to any grant of consent to require that the development is carried out in accordance with the Energy Statement and that, prior to the occupation of the first dwelling, a statement is submitted to verify that the dwelling has been constructed in accordance with the Energy Statement.

With regard to water efficiency, a standard condition is recommended to ensure the development achieves the water efficiency standards as required by CLLP Policy S12.

Trees, Landscaping and Biodiversity Net Gain

The application is accompanied by a Tree Survey, Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) metric.

CLLP Policy S66 requires that development proposals should be prepared based on the overriding principle that the existing tree and woodland cover is maintained, improved and expanded. The policy has specific requirements for the loss of trees that are protected by a Tree Preservation Order, are within a conservation area or are classed as veteran trees. The trees proposed to be removed are not subject to any of these, and for the purposes of the policy are considered to be 'other' trees. With regard to 'other' trees, the policy states proposals will be expected to retain those trees that make a significant contribution to the landscape or biodiversity value of the area, provided this can be done without compromising the achievement of good design for the site. The policy requires that where it is appropriate for higher value trees (category A or B trees) to be lost as part of a development proposal, then appropriate mitigation, via compensatory tree planting, will be required.

The Tree Survey advises that all trees on site, including those within the adjacent strip of land to the north have been assessed. No works to the trees within the strip of land are proposed, which are in any case not within the applicant's ownership. However, a root protection area (RPA) for these has been identified and appropriate tree protection measures, in the form of fencing, has been proposed. The report notes that only two small trees within the site are proposed to be removed; a Willow (T12) towards the west boundary and an Ash (T13) adjacent to the south boundary with 54 Boultham Park Road. The report advises these are young, probably self-seeded, and both are classed as category C trees. The City Council's Arboricultural Officer has considered the report and has raised no objections to either the tree removal or the tree protection measures.

While the loss of any trees is regrettable, their removal is required to facilitate the development. Given that they are not defined as high value trees, they have limited amenity value due to their size and replacement tree planting is proposed, officers have no objection to their removal. The application would therefore meet the requirements of CLLP Policy S66. The implementation of the tree protection measures will be conditioned on any grant of consent.

The PEA advises that the site was inspected in November 2023 and used the extended Phase 1 Habitat Assessment methodology. The PEA reports that the site predominantly comprises concrete and tarmac hardstanding along with minimal bramble scrub and

sapling vegetation. The site has limited biodiversity at the present time due to the previous use and management of this land. There was neither evidence of any significant locally rare plants and plant communities nor any physical evidence or field signs of protected species within the survey area. Officers are therefore satisfied that the development would not cause harm to any existing on site biodiversity, in accordance with the requirements of CLLP Policy S60.

In terms of BNG, the requirement for small sites to deliver 10% BNG will be mandatory on applications submitted after 2nd April 2024 through the Environment Act 2021. Until that time CLLP Policy S61 expects that development proposals should deliver at least a 10% BNG and the net gain for biodiversity should be calculated using Natural England's Biodiversity Metric.

BNG is referenced within the PEA and further details and calculations can be found within the submitted BNG Metric. The PEA advises that the development would result in a small net gain in calculated biodiversity units across this site area from 0.58 units to 0.62 units, which is a gain of 6.28%. It states that "whilst this is less than the target of 10% gain it is still a gain and additional biodiversity enhancements could be achieved by including bat roost tubes and bird nest bricks into new residential buildings and if the landscaping around the building comprises native species this could further enhance biodiversity".

While the addition of bat roosts tubes and bird nest bricks are welcomed, these would not count towards the BNG gain figure. However, officers consider that there is scope to increase landscaping, both in terms of the amount and through the use of native species, which would increase the overall net gain. It is therefore proposed that, in addition to a condition to require details of the roost tubes and nest bricks, that a further condition requires details of a landscaping scheme to increase the BNG gain above 6.28%. With these conditions in place to improve the overall biodiversity officers are satisfied that the proposals will provide biodiversity enhancement, as required by CLLP Policy S61.

Contaminated Land

CLLP Policy S56 advises that development proposals must take into account the potential environmental impacts from any former use of the site. A Ground Contamination, Investigation and Assessment - Phase 1 Desk Study and a Ground Investigation report have been submitted as part of the application. These have been assessed by the City Council's Scientific (Contaminated Land) Officer. He does not consider that the reports are sufficiently detailed to characterise the site and allow removal of the relevant recommended conditions should consent be granted. Additionally, the reports, originally produced in 2017, are considered to be out of date. He advises that new reports to meet current requirements should be submitted. In addition, following completion of the site investigation and reporting, a remediation scheme will be required to confirm how the development will be completed to mitigate potential land contamination risks. However, he is satisfied that these can be completed following determination in accordance with the recommended pre-commencement conditions. These conditions will therefore be applied to any grant of consent, and with these in place, officers are satisfied that the application would meet the requirements of Policy S56.

Archaeology

The City Council's City Archaeologist has previously considered an Archaeological Desk Based Assessment at the time of the previous application. At the time he advised that,

given the previous disturbance of the site, it is unlikely to have any archaeological significance. Officers have discussed this current proposal with the City Archaeologist and he has confirmed he has no objections and that there is no requirement for further investigations or archaeological conditions. In this respect the application would meet the requirements of CLLP Policy S57 and section 16 of the NPPF.

Other Matters

Air Quality and Sustainable Transport

It is proposed that all car parking spaces within the development will have electric vehicle charging points. This is welcomed and would be in accordance with the requirements of CLLP Policy NS18.

Refuse Storage

This would be accommodated within each private garden. There is no objection to the proposed arrangement from officers or statutory consultees.

Deign and Crime

A response from Lincolnshire Police has been received, raising no objections to the development. They have, however, made a number of recommendations which have been shared with the applicant for their information.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the use of the site for residential purposes is 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.

Matters relating to parking and highways, flood risk, drainage, energy efficiency, trees, landscaping, BNG, contamination and archaeology have been appropriately considered by officers and the relevant statutory consultees and can be dealt with as required by

condition. The proposals would therefore be in accordance with the requirements of CLLP Policies S1, S2, S3, S6, S7, S12, NS18, S21, S47, S53, S56, S57, S60, S61, S66 and S77 as well as guidance within the NPPF.

