

Application Number:	2017/0721/OUT
Site Address:	Grantham Street Car Park, Grantham Street, Lincoln
Target Date:	29th August 2017
Agent Name:	Globe Consultants Ltd
Applicant Name:	Jackson & Jackson Developments Limited
Proposal:	Erection of a building to include 2 levels of car parking and 4 storeys above to provide either residential units (use class C3); and/or student accommodation (use class C3); and/or office (use class B1); and/or Hotel (use class C1) (Outline) (REVISED PLANS)

Background - Site Location and Description

Site Location

The application site is situated at the south-western corner of the junction of Grantham Street with Flaxengate but also adjoins Swan Street to the west. In general terms, it is situated to the east of the High Street.

The application site is irregular but roughly square in shape and is currently utilised as a surface car park. It is adjacent to commercial uses within The Terrace, to the north, and with frontages to Clasketgate, to the south; there are residential apartments to the west and northwest on Swan Street and Grantham Street respectively; and student accommodation to the east in the Danesgate House building. Meanwhile, the County Council occupy a building across Flaxengate and the theatre is to the southwest.

The northern and southern boundaries are currently occupied by trees.

Description of Development

The application is for outline planning permission with all matters reserved for a six-storey building. As such, it is the principle of the use(s) of the development that are being applied for. The proposals are therefore for two floors of parking, independently accessed from Grantham Street and Flaxengate respectively; with the remainder of the building occupied by a mixture of or entirely of the uses listed below over the remaining four floors:

- Residential Units (C3);
- Student Accommodation (C3);
- Offices (B1); and / or
- Hotel Accommodation (C1).

In light of the nature of the application, the access to, detailed layout, scale, appearance and landscaping of the proposed development would be subject to a subsequent application for Reserved Matters. Accordingly, for these matters, maximum scale parameters have been set for the proposed development within which the reserved matters would be brought forward. These include the maximum