

PLANNING COMMITTEE

Wednesday, 26 February 2025

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, Annie Currier, Rebecca Longbottom, Bill Mara, Callum Roper and

Calum Watt

Substitute members: Councillors James Brown, Neil Murray and Emily Wood

Officers attending: Simon Cousins, Democratic Services, Kieron Manning and Louise

Simpson

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

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

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

AGENDA

SECTION A Page(s)

1. Confirmation of Minutes - 29 January 2025

5 - 16

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.	Con	firmation of Tree Preservation Order 188	17 - 22
5.	App	lications for Development	
	(a)	15 St Andrews Drive, Lincoln	23 - 54
	(b)	Land Adjacent To Lindum And Minster Practice, Cabourne Court, Lincoln	55 - 88
	(c)	120 Larchwood Crescent, Lincoln	89 - 94

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.

29 January 2025

Present: Councillor Bob Bushell (in the Chair),

Councillor Gary Hewson, Councillor Debbie Armiger, Councillor Chris Burke, Councillor Liz Bushell, Councillor Martin Christopher, Councillor Annie Currier, Councillor Rebecca Longbottom, Councillor Bill Mara, Councillor

Callum Roper and Councillor Calum Watt

Apologies for Absence: None.

30. Confirmation of Minutes - 30 October 2024

RESOLVED that the minutes of the meeting held on 30 October 2024 be confirmed and signed by the Chair as a true record.

31. Update Sheet

An update sheet was circulated to members of Planning Committee in relation to planning applications to be considered this evening, which included additional responses for Members' attention, received after the original agenda documents had been published.

RESOLVED that the update sheet be received by Planning Committee.

32. <u>Declarations of Interest</u>

No declarations of interest were received.

33. Works to Trees

The Arboricultural Officer:

- a. advised Planning Committee that the main purpose of the report provided reasons for proposed works to trees predominantly in the City Council's ownership, although it may include other trees at times where special circumstances applied and officers thought it was both helpful and were able to do so
- b. sought consent to progress the works identified, as detailed at Appendix A of the report
- c. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was in City Council ownership and identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required
- d. explained that ward councillors had been notified of the proposed works.

Councillor Longbottom asked for an update in respect of works to five Lime trees in Castle Ward approved at the last meeting of Planning Committee on 30 October 2024, and enquired whether mitigation measures to reduce the loss of trees had been discussed with Anglian Water's approved contractor.

The Arboricultural Officer explained that he had not received any feedback from Anglian Water Authority regarding the installation of an interpretation board or suggestions made for installation of a modular planting system/ use of root barriers. He would make further enquiries and report back to Councillor Longbottom in person.

RESOLVED that:

- 1. A response to Councillor Longbottom's enquiry in relation to the replacement of five Lime Trees in Castle Ward be provided by the Arboricultural Officer following the meeting.
- 2. The tree works set out in the schedule published within the report be approved.

34. Applications for Development

(a) White Hart Hotel, Bailgate, Lincoln

The Assistant Director of Planning:

- a. referred to the application property, the White Hart Hotel, a grade II listed building located on the corner with Bailgate and Eastgate, with St Mary Magdalene's Parish Church adjoined to the south, within the Cathedral and City Centre Conservation Area
- b. detailed the City Council's Principal Conservation Officer's description of the history of the premises, being a complicated site comprising four distinct building phases along the street scene
- c. advised that the hotel had recently reopened following extensive renovation works with some works still ongoing; there had been a number of applications, including most recently for the creation of a new leisure pool and spa, which was approved by Members of Planning Committee in July 2024
- d. advised that full planning permission was now being sought for the construction of a new external roof terrace on the flat roof of the 1960's extension which fronted Bailgate, to include a frameless glass balustrade, glazed screen and access doors
- e. added that access would be taken from the existing fourth floor private lounge accommodation; the application also proposed the removal of the existing steel balcony to the south/east elevation and removal of the roof mounted water tower
- f. highlighted the following additional points:
 - A roof terrace was previously proposed on the flat roof area to the rear, east of the building as part of the original applications for internal and external refurbishment works (2023/0057/FUL and 2023/0058/LBC), however, the terrace was later omitted from the applications following advice from officers that this was not an appropriate addition.
 - Officers had concerns that this would cause harm to the setting of

- the listed building and adjacent listed buildings as well as views towards the Cathedral, the character and appearance of the Conservation area and residential amenity.
- Subsequent discussions had been held between officers and the agent regarding a possible roof terrace, although officers had remained of the opinion that this would not be acceptable. Despite this advice, the agent had submitted this current application for a terrace on an alternative location, to the side of the building, adjacent to Bailgate.
- g. reported that in addition to this full application, an accompanying listed building consent application had been submitted (2024/0618/LBC), which only considered proposals in relation to the impact on the application property as a designated heritage asset, whereas this full application would consider this impact along with other matters; such as visual amenity, the character and appearance of the Conservation area, the setting of adjacent listed buildings and residential amenity
- h. stated that both applications were being presented to Members of Planning Committee for determination at the request of Councillor Murray
- i. detailed the history to the application site within the main body of the officer's report
- j. provided details of the policies pertaining to the application, as follows:
 - Policy S53: Design and Amenity
 - Policy S57: The Historic Environment
 - Policy S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character
 - National Planning Policy Framework
 - Planning Practice Guidance- Historic Environment
- k. provided details of the issues to be assessed in relation to the planning application, as follows:
 - Policy Context
 - Visual Amenity and Impact on the White Hart
 - Impact on Adjacent Listed Buildings, Important Views and the Conservation Area
 - Assessment of Public Benefit
 - Residential Amenity
- I. outlined the responses made to the consultation exercise
- m. referred to the Update Sheet which contained further responses received in relation to the planning application after the agenda papers were published
- n. concluded as follows:
 - Officers would recommend that the application be refused on the grounds that the proposed glass balustrade and the use of the existing flat roof as an external terrace would cause unacceptable

harm to visual amenity, the significance and setting of the listed building, the setting and significance of listed buildings in the vicinity and the character and appearance of the Conservation area.

- The level of less than substantial harm had neither been appropriately justified nor was it outweighed by a public benefit.
- The application would therefore be contrary to CLLP Policies S53, S57 and S58 and the NPPF.

Councillor Anita Pritchard addressed Planning Committee in relation to the proposed planning application in her role as Ward Advocate. She covered the following main points:

- She wished to speak in support of the proposed planning application.
- She spoke as a local ward Councillor and a custodian of Lincoln's heritage.
- She had held discussions with residents and traders in the Bailgate area.
- The White Hart had undergone much improvement and enhancement over recent years.
- These renovation works maintained a useful balance in retaining the heritage of the building.
- The plans for the most recent project were symmetrical and mindful of the surrounding area in which the building sat.
- The proposed roof terrace would offer impeccable views of the Cathedral and City.
- She had taken into account the views of the community in making her representation this evening.
- Regulating access to the roof terrace ensured there would be no impact on businesses nearby.
- The proposals represented a sustainable economic model; supporting the local community and wider community.
- The hotel would be able to showcase local products/crafts etc.
- The City was a 'must visit' destination and the hotel offered a distinct charm and appeal for bespoke experience events.
- Having stayed once, visitors would return again to the City.
- The proposal was positive for the local economy and should be supported.

Councillor Neil Murray addressed Planning Committee in relation to the proposed planning application in his Councillor role within the City. He covered the following main points:

- He had taken the decision to speak tonight after reading the advice from Historic England in response to the planning consultation process.
- His ward already represented one side of the application building.
- He also chaired the City of Lincoln Council Historic Environment Advisory Panel alongside being the Council's appointed Historic Environment Advocate.
- He had been an advocate of local heritage in the City for forty years.
- The recommendation to refuse this planning application was at its very worst 'snobbery'.
- The planning application was of great merit.
- The roof terrace would open up a fantastic new view of the West Front of the Cathedral and wider views of the City.
- Access to such a view would be maximised. It deserved to be celebrated.

- Lincoln Cathedral was at the top of the list of Cathedral's to visit in the country.
- He was disappointed there had not been a site visit by Planning Committee members prior to this evening to give visual context to this application.
- Potential issues related to noise/disturbance had been mitigated by the offer of conditions.
- Why were potential issues mentioned which could be conditioned?
- The scheme would give the opportunity to local residents and visitors to enjoy a different prospective of the iconic front of Lincoln Cathedral.
- The application was in similar spirit to Lincolnshire County Council's investment at the Castle to allow people to walk along the Castle walls.
- He felt the officer recommendation to refuse planning permission was a negative approach.
- He welcomed the planning application.

Mr Paul Ponwaye addressed Planning Committee as agent on behalf of the applicant in support of the proposed planning application. He covered the following main points:

- The applicant had provided significant investment in the White Hart Hotel and other properties in uphill Lincoln.
- The addition of the fourth floor roof terrace would put the premises on the international stage in terms of the final piece in the puzzle for the enhancement of the White Hart.
- The new terrace would offer outstanding views of the Castle, Cathedral and Witham Valley.
- The Cathedral had supported the scheme.
- Conditions would be imposed to reduce any potential impact of the development.
- Views of the Council's Pollution Control Officer had concluded that with controls in place, there would be no impact on the adjacent Church of St Mary Magdalene.
- Concerns raised by the City Conservation Officer related to the modern balustrade, however the most appropriate contemporary option had been chosen as it was frameless and transparent.
- The illustrative computer generated images provided showed that interrupted views of the Castle walls and Cathedral would be minimal.
- The incongruous water tower would be removed which already impacted on the Castle and Cathedral.
- The roof terrace would not be a bar terrace as clarified within the officer's report.
- Activity at roof level would add to the interest of the views.
- Leaving extra space in front of the flat roof enhanced the heritage aspect.
- There would be substantial benefits allowing this premier hotel to be a crowning glory with unique views from the roof terrace.
- The terrace would be used by international employers such as Siemens, universities, Lincoln City Football Club to name a few.
- He requested that planning permission be granted.

Members discussed the content of the report in further detail.

The following comments emerged in relation to the proposed planning application:

- The Cathedral had supported the proposals for the roof terrace. The member in question was not sure why officer's had spoken in their presentation to the contrary.
- Shop owners supported the proposals.
- Lincolnshire County Council as Highways Authority had no objections.
- Local councillors were in support of the scheme.
- The City wanted to see increased tourism and to encourage international character. The proposals should be supported, similar to York's reputation.
- This was an innovative, reasonable and ambitious proposal that should be supported.
- The development was centred in the uphill part of the city of which we were all proud and had a huge potential.
- The development would have a positive impact on the building.
- The flat roof was currently under-utilised although the views from it were stunning.
- The use of a glass balustrade made sense in terms of the sensitivity of the views.
- The condition to control the number of patrons on the roof terrace and music levels between the hours of 8am and 11pm was not necessary.
- The Cathedral would prefer accessibility to the roof terrace to be restricted till 11.00pm, not 11.30pm. This would be in line in with the operational hours of the Magna Carta in Castle Hill square.
- Peoples views would differ in relation to the impact from the roof terrace as
 to whether it would be detrimental to the views from the Castle walls. It
 was pleasing to note that the water tower would be demolished.
- This was a difficult application which officers had spent many long hours in deliberation. The applicant wished to add something modern to a historic building, and visual amenity would be affected, however, was this of sufficient detriment to refuse.
- The Uphill area was very special with a different atmosphere to other parts
 of the city, however, with mitigation measures in place we would still
 maintain this atmosphere with the addition of the roof terrace.
- The statement within the Design and Access Statement submitted, that the proposal enabled employment opportunities to be maintained was a threat to Councillors implying we would make employees redundant should planning permission be refused.
- The acoustic atmosphere and calm presence of the Uphill area in this core heritage area was surreal. Should planning permission be granted there was a worry that a precedent would be set for future development. There was a noise level concern.
- There was tension here between progress and preservation of the area/supporting the local economy.
- There were concerns regarding potential impact on the adjacent Church of St Mary Magdalene next door and access for maintenance.
- Mitigation measures were proposed to address potential noise pollution.
 We would not know until the roof terrace was established what degree of impact there would be.
- Historic England were experienced consultees in these types of proposals.
- The Cathedral had issued a bland response to the consultation process in that it did not welcome music or drinking but did not object to the proposals.
- The Uphill are was a unique area to sit and contemplate.

• It was important for the White Hart Hotel to prosper, however, our amazing and important views needed to be considered also.

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

- Was it possible to protect the stonework of the building by using alternative materials to glass?
- Would a site visit been useful from the Castle walls to look at the height of objects placed on the flat roof and impact on views?
- Could a condition be imposed to limit the height of objects placed on the roof?
- How had the potential concerns of noise impact to the adjacent Church of St Mary Magdalene been addressed?
- Would there be a disabled access in addition to internal steps up to the roof terrace?
- Clarity was requested as to whether the balustrade would be set back on the roof terrace and in line with the White Hart building next to it
- Would the balustrade be the same height as the existing water tower to be demolished?
- What would be the width of the gravel perimeter?
- It was assumed that any furniture would be taken off the roof terrace at the end of the evening, timing would be needed for this to avoid noise. Would people be able to report any issues with noise being carried?
- There was no mention of lighting in the planning documents, Would it spill onto the path?
- Could clarification be given to the response detailed on the Update Sheet raising concerns that the application was not publicly advertised outside the building?

The Chair reminded members of their remit here. They held a massive responsibility to the citizens of Lincoln in protecting our historic heritage which must not be compromised. There was a balance to be drawn as to whether the negative impacts outweighed the benefits of the scheme, and vice-versa. Modern and ancient could work together, but not if an area we enjoyed was compromised. Each member must weigh up the information presented to us and come to a balanced decision based on that information. Professional officers were here to guide us. Should we go against their advice, we would need to justify why we had done so.