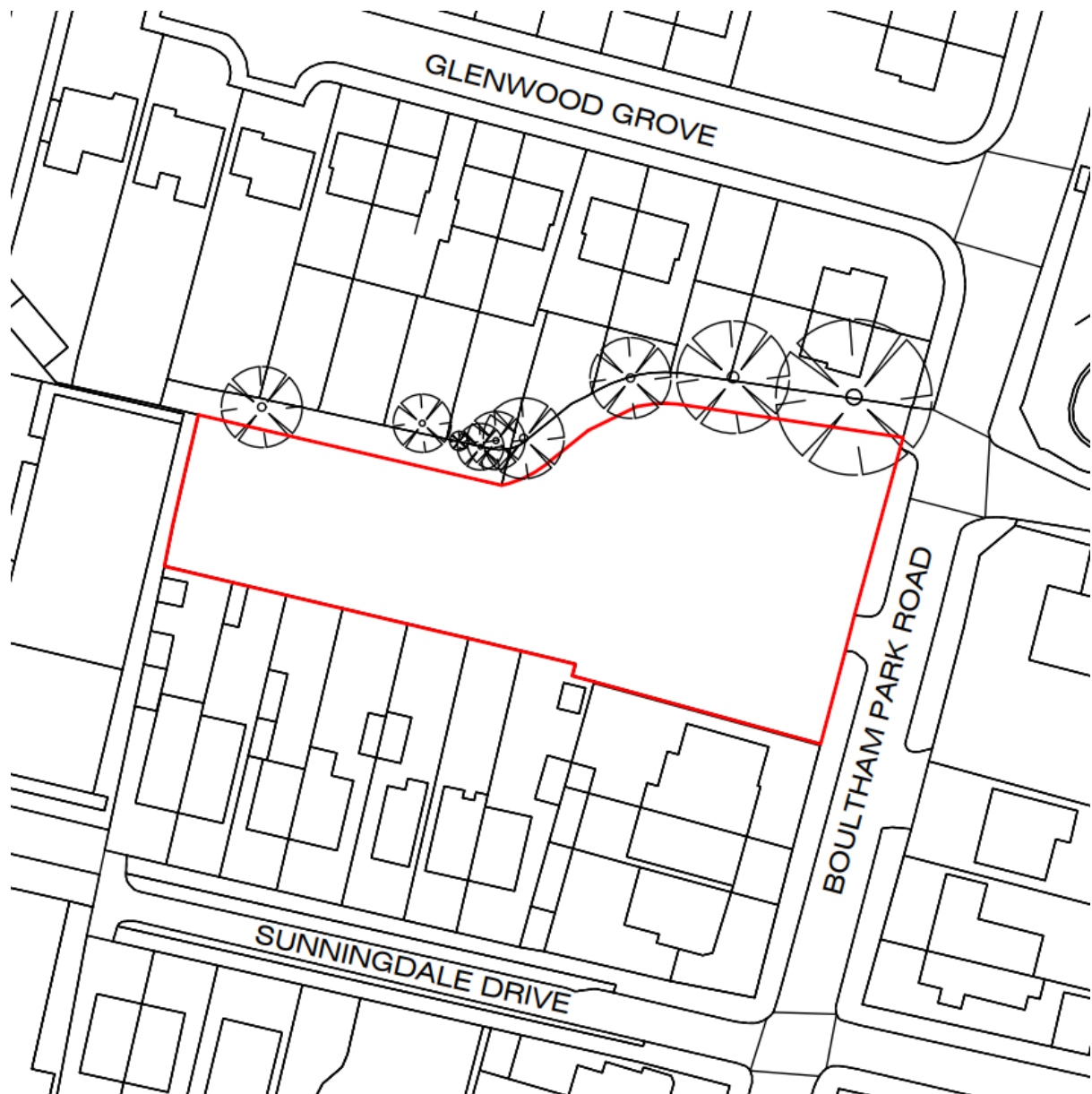
Application Determined within Target Date

Yes.

Recommendation

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

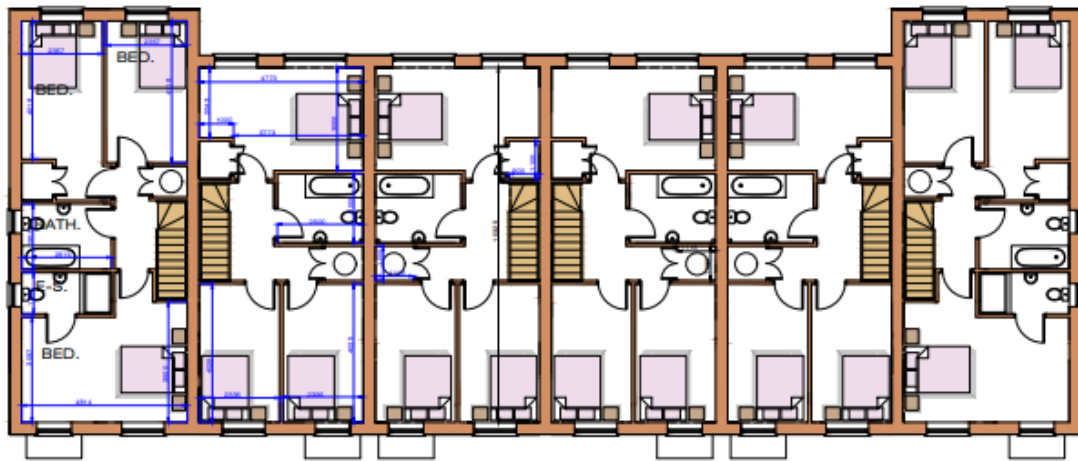
- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials including hard surfacing
- Details of all boundary treatments
- Windows and doors to be set in reveal
- Assessment of off-site impact of any external lighting
- Hours of construction/delivery
- Closing of existing access
- In accordance with FRA flood mitigation measures
- Construction in accordance with Energy Statement
- Submission of statement to verify construction in accordance with Energy Statement
- Water efficiency standards
- Landscaping scheme, to increase the BNG net gain on site
- Details of bat roost tubes and bird nest bricks
- Implementation of tree protection measures
- Contamination site characterisation and remediation measures/implementation



