

<b>Application Number:</b>	2017/1196/FUL
<b>Site Address:</b>	Site Of Former Superbowl, Valentine Road, Lincoln
<b>Target Date:</b>	1st February 2018
<b>Agent Name:</b>	Banks Long & Co
<b>Applicant Name:</b>	Mr Matthew Karran
<b>Proposal:</b>	Erection of 77 no. townhouses to be occupied as 6 bed (C4) Houses in Multiple Occupation.

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

The application is for the erection of 77 no. 6 bedroom town houses to be occupied as Houses in Multiple Occupation (HMOs) (Use Class C4). The development will provide a total of 462 en-suite bedrooms. The town houses are arranged in a series of four storey linear blocks which overlook private and secure landscaped courtyards. There is controlled access to the development at the entrance to the new access road, which serves a 90 space car park. A single storey reception building will be located adjacent to the entrance to provide an information point for visitors and also 24 hour management and policing of the site.

The submitted Design and Access (D&A) Statement advises that a shortfall in student accommodation is predicted for September 2018 and also that there is an increasing demand for student accommodation for 2<sup>nd</sup> and 3<sup>rd</sup> year students. This application is a joint venture between the applicant and the University of Lincoln which aims to meet this demand. The scheme would provide accommodation for staff and students migrating out into the city in their latter years of study, and also the nature of townhouses is seen to be a preference for post graduates. The applicant hopes that the accommodation will be available for the September semester in 2018.

The application site is located to the south west of the city centre and was formerly occupied by Lincoln Superbowl, which closed in January 2015. The building has been demolished although this section of the site has not been fully cleared. The associated car park is temporarily being used as a 'Park and Stride' car park.

There is a high hedgerow which runs along the north west and north east boundaries of the site, beyond is a track that connects Valentine Road to the farm situated adjacent to Swan Pool. Adjacent to this is the Coulson Main Drain and beyond this, to the north, is Hamilton House, B&Q and Morrisons. To the east is the rear elevation of Farm Foods. The south west boundary is defined by a low fence which separates the site from the Valentine Retail Park car park and service yards. To the west is the railway line and the Coulson Road level crossing, with the site of the Western Growth Corridor beyond. The site is located within Flood Zone 3.

The site is owned by the City Council and therefore the application is being presented to Members of the Planning Committee for consideration and determination.

## **Site History**

Reference:	Description	Status	Decision Date:
2017/0214/FUL	Creation of new vehicular access to site	Granted Conditionally	31st March 2017
2005/0266/F	Erection of a temporary building to be used as a skatepark.	Granted	3rd June 2005

## **Case Officer Site Visit**

Undertaken on 23rd November 2017.

## **Policies Referred to**

- Policy LP1: A Presumption in Favour of Sustainable Development
- Policy LP2: The Spatial Strategy and Settlement Hierarchy
- Policy LP10: Meeting Accommodation Needs
- Policy LP13: Accessibility and Transport
- Policy LP16: Development on Land affected by Contamination
- Policy LP18: Climate Change and Low Carbon Living
- Policy LP25: The Historic Environment
- Policy LP26: Design and Amenity
- National Planning Policy Framework

## **Issues**

- Principle of use
- Visual amenity
- Residential amenity
- Access and highways
- Flood risk and drainage
- Contaminated land
- Trees and landscaping
- Network Rail

## **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

## **Statutory Consultation Responses**

Consultee	Comment
Environment Agency	Comments Received
Highways & Planning	Comments Received

Environmental Health	Comments Received
Shane Harrison	No Response Received
Lee George	No Response Received
Lincolnshire Police	Comments Received
Kate Bell	No Response Received
Councillor Gill Clayton-Hewson	No Response Received
Councillor Gary Hewson	No Response Received
Councillor Ralph Toofany	No Response Received
Lincoln Civic Trust	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Education Planning Manager, Lincolnshire County Council	No Response Received
Network Rail	Comments Received

### **Public Consultation Responses**

Name	Address
Mick Albans	Arboricultural Officer City Of Lincoln Council

### **Consideration**

#### Principle of Use

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. The site has no specific policy allocation within the CLLP and Policy LP2 goes on to state that additional growth on non-allocated sites in appropriate locations within the developed

footprint of the Lincoln urban area will be considered favourably.