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

- He confirmed that he did not say that the Cathedral had objected within his presentation.
- In terms of the materials proposed to be used on the balustrade, the
 decision to be made was to refuse or approve the planning application as it
 was before members this evening.
- The height of objects to be placed on the roof was not a matter that could be enforced by the Planning Authority.
- Regulation of the placement of lights, umbrellas etc on the roof terrace was also not within the remit of the Planning Committee. Portable lighting placed on the roof terrace was not development and not enforceable.
- Noise issues: There were two parts to consider:

- An assessment of potential noise in relation to impact on amenity.
 Would this be harmful as a statutory nuisance? The Pollution Control Officer said not.
- The level of impact on the adjacent Church of St Mary Magdalene or properties onto Minster Yard. Noise from the roof terrace would be new to this part of the Conservation Area, problematic/detrimental to the Conservation Area and Scheduled Monument.
- The balustrade would be set back 600mm from the wall. Its height would be 1.5metres, which was lower than the existing water tower.
- In terms of the Cathedral response regarding times of operation, that type
 of detail to be applied was within the remit of Planning Committee
 members to determine should the application be supported.
- The consultation process was carried out in September last year, and advertised according to full statutory regulations.
- In terms of setting a precedent, each planning application was considered on its own merits., However, the establishment of a particular development would not be immaterial to future development.in the area. The weight to be applied in this respect would be the remit of officers to advise upon and for Planning Committee members to decide.
- Disabled access: The inclusion of steps to the roof terrace were part of the Listed Building Consent and not the subject of the full application. There would only be steps which was not unusual for a listed building.

Whether or not the planning application was granted, a motion was proposed, seconded, and put to the vote that hours of operation for the roof terrace be set at 8.00pm-11.00pm. The motion was carried.

RESOLVED that planning permission be refused on the grounds of:

- The proposed glass balustrade would have no meaningful relationship with the prevailing architectural language of the grade II listed White Hart Hotel, causing harm to the significance of the historic façade;
- The proposed glass balustrade, along with the activity, noise and lighting associated with the use of the roof as an external terrace, would be a modern and incongruous addition. It would not relate well to the site and would fail to reflect or satisfactorily assimilate into the surrounding area, contrary to CLLP Policy S53.
- It would diminish and harm the architectural significance of this designated heritage asset, contrary to CLLP Policy S57 and NPPF paragraph 212.
- The proposed glass balustrade, along with the activity, noise and lighting associated with the use of the roof as an external terrace would cause harm to the character and appearance of the Conservation Area and would fail to respect the special historic context, contrary to CLLP Policies S57 and S58 and paragraphs 212 and 213 of the NPPF.
- The proposed glass balustrade, along with the activity, noise and lighting associated with the use of the roof as an external terrace would have a negative impact on the roofscape within important views towards the Cathedral, harming the setting of this Grade I listed building. For the same reason the proposal would also cause harm to the setting of a number of other listed buildings in the vicinity. The application would therefore be contrary to CLLP Policies S53, S57 and S58 and paragraphs 212 and 213 of the NPPF.
- The less than substantial harm which would be caused to the significance of the heritage assets had ηgt been justified in terms of the tests set out

- within paragraph 215 of the NPPF and was not outweighed by a public benefit, providing an external terrace allowing private members of the hotel to take advantage of views, but in doing so compromised these same views from the public realm; and
- The proposal failed to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possessed and was therefore contrary to the duty contained within sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas Act).

(b) White Hart Hotel, Bailgate, Lincoln (Listed Building Consent)

The Assistant Director of Planning:

- a. referred to the application property, the White Hart Hotel, a grade II listed building, located on the corner with Bailgate and Eastgate within the Cathedral and City Centre Conservation Area
- b. reported that it sat on the corner of Bailgate and Eastgate with St. Mary Magdelene's Parish Church (the church) adjoined to the south; the site was abutted to the rear, east and south, by residential properties; 19-23 Minster Yard, Exchequergate Lodge and 24 Eastgate
- c. detailed the City Council's Principal Conservation Officer's description of the history of The White Hart Hotel, being a complicated site comprising four distinct building phases along the street scene
- d. advised that the hotel had recently reopened following extensive renovation works with some works still ongoing, there had been a number of applications, including most recently for the creation of a new leisure pool and spa, which was approved by Members of Planning Committee in July 2024
- e. advised that this application sought listed building consent for a new external roof terrace on the flat roof of the 1960s extension which fronted Bailgate
- f. reported that the application would include a frameless glass balustrade, glazed screen, and access doors, with access taken from the existing fourth floor private lounge accommodation, where it was proposed to install new internal steps and a balustrade from the existing lounge to accommodate the change in levels
- g. added that the application also proposed the removal of the existing steel balcony to the south/east elevation and removal of the roof mounted water tower
- h. highlighted that a roof terrace was previously proposed on the flat roof area to the rear, east of the building as part of the original applications for internal and external refurbishment works (2023/0057/FUL and 2023/0058/LBC), however the terrace was later omitted from the applications following advice from officers that this was not an appropriate addition
- added that officers had concerns that this would cause harm to the setting of the listed building and adjacent listed buildings as well as views towards

- the Cathedral, the character and appearance of the conservation area and residential amenity
- j. reported that despite this and subsequent advice, the agent has submitted this current application for a terrace on an alternative location, to the side of the building, adjacent to Bailgate
- k. advised that in addition to this listed building consent application, an accompanying application for full planning permission had been submitted (2024/0617/FUL) and considered by Planning Committee as the previous agenda item this evening
- I. confirmed that this listed building consent application considered the proposals, including any internal alterations, in relation to the impact on the application property as a designated heritage asset
- m. confirmed that both applications were being presented to Members of the Planning Committee for determination at the request of Councillor Murray
- n. highlighted that responses had been received from the church and the Cathedral Estates Department in relation to both the full and listed building consent applications, however, as the comments raised related to visual amenity, residential amenity and noise and disturbance, they could not be considered as part of this application i.e. they related to matters other than the impact on the application property as a designated heritage asset and their responses were therefore copied and considered as part of the assessment of the full planning permission report
- o. detailed the history to the application site within the officer's report
- p. provided details of the policies pertaining to the application, as follows:
 - Policy S57: The Historic Environment
 - National Planning Policy Framework
 - Planning Practice Guidance- Historic Environment
- q. advised of the issues to be assessed in relation to the planning application, as follows:
 - Policy Context
 - Impact on the Building as a Designated Heritage Asset
 - Assessment of Public Benefit
- r. outlined the responses made to the consultation exercise
- s. concluded that:
 - Officers recommended that the application be refused on the grounds that the proposed glass balustrade and the use of the existing flat roof as an external terrace would cause unacceptable harm to the architectural and historic interest of the building and to its setting and significance.
 - The level of less than substantial harm had neither been appropriately justified nor was it outweighed by a public benefit.

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 The application would therefore be contrary to CLLP Policy S57 and the NPPF.

Members discussed the content of the report in further detail.

Members asked whether approval of this Listed Building Consent application would be helpful to the applicant should an amended revised full planning application be submitted.

The Assistant Director of Planning advised that Listed Building Consent application approval needed to be based on the specific material implications in front of us this evening.

Members asked whether a new application could be submitted.

The Principal Planning Officer and the Principal Conservation Officer advised that this same Listed Building application could be resubmitted with a revised full application. If there were no reasons for refusal it would still stand against the same policies, unless there was a change in planning policy in the meantime.

RESOLVED that the listed building consent planning application be refused on the grounds of:

- The glass balustrade would have no meaningful relationship with the prevailing architectural language of the grade II listed White Hart Hotel, causing harm to the significance of the historic façade;
- The glass balustrade, along with the activity, noise and lighting associated with the use of the roof as an external terrace, would be a modern and incongruous addition which would diminish and harm the architectural significance of this designated heritage asset;
- The proposal would be prejudicial to the special architectural and historic interest of the listed building, its significance and setting, contrary to CLLP Policy S57 and NPPF paragraphs 212 and 213;
- The less than substantial harm which would be caused to the significance
 of the listed building had not been justified in terms of the tests set out
 within paragraph 215 of the NPPF and was not outweighed by a public
 benefit, providing an external terrace for use by private members of the
 hotel; and
- The proposal failed to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possessed and was therefore contrary to the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act).



PLANNING COMMITTEE

26 FEBRUARY 2025

SUBJECT: CONFIRMATION OF TREE PRESERVATION ORDER 188

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: KIERON MANNING, ASSISTANT DIRECTOR - PLANNING

1. Purpose of Report

1.1 To have confirmed one (temporary) Tree Preservation Order, made by the Assistant Director of Planning under delegated powers. The order currently provides 6 months of temporary protection for the trees but is required to be confirmed by the Planning Committee to provide long term future protection.

2. Executive Summary

- 2.1 A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality.
- 2.2 The making of any Tree Preservation Order is 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. This is, however, contained within existing staffing resources.
- 2.3 The making of Tree Preservation Orders reduces the risk of losing important trees, groups of trees and woodlands. It further allows the Council to protect trees that contribute to local environment quality.

3. Background

- 3.1 Tree Preservation Order 188 was made on 07th October 2024 protecting 2 Acer Pseudoplatanus (Sycamore) within the grounds of Pottergate Lodge, Lindum Road, Lincoln, Lincolnshire, LN2 1NS.
- 3.2 The trees are considered to contribute to the visual amenity of the area and the unauthorised removal of, or works to, the trees would be considered to be detrimental to visual amenity.
- 3.3 The initial 6 months of protection would end for the Tree Preservation Order on 7 April 2025.

4. Consideration

The provisional Tree Preservation Order was made following an application to fell the 2 trees, which are located within Cathedral and City Centre No.1 Conservation Area.

The Councils Arboricultural Officer visited the site to inspect the trees and using the Arboricultural Association approved 'Helliwell System' of Visual Amenity of Trees and Woodlands, considers the trees to be of high amenity value. The trees were both in full leaf, showed no signs of dieback, pests or diseases and were mechanically balanced at the time of their visit.

Consultations have been carried out with both the landowner and an adjoining property and no objections to the order have been received.

5. Strategic Priorities

5.1 Confirmation of Tree Preservation Order 188 would ensure that the trees would 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 trees would contribute to enhancing our remarkable place.

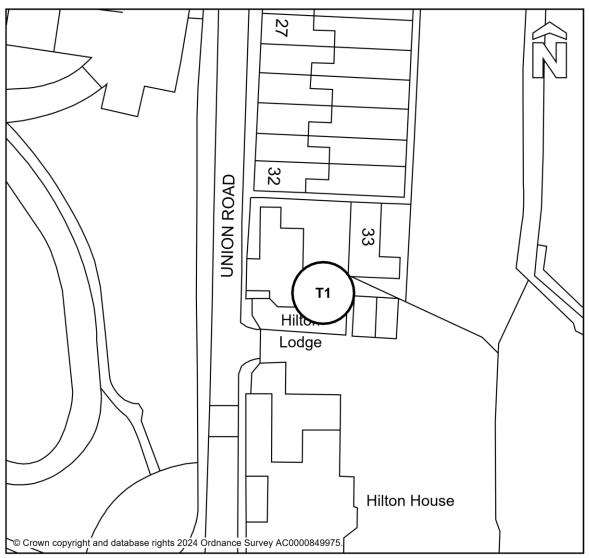
6. Organisational Impacts

6.1 Legal Implications – Anyone who wishes to carry out works to the tree will require consent from the City of Lincoln Council first.

7. Recommendation

7.1 It is recommended that the Tree Preservation Order be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

How many appendices does the report contain?	None
List of Background Papers:	None
Lead Officer:	Kieron Manning, Assistant Director - Planning Kieron.manning@lincoln.gov.uk