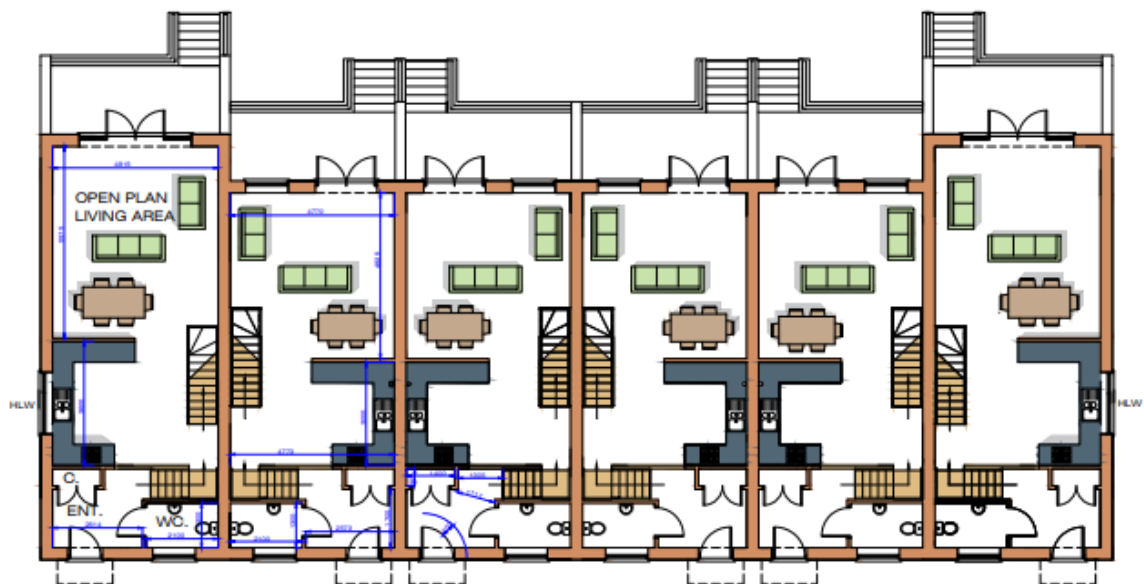
Site location plan



Site layout



FIRST
FLOOR



GROUND
FLOOR

Ground and first floor plans of front block

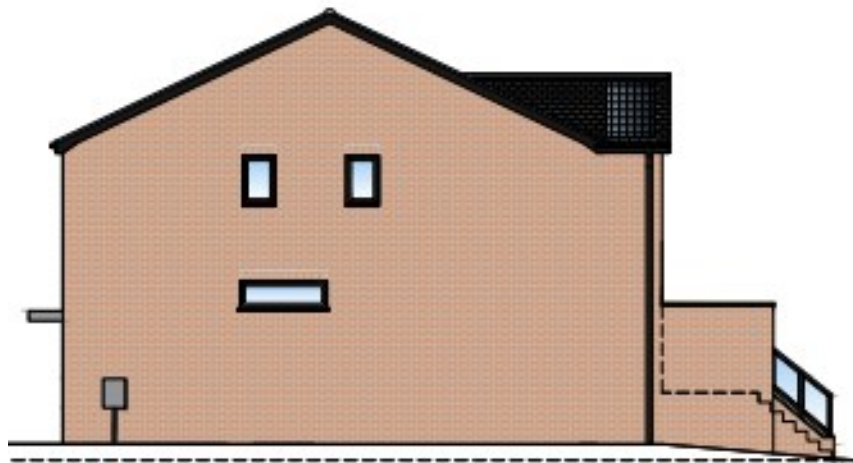
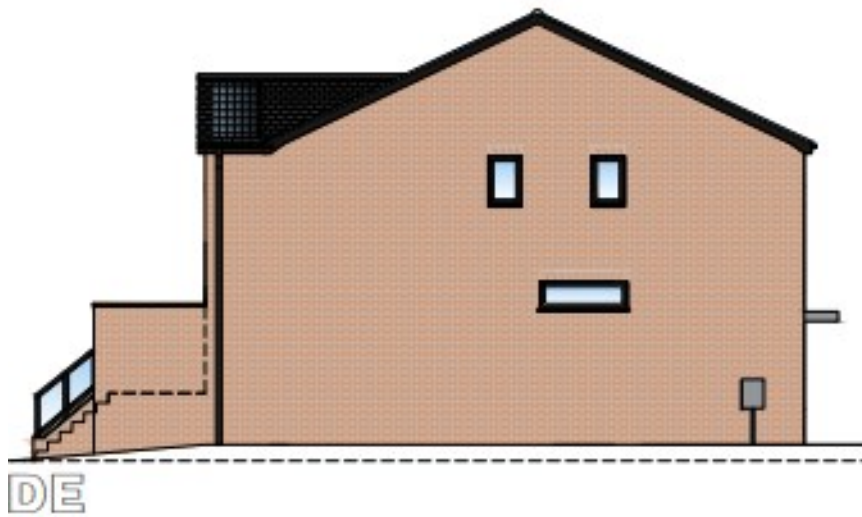


FRONT



REAR

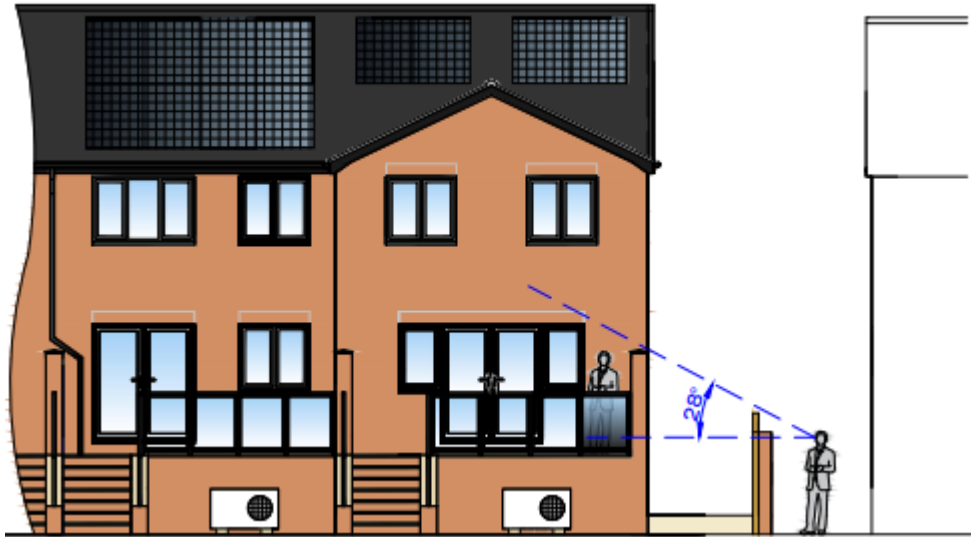
Front and rear elevations of front block



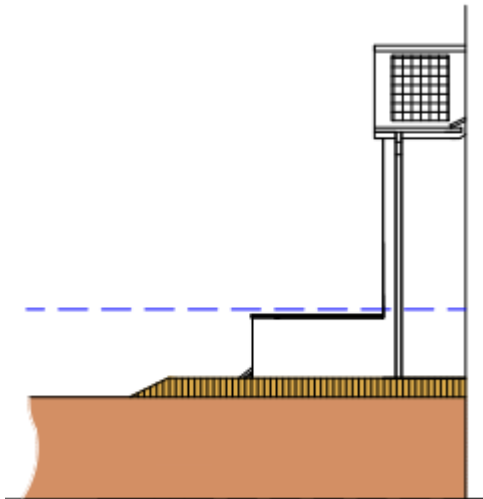
Side elevations of front block



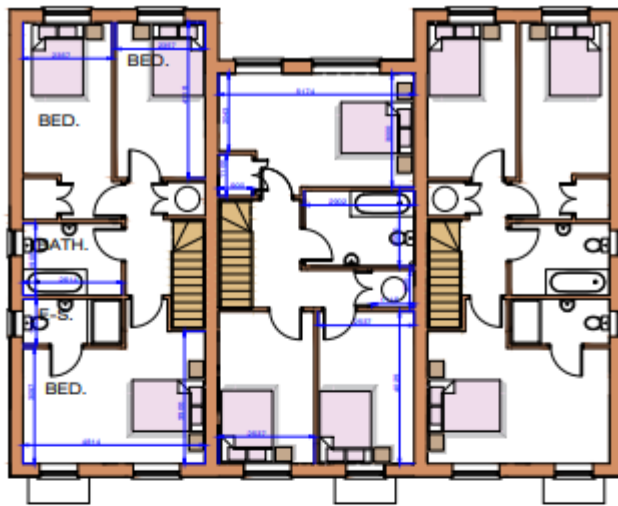
Front block shown within the streetscene



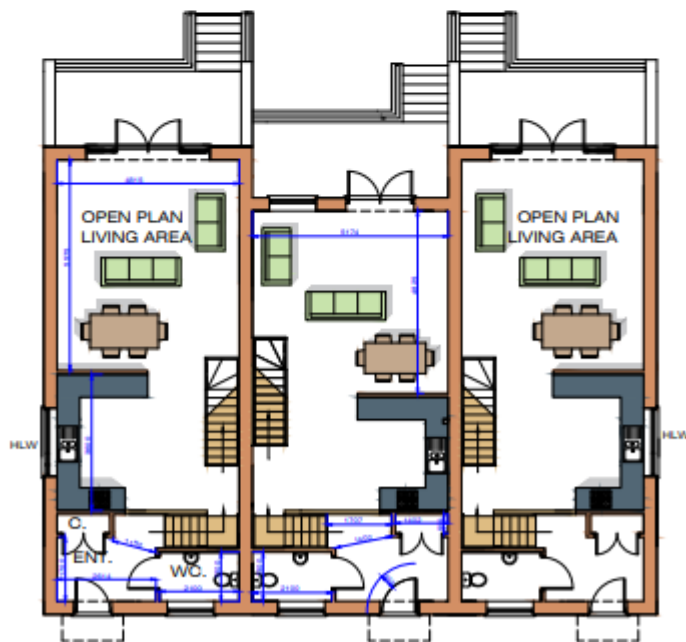
Section of rear elevation of front block with 54 Boultham Park Road to the right



Side elevation of front block as seen from garden of 54 Boultham Park Road



FIRST
FLOOR



GROUND
FLOOR

Ground and first floor plans of rear block

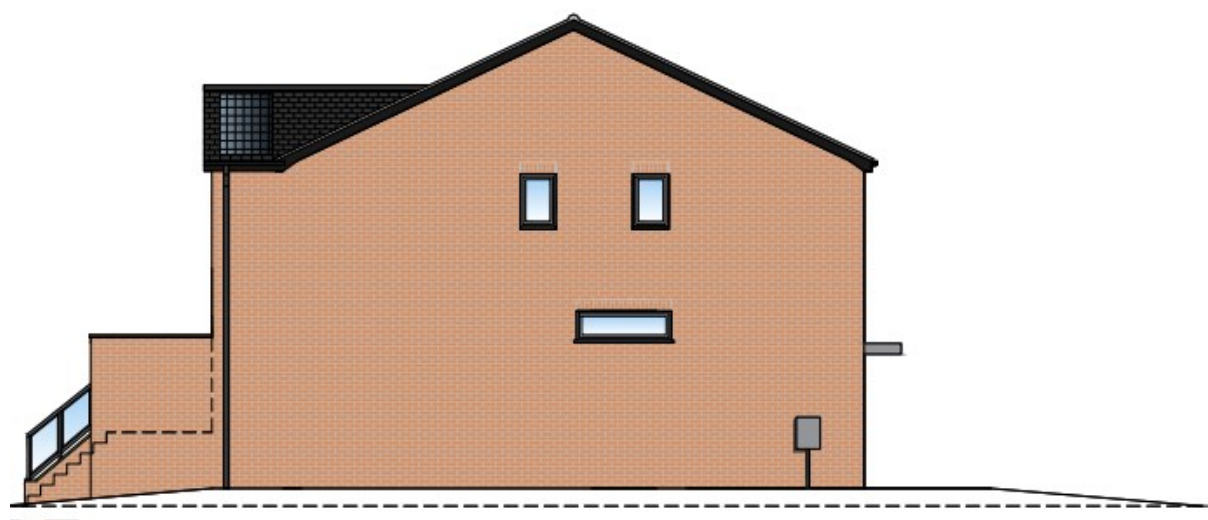
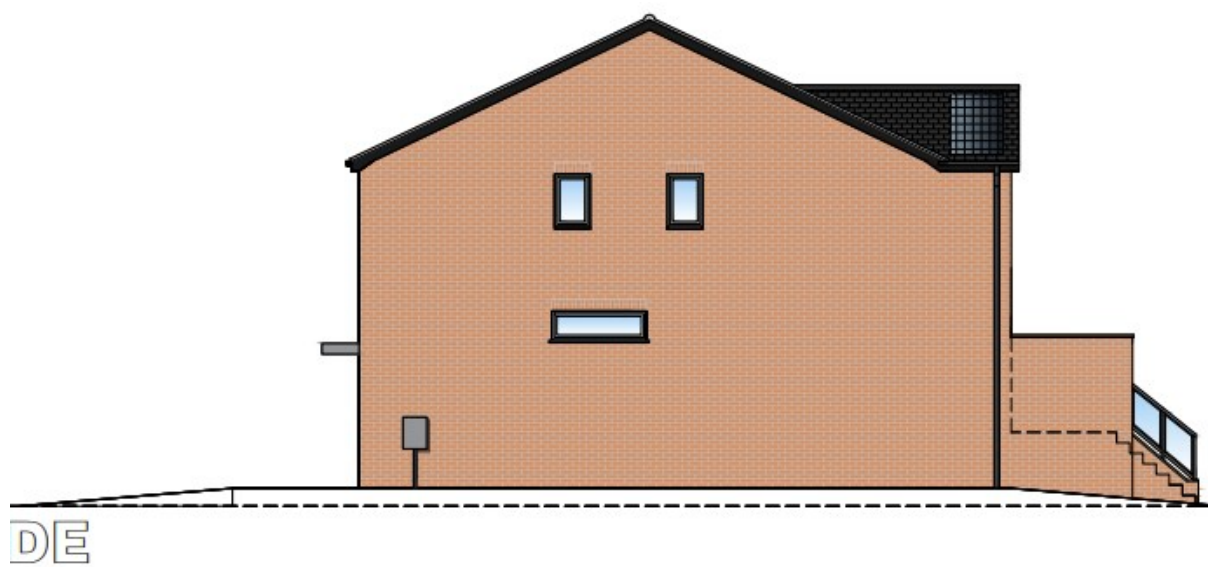


FRONT



REAR

Front and rear elevations of rear block



Side elevations of rear block



View towards site from Ellison Place



View towards site from south



View towards north boundary and properties on Glenwood Grove



Additional view towards north boundary and properties on Glenwood Grove



View towards west boundary with Sunningdale Trading Estate units beyond and south boundary with Sunningdale Drive



View towards south boundary with side elevation of 54 Boultham Park Road

This page is intentionally blank.

Victory site- consultation responses

Customer Details

Name: Mrs Lorraine Smith

Address: 2 Sunningdale Drive Lincoln LN6 7UD

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The proposed plans will develop the site for family homes with gardens and parking spaces.

The design is in keeping with what has already been built nearby.

I hope this is a successful venture for the developer.

Customer Details

Name: Mrs Emma Richards

Address: 27 Glenwood Grove Lincoln Lincolnshire LN6 7BA

Comment Details

Commenter Type: Member of the Public

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

Comment Reasons:

Comment: What are the chances that this is going to adversely affect the surrounding properties with regards to drainage and flooding? We already struggle with flooded gardens during heavy rain will your proposed buildings make this worse for those in Glenwood Grove? can measures be put into place to help with drainage? Whilst im much happier with these new plans it still worries me that it would increase the risk of flooding on our properties.

Customer Details

Name: Mrs Jenny Connell

Address: 54 Boultham Park Road lincoln ln6 7bb

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: May I voice two concerns we have with the development .

The first is the new property's kitchen window overlooking our kitchen/living room.

The second is the proximity of the heat pump to our garden, we are concerned about the noise as we spend a lot of time in our garden.

Re: 2023/0854/FUL



Jenny Connel!
To Marie Smyth



Tue 17:05

Idox CICO

+ Get more add-ins

Warning: External Email. Do not click links, open attachments, or reply unless certain of safety. Do not share inappropriately.

[Allow sender](#) | [Block sender](#)

Hi Marie, Thank you so much! We really appreciate your help, you have been so helpful.
We feel so much better now with the development.
Kind regards
Jenny and Terry

Marie Smyth
Lincoln City Council
Development Control
City Hall Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Our ref: AN/2024/135201/01-L01
Your ref: 2023/0854/FUL
Date: 29 January 2024

Dear Marie

Erection of 9 dwellings.

Site of Victory Hotel, 50 Boultham Park Road, Lincoln, Lincolnshire, LN6 7BB

Thank you for consulting us on the above application, on 09 January 2023.

Environment Agency position

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (FRA) (compiled by ARK Environmental Consultancy, dated January 2024) and the following mitigation measures it details:

- All habitable ground finished floor levels of the dwellings shall be set no lower than 1.6m above external ground levels.
- The dwellings shall have at least two storeys, in accordance with drawing referenced '54/23/02/B', dated July 2023, compiled by Rob Bradley Building Design.
- Flood resilience and resistance measures shall be incorporated into the proposed development as stated.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 21(a-f) of the Central Lincolnshire Local Plan 2023.

Advice to the Local Planning Authority and applicant

Foul drainage

Foul drainage from the development will need to be treated at the Canwick Water

Environment Agency
Nene House (Pythley Lodge Industrial Estate),
Pythley Lodge Road, Kettering, Northants, NN15 6JQ
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

*Customer services line: 03708 506 506
Calls to 03 numbers cost the same as calls to standard
geographic numbers (i.e. numbers beginning with 01 or 02).*

Cont/d..

Recycling Centre (WRC). We have concerns that the WRC may not have capacity to accommodate flows from this development during the lifetime of the planning permission. Without appropriate improvements to the WRC, flows from the development could result in pollution of the water environment. We advise that the developer discusses this with AWS prior to development to ensure that the necessary upgrades to infrastructure are in place to provide capacity for this development.

Flood Warning and Evacuation (FWEP).

We note that the application is not supported by a FWEP. In this instance we consider that warning and emergency response is fundamental to managing flood risk. We strongly recommend that a FWEP is obtained prior to determining the application and that you consult with your Emergency Planning staff on its contents.

The Environment Agency does not comment on or approve the adequacy of proposed flood emergency response procedures accompanying development proposals. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupant/user covered by our flood warning network. The Planning Practice Guidance (Flood Risk and Coastal Change section, paragraphs 041-048) provides information on producing evacuation plans for development and the role of the local authority in ensuring these are appropriate.

Floodline Warnings Direct

We recommend that the future occupants of the site fully sign up to Floodline Warnings Direct. This can be done online at <https://www.gov.uk/sign-up-for-flood-warnings> or by phoning Floodline Warnings Direct on 0345 988 1188.

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

Yours sincerely

Miss Emily Fisher
Planning Advisor

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

To: Lincoln City Council

Application Ref: 2023/0854/FUL

Proposal: **Erection of 9 dwellings**

Location: **Site Of Victory Hotel, 50 Boultham Park Road, Lincoln, Lincolnshire**

With reference to the above application received 28 November 2023

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

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

ADDITIONAL INFORMATION REQUIRED

Can the applicant amend the block plan to show revisions to the proposed access point,
incorporating a tactile crossing point.

The existing access no longer required will need removing and reinstating to footway, in line with
Lincolnshire County Council's specification.

Case Officer:
John Clifton

Date: 11/12/23

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

District: Lincoln City Council

Application number: 2023/0854/FUL

Application Type:

Proposal: Erection of 9 dwellings

Location: Site of Victory Hotel, 50 Boultham Park Road, Lincoln, Lincolnshire

Response Date: 20 December 2023

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

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

Application number: 2023/0854/FUL

Application Type:

Location: Site of Victory Hotel, 50 Boultham Park Road, Lincoln, Lincolnshire

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 and therefore does not wish to object to this planning application.

Comments:

The proposal is for 9 dwellings and it does not have an unacceptable impact on the Public Highway.

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.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Highway Condition 12

Within seven days of the new access being brought into use, the existing access onto Boultham Park Road no longer required, 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 site, in the interests of road safety.

Informatives

Highway Informative 02

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

Highway Informative 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. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Highway Informative 04

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Regards

Officer's Name: John Clifton

Officer's Title: Principal Development Management Officer

Date: 20 December 2023

REFERENCE: 2023/0854/FUL

DEVELOPMENT: ERECTION OF 9 DWELLINGS

LOCATION: SITE OF VICTORY HOTEL, 50 BOULTHAM PARK ROAD, LINCOLN, LINCOLNSHIRE

Dear Sir/Madam,

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

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However, it is up to City of Lincoln Council as the planning Authority granting planning permission. It has been noted that the applicant is aware of the development being within Flood Zone 3 of the Environment Agency's Flood Maps and has been in correspondence with the EA however, there is no evidence of appropriate mitigation in the form of annotated drawings denoting floor levels and a Flood Risk Assessment within the planning application.

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

- If soakaways are proposed the suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be reconsulted.
- Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water.
- Any discharge into a water course will require a consent from the Board under the Land Drainage Act.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development. Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Many thanks,

Abi Gilbert BEng (Hons)
Graduate Engineer



**WITHAM AND HUMBER
DRAINAGE BOARDS**

PL

Aimee

Good Morning

Thank you for your email for the application above. This falls outside of the remit for comments by Anglian Water

d=anglianwater.co.uk&u=aHR0cHM6Ly93d2cuYW5nbGlhbnRhdGVyLmNvLnVrL2RldmVsbnB3BGlncMvZGV2ZWxvcG1lbnQtc2VydmliZXMvbnB3G9jYXRpYmctbnB3VyLWFzc2V0cy8=&i=NjU0OGFjZjZjZjUyMDMxMGFmMzEzYmQ0&t=bGdDUGRJaXRFSjNhd3FNSGw2cVpobmpEcFbVBYjZnc1VLROFKOXhkUjF0TTO=&h=a104d0bb8805418087f5050043c3b845&s=AVNPUEHUTONFTkNSWVBUSVbR JnkkBXEGDhslpW iK2Vzk-QQDy1tER9E4TmiGrwtGd4kBNYAELjKxs0SN8r0

d=anglianwater.co.uk&u=aHR0cHM6Y93d3cuYW5nbGlibndhdGVyLmNvLnVrL2RldmVsb3BlcnMvZjhaW5hZ2Utc2VydmijZXMyVnVpbGRpbmctb3ZlcjciZuWZFYW91ci1hc3NldHMv&i=NjU0OGFIZjZjZjUyMDMxMGFmMzEzYmQ0&t=ZlplM3NKbjE4UXFIYXhpRzJjQUQNKcDRnUHZtUStqeGdY WmhYb2ROY2Rnbz0=&h=a104d0bb8805418087f5050043c3b845&s=AVNPUeHUTONFTkNSWVBUSVbR_JnkkBXEGdHslpW_ik2Vzk-QQDy1tER9E4TmiGrwtGd4kBNYAEljkVxs0SN8r0

Kind Regards

Anglian Water Services Limited

Fri 22/03/2024 07:21



Directorate of Communities & Environment

Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

30th November 2023

Your Ref: 2023/0854/FUL

Town and Country Planning Act 1990

Consultation on Planning Permission

Site Of Victory Hotel 50, Boultham Park Road, Lincoln, Lincolnshire, Erection of 9 dwellings.

Lincolnshire Police do not have any objections to this development.

Lighting

Regarding the lighting I would suggest that external lighting be low energy consumption lamps with an efficacy of greater than 40 lumens per circuit watt. The Code for Sustainable Homes requires security lighting to be PIR and for the lamp not to exceed 150w. Secured by Design has not specified this type of security lighting for several years following advice from the institute of Lighting Engineers and police concerning the increase in the fear of crime (particularly amongst the elderly) due to repeated PIR activations. Research has proven that a constant level of illumination is more effective at controlling the night environment. The Code for Sustainable Homes does not penalise specifiers that follow the SBD guidance (constant level of illumination by utilising low energy luminaries) and allows credits to be awarded for 'default case'.

External lighting must be switched using a photo electric cell (dusk to dawn) with a manual override.

Building Regulations (October 1st, 2015) provides that for the first time all new homes will be included within Approved Document Q: Security – Dwellings (ADQ).

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

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

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.

External doors

The Secured by Design requirement for all external door sets is PAS 24:2016 (doors of an enhanced security). **This applies to flat entrance door-sets and as such should meet the same specifications as 'front door'.** The locking hardware shall be operable from both sides of an unlocked door without the use of a key (using a roller latch). If the door set is certified to either PAS 24:2012/2022 or STS 201 Issue4: 2012 then it must be classified as DKT.

Climbing Aids

Where balconies are included, they should be designed to remove any potential to be used as a climbing aid to gain access to any part of the property.

Windows

All ground floor windows and those that are easily accessible from the ground must conform to improved security standard BS7950: 1997 or WCL 4. PAS24:2016 Glazing should include at least one pane of laminated glass to a minimum thickness of 6.8 mm. (WCL 4 is the reference number for BS7950 and is published by Warrington Certification Laboratories).

Window retainers may be applicable on the ground floor windows as well as all other accessible windows.

It is highly recommended that all vulnerable ground floor windows and doors be security-tested to British Standard 7950 and Product Assessment Specification (P.A.S.) 24:2016 respectively (Secured by Design Standards).

Landscaping

Landscaping should not impede the opportunity for natural surveillance and must avoid the creation of areas of concealment. Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any tree should be pruned to a minimum height of 2 metres, thereby maintaining a clear field of vision around the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

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.

Rear Access

I do have some concerns regarding the access opportunities that will be afforded by the rear access pathway running to the rear of the properties. Whilst a gate is indicated on the plans, I would be concerned that this will not deter unwanted access to the rear of the properties.

Consideration to a more substantial and higher levels of new fencing (2 m) and both CCTV and lighting options may be options to mitigate this risk.

It is strongly advised that if there are any rear access (service) alleyways incorporated, they must be gated at their entrances. The gates must not be easy to climb over or easily removed from their hinges and they must have a key operated lock. By Design – Better Places to Live (Companion Guide to Planning Policy Statement 3) page 46 states:

“Rear servicing can undermine the security of dwellings by allowing strangers access to the rear of dwellings.”

In respect of landscaping, it is important that in vulnerable locations, such as entrances, parking areas and footpaths, low planting should not exceed 1000mm in height, and tree canopies should not fall lower than 2m from the ground. This is to allow people to see their surroundings better, make a rational choice of routes and eliminate hiding places. A maintenance agreement should stipulate that these planting dimensions would be adhered to.

It is highly recommended that all vulnerable ground floor windows and doors be security-tested to British Standard 7950 and Product Assessment Specification (P.A.S.) 24:2022 respectively (Secured by Design Standards).

Parking Courtyards

Where communal parking areas are deemed necessary bays should be in small groups, close to and adjacent to homes and within the view of active rooms.

All parking areas should be appropriately lit to levels recommended by BS 5489-1:2013 and benefit from natural surveillance and ideally good pedestrian footfall. Adjacent shrubbery and bushes should be designed to have a limited growth rate (no more than 1 m) and are easy to maintain.

Police Secured by Design Award Scheme.

The Police Secured by Design scheme is an initiative and proven guide for architects, developers, and builders to encourage the use of specified materials and products together with informed design and layout to help reduce the opportunity for crime, disorder, and anti-social behaviour.

The scheme is free and the benefits of its application is supported by academic evidence which shows that SBD developments experience 87% less burglaries, 25% less vehicle crime and 25% less criminal damage and a significant reduction in anti-social behaviour.

Use of specified products will contribute to the sustainability of the development and the requirement for ongoing maintenance. Further guides are available on

www.securedbydesign.com that includes SBD Commercial 2015 V2, SBD New Schools 2014 & Sheltered Accommodation. I would ask that you direct architects and developers to these documents and ensure their reference in the various Design & Access statements. Equally please do not hesitate to involve this office in and on any further consultations.

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

Please refer to *Homes 2023* which can be located on www.securedbydesign.com Homes 2019.

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

Yours sincerely,

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

Force Designing Out Crime Officer (DOCO)

Application Number:	2023/0841/LBC
Site Address:	Central Market, Sincil Street, Lincoln
Target Date:	16th January 2024
Agent Name:	John Roberts Architects Ltd
Applicant Name:	Maria Clayton
Proposal:	Installation of CCTV cameras to external elevations and internal locations. (Listed Building Consent).

Background - Site Location and Description

Application is for listed building consent for the installation of cctv cameras to the interior and exterior of this grade II listed building.

The site is also located within the Cathedral City Centre and Conservation Area No.1

The Central Market is owned by the City Council who is the applicant for this application.

The cctv cameras are part of the wider redevelopment and refurbishment of the Central Market building which is nearing completion.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 23rd January 2024.

Policies Referred to

- National Planning Policy Framework
- Policy S57 The Historic Environment

Issues

- Local and National Planning Policy
- Effect on the special architectural and historic interest of the listed building.

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Lincoln Civic Trust	Comments Received

Environmental Health	Comments Received
----------------------	-------------------

Public Consultation Responses

No responses received.

Consideration

Policy

Policy S57: The Historic Environment states *"proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire."*

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

External Cameras

3 cctv cameras are proposed for the exterior of the building.

The justification for the cameras is provided in the submitted Design and Access Statement. The cameras will provide the *"necessary cctv to support the proposal for the public space within and around the Lincoln Central Market."*

2 no. smaller black cameras are located to the west facing (rear) elevation, whilst 1 no. slightly larger camera is to be located on the Northeast corner of the Market building between Sincil Street and City Square.