The D&A Statement considers that 'the town house scheme can make a valuable contribution to meeting future accommodation needs as well as easing pressures on areas of the City, such as the West End, which have become imbalanced as a result of a proliferation of rental properties serving the student market'.

Officers are satisfied that the principle of the residential use in this location is acceptable. Officers are also supportive in principle of this university related development, which would contribute towards the continued growth of the university, as required by CLLP Policy LP32.

Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. Paragraph 49 of the National Planning Policy Framework (NPPF) also states that housing applications should be considered in the context of the presumption in favour of sustainable development and local authorities should aim to deliver a wide choice of high quality homes (paragraph 50).

### Visual Amenity

The site is located behind existing retail units and therefore views are limited to those from part of Valentine Road and also the Valentine Retail Park car park. There are longer views available from the north. The surrounding area is predominantly characterised by large scale commercial and retail units, generally constructed with blockwork, brick and cladding. The scale varies but most buildings are substantial, meaning that the principle of a large scale development is appropriate in this location. Accordingly the length of the development, approximately 160m, and the flat roof, four storey height is not out of character here. The mass is further broken up by the gaps in the front elevation at the courtyard access points and through the staggered elevations.

It is therefore considered that the site is of a sufficient size to comfortably accommodate the proposed development, also providing outdoor amenity areas and parking. The site will be elevated to meet Flood Risk requirements, however, this can be controlled by a condition requiring the submission of these details for approval. Officers are therefore satisfied that the proposal would relate well to the site and surroundings in relation to the height, scale and mass, in accordance with CLLP Policy LP26.

It is also considered that the design of the proposal is acceptable, and has been amended during the process to ensure that the development would have a positive impact on the area. The south west elevation facing the access road and car park and the opposite north east elevation incorporates only windows serving the stairwells. This is to ensure that the habitable rooms and bedrooms benefit from an outlook over the internal courtyards. The end elevations, however, include the frontages to units.

The modern, yet simple design is broken up by the staggering of the elevations and also the variations in the window proportions and positions. The elevations will be constructed with complementary buff/light brown bricks, and the flat roof will be set below a parapet, which will hide the proposed photovoltaic panels and limit the views of any roof plant. Samples of the materials will be required by condition but there is no objection in principle in this respect. Officers are therefore satisfied that the design and appearance of the

elevations is acceptable. It is therefore considered that the development would improve on the architectural style of the local surroundings, in accordance with CLLP Policy LP26.

There is also no objection in terms of design and scale of the single storey reception building adjacent to the entrance of the site on Valentine Road.

Details of the boundary treatments have been provided. To the north east and north west will be a secure 1.8m high fence, this treatment continued to the side facing Valentine Road but this was negotiated to be a more visually appropriate wall with railings. The south west boundary will be left open.

The site layout indicates areas of landscaping, although full details will be required by condition for approval.

The proposal would therefore be in accordance with CLLP Policy LP26 and also paragraph 131 of the NPPF, which requires that developments should make a positive contribution to local character and distinctiveness.

### Residential Amenity

There are no residential properties in the vicinity of the application site and there have been no responses from adjacent premises. In accordance with CLLP Policy LP26, it is considered that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development.

In terms of the amenities of future occupants the application is accompanied by a Noise Assessment. The City Council's Pollution Control (PC) Officer has considered the report and noted that it identifies that a large amount of the site will be affected by elevated levels of night-time noise due to passing rail freight. Some of the predicted maximum noise levels at the western part of the site, i.e. closest to the rail track, are very high and will need extensive mitigation in place to protect future occupants from unreasonable levels of sleep disturbance. However, the PC officer is satisfied that, even at the most affected part of the development, it is feasible to control sound levels to an acceptable internal standard. Accordingly the PC officer has no objections in principle to the development on noise grounds, provided that a pre-commencement condition is attached to the consent, if granted, requiring specific mitigation proposals.

The potential impact from off-site lighting has also been considered, most specifically from adjacent commercial premises and service yards. The PC officer notes that the layout of the development mitigates against lighting from the south of the site and has recommended a condition requiring a light impact assessment to consider and mitigate against the light from the service yard to the east.

The proposal includes seven, ground floor accessible rooms, with access to the communal living facilities on the same floor. The D&A also states that the applicant has worked closely with the university to ensure that the houses are designed to meet the future demand. In this respect the application would be in accordance with the requirements of CLLP Policy LP10.

### Access and Highways

The D&A Statement advises that the university is within easy walking distance from the

site, with the Library and Science Park a 0.7 mile and 0.5 mile walk respectively. There is a bus stop on Tritton Road 0.2 miles walk from the site and the railway station is approximately 1 mile away. The site has excellent connectivity to the cycle way along Tritton Road, which provide easy access to the university and the city centre. On site secure cycle storage is available within each of the enclosed courtyards. Officers therefore consider that the site is in a location where travel can be minimised and the use of sustainable transport modes maximised, in accordance with CLLP Policy LP13.

In addition the development will provide a 90 space car park, utilising the current access to the site from Valentine Road to the south west. A minor revision to re-position the access point slightly to the north is proposed, which will remove the current dogleg. The university has stated that there is a demand from students on programmes such as nursing, paramedic science, physiotherapy, pharmacy etc. who have placements around Lincoln and Lincolnshire, for accommodation with car parking so that they can access their placements. This is particularly relevant where students are working on shifts and public transport may not available. The applicant states that the needs of these students are difficult to meet and this development is very positive in that it will assist in recruiting and retaining students on these important programmes.

The D&A Statement identifies that the site was most recently occupied by Lincoln Superbowl with an approximately 200 space car park. Now occupied by the 'Park and Stride' car park there are 156 spaces. The proposed car park will accommodate 90 spaces. The D&A Statement argues that the site therefore had, and has, a higher parking offer than that associated with the proposed use. Due to the reduction in the car park allocation to 90, along with the frequency of the trips associated with the residential use, it is suggested that the new proposal will provide a benefit to the highways system in the area.

The Lincolnshire County Council as Local Highway Authority (HA) has raised no objections in principle to the proposal, subject to further information relating to surface water drainage, which will be dealt with later in the report, and a number of conditions. These include the reinstatement of the footpath following the re-positioning of the access, the adjustment of the double yellow lines and the provision of a tactile crossing point.

Subject to these conditions, officers therefore conclude that the HA has no objection in terms of the access, traffic volumes or parking numbers. Accordingly officers are satisfied that the development would not impact unacceptably on the local highway network.

### Flood Risk and Drainage

The site is located within Flood Zone 3 and a Flood Risk Assessment (FRA) and other supporting information has accordingly been submitted with the application. The proposal and the FRA has been considered by the Environment Agency, Anglian Water, the Lincolnshire County Council as Lead Local Flood Authority and the Upper Witham Internal Drainage Board. Responses have raised some concerns and requests for further information. At the time of writing the report the agent was in discussion with the Environment Agency to address the issues and the outcome of this will be reported to Members on the update sheet.

### Contaminated Land

CLLP Policy LP16 advises that development proposals must take into account the

potential environmental impacts from any former use of the site. The City Council's Scientific Officer has been involved in meetings and discussions with the agent prior to and during the application process. The officer has reviewed the submitted Phase II report, which identifies elevated levels of ground gases on site and recommends that further monitoring is required given the proximity to a former domestic and industrial landfill. The ground gas investigations are ongoing and additional site investigation work has also been undertaken. However, the Scientific Officer is satisfied that the future investigations and remediation can be appropriately dealt with by conditions.

### Trees and Landscaping

The City Council's Arboricultural Officer has undertaken a site visit to assess the trees on site. The officer has advised that the site is bordered on the north and west by a 4 metre high, mainly hawthorn, hedge for approximately 170 metres. This hedge will be removed to accommodate the proposal. There are also some 19 trees within the car park comprising of mainly hawthorn, oak, birch, alder and field maple. With the exception of one or two oaks most of these trees are of limited amenity value. These trees will also be removed.

It is also noted that a copse of trees, containing a mix of pines and birch, to the west of the site will be removed to accommodate the proposed parking along with the removal of an area of a copse further west, comprising aspen and Lombardy Poplar, to provide the turning head.

The development therefore necessitates the removal of the majority of trees and vegetation on site. However, the Arboricultural Officer has identified that, given that the location and trees are set back from the major highway of Tritton Road and, in the main, obscured by the large retail outlets and stores surrounding the site to the east and north, it is suggested that the trees on the site do not have a high amenity value. Officers would accordingly conclude that there is no issue with the application in this respect, particularly as a scheme for landscaping will be required by condition to compensate for the loss.

### Network Rail

Network Rail raised an initial objection to the application on the grounds that the development, through the opening up of the eastern boundary to provide access to a refuse turning head, would make the Coulson Road level crossing more publicly accessible, increasing the usage and therefore the risk of a crossing. Network Rail suggested mitigation to enhance the safety of the crossing; either an audible warning system or miniature stop light system.

In response the agent has proposed to install secure gates and fencing at the end of the internal access road, before the existing track and proposed turning head. Access to the turning head would be controlled and limited to the refuse and service vehicles only, which will be managed by the university staff based in the reception building. Officers are satisfied that this addresses Network Rail's concern as there will be no general increase in vehicles or pedestrians using the level crossing as a result of the development, due to the controlled and restricted access. In addition the full extent of the north boundary, adjacent to the track which accesses the crossing, will be secured by 1.8m high fencing, whereas at present there is public access through gaps in the hedge from the car park.

At the time of writing the committee report officers had received no formal response from Network Rail to the agent's suggested mitigation. However, the gate, as outlined above,

will be conditioned on any grant of consent along with the other suggested conditions from Network Rail.

## Other Matters

### Air Quality and Sustainable Transport

The proposed development will include off street parking and the City Council's PC Officer has therefore recommended that the applicant be required to incorporate appropriate electric vehicle recharge points into the development, in line with the recommendations of CLLP Policy LP13 and paragraph 35 of the NPPF.

Officers have discussed this with the agent who has submitted an amended site plan which illustrates eight charging points. A condition requiring these to be installed prior to the occupation of the development will be attached to any grant of permission.

### Climate change and low carbon living

In accordance with CLLP Policy LP18 the application will have benefits in this respect as the site's location will minimise the need to travel and the development will produce energy from photovoltaics to the roof.

### Archaeology

An Archaeological Desk-Based Assessment has been submitted at the request of the City Council's Archaeologist. This is currently being considered and will be conditioned to require further work as necessary, in accordance with the requirements of CLLP Policy LP25.

### Refuse Storage

Refuse storage will be within a communal bin store along the south west boundary of the site, as well as within individual courtyards. There will be an area for refuse collection also to the south west. The storage and presentation of refuse for collection will be managed by the university's on site, 24 hour facilities and administration team. A condition will require a management plan for approval.

### Design and Crime

Comments have been made by the Lincolnshire Police, they have raised no objections but have suggested recommended measures. This correspondence will be forwarded to the agent for their information.

## **Lincoln Townscape Assessment**

Tritton Road Industrial Character Area is a large edge of city centre mixed-use area that extends either side of Tritton Road, one of the main arterial roads into and out of the city. The scale and form of buildings and setting within large areas of parking are typical features of an out-of-town retail centre but its location is actually very close to the city centre, within walking distance of St. Mark's retail area in the city centre. Due to the strong linear boundaries of the river and railway to the east and west, access into and out of the area is confined to Tritton Road itself, as well as Dixon Street and Firth Road which bridge the river.



Since the Early 19<sup>th</sup> century the Character Area has undergone, and continues to undergo, several changes which reflect Lincoln's industrial, commercial and residential growth. The area's former rural and wetland character was initially superseded by 19<sup>th</sup> century industrial growth, which itself is becoming increasingly replaced with commercial, and more recently residential, developments. Little of the area's rural character survives, and the majority of 19<sup>th</sup> century industry has been overwritten by modern commercial and residential development. Nevertheless, the townscape retains many elements of its former rural and industrial uses, which contribute to a complex and evolving townscape.

Developments are based along minor roads and cul-de-sacs leading off Tritton Road. Large and irregularly shaped urban blocks are subdivided by a coarse grain of building plots. The public/private boundary in the Character Area is varied. Industrial units tend to have high, impermeable boundaries around the perimeter of the plot. The public/private boundary between retail/commercial units and the road tends to be lower or less solid to enable visibility onto the buildings behind. Within the area there are also many open spaces, including extensive areas of car parking, yards, and grass and planted verges. The River Witham and Main Drain both cross the Character Area. Mature trees along the western boundary screen the industrial area from view from the west.

The majority of buildings have a large footprint. Buildings vary from 1-2 tall storeys in height to enable manufacturing and other uses. Overall the buildings have a horizontal emphasis and this combines with the wide roads and large areas of open space to create a low sense of enclosure.

Buildings are generally detached units or rows of attached buildings of similar plan form arranged either side by side or around a courtyard. The latter often have a communal plot with no boundaries between units and shared car parking. Plots often have a large amount of open space for parking, storage or distribution. The majority of buildings are of solid brick construction or steel frame with a variety of other materials used for the outer shell. Decoration is very limited, and primarily confined to the colour of the cladding and any signage. Properties generally have very few windows and doors leading to a high solid to void ratio and many inactive frontages. The door is often the main feature on buildings, emphasised by large porches on many retail units. Residential properties have a lower solid to void ratio and UPVc windows.

Street furniture is frequent and modern. There are many tall lampposts, especially in areas of retail parking. Along Tritton Road there are many large street signs, sets of traffic lights, bollards and long stretches of metal railings to control pedestrian movement. In some parts of the Character Area there are a number of different road and pavement surfaces, some in a degraded condition which, combined with the variety of materials used for plot boundaries, leads to a feeling of incoherence in the public realm.

Tritton Road is the major road, though Dixon Street also has a heavy flow of traffic. Tritton Road is busy at all times of day but especially at commuter times. Vitality within the area is mainly confined to business hours.

Along almost the entire length of Tritton Road there are partially obstructed northerly views of the Cathedral and wider skyline of the North Escarpment. From several places on Tritton Road there are also rural views east onto the South Escarpment.

## **Conclusion**

The principle of the use of this unallocated site for residential purposes is considered to be acceptable and the development would contribute towards the continued growth of the university. The design of the development has been well thought out, improving on the architectural style of the local surroundings. There are no residential properties in the vicinity that would be impacted upon by the proposal and the amenities for future occupants has been carefully considered through noise and light assessments. The site is in an accessible location, also providing cycle and car parking to meet an identified need. The Highway Authority has raised no objection in principle to the access or parking arrangements. Matters relating to contamination, archaeology, the railway/level crossing and refuse can be dealt with appropriately by condition. Subject to further details of flood risk and drainage being to the satisfaction of the relevant consultees it is considered that the proposal would be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP10, LP13, LP16, LP18, LP25 and LP26, as well as guidance within the National Planning Policy Framework.

## **Application Determined within Target Date**

Yes.

## **Recommendation**

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

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials
- Site levels and finished floor levels
- Noise mitigation strategy
- Off-site lighting assessment
- Highways- reinstatement of footpath, adjustment of double yellow lines and tactile crossing point.
- Contamination
- Surface water drainage and management strategy
- Foul sewerage strategy
- Refuse management plan
- Archaeology
- Implementation and maintenance of access gate to turning head
- Landscaping- including Network Rail requirements
- Network Rail- construction safety, drainage and lighting
- Use restriction and requirement for management by higher/further education body
- Electric Vehicle Charging points before occupation