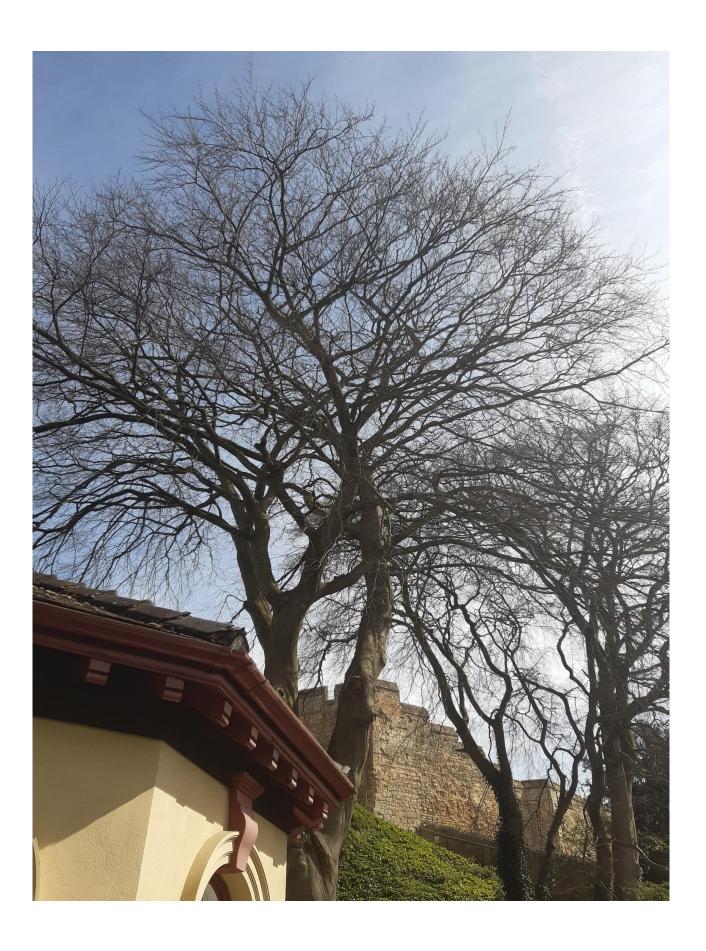


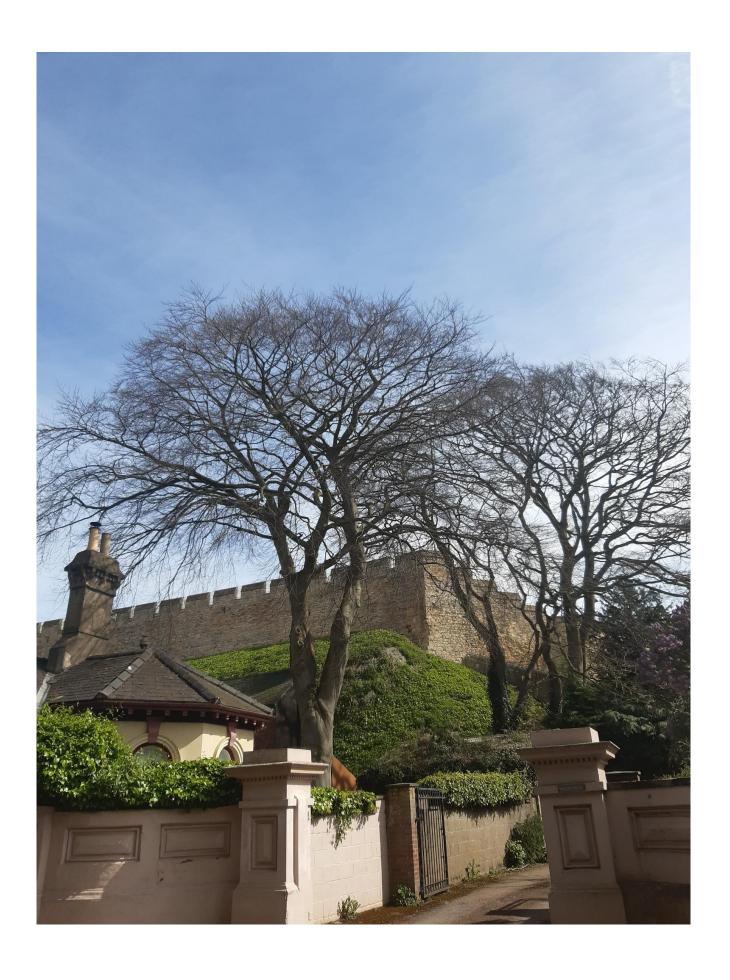
TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Hilton Lodge No.1 Tree Preservation Order 2024

T1 - Purpurea







Application Number:	2025/0029/C4
Site Address:	15 St Andrews Drive, Lincoln
Target Date:	20th March 2025
Agent Name:	None
Applicant Name:	Miss Esther Ogedengbe
Proposal:	Change of use from existing Dwelling (Class C3) to flexible use between Dwelling (Class C3) and House in Multiple Occupancy (Class C4).

Background - Site Location and Description

The application property is a two storey dwelling located on the South side of St Andrews Drive. The property is currently a 5 bedroom dwellinghouse.

The application seeks permission for the change of use from an existing dwelling (C3) to a flexible use between a Dwelling (C3) and a House in Multiple Occupation (C4).

A city wide Article 4 Direction was adopted from the 1st March 2016 removing the permitted change from C3 to C4, necessitating the formal requirement for planning permission for this change of use. The Supplementary Planning Document (SPD) provides criteria for determining planning applications for the development of HMOs.

It is noted that the applicant previously applied for a HMO use for the property in 2022, but later withdrew the application after being advised that marketing information was required.

This application has been brought to the Planning Committee due to the number of objections received from neighbouring residents.

Site History

Reference:	Description	Status	Decision Date:
2022/0845/C4	Change of use from C3 (Dwellinghouse) to C4 (HMO).		28th April 2023

Case Officer Site Visit

Undertaken on 6th February 2025.

Policies Referred to

- National Planning Policy Framework
- Supplementary Planning Document Houses in Multiple Occupation
- Policy S25: Sub-division and Multi-Occupation of Dwellings within Lincoln
- Policy S53: Design and Amenity

Issues

To consider whether the application meets the requirements of the Houses in Multiple Occupation Supplementary Planning Document (SPD) and Local Plan Policy.

To assess the proposal with regard to:

- 1) Accordance with National and Local Planning Policy
- 2) HMO Concentration
- 3) Marketing Considerations
- 4) Impact on Residential Amenity
- 5) Impact on Visual Amenity
- 6) Parking and Highway Safety
- 7) Cycle and Bin Storage

Consultations

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

Statutory Consultation Responses

Consultee	Comment
John Lincolnshire Police	Comments Received
Council Tax	Comments Received
Highways & Planning	Comments Received
Environmental Health	Comments Received

Public Consultation Responses

Name	Address
Mr Chris Chamberlain	9 St Andrews Drive
	Lincoln
	Lincolnshire
	LN6 7UG
Mr Cal Dunnington	6 Saint Andrew's Drive
	Lincoln
	LN6 7UG
Miss Teresa Robinson	19
	St Andrews Drive
	Lincoln
	LN6 7UG
Miss Diane Marsh	9 St Andrews Drive
	Lincoln
	LN6 7UG
Mr Ross Morgan	18 St Andrews Drive
	Lincoln
	Lincolnshire
	LN6 7UG
Mrs Karen Revill	22 St Andrews Drive
IVIIS Karen Reviii	Lincoln
	Lincolnshire
	LN6 7UG
Mrs Patrycja Mikolajczyk	14 St Andrews Drive
	Lincoln
	Lincolnshire
	LN6 7UG
Miss Rosie Fairweather	17 St Andrews Drive
	Lincoln
	Lincolnshire
	LN6 7UG
Mrs Judith Jones	Beck Hole
IVII 3 JUUIUI JUHES	32 St Andrews Drive
	Lincoln
	LN6 7UG
Mr Huw Burrows	20 St Andrews Drive
IVII I I I I I I I I I I I I I I I I I	Lincoln
	LN6 7UG
Miss Gemma Marshall	21 St Andrew's Drive
	Lincoln
	LN6 7UG
Darryl Canaday	11 St Andrews Drive
	Lincoln
	Lincolnshire
	LN6 7UG
<u>I</u>	1

Mr John Hopkins	25 St Andrews Drive Lincoln Lincolnshire LN6 7UG
Mrs Ann Hogan	13 St Andrews Drive Lincoln Lincolnshire LN6 7UG
Mrs Ann Hogan	13 St Andrews Drive Lincoln Lincolnshire LN6 7UG
Mrs Patrycja Mikolajczyk	14 St. Andrews Drive Lincoln Ln6 7ug
Tom Clayton	1 St Andrews Drive Lincoln Lincolnshire LN6 7UG
Mrs Christine Chester	30 St Andrews Drive Lincoln LN6 7UG
Mr Renton Foster	16 St Andrews Drive Lincoln Lincolnshire LN6 7UG
Miss Rosie Fairweather	28 Valley Road Lincoln LN5 9BE

Consideration

1) Accordance with National and Local Planning Policy

Policies S53 'Design and Amenity' and S25 'Subdivision and Multi-occupation of Dwellings within Lincoln' of the Central Lincolnshire Local Plan (Adopted April 2023) are relevant to this application.

The relevant parts of the policies state:

"All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. All development proposals will be assessed against, and will be expected to meet, the following relevant design and amenity criteria. All development proposals will:

7. Uses

- a) Create or contribute to a variety of complementary uses that meet the needs of the community;
- b) Be compatible with neighbouring land uses and not result in likely conflict with existing uses unless it can be satisfactorily demonstrated that both the ongoing use of the neighbouring site will not be compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site;
- c) Not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources;

8. Homes and Buildings

- a) Provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces;
- b) Be adaptable and resilient to climate change and be compatible with achieving a net zero carbon Central Lincolnshire as required by Policies S6, S7 and S8;
- c) Be capable of adapting to changing needs of future occupants and be cost effective to run by achieving the standards set out in Policy S20;
- d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;
- e) Provide adequate storage, waste, servicing and utilities for the use proposed; ..."
- Extract from Policy S53.

Central Lincolnshire Local Plan (CLLP) Policy S25 advises that the changes of use to houses in multi-occupation will be supported where:

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

On-site parking and cycle storage may not be necessary if it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre. Applications for student accommodation should have university/college facilities accessible by walking, cycling and public transport.

The SPD outlines the criteria that will be used to determine planning applications for HMOs in the City. The purpose of this, and the Article 4 direction, is not to restrict the supply of HMOs, rather they are intended to manage their future development. This should ensure such developments will not lead to or increase an existing over concentration of HMOs, which are considered harmful to local communities, or result in the loss of properties from the market where there is a demand for their use as a dwellinghouse.

The SPD also advises that flexible conditions will be used to allow the lawful use of the property to change between C3 and C4 for a specified period, up to a maximum of 10 years. This gives landlords and property owners the ability to respond to changing local housing market circumstances by letting their properties as either dwelling houses or HMOs, without

the need to apply for planning permission.

Paragraph 8 of the National Planning Policy Framework (NPPF) outlines the three overarching objectives of sustainable development and, as part of the social objective, it should be ensured that there is a sufficient number and range of homes that meet the needs of present and future generations, and this is accompanied by Planning Practice Guidance (PPG), including Paragraph 62 which refers to the need for differing types of housing: "Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)".

2) HMO Concentration

The City Council applies a 10% maximum concentration of HMOs threshold to a 100m radius for the purposes of assessing the impact of a proposed HMO development. HMO developments that would increase an existing overconcentration of HMOs within a defined 100 radius, i.e. exceed the 10% threshold, will generally be considered inappropriate. The purpose of this is to ensure that there is not an over- concentration of HMO uses which can lead to an imbalance in residential communities. In this particular instance there are no other HMOs within a 100m radius of the application site.

The SPD also requires that the proposal should not result in a smaller concentration of HMO uses, specifically from three adjacent HMOs. This does not occur in this case as both properties adjoining are not HMO's.

The SPD document also states that "In cases where planning permission is required to change the use of a C3 dwelling house to a C4 HMO and where members of the Planning Committee are minded to approve an application, the use of a flexible planning condition to allow the lawful use of the property to change between C4 and C3 for a specified period of time after planning approval is given will be considered. Giving landlords and property owners the ability to respond to changing local housing market circumstances by letting their properties as either single family dwelling houses or HMOs, without the need to apply for planning permission."

The Council has set the maximum period for this flexible planning use at 10 years, after which the occupied use would become the lawful use, unless the applicant was to apply for a new planning permission to continue the flexible use.

Officers are satisfied that the principle of allowing the flexible use of the property between C3 and C4 use would not therefore have an unduly harmful impact on the overall balance of the community.

3) Marketing and other Considerations

The SPD also considers harm caused from the loss of family homes to HMOs. The SPD also states that proposals comprising the conversion of an existing residential property to an HMO must demonstrate there is an established lack of demand for the single family use of the property concerned, based on local housing market circumstances at the time.

The SPD outlines that evidence that the property has been openly marketed at a reasonable

purchase or rental price for a period of at least six months shall be submitted with the application and verified by a suitable person in a relevant profession, such as an estate agent.

The applicant has submitted marketing evidence which indicates that the property was marketed for a reasonable period of time (minimum 6 months). The email from the estate agent confirms that the property has been on the market at a reasonable market value both for a rental and for sale for over 6 months with little interest, the price advertised for both rental and sale has been dropped several times during this period. As such the applicant is seeking the flexible use change to C3/C4 to try to gain more interest for the property. We understand that the property was not sold or let during this period of marketing.

Officers therefore consider that the sufficient evidence has been submitted to confirm that there is currently a lack of demand for this property in this area.

4) Impact on Residential Amenity

We consider that the change of use would not result in significant impact, retaining its residential use, albeit with a flexible use to all occupation by unrelated individuals rather than a single family unit if required. No external alterations are proposed. There is evidence of properties operating throughout the city with a flexible C3/C4 use in residential areas without causing significant harm to the neighbouring area.

The proposal for the flexible use responds to the current demand and would contribute to a variety of complementary uses that meet the needs of the community. The flexible use is considered compatible with neighbouring land uses and is not likely to conflict with existing uses.

The City Council's Environmental Health Officer confirms that he has no objections to make in regard to noise or other environmental impact and therefore has raised no objection to the application.

Officers are therefore satisfied that the proposal would not be unduly harmful to the amenities of neighbouring uses, those in the wider area or the future occupants, in accordance with CLLP Policies LP26 and LP37.

5) Impact on Visual Amenity

The change of use would not result in any changes to the external appearance of the dwelling and would not therefore result in any impact on visual amenity.

The proposals would therefore be in accordance with the requirements of CLLP Policy S53.

6) Parking and Highway Safety

The property has the benefit of two off street parking spaces as well as being sustainably located on a regular bus route and within walking distance of the City Centre and local services, shops, and facilities.

The sustainable location would therefore meet the requirements of CLLP, and accordingly officers have no objection.

Lincolnshire County Council as Local Highway Authority has commented that the site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore the limited parking at the property is considered acceptable. They accordingly do not wish to restrict the grant of planning permission.

7) External Communal Space and Bin Storage

The property benefits from a front and rear garden space to facilitate the storage of bins and cycles, ensuring that the proposal meets the requirements of Policy S25.

Comments from Neighbouring Properties

The application has received a number of objections from neighbouring properties.

The objections were around parking, water pressure, waste and rubbish, noise, safety of people walking to/from the school, need for a family dwelling, market price advertising and inaccurate information given as part of the application.

In regard to inaccurate information given to the planning authority, within the application form the applicant has stated the property has been vacant for 6 months, while the neighbours state this is untrue and there have been two people renting the property up until December 2024. Regardless of if there was a tenant or family living in the property or not, the Local Policy and SPD requirements are for the property to be advertised at market value for a period of 6 months or more, not to be empty. The property has been advertised for a period of over 6 months on social media platforms, major online selling platforms including Zoopla, Rightmove and Onthemarket.com and by a local Estate Agent.

Some objections state that the advertised rental and for sale price are too high and not at market value, however the price has been lowered throughout the marketing period and has not been let or sold.

The house was originally brought by the applicant in 2022 for £290,000 and is being advertised for sale at £280,000. This seems to be a fair market value for similar 5 bedroom properties. In St Andrews Drive, as well as the three adjacent roads, there are no other 5 bedroom properties which have been sold recently, however there are a number of 2 and 3 bed semi-detached dwellings, sold within the last three years, for between £210,000 - £239,000. Therefore £280,000 for a 5 bedroom property in this area is a reasonable market for sale price, and has been advised as such by the Estate Agent.

In terms of rental price, the application originally has the property advertised for £1800pcm however has since dropped this to £1600pcm. Again, this is not considered unreasonable for a 5 bedroom property in this area. At the time of the application there are properties within 1 mile of the application property for similar rental prices with 3 bed family rentals starting from £1100pcm. Again, the price of the rental was advised by the Estate Agent.

Officers therefore consider that the property valuation is considered reasonable for the property and area.

While the area is currently comprised of family dwellings, the application is for a flexible use

to better respond to changing markets, and the use as a C4 HMO would not result in likely conflict with existing neighbouring uses. There is a lack of interest in the property, and the applicant has demonstrated that the property has been marketed for the required time without interest as specified by the Local plan and SPD document.

With regard to parking, there are two off-street parking spaces provided at the property which would be considered appropriate for a C3 or C4 use. As previously stated Lincolnshire County Council as Local Highway Authority has commented that the site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore the limited parking at the property is considered acceptable.

The property is on a road with footpaths either side, therefore children walking to and from school have the benefit of utilising footpaths to remain safe from the traffic, the change of use of the property to a flexible C3/C4 use is not considered to add significant amounts of trip generation and traffic to cause a safety issue to those walking in the area. Again, the Highway Authority has raised no objection to the application.

Water pressure for the street is not a planning policy consideration, however the property is existing and therefore would not create additional accommodation or strain on the water pressure.

In regard to the rubbish, many of the comments relate to the rubbish 'spilling out' onto the street as it would not be properly managed by potential tenants, however this again is not a planning consideration and would relate to PPASB. In terms of planning, it can be demonstrated that there is sufficient space at the property to accommodate bins for waste and rubbish collection.

Many of the objections also relate to additional noise from a C4 use and have stated that previous tenants of the property have caused noise issues, including talking loudly and making phone calls. In terms of HMO use, it is not expected that noise from tenants living in a property would be so significant as to warrant a refusal of the planning application, and the Council's Environmental Health officers has stated he has no objection to the proposal in terms of noise or environmental impacts. While it is possible that there could be loud noise created from someone living at the property this is not limited to C4 use and is equally true of a loud family which could use the property under C3 use, given the above any loud noise from voices or phone calls would fall under anti-social behaviour rather than planning remit, and therefore should not be a reason to warrant refusal of the flexible use.

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

Yes, pre-application discussion to gather required evidence for submission of application.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The application has demonstrated that the property has a lack of demand as a family dwellinghouse currently and its change of use to allow a flexible use between a Dwellinghouse or a HMO would not result in an unduly harmful impact on the overall balance of the community, residential or visual amenity, in accordance with Policies S25 and S53 of the Central Lincolnshire Local Plan and the Supplementary Planning Document.

There will not be a harmful effect on visual amenity and the property provides adequate provision for external communal areas for amenity, cycle storage and bin storage for either the use as a dwelling or a HMO.

It is therefore considered that the flexible use of the property is acceptable and would be in accordance with the requirements of Local Plan Policy, the SPD and guidance contained within the NPPF.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally

Standard Conditions

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

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

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.
 - The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.
 - Reason: To ensure the development proceeds in accordance with the approved plans.
- O3) The C4 (Houses in Multiple Occupation) use is permitted to change from C4 to C3 (Dwellinghouses) and back again to C4 without the need for a further application for planning permission for an unlimited number of times for a period limited to ten years hence from the date of this permission.

Reason: In order that the owner can reasonably respond to local housing market circumstances for a period of ten years.

Conditions to be ad	nered to at all times	
None.		
Table A		
Table A	adation has been made in accordance wit	b the aubmitted drawings
The above recomme	ndation has been made in accordance wit	h the submitted drawings
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The above recomme dentified below:		
The above recomme dentified below:	Version Drawing Type	Date Received
The above recomme dentified below:	Version Drawing Type Location Plan	Date Received 22nd January 2025
The above recomme dentified below:	Version Drawing Type Location Plan	Date Received 22nd January 2025

Conditions to be discharged before commencement of works

Conditions to be discharged before use is implemented

None.



Supporting evidence

from zoopla.com

Rental evidence:



£1,600 pcm (£369 pw)

See if you could afford to buy

Property timeline



Marketing evidence:

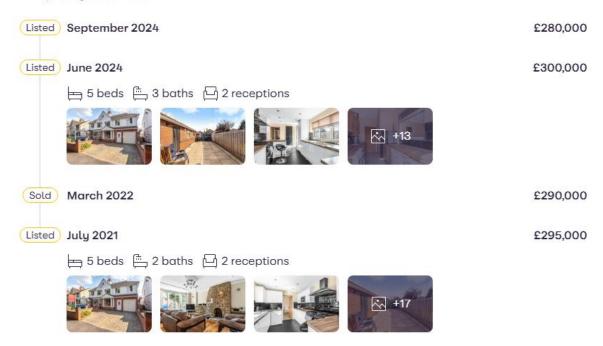


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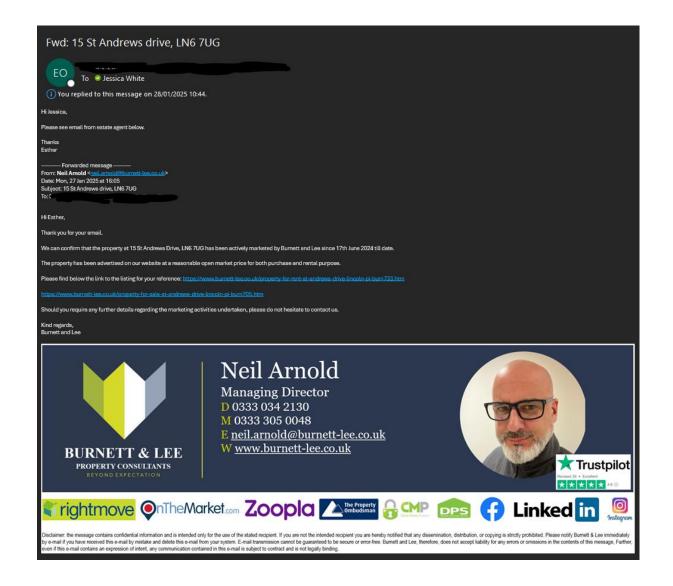
£280,000 (£174/sq. ft)

San how much I could harrow

Property timeline



Email from Estate Agents:



Marketing Evidence



Consultee Comments for Planning Application 2025/0029/C4

Application Summary

Application Number: 2025/0029/C4

Address: 15 St Andrews Drive Lincoln Lincolnshire LN6 7UG

Proposal: Change of use from existing Dwelling (Class C3) to flexible use between Dwelling

(Class C3) and House in Multiple Occupancy (Class C4).

Case Officer: Jess White

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 observations to make regarding noise or other environmental impact over and above those contained in the Councils Article 4 Direction for HMOs and associated Supplementary Planning Document.



CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Lincoln City Council

Application number: 2025/0029/C4

Application Type:

Proposal: Change of use from existing Dwelling (Class C3) to flexible use between Dwelling

(Class C3) and House in Multiple Occupancy (Class C4).

Location: 15 St Andrews Drive, Lincoln, Lincolnshire, LN6 7UG

Response Date: 10 February 2025

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: 2025/0029/C4

Application Type:

Location: 15 St Andrews Drive, Lincoln, Lincolnshire, LN6 7UG

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.

The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore the limited parking available at the property is considered acceptable.

Regards

Officer's Name: John Clifton

Officer's Title: Principal Development Management Officer

Date: 10 February 2025



17 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Mon 10 Feb 2025

The proposal for a House in Multiple Occupation (HMO) on our street has raised significant concerns among local residents.

Our street already suffers from a severe shortage of parking spaces. With narrow roads and limited off-street parking, residents often struggle to find spots close to their homes. The introduction of an HMO, could potentially increase the number of vehicles on the street by a significant margin. Given that each tenant might own a car, the addition of multiple vehicles would lead to heightened competition for already scarce parking spaces. This situation would undoubtedly cause frustration and inconvenience for existing residents, reducing their quality of home life.

The street in question is home to a primary school at its end. The safety of children should be a paramount concern. Increased traffic and congestion from additional vehicles introduced by an HMO could pose a significant risk to young students walking to and from school.

HMOs often bring increased noise levels due to the higher number of occupants and their varied schedules. This noise can be particularly disruptive in a residential area, disturbing the peace and quiet that residents have come to expect. This disturbance is especially concerning for families with young children and the elderly.

The heightened use of the street's infrastructure, including roads and utilities, can lead to quicker wear and tear. The increased load from additional residents in an HMO, on top of the general traffic and school usage, put a strain on these services, leading to more frequent repairs and maintenance work, which can be disruptive and costly for the local council and residents alike.

One of the critical objections to the HMO application lies in the discrepancies surrounding the property's marketing and sale process. The property was not heavily marketed; rather, it was only advertised on Facebook and through a single independent estate agent. Furthermore, there was no 'for sale' sign displayed outside the house, which is typically a standard practice to attract potential buyers. This limited exposure raises concerns about whether the property was given a fair chance to be purchased as a family home rather than being converted into an HMO.

If the property gains HMO status, it would become significantly more attractive to developers, potentially skewing the local property market. The heightened interest from developers could lead to a surge in similar applications, transforming more family homes into HMOs. This shift would alter the neighbourhood's demographic and undermine the stability and cohesiveness that define the community especially

in such proximity to a primary school on one end and a nursery on the other end. The long-term residents, who have invested in the area's family-friendly environment, may find themselves displaced by transient occupants, fundamentally changing the character of the neighbourhood.

No. 15 was first put up for sale roughly in August 2024 for £350,000. In September 2024, the price was changed to £280,000. At the time of writing this objection, the sale price is still £280,000. Both of these selling prices far exceed the ceiling sale price for the street. I am concerned that if the house usage is changed to be used as an HMO, the house will be purchased by a developer and used solely as an HMO. Thus, the property will permanently be lost as a dwelling house for a family.

In conclusion, the objections to the HMO application are grounded in genuine concerns about parking congestion, the safety of children attending the nearby school, community impact, and environmental issues. It is essential that these objections are taken seriously to ensure the well-being and safety of our neighbourhood. The introduction of an HMO in this context would likely lead to significant negative consequences, and we urge the local council to consider these points carefully before making a decision.

30 St Andrews Drive Lincoln LN6 7UG (Objects)

Comment submitted date: Mon 10 Feb 2025

I object strongly to planning for an HMO in St Andrews Drive. This is an area for families with children, as Sir Francis Hill School is around the corner.

The traffic in the street is already at capacity and causes congestion on a daily basis. If planning is granted this will add to the already problematic parking situation on the street, which is likely to cause more disruption and frustration for the families who already reside here, as a HMO could bring multiple car's to one property rather than just the one family car that you would expect for this street/area.

I would also be concerned about the increase in noise from the property for my neighbours as I'd like to consider this street a calm and quiet environment. I feel that multiple residents would not be considerate of the street and it's inhabitants.

I would be very concerned that if this planning is granted it will open up access for others to follow and this would turn our neighbourhood from something pleasant to something that would be avoided for families of the future.

21 St Andrew's Drive Lincoln LN6 7UG (Objects)

Comment submitted date: Sat 08 Feb 2025

I object to the new proposal because...

1. They previously put one in. The neighbourhood didn't want it then and still don't. Nothing has changed so we still can't accommodate it.

2. The applicants are clearly untrustworthy. They say they were using it as a family home. Yet they had at least 2 at a time, non family members living there. They said its been empty 6 months, yet people were still living there in December. So, using the HMO as a back up, when a rental of £1600 as opposed to £2500 HMO, is clearly a big difference. They won't stick with rental.

3. It's a family area. We have a nursery at both ends of the street and a school. And a couple I'd other school, primary and secondary, within walking distance.

4. Parking. This is a nightmare already at school pick up/drop off times. Cars have ruined the grass verges. Traffic in/out is heavy. Not to mention our own vehicles, nursery staff, hairdressers and Chinese takeaway vehicles. This property only has space for 2 vehicles. HMO would require 5+ not to mention any guests. I struggle to get in/out of my drive when cars are parked opposite.

4. The noise from previous occupants was high and also at unsociable hours. Car engines and doors slamming. Music from the cars. The strange pacing up/down the street whilst very loudly 'talking' on the phone/video calls. In there garden was even worse for myself. I really feel for the house it shares its walls with.

5. The amount of rubbish they had. And they say that was just 3 people, imagine 5+ the bins were always overflowing, left on the street for days. And in the front garden so we couldn't ignore it.

6. There are no other HMO in this area. So giving permission to one, would probably lead to more. This, again, is a family area. We don't want/need HMO around here. There are plenty other HMO slightly further away.

7. The areas with HMO properties have drastically gone downhill.

Therefore, I object. It was previously, and should still be, a family home.

25 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Wed 05 Feb 2025

Object against application for change to HMO in an area that is totally family homes with a nursery school at one end and a primary school just around the corner at the top.

20 St Andrews Drive Lincoln LN6 7UG (Objects)

Comment submitted date: Wed 05 Feb 2025

I object to the change of use from dwelling to flexible use dwelling and HMO for a number of reasons:

1) This is a family neighbourhood, currently with no HMOs. The very close proximity to a day nursery and full primary school, naturally attracts families to the area. There are also 4 secondary schools and another primary within a half hour's walk, adding to the attraction. With rental houses rarely coming on the market in the immediate surrounding area, we need to preserve the stock of family homes to allow families to access the education provision without the need for driving.

Granting mixed use would go against this as it is often easier to rent out a single room so the application would, in effect, be full HMO permission by the back door. A previous application for HMO was withdrawn when it became clear there was no support for it in the local area.

When you look at the likely income, it is clear that HMO would be the preferred arrangement for the landlords - the average price for an HMO room in the area seems to be over £500pcm (without a drive), equating to £2500pcm for the 5 rooms. The property was initially marketed at £1800pcm, now dropped to offers over £1600pcm. As you can see, there would be a clear incentive to price families out, with a high full property price, so that they could then "fall back" on the mixed use permission to let out at a much higher rate.

- 2) While the building itself seems to be suited to an HMO style setup, the land it is on does not. There is only parking for 2 cars available on the driveway, with 5, potentially 6, bedrooms the likelihood is there will be more cars than the property can cope with. There is already a problem with parking on the road due to a few reasons:
- drop off and pick up times at the school
- hair salon and day nursery staff and patrons parking on the road
- evenings and weekends work vans and private cars being left on the road. The biggest issue is the third one, as the vehicles tend to sit all weekend long. This often leads to a tight chicane for car drivers and would be nigh on impossible for emergency services to navigate.

Adding a further 3+ cars into the mix would mean the situation would get worse, especially as the majority of the issues caused by bullet points 2 and 3 above are actually focussed on that section of the street.

3) The speed with which reasonably priced family dwellings are both sold and rented, both on the same road and the surrounding area, shows that there is a need for good quality, affordable family dwellings in the area. This is a larger property, a quick search on property letting websites shows that 4+ bedroom family homes are at a premium within 1 mile of the address (a reasonable walking distance from the school). In fact there is only 1 other property that I could find. Within 3 miles this

goes up to just over 20, but they would all involve driving into the school/nursery and there would be closer schools available, so not really comparable.

The property was initially marketed for family lets at £1800, which would be a massive premium for the area and only compares with properties much further out, villages etc..., with large gardens and plenty of parking. I now note that the property has been reduced to £1600 or £1650, depending on the letting agent, and appears to have been let. This shows 2 things:

- It is possible to let the property if it is placed within the market at the correct price for families.
- Any reclassification to HMO is not needed as it can be let as a family home.

Added to this the glut of HMO properties within the 1 mile radius of the address, 49 at time of writing on Rightmove, there does seem to be a need for family dwellings and no need for HMO/house share rooms.

4) I would also call into question the honesty of the application.
On the application the owners state that the property has been vacant for more than 6 months. There were people living there in December 2024, only 2 months ago. So the property has been empty for barely 2 months.

The application also states that the property was previously used as a family home for them and their family. This is also untrue, they had been letting out at least 2 bedrooms to people who were not members of their family. They were advised by City of Lincoln Council that they would have to get an HMO licence in order to rent out more than 1 bedroom.

5) Previous experience with the tenants they had also does not fill me with any confidence that any tenancies would be managed well. With the owners living in the property there was frequent noise late into the night, waking neighbours up. People loudly making video calls, often into the small hours in the morning, keeping other residents awake. The owners were aware of these issues and did nothing about it.

In closing my main objections are that this road is a family road, very much sought after, as evidenced by the speed with which any properties are both sold and let, when placed at a level that the market can handle. The land attached to the building is not appropriate for the number of extra vehicles 5 separate tenancies would generate and on-street parking is already over stretched, both in the daytime and evenings. Finally, it appears the property has been let, now that a more reasonable rent has been asked for, so there appears to be no need for the mixed-use HMO licence to be awarded "just in case". If it were, my fear is that the current tenancy would be terminated ASAP so that the property could be let as an HMO at the first available opportunity, there is a clear financial incentive to do this.

18 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Mon 03 Feb 2025

We object to the house been used as a HMO as there are already been lots of different people living in that house in the last few years . The noise of people getting out at the house and disregarding neighbours late at night and car engines running and music flowing out .

This is a family friendly neighbourhood and does not require HMO's. If that house is given the green light, then this area will go the same way with lots of houses changing into HMO's and so the decline of a family friendly neighbourhood. Over the last few years we have had cars from that house parked across our drive and blocking us from getting out.

We total reject the application and hope planners do the same. Ross Morgan .

1 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Sun 02 Feb 2025

I would object to the conversion of the dwelling into a HMO due to: risk of increased congestion within the street if additional cars are added; the unknown effect on street water pressure if a building originally designed to hold one bathroom and kitchen may be extended to multiply water extracted from the mains, possibly lowering the average pressure for homes along the street where ours is minimal already; and having left an area surrounded by HMO properties I've seen how the state of the localised area can degrade when more HMO properties are opened. Since St Andrews Drive is observed as a family-friendly residential area due to local amenities and the existing demographic, HMOs should be directed to other areas closer to town centre / high street.

14 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Sat 01 Feb 2025

I object change use 15 St Andrews Drive because this area is for family rather. We bought the house last year because of quiet friendly neighbourhood for our family .Also this house is opposite mine and I

Last year 15 St Andrews Drive was having so many tenants with cars . Some of them have to park on the street .lt cause problem to get into you driveway This area is now having problem with parking at school time .nursery staff parking there is no space for other cars . This area has no more hmo houses nearby .l concern about noise and more waste coming from this property .Please consider my opinion when you will be decide .

22 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Thu 30 Jan 2025

I object to the change of use to 15 St Andrews Drive. This property is several houses way from mine but I feel that it will have a negative impact on all the houses in the street. Decrease the cost of selling property too.

I am worried that if usage of this property is given then it will give precedent for the street. I have lived in my property for 23 years and it is a very quiet street. Properties are homes for families, couples and elderly people.

We have NO need for a HMO property in the street, it encourages multiple cars double parking which block the street causing unnecessary stress to residents. It encourages unnecessary noise levels at anti social hours as the tenants may work anti social hours.

The property in question used to be a family home and should be used as a family home. Local school is around the corner on Bristol Drive. This property could be rented out to a family who need to attend the local primary school or nursery. I have no objection to the property being rented to a family but not a HMO who do not know each other.

13 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Thu 30 Jan 2025

I live in the house adjoining the semi-detached property 15 St. Andrews Drive so the possibility of the owners changing the use from a Dwelling C3 to HMO C4 is particularly distressing.

My front bedroom adjoins the front bedroom at number 15 and when there were tenants in the house previously, the occupants played music and conducted loud phone conversations at 3 a.m. which woke me up and kept me awake. In addition, in the summer the occupants were outside in their back garden, making a lot of noise way past midnight which was very disruptive.

St. Andrews Drive is a road where families live and is popular because of a children's day nursery a few hundred yards away and a primary school in the next road. With a hair salon also nearby, there's a lot of congestion and people park on the road so that it's often difficult for me to get my own car out of my driveway. The property in question has driveway capacity for two cars, but if HMO status is granted, there will undoubtedly be more street-parking. This is a health and safety risk, apart from the nuisance factor, as it would (and has) made it very difficult for emergency vehicles to get down the road.

Household waste is another factor - already, the bins there have overflowed with rubbish being blown over to my garden. For some reason, the owners think that their green bin for garden waste will be emptied even though they obviously haven't paid the £39 fee to LCC for this service. They left their green bin out on the pavement, proving to be an obstruction for wheelchairs and pushchairs - eventually, they

realised that their bin wasn't going to be emptied but it took weeks for that to happen.

The general apathy about waste and parking particularly concern me because if HMO status is granted, I think it will set a precedent for other family homes in our road to be converted too. Several families have moved in around my house recently, and I'm pleased because it's definitely an area where families will thrive. HMO houses are not appropriate in St. Andrews Drive.

Beck Hole 32 St Andrews Drive Lincoln LN6 7UG (Objects)

Comment submitted date: Tue 28 Jan 2025

The change of use from a Dwellinghouse to House of Multiple Occupancy will have a negative impact on this area.

There is only off road parking for 2 cars therefore if each of the occupants had a vehicle it would have a negative impact on an area that is already heavily impacted with traffic due to the Papermoon day nursery and the hair dressers (on the corner of St Andrews Drive and Boultham Park Road) that use St Andrews Drive as a car park. Also during the day when parents drop off and collect children from Sir Francis Hill school the road is congested and can lead to wait times to turn on to Boultham Park Road of 15+ minutes.

The application states that the property has been empty for more than 6 months, this is incorrect as the most recent occupants moved out less than 2 months ago 8 December.

should this application be allowed to proceed, it could lead to others wishing to purchase properties with this in mind and having a detrimental effect on the neighbourhood and potentially leading to a reduced value of family homes.

This is an area that is currently inhabited by families with a great community atmosphere.

16 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Tue 28 Jan 2025

I strongly object to the proposed change of use of 15 St Andrews Drive from a Dwelling C3 to a flexible use HMO C4 on multiple grounds.

1. Precedent.

The are no HMO's on the this street as it has always been a street for families, to allow this plan to go through it means more potential buyers will look at this area with the plan to turn more buildings into HMO's, The LN6 area has an adequate supply of

HMO properties, and further development would be inappropriate given the residential nature of this street.

The house is up for rent at an exorbitant fee thus pricing out families hence why no interest has been seen in the property from families. Also we only recently had a family move in next door so clearly there are families out there looking for affordable properties close to a school.

2. Parking.

The street is already very congested let alone when parents are picking up and dropping off their kids for the school and workers at the hair salon and the nursery. The property in question has a limited driveway capacity for two cars, yet a typical HMO could introduce 4-6 additional vehicles. This would exacerbate parking issues, increase road safety risks for children, and strain the area.

3. Waste.

Already their has been a significant buildup of waste at the property, often the general waste and recycling bins are overflowing, Increased occupancy associated with an HMO would worsen this problem, potentially attracting vermin and diminishing the area's cleanliness and appeal.

4. Noise.

There has been a lot of noise coming from the property with people leaving and arriving late at night, playing loud music and speaking loudly on their phones all late into the night sometimes at midnight.

Being turned into a HMO will again make this worsen with the increased number of tenants it will hurt the peaceful nature of the area that the residents of St Andrews Drive and surrounding areas cherish.

5. Misleading application.

The application states that the property has been vacant for 6 months, thats completely untrue as they only moved out in december and have been in and out regularly since.

They also state that only themselves and their family have lived there, again this is false as they have regularly used it as an informal HMO having had tenant's renting rooms out and different people moving in and out.

I believe that with the objections neighbours have, the misleading and false application that this should be looked into further and be denied any further applications for changing to a HMO.

I urge the council to do the right thing and deny this application.

11 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Tue 28 Jan 2025

I object to the application for house of multiple occupation,we have problems with parking already and this is not the sort of area suitable for homo, house prices would be lowered we would then have more applications for more.it is time the tax paying home owners are taken into account instead of people who don't care about the area.

9 St Andrews Drive Lincoln LN6 7UG (Objects)

Comment submitted date: Mon 27 Jan 2025

I wouldn't like to have multiple occupancy in this Area because it's a family street

9 St Andrews Drive Lincoln Lincolnshire LN6 7UG (Objects)

Comment submitted date: Mon 27 Jan 2025

This is a family based street, we do not want a multiple occupancy household neighbourhood.

19 St Andrews Drive Lincoln LN6 7UG (Objects)

Comment submitted date: Sun 26 Jan 2025

I object to the application 2025/0029/C4 - Change of use from existing Dwelling (Class C3) to flexible use between Dwelling (Class C3) and House in Multiple Occupancy (Class C4).

Firstly I am concerned by the inaccurate information that has been stated by the applicant in their application.

The applicant has stated in their application, that the property has been vacant for more than six months. This is misleading and not true.

The occupants of the property only moved out in December 2024, which was only 2 months ago. This makes this application statement incorrect and misleading to the planning officers.

The applicant has also stated in their application that they used the property as a family home for themselves and their family. Once again this information is misleading as they were also renting out two rooms to two tenants who were not members of their family. They rented out two rooms to tenants from 2022 to 2024.

This contributed to problems that the neighbouring properties experienced. This application statement is inaccurate and misleading to the planning officers.

Allowing the property to be used as an HMO will cause a family dwelling house to be lost.

The applicant first advertised the property for rent to families in September 2024 for £1,800 per month. In this application the applicant is insinuating that there is a need for HMO usage rather than a family home. The applicant marketed the property at such a high price that it priced most families out of being able to afford this property in this area. There is still a need for housing for families in this area but at a realistic and affordable price per month.

The applicant applied for the HMO usage on the 21st January 2025. On the 23rd January 2025 the applicant reduced the rental price to OIEO £1,600 and at the time of making this objection the marketing ads show that tenants have now been secured by the applicant. So as the applicant has now advertised the property at a more realistic price for the street/area they have secured tenants. Therefore HMO usage is no longer needed or applicable.

There are no other HMOs in the street and the LN6 area already provides a high level of single and HMO accommodation. Many of the current HMO's in the area are vacant and unoccupied. There is a greater need in this street for houses for families, especially those with children.

I am concerned that if this property's usage is changed from Dwellinghouse to allow HMO usage it will set a precedent in the street for other properties to be converted into HMO usage.

Properties in the street and area are needed to accommodate families with children, especially those who need to attend Frances Hill School, which is located at the bottom of St Andrews Drive.

The current rental properties in the street are rented out to families thus in keeping with the structure and community amenities of the area.

The property, Number 15 only has a driveway that can accommodate two cars and the garage is far too small to be used to park a car. When the owners were living at the property, the property was unable to support their vehicles plus the additional vehicles of their visitors and tenants.

Additional cars at the property cannot be supported by the off road parking as the road already has congestion problems, which are made worse by people from outside the area parking in the street and going to work, clients visiting the hair

salon, parents parking to drop their children off at the Frances Hill school and the Day Nursery at the end of St. Andrews Drive.

Over the time that the owners and their tenants were living in the property there was an increase in the noise level from the property, for example people video calling and talking loudly on their phones often up to midnight every day of the week and then for many hours often during the day. This increase in noise level was coming from the bedrooms and the garden. I am concerned that these noise problems will increase further with more tenants living at the property under HMO usage.

Due to the nature of the applicant's employment and outside interests it is likely that they will place students in the property if it is granted HMO usage. The applicant is unlikely to make the effort through marketing to keep this property available for a family to live in.

I would ask that you please take my comments into account when you make a decision on this application.

Application Number:	2024/0687/FUL	
Site Address:	Land Adjacent To Lindum And Minster Practice, Cabourne	
	Court, Lincoln	
Target Date:	30th December 2024	
Agent Name:	Hay Associates Limited	
Applicant Name:	Glenholme Healthcare Group	
Proposal:	Erection of a three storey care home (Use Class C2) together with associated access, car and cycle parking, landscaping and amenity space provision plus the creation of additional car parking spaces for the existing adjacent medical practices.	

Background - Site Location and Description

The application proposes a 59 bed care home (Use Class C2) which would be located within a new building fronting Nettleham Road. The development would be accessed through the existing access, Cabourne Court and include parking for the care home as well as additional spaces for the existing medical practice.

The existing Lindum and Minster Medical Practices are located to the west whilst Cathedral View Court (retirement housing) is located to the north. Residential properties are located on the south east side of Nettleham Road. The site is currently an area of green space accessible to the public as there is currently unrestricted access via a footpath to the doctors' surgeries. Other uses on Cabourne Court include a pharmacy, sport injury clinic, a chiropractic clinic, a dental practice and hearing specialist.

The site is currently two areas of grassland bordered by a hedgerow and containing a single tree. There are more substantial trees on the Nettleham Road frontage outside of the site which would be unaffected by the proposal.

The principal of development of the site was previously established through a previous planning application for student accommodation on the site. Application 2016/0389/FUL granted planning permission for a 70 bedroomed student development within three buildings 2 and 3 storeys high.

The application before us proposes a building of three storeys, arranged in an L shape with its main elevation facing Nettleham Road. It is also proposed to provide an additional 30 parking spaces, cycle parking and new landscaping.

The agent has provided a detailed Design and Access Statement which can be viewed at the following link and there have been positive pre-application and post submission discussions with the architect in relation to the design which has resulted in changes being made which have improved the proposal significantly.

Site History

Reference:	Description	Status	Decision Date:
2009/0476/F	Erection of a single	Granted	15th September
	storey rear extension	Conditionally	2009
	and additional parking.	-	
2016/0389/FUL	Erection of one three	Granted	1st October 2016
	storey and two two	conditionally	
	storey buildings to	-	

accommodate 13	
residential units (totalling	
70 rooms) Formation of	
additional 48 parking	
spaces, associated	
landscaping and new	
pedestrian access.	

Case Officer Site Visit

Several visits most recently 14 February. The site is visible from public areas.

Policies Referred to

- Policy S1 The Spatial Strategy and Settlement Hierarchy
- Policy S6 Design Principles for Efficient Buildings
- Policy S8 Reducing Energy Consumption Non-Residential Development
- Policy S21 Flood Risk and Water Resources
- 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
- National Planning Policy Framework:
 - o Para 10 presumption in favour of sustainable development
 - Para 61 promoting housing choice
 - o Para 124 "Good design is a key aspect of sustainable development"

<u>Issues</u>

The application raises the following issues which are addressed in the report below:

- 1. Principle of Development and Compliance with National and Local Planning Policy
- 2. Impact on Amenity of Adjacent Residents
- 3. Impact on the Visual Amenity of this Part of the City
- 4. Highway Matters
- 5. Impact and Contribution to Biodiversity
- 6. Energy Efficiency and Sustainability
- 7. Site Specific Technical Matters
- 8. S106 Contributions to Local Health Provision

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023. All responses are copied in full with your agenda and we have endeavoured to ensure that the relevant planning issues raised are addressed throughout this report.

Statutory Consultation Responses

Consultee	Comment
John Lincolnshire Police	Comments received in respect of crime prevention advice
Lincoln Civic Trust	Comments Received
Upper Witham, Witham First District & Witham Third District	No objections
Environment Agency	No objections
NHS - ICB	Comments Received – s106 contribution requested
Education Planning Manager, Lincolnshire County Council	Comments Received – no objections
Highways & Planning	Comments Received – travel plan details to be modified

Public Consultation Responses

Name	Address
Mrs Susan O'Shea	40 Cathedral View Court
	Cabourne Avenue
	Lincoln
	LN2 2GF
Mr Michael O'Shea	40 Cathedral View Court
	Cabourne Avenue
	Lincoln
	LN2 2GF
Mr F And Mrs M Drewery	Flat 38
	Cathedral View Court
	Cabourne Avenue
	Lincoln
	Lincolnshire
	LN2 2GF
Mr Dave Burrough	Our Lady of Lincoln Catholic Primary School
	Laughton Way
	LINCOLN
	LN2 2HE
Mrs Anne Childs	16 Cathedral View Court
	Cabourne Avenue
	Lincoln
	LN2 2GF
	Flat 12
	Cathedral View Court
	Cabourne Avenue
	Lincoln
	Lincolnshire
	LN2 2GF
Miss Jasmine Kent	75 Longdales Road
	Lincoln
	Lincolnshire
	LN2 2JS
Mrs Joanne Williamson	37 Cathedral View Court
	Cabourne Avenue
	Lincoln
	LN2 2GF

Consideration

The Principle of this Development in this Location

The application for a care home follows from an application granted planning permission in 2016 for what was intended to be student accommodation. This application proposed a three storey building and two smaller two storey buildings.

The application now before us is a three storey building which faces Nettleham Road with a return leg that will face towards the adjacent Ravendale playing fields. The principle of the development of this land for a building with a use such as this was established by the 2016 planning permission and whilst this was ultimately not built out, it is material to the consideration now before us and should be afforded considerable weight.

The proposal is in conformity with national and local planning policy and there is a clear need, evidenced by the applicant and through the Local Plan and the housing needs assessment which underpins it for additional care home provision within the City to accommodate our ageing population. The adjacent uses are well located to serve a care home use.

Impact on Amenity of Adjacent Residents

The impact on the adjacent building to the east of the site, Cathedral View Court has been carefully considered and members will see that several objections have been received by residents of that building in relation to the impact of the proposal on their amenity and on views of the Cathedral from their dwellings. The new building will have a gable that faces towards Cathedral View Court and this sits forward of the gable at that building. It is at a distance of approximately 12 metres, corner to corner and there will be an impact on the existing windows in the gable. However, this impact is not likely to be significant given the offset in the siting between the two buildings. It is not considered therefore that there will be an unacceptable effect in terms of loss of light or in terms of an overbearing effect. It is appreciated that residents are concerned that they may lose a view towards the Cathedral but as members will understand, the loss of a view such as this is not something that the planning process can reasonably protect.

Impact on the Visual Amenity of the Area

Cathedral View Court is a three storey building and the application proposal is also a three storey building. There is therefore an established context for a building of the scale proposed and the architects have worked hard to design a building that will fit well into the existing context without appearing overly large in terms of its height but importantly in terms of its mass. There can be a tendency for building with consistent floor levels to be unduly horizontal in appearance and this can also lead to a repetitive window pattern; this is particularly common with care homes which need a level floorplate for each storey. The architects have worked hard to deal with this issue and the elevations that are proposed have been cleverly modelled to break up the horizontal emphasis of the building and give the façade a more vertical proportion which is characteristic of the prevailing style of development in the local area. The window proportions and the glazing pattern contribute to this vertical emphasis and the framing of the windows, either in reveal or with a small projection, adds variety and interest to avoid the elevations appearing overly flat. The overall composition is well considered and appropriate to this part of the City.

Highway Matters

The parking proposed for the new development would be provided to the north of the existing surgeries – an additional 30 spaces would be provided adjacent to the existing parking for the wider site. Lincolnshire County Council, as Highway authority, is largely satisfied with the proposal in terms of highway safety and parking and is considering further information in relation to a travel plan for staff of the proposed care home. The aim will be to reduce the

need for car travel to and from the site. No objections are raised to the potential traffic generation by the site – care homes do not tend to generate high volumes of traffic. There is currently a footpath which runs diagonally across the site to Nettleham Road – this is proposed to be diverted around the eastern side of the new building.

Biodiversity Net Gain

Members will appreciate that a development such as this has a mandatory duty to provide a net gain to biodiversity of at least 10% over and above what is present on the existing site. The applicant has provided detailed ecological assessments of the baseline condition of the existing site and has then also provided a similarly detailed assessment of the new planting and landscaping proposed with the development. This new landscaping goes some way to achieving the 10% net gain and the remainder of that net gain will be provided through the purchase of credits offsite. This is a standard approach with which the Council's ecological advisor is happy. The detailed analysis is being concluded at the time of writing and we will be able to report further at your meeting.

Energy Efficiency

Local Plan policy requires the applicants to demonstrate that their development will achieve high standards of energy efficiency and on site energy generation with the aim of minimising the need to import energy to the site. The applicant has submitted a Sustainability Appraisal which sets out in detail the energy demands for both h space heating and water heating. The particular characteristics of a care home means that the energy demand is higher than a typical domestic house and whilst the applicant is incorporating air source heat pumps for the hot water and photovoltaic panels on the roof there will still be a need for some additional energy input. This is not an appropriate location for a wind turbine and the site is too small to accommodate ground source heat pumps and so some of the space heating needs is proposed to be met by gas boilers. The design of the building, its orientation and the higher than Building Regulations levels of insulation mean that the use the boilers will be as low as possible, taking into account the particular vulnerabilities of the residents.

Site Specific Issues:

Archaeology – the City Archaeologist has assessed the applicants Archaeological Report and advised that t application is supported by an appropriate desk-based assessment (DBA) and is therefore compliant with the relevant national and local planning policies. The DBA found a moderate potential for archaeology of the Roman period to be present and to be impacted by the proposed development. It found a negligible potential for archaeological remains from all other periods. I agree with the findings of the DBA and would therefore advise you that the standard archaeological conditions should be applied in order to ensure that any Roman remains that might be present can be effectively recorded. I envisage that a scheme of works for monitoring and recording during the construction of the proposed development will be sufficient to mitigate against the potential impact, but the applicant should be aware that more extensive mitigation works may be required in the event of significant archaeological remains being identified during building works.

<u>Contaminated Land</u> – the Council's Scientific Officer has assessed the applicants site examination in relation to the potential for contamination and advises that a Geo-Environmental Report has been submitted which confirms that the site represents a low risk with respect to potential contamination and that specific remedial or mitigation measures are

not required. It would however be prudent to attach a condition to a planning permission to cover unexpected contamination and validation of the completed development.

Section 106 and other Developer Contributions to Local Infrastructure

The NHS has responded to their consultation and advised that the development will be expected to have an impact on local health services. This has also been mentioned by local residents who have commented on the application. The NHS has therefore requested a contribution of £21 201 which would be spent at the adjacent medical practices to increase capacity and align the services there to the care home need. This request meets the tests for s106 as set out in legislation and the applicant has agreed to make the contribution. A s106 legal agreement is currently being drafted and we hope to have that signed and sealed by the time of your meeting.

There are a number of detailed technical reports which accompany this application and members will be able to read them by accessing the Councils website and searching with the application reference number - 2024/0687/FUL - Simple Search

Conclusion

This application is carefully considered and proposes a development that accords with national and local planning policy. The site has previously had planning permission for a three and two storey building and the design of the current proposal is of sufficient merit to be acceptable on this main approach to the City. The technical details are well developed and deal with any issues. The application will also make an appropriate contribution to local NHS provision.

Application Determined within Target Date

No – extension of time agreed.

Recommendation

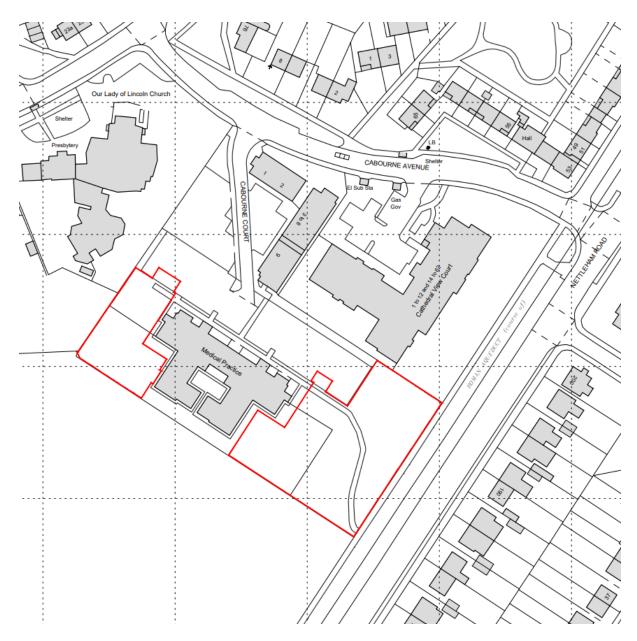
That authority to grant planning permission is delegated to the Assistant Director (Planning and City Services) to grant subject to the satisfactory conclusion of the s106 agreement and in accordance with the conditions listed below.

Planning Conditions

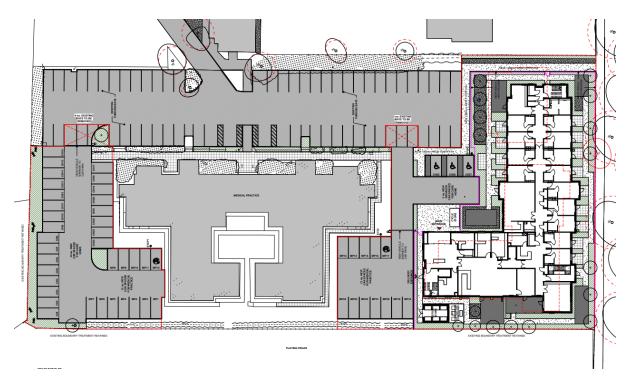
- 1. Development to commence within three years
- 2. Development to be undertaken in accordance with the approved plans and associated technical documents
- 3. Landscaping to be completed before development is first occupied
- 4. Car parking to be completed and available before development is first occupied
- 5. Unexpected contamination and verification of final development to be dealt with in accordance with details to be approved
- 6. Standard archaeological conditions
- 7. Sample of all facing materials before development above ground is commenced
- 8. Development carried out in accordance with Arboricultural Report protection of existing trees adjacent to the site.



Cabourne Court plans



Site location plan



Proposed site plan



Proposed ground floor plan



Proposed South-East Elevation



Proposed South-West Elevation



Proposed North-West Elevation



Proposed North-East Elevation







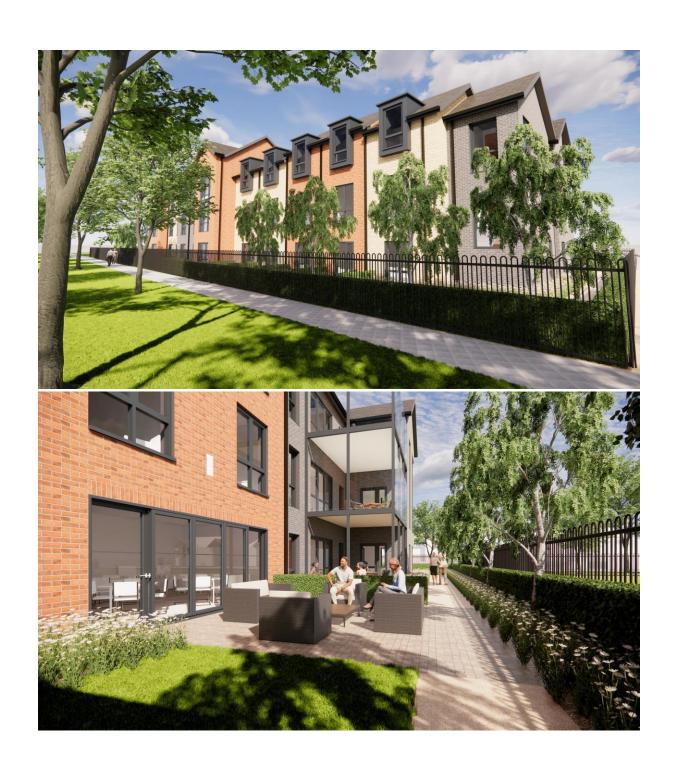






Figure 3: The site looking at Nettleham Road



Figure 4: Existing footpath to Nettleham Road

Cabourne Court consultation responses

From: Adrienne Fisher

Sent: 03 November 2024 13:12

To: Technical Team (City of Lincoln Council)

Subject: Your reference 2024/0687/FUL.

You don't often get email from earn why this is important

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

Allow sender Report

I have received your letter of 23rd October and wish to make the following comments about the planning application for the land adjacent to the Lindum and Minster Practice. Cabourne Court LN2 2JP

I have no objection in principal to a care home on this site I do not think the building is right for this location because of its size and style.

All the buildings on Cabourne Court are 2 storeys high and are constructed using traditional materials and I think that any new building should blend in with those around it not stick out like a sore .thumb, This particular design is a modern heap with no aesthetic appeal and will look quite out of place.

I am also of the opinion that a care home should not be 3 storeys in height.

People living in care homes are there because they can no longer look after themselves. They are usually elderly and many are frail, infirm, have mobility problems, some are even bedridden(

In the event of an emergency needing the residents to be evacuated asap how long would it take to rescue aged and infirm people from the third floor especially if the lifts were not working. This is a worst case scenario but I do think that in the present risk averse times patient safety should be considered. I have visited some care homes over the years and none of them were more than 2 storeys high.

I was concerned over comments said to have been made by the developers and reported in a local news outlet to the effect that in the event of the care home closing the building could be used for student housing. This should not be allowed to happen. There should be strict conditions attached to any planning consent that the building should only be used for health related purposes.

I have also been looking at the plans for the car park and I notice that an area has been designated as a cycle park.99 per cent of people going to Cabourne Court travel by car -with the occasional motor bike.Local people either walk there or use mobility scooters. I have hardly ever seen a bicycle there, they are nearly as rare as sightings of the Loch Ness Monster so I do not think a cycle park is necessary instead the space should provide much needed additional car parking.

Finally, as you sit in your ivory tower considering this planning application please remember that it is I and my neighbours who will be forced to live with the consequences of your decision. from Adrienne Fisher

12 Cathedral View Court, Cabourne Avenue

Customer Details

Name: Mrs Susan O'Shea

Address: 40 Cathedral View Court Cabourne Ave Lincoln Ln2 2gf

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:After considering the plans little seems to have thought about in terms of pressure on existing service. There are two GP practices adjacent to my property which are very busy already serving people who live on both local estates. I have heard there are also plans to build 80+new houses on Ravendale which will impact services further. There is a Pharmacy in Cabourne Court which is accessed by patients from both GP practices. When collecting prescriptions patients can be waiting as long as 10 minutes just to ask for their medication and then some time after for it to be ready. The queue can even extend outside the door, which is not pleasant to wait in when the weather is poor. I strongly object to access to the proposed build from Cabourne Avenue. This is a small but very busy area with constant traffic flow on/off the estate, school pick up and drop of, Church activities, access to medical services, Cathedral view, (which has 60 flats) and as well as being used a shortcut through from Riseholme Rd by traffic. Traffic can be very slow moving and queued as far back as Laughton Way at peak times with navigating cars parked around the school difficult. I note that the plans indicate the proposed build could be used as a Hotel/Student accommodation in the future. I also object to this on the grounds that the local area has predominantly elderly people dwelling there and issues of noise and disturbance would not be welcomed.

Name: Mrs Anne Childs

Address: 16 Cathedral View Court Cabourne Avenue Lincoln LN2 2GF

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I write as a resident of Cathedral View Court to lodge my objections to the proposed building of a Care Home adjacent to my home. The grounds for my objection are ss follows;

1) The plans show a three- storey development. I live in a flat on the ground floor of Cathedral View Court, which has a south-facing aspect, towards the cathedral itself. This structure would undoubtedly have a highly negative impact on the light-levels I currently enjoy in my lounge, kitchen and bedroom (i.e. the vast majority of my living spaces). This would be the case for all of those who live in flats along that elevation of Cathedral View Court. A three-storey structure would also have a negative impact on the aesthetics of and view from the flats along that side. Indeed, not only would the light be obstructed by the new building, but any view of the cathedral would be either partially or fully occluded. For the residents of this side of the building, Cathedral VIEW Court, would no longer ring true. Whilst discussing ringing, those of us who enjoy the sounds of the bells might well have a much reduced, if not completely silenced, enjoyment from them. I note with interest that the October 2024 Pre-Application response contains a comment from the Council of the likelihood of objections from Cathedral View Court on such grounds, and of the importance of ensuring a true two-story scale.

2) I also have concerns about the capacity of the two adjacent medical practices, as well as the local pharmacy to meet the expanded healthcare needs arising from the Care Home. Current provision and capacity appears often overstretched, and this would surely only exacerbate the situation. I may have missed it, but I can find no local impact assessment on this aspect among the supporting documentation. Is there clear evidence that the facility would be able to offer its residents sufficient on-site health and care provision so as not to require it from the existing practices, or of plans to enhance existing provision (appointments, personnel, opening hours etc.)

to offset increased needs?

3) Finally, I understand that there may be something in the planning proposal that would allow for the future use of the building as something other than a Care Home (e.g. as student accommodation). This may be hearsay, but, if true, is of real concern, particularly as such a use was apparently one of the reasons for an earlier planning application being refused.

Name: Mrs Joanne Williamson

Address: 37 Cathedral View Court, Cabourne Avenue Cabourne Avenue Lincoln LN2 2GF

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:My concerns are:

- 1. Safety issues regarding evacuation of elderly persons in event of any emergency, particularly those on 3rd floor.
- 2. Impact on increase of water and sewage services.
- 3. Impact on increase in noise and light pollution.
- 4. What would happen if the care home was not successful, I would not be happy about a change of usage, to, say student accommodation or social housing.
- 5. We do not have much open green space, why could we not have, perhaps a nature park, perhaps named after the late Queen.
- 6. My last issue, is, to me, the most important, if this project goes ahead, I would lose my view of the greenery, and the Cathedral. In view of the fact that my building is called Cathedral View Court, it would be important that the views are maintained.

Lastly, I admit the carparking issue needs to be looked at, but please, do not go ahead with this project.

Name: Mr michael O'Shea

Address: 40 Cathedral View Court Cabourne Avenue Lincoln LN2 2GF

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I am writing in response to the proposals of the planning application to build a new care home on land adjacent to Cabourne Court Lincoln. There are several matters that concern me to which I am vehemently objecting to the application made. Firstly, Facilities, the two surgeries located by the proposed site are already at stretching point and unable to cope as it stands without any additional pressure, as is the local pharmacy. Traffic, Cabourne Ave leading to Cabourne court is already a bottle neck for the two Ermine estates, East and West, being used as a "rat run" especially during school times with bus routes and church access impacting travel further. An article in the local newspaper (Thurs Oct 31st 2024) states further use for the care home could be adapted to a hotel or student accommodation. Rumours 2 yrs ago were that a student village was being proposed so is this the ultimate plan? Putting a large group of students in an area that housing a high proportion of vulnerable and elderly residents is certainly not acceptable. I am aware there are plans to build somewhere in the region of 80 houses on the Ravendale side. This will also have a huge impact on the services on the estate as well as increased traffic. I have to leave a considerable time earlier as it is just to get to work, having to gueue to get out of Cathedral View Court itself, then queuing again along Cabourne Ave, with horrendous traffic queues on Nettleham Rd to get to the bypass. So as a resident who would be impacted by these plans I strongly object.

Customer Details

Name: Miss Jasmine Kent

Address: 75 Longdales Road Lincoln LN2 2JS

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Name: Mr Dave Burrough

Address: Our Lady of Lincoln Catholic Primary School Laughton Way LINCOLN LN2 2HE

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment:We can't see there being a problem but would like to mention that part of the carpark that is planned faces onto Key Stage 2 Playground this area is currently covered by hedgerow. is the hedgerow to be removed? If so, how will this area be protected from overlookers onto the school playground?

38 CATHEDRAL VIEW COURT CRBOURNE AVE LINCOLN LN2 2GF

To the Planning Officer

re Proposed Development of Land adjacent to

Lidum e Mintes Practice. Cabourne Court Lincoln

LN2 2JP

Ref 2024/0687/FUL

J. would like to object strongly to the above application. At present the high volume of traffic on Cobowne Avenue makes turning on to Nettlehou Rd difficult and dangerous. The increased volume which the proposed development would generate would make that situation hugely worse, and particularly dangerous for the children coming and going to the school on foot and bike. This cannot be allowed to happen on safety grounds by a council which should put the concerns of resident and road users hipse all else.

A further concern is the increased air pollution for the elderly residents of Cathedral View Court, together with noise and disturbance, overlooking, and Loss of light.

Please listen and do the right thing by rejecting this application

You faithfully

(MR FE MRS M. DREWERY)



NHS Lincolnshire Integrated Care Board Application Number: 2024/0687/FUL Location: Land Adjacent to Lindum and Minster Practice, Cabourne Court, Lincoln, LN2 2JP AMENDMENT AS REQUESTED

Impact of new development on GP practice

The above development is proposing a 59 single bed care home which, using the Carr-Hill multiplier to take in account of the nature of the occupants (care home). This multiplier would increase the population from 59 to a weighted population of 84 (59 x 1.43 equals 84).

The Carr-Hill multiplier was generated as a result of studies investigating the relative workload generated by patients in nursing and residential homes. These studies gathered information on the frequency and duration of consultations carried out and found that overall, patients in these environments generate more workload than patients with otherwise similar characteristics who are not in nursing and residential homes. As such, the Carr-Hill multiplier is routinely used to calculate the workload factor that should be applied to patients in care facilities.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting room GP

Consulting room Gr			
Proposed weighted population	84		
Access rate	5260 per 1000 patients		
Anticipated annual contacts	0.084 x 5260 = 443.79		
Assume 100% patient use of room	444		
Assume surgery open 50 weeks per year	444/50 = 8.9		
Appointment duration	15 mins		
Patient appointment time hrs per week	8.9 x 15/60 = 2.2 hrs per week		

Treatment room Practice Nurse

Proposed population	84
Access rate	5260 per 1000 patients
Anticipated annual contacts	0.084 x 5260 = 443.79
Assume 20% patient use of room	89
Assume surgery open 50 weeks per year	89 /50 = 1.775
Appointment duration	20 mins
Patient appointment time hrs per week	1.775 x 20/60 = 0.6 hrs per week

Source: Lincolnshire Research Observatory 2011 Census Data

Therefore, an increase in population of 84 in the City of Lincoln Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements. GP practice(s) Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that most likely to be affected by the provide care for the region that the development falls within are obliged to take on housing patients, regardless of capacity. development The development will impact Lindum Medical Practice, Minster Medical Practice, Glebe Park Surgery, Cliff House Medical Practice, Abbey Medical Practice, Brayford Medical Practice, Heart of Lincoln Medical Group as the development is within their catchment area. Issues to be This development would put additional demands on the existing GP services for the addressed to area and additional infrastructure would be required to meet the increased demands. ensure the development is NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 acceptable contribution from the development of 59 single bed care home on Land adjacent to Lindum and Minster Practice, Cabourne Court, Lincoln, LN2 2JP to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the IMP Primary Care Network (PCN) at Lindum Medical Practice and/or Minster Medical Practice Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need. The funding will be used to support the practice where the care home is aligned, once it is nearing completion. The Lincolnshire Integrated Care Board may need the flexibility to utilise the funding at neighbouring practices which cover the area in order to create the capacity. The strategic direction both nationally through the development of PCNs and locally through the Sustainability Transformation Plan is to provide primary care at scale, facilitating 100% patient population primary care and services delivered in the community in an integrated way. Included within the PCNs this is the introduction of additional roles to enhance the delivery of primary care, including a Clinical Pharmacist, Physiotherapist and Social Prescriber. Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), includes measures to: Improve out-of-hospital care, supporting primary medical and community health services:

Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal

deaths and serious brain injury by 2025:

	0					
	 Support older people through more personalised care and stronger community and primary care services; 					
	Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer.					
	The Minster Medical Practice & Lindum Medical Practice are within the LICB IMP PCN where the housing is being developed; there is a huge variation in the type; age and suitability of premises within the PCN of the planned development.					
Fairly and reasonably related in scale		Average list size per GP	Required m2	£ per m2	Total cost	£per person
and kind to the	GP team	1,800	170	2,300	£391,000	217
development.	GP furnishings	1,800			£20,000	12
						229
	Contingency requirements @ 20% 46					
	Total per resident Total per dwelling (resident x 1.43)					275
	Total per dwellir	ng (resident	x 1.43)			393.25
	Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined. This figure is multiplied by 1.43 (the average number of persons per dwelling for the Carr-Hill formula) to provide a funding per dwelling of £393.25.					
Financial Contribution requested	The contribution requested for the development is £23,201.75 (£393.25 x 59 single bed occupancy care home dwellings).					
requesteu	Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.					
Trigger point	After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from this development, it's requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure. To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.					

NHS Lincolnshire Integrated Care Board 21st November 2024

NHS Lincolnshire Integrated Care Board 16th December 2024



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

Our ref: AN/2024/136044/01-L01

Your ref: 2024/0687/FUL

Date: 11 November 2024

Dear Julie

Erection of a 3 storey care home (Use Class C2) together with associated access, car and cycle parking, landscaping and amenity space provision plus the creation of additional car parking spaces for the existing adjacent medical practices. Land Adjacent to Lindum and Minster Practice, Cabourne Court, Lincoln, Lincolnshire, LN2 2JP

Thank you for consulting us on the above application, on 23 October 2024.

Environment Agency position

Whilst we have **no objections** to this application, we would like to draw the applicant's attention to the following informative comments:

Water Recycling Centre (WRC) Capacity

The evidence available to us demonstrates that Canwick (WRC) is near its permitted limits and that additional flows could lead to the WRC exceeding its permit limits, which could cause pollution to the River Witham (GB205030062425). Anglian Water Services (AWS) are legally obliged to operate within permit limits and the Environment Agency will take all necessary action to ensure that the receiving watercourse is protected.

AWS has not yet demonstrated how it would manage the additional flow from this development if there is no capacity at the WRC to treat it. This appears to be contrary to Policy S21 (Flood Risk and Water Resources) of the Central Lincolnshire Local Plan 2023. We encourage the council to liaise with AWS and ensure that acceptable plans are in place for the management of foul water, in advance of planning permission being determined. We also encourage the council to be aware of the measures that would be required to be taken by AWS, to ensure that the additional flows from the development would be accommodated.

Groundwater protection

We would like to refer the applicant to our groundwater position statements in <u>'The Environment Agency's approach to groundwater protection'</u>, available from gov.uk. This publication sets out our position for a wide range of activities and developments, including drainage, with particular reference to Position Statements G12 (Discharge of clean roof water to ground) and G13 (Sustainable drainage systems).

SuDS- infiltration

Environment Agency

Ceres House, Searby Road, Lincoln, LN2 4DW 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..

Approved Document Part H of the Building Regulations 2010 establishes a hierarchy for surface water disposal, and encourages a SuDS approach.

The first option for surface water disposal should be the use of SuDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table.

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Waste disposal

Drainage plans and layout plans were submitted as part of this application. Plans suggest provision for both sluice rooms and laundry room which could deal with healthcare waste products. Laundry could involve on site cleaning of heavily soiled healthcare wastes or plans may involve contractors providing laundry services. A refuse store is also proposed.

Ensure any contractors and waste management companies involved are assessed for suitability before contracts are signed. Ensure that ongoing performance is tracked with clear performance standards laid out to ensure the site maintains environmental compliance and meets the "Waste duty of care: code of practice". This ensures activities are aligned to the guidance document Healthcare Technical Memorandum 07-01.

- Duty of Care Code of Practice https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice
- HTM 07-01 https://www.england.nhs.uk/publication/management-and-disposal-of-healthcare-waste-htm-07-01/

The drainage plans detail connection to the larger development foul sewer network which is proposed. The sewerage undertaker will be required to grant a trade effluent discharge which will detail the limits of any discharge that is made to the sewer network.

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 Hannah Kelly

Planning Adviser

Ceres House, Searby Rd, Lincoln, LN2 4DW

hannah.kelly@environment-agency.gov.uk

Team email: LNplanning@environment-agency.gov.uk

End 2

Dear Sir/Madam,

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

However, if any proposed temporary or permanent works or structures are within any watercourse Land Drainage Consent may be required.

Regards,

James Neill

Technical and Operations Assistant



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

Witham House, Meadow Lane, North Hykeham,



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

24th October 2024

Your Ref: 2024/0687/FUL

Town and Country Planning Act 1990 Consultation on Planning Permission

Land Adjacent to Lindum and Minster Practice, Cabourne Court, Lincoln, Lincolnshire, LN2 2JP.

Erection of a 3-storey care home (Use Class C2) together with associated access, car and cycle parking, landscaping and amenity space provision plus the creation of additional car parking spaces for the existing adjacent medical practices.

Lincolnshire Police do not have any objections to this development.

Access Control - Staff & Residents

It is important that every consideration is given to reducing or restricting the opportunity for uninvited 'cold callers' or other visitors. This is particularly the case where there may be some residents who could be elderly and vulnerable.

The requirement and provision for dedicated access control would be a principal element of this application and important for the safety and security of residents and staff.

Electronic access should be a safety and security feature of this development at the main entrances to the main block.

- The need to protect a lone worker or vulnerable persons.
- To prevent access into parts of the building.
- In all cases the doors must incorporate an electronic door release system with electronic door release (and for the main entrance and possible other entrances depending on operational use) an entry phone system linked to the reception and or mobile smart phone.
- . This may be particularly important in respect of the safety and security of residents and more so if any relevant orders should apply.
- · Security devices (e.g., locking devices, door closers etc.) should be designed, where appropriate for ease of use by people with disabilities.

POLICE HEADQUARTERS PO Box 999, Lincoln LN5 7PH (Sat Nav: LN2 2LT)

01522 55 8292 075700 99424

iohn.manuel@lincs.pnn.police.uk

84

www.lincs.police.uk

Buggy Store (if included)

External access to this facility should be included within a secure access-controlled regime and meet the same standards or alternatively appropriately secured doors and windows should be a feature of this store.

Where access can be gained via both the waste storage area and the buggy store appropriate and effective access control measures should be included.

Landscaping

Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any trees should be pruned up 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.

Footpaths

It is preferable that footpaths are not placed to the rear of properties or provide such access, if deemed essential they **should be securely gated**. The gates should be placed to the front of the building line and suitable illuminated with a key operated lock from both sides of the gate. Effort should be made to ensure that the opportunity for concealed and easy access to individual premises is avoided; this is particularly relevant to ground floor windows.

Developers should ensure that access to the rear of the building is secured by access-controlled gates.

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.

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 me.

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 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.

CCTV

A suitable CCTV scheme is recommended to monitor and record all vulnerable areas of the proposed development; the requirement will be for both internal and external coverage. The external coverage will reinforce the access control requirements at the main entrance. The installed scheme will require defined surveillance protocols to be established.

Signage.

Effective use of directional and informative signage can do much to reduce the opportunity for any persons accessing the site and not knowing where they should be. Site maps and clear directions to a security office or reception will reduce any opportunity for unwarranted trespass on the site.

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

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

Please refer to *Homes 2023* which can be located on <u>www.securedbydesign.com</u> 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 PGCPR Dip Bus. Dip Crime Prevention – Designing Out Crime

Force Designing Out Crime Officer (DOCO)

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

OBJECTION

We have no objection to the plan for the building but feel that the entrance to property from Cabourne Avenue is totally inadequate and the additional drain on local facilities has not been properly catered for. Visiting the Doctors practices and the other medical facilities is already difficult as the entrance is not wide enough for two vehicles to pass and the additional volume will see a queue build up on Cabourne Avenue. There will be a major increase in the volume of waste generated and hence refuse disposal, in the access to doctors service which is already difficult and to the number of vehicle movements during the day. We strongly believe that this has not been properly considered and would suggest that further investigation is required.



Application Number:	2024/0719/RG3
Site Address:	120 Larchwood Crescent, Lincoln
Target Date:	12th February 2025
Agent Name:	City Of Lincoln Council
Applicant Name:	Mr Steven Bird
Proposal:	Change of use of public amenity land to use as a garden.

Background - Site Location and Description

The application property is 120 Larchwood Crescent, a 2-storey brick dwellinghouse in the City Council's Ownership.

The application is for the change of use of a patch of land to the side of the property which is currently subject to anti-social behaviour risk. The land is currently residential amenity land owned by the City Council and they wish to use this as garden land.

The application is brought before Planning Committee because the land is Council owned and is therefore a regulation 3 application.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 6 February 2025.

Policies Referred to

- National Planning Policy Framework
- Policy S53 Design and Amenity

Issues

The proposals have been assessed with regard to:

- Accordance with National and Local Planning Policy
- Design and the Impact on Visual Amenity, Character and Appearance
- Impact on Residential Amenity
- Highways Safety, Access and Parking

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

Public Consultation Responses

No responses received.

Consideration

Accordance with National and Local Planning Policy

Paragraph 11 of the revised NPPF outlines that decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

Paragraph 130 states that planning decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The application is for alterations to a residential dwelling and therefore Policy S53 - Design and Amenity is relevant.

Policy S53 'Design and Amenity' covers all new development. The policy permissive of alterations to existing buildings providing they achieve a high-quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Alterations should reflect or improve on the original architectural style of the local surroundings or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style and should not result in harm to people's amenity either within the proposed development or neighbouring through overlooking, overshadowing, loss of light or increase in artificial light or glare.

Design and the Impact on Visual Amenity, Character and Appearance

The amenity land currently comprises a grassed area with some shrubs and is adjacent to a public pathway.

Officers are satisfied that the use of the land as domestic garden in association with 120

Larchwood Crescent would not be detrimental to the visual amenity of the wider area.

The design outlined in the proposal would be characteristic to the wider area and relate well to the existing dwelling, given the area of land proposed and Officers consider that the proposal would not result in any significant impact to the appearance or design of the dwelling or wider area in accordance with Policy S53 of the CLLP.

Impact on Residential Amenity

The dwelling is on an end plot with a boundary adjacent to the amenity space and a pathway.

The use of the area as a garden will offer improved privacy to the area in so far as eliminating people walking across this patch of grassland and as an anti-social behaviour risk. Given the residential location of the property and other dwellings nearby will be consistent with the wider area.

The grassland is to the side of the property which faces out onto a public pathway and therefore it is not considered there would be any neighbouring properties unduly impacted upon by the proposal.

It is considered the change of use to a garden would not cause undue harm to the amenities which neighbouring occupiers may reasonably expect to enjoy, in accordance with CLLP Policy S53.

Highways Safety, Access and Parking

The Highways Authority have raised no objection to the application, and Officers do not consider Highway Safety or Traffic Capacity would be harmed by the proposal.

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

No.

Financial Implications

None.

Legal Implications

None

Equality Implications

None.

Conclusion

The proposals would not have a detrimental impact on the residential and visual amenity of neighbouring properties in accordance with policies S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted.

Standard Conditions

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

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

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

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

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

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

Table A

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

Drawing No.	Version	Drawing Type	Date Received	
		Location Plan	17th	December
			2024	

120 Larchwood Crescent