The 2no. cameras to the rear are now in situ, having been installed with a bracket affixed to the inside face of the parapet with an arm extending over the parapet.

The cctv cameras are small and finished in black and are not therefore particularly conspicuous on what is a secondary elevation where public views are limited.

As initially proposed the 3rd camera was to be slightly larger, providing views of Sincil Street and City Square. The camera and bracket for this particular type of camera is manufactured with a white finish.

The white finish for this larger camera was considered an inappropriate response to the listed building setting. The white housing and bracket for the camera as initially proposed, would appear incongruous on the building and result in an overly prominent feature.

The architectural detailing and other fittings on the market building such as the grilles, lamps and windows are either black or dark bronze detailing. The white finish to the camera would therefore have appeared as an incongruous addition at this prominent corner location, where public views are afforded across City Square and this northern end

of Sincil Street.

A revised camera design has therefore been secured, again to be fixed to the building via a swan neck bracket which will be attached to the rear of the parapet of the market building. Both the camera and bracket are to be finished in black and this can be conditioned as such. The 3rd camera will therefore also tie in with the style and colour of the other two black cameras on the west elevation of the building, thereby ensuring a comprehensive approach to cctv on the exterior of the building.

It is considered therefore that the revised proposal for the cameras will not be detrimental to historic fabric, whilst given the size, design and colour finish of the cameras, will not be harmful to the special architectural character or historic interest of the listed building.

The cable runs to serve the cctv cameras are either located behind the parapet or will sit along the top of the cornice and therefore limited views are available.

Internal Cameras

6 no. cameras are to be installed within the Central Market building. 2no. cameras are to be located within the new side extension, and will therefore be attached to new fabric, whilst the remainder are located at various points around the main market hall, attached to the new timber fascia's. The cameras are to be fixed lens HD turret cameras.

The proposed cameras are therefore considered to be in accordance with both local and national planning policy and the duty contained within section 16 (2) of the Planning (Listed building and Conservation Areas Act) 1990.

No objections are raised by either the Civic Trust or the Highway Authority.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The revised proposal is considered to be in accordance with the duty contained within section 16 (2) of the Planning (Listed building and Conservation Areas Act) 1990 in considering whether to grant listed building consent for any works the LPA or SoS shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Application Determined within Target Date

Yes- extension of time agreed.

Recommendation

That the application is Granted Conditionally.

Standard Conditions

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

Reason: Imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) 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.

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

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

Conditions to be discharged before commencement of works

- 03) The cctv camera and bracket hereby approved shall be finished in black prior to the installation of the cctv equipment on site, and shall remain as such at all times.

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

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:

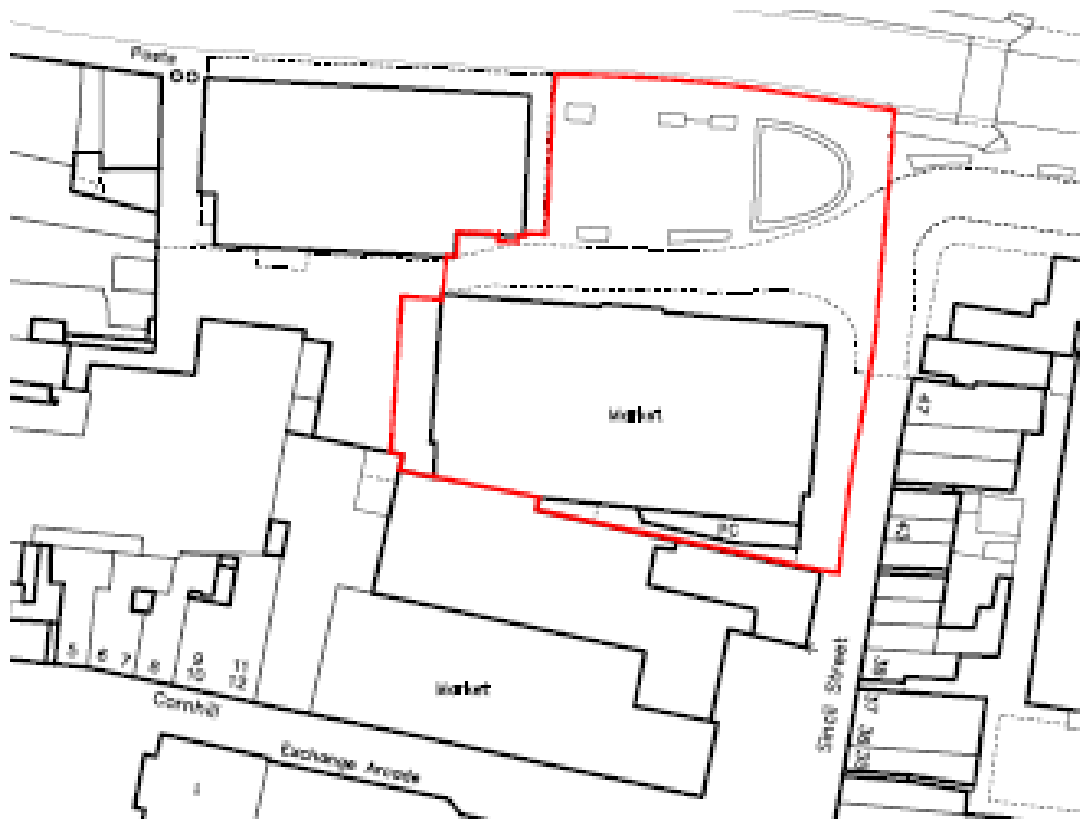
Drawing No.	Version	Drawing Type	Date Received
Dahua security bracket DH-PFB303S		Details	15th March 2024

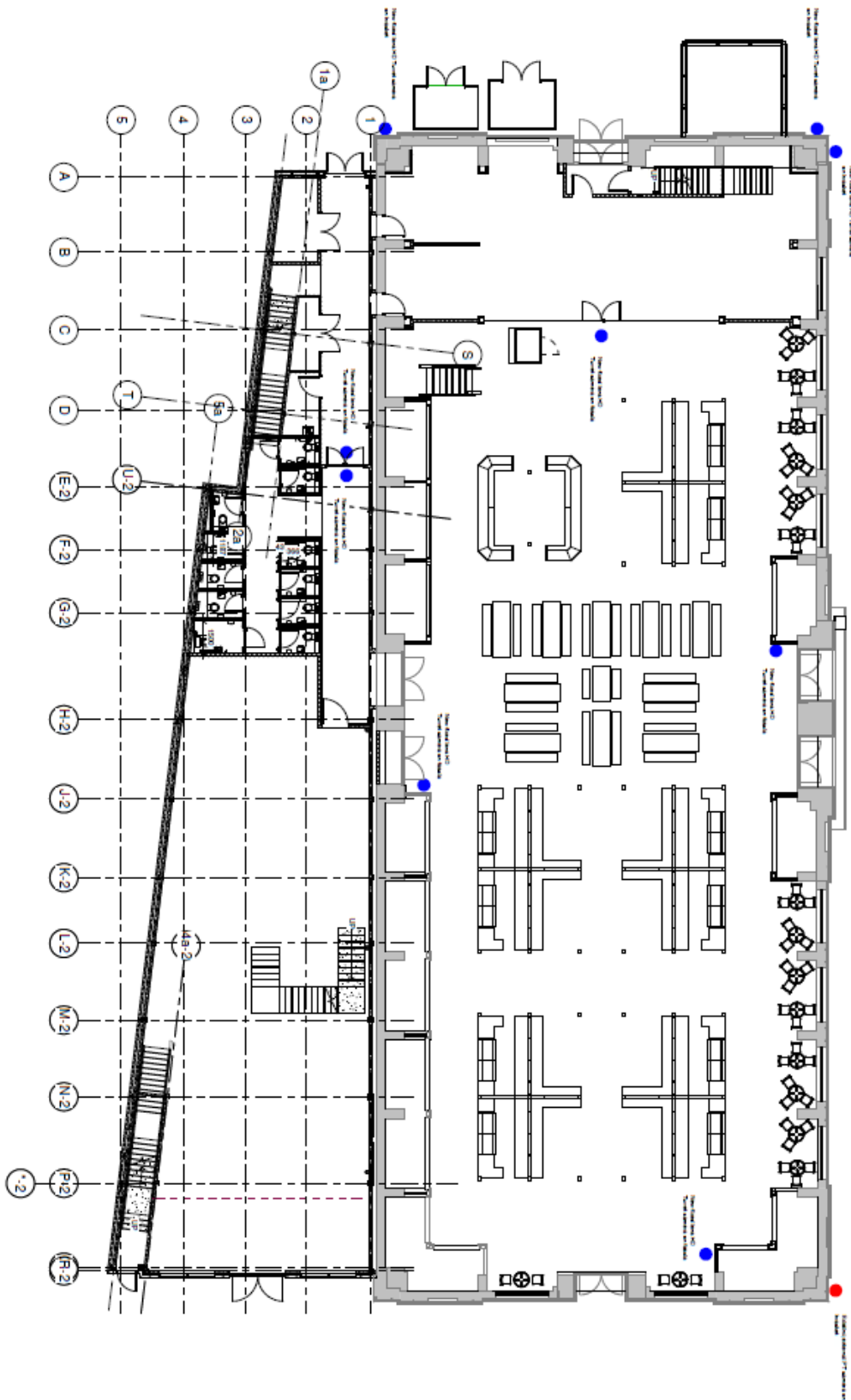
Dahua security PTZ camera DH-SD5A425XA-HN R		Details	15th March 2024
0292		Plans - Proposed	20th November 2023
0293		Plans - Proposed	20th November 2023

This page is intentionally blank.

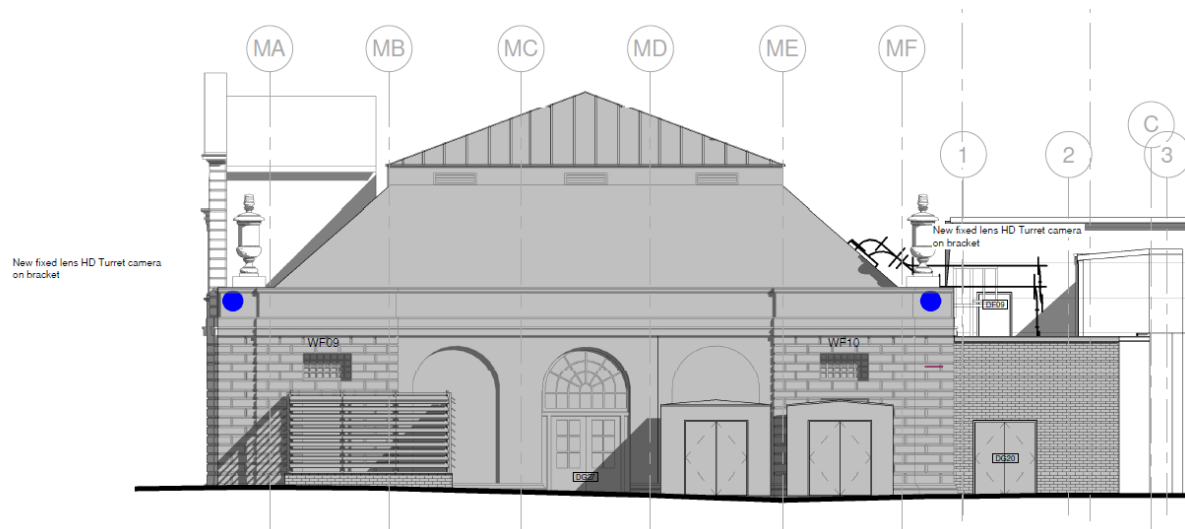
2023/0841/LBC Central Market CCTV Cameras

Site Location Plan





Proposed camera locations



Proposed camera locations to West elevation



Proposed south elevation to City Square

Camera located corner of Sincil Street and City Square



Wiz Sense | DH-SD5A425XA-HNR



DH-SD5A425XA-HNR

4MP 25x Starlight+ IR WizSense Network PTZ Camera



- 1/1.8" 4Megapixel CMOS
- Powerful 25x optical zoom
- Starlight+ Technology
- Max. 25/30fps@4MP
- IR distance up to 150m
- SMD PLUS
- Deep-learning-based perimeter protection
- Auto-tracking and IVS
- PoE+
- IP67, IK10

Wiz Sense



DH-PFB303S

Parapet Mount Bracket



Cameras to west elevation and interior

This page is intentionally blank.

Corner of Sincil Street and City Square



Cameras installed to west (rear) elevation









Corner of Sincil Street and City Square

This page is intentionally blank.



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

District: Lincoln City Council

Application number: 2023/0841/LBC

Application Type: Listed Building Consent

Proposal: Installation of CCTV cameras to external elevations and internal locations. (Listed Building Consent).

Location: Central Market, Sincil Street, Lincoln, Lincolnshire

Response Date: 29 November 2023

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

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

Application number: 2023/0841/LBC
Application Type: Listed Building Consent
Location: Central Market, Sincil Street, Lincoln, Lincolnshire

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.

Comments:

The proposal is for the installation of CCTV cameras to external elevations and internal locations and it does not have an impact on the Public Highway or Surface Water Flood Risk.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage 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: 29 November 2023

Consultee Comments for Planning Application 2023/0841/LBC

Application Summary

Application Number: 2023/0841/LBC

Address: Central Market Sincil Street Lincoln Lincolnshire

Proposal: Installation of CCTV cameras to external elevations and internal locations. (Listed Building Consent).

Case Officer: Alex Leatherland

Consultee Details

Name: Mr Tony Maltby

Address: St Marys Guidhall,, 385 High Street, LINCOLN LN5 7SF

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

No objection

Consultee Comments for Planning Application 2023/0841/LBC

Application Summary

Application Number: 2023/0841/LBC

Address: Central Market Sincil Street Lincoln Lincolnshire

Proposal: Installation of CCTV cameras to external elevations and internal locations. (Listed Building Consent).

Case Officer: Alex Leatherland

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.

This page is intentionally blank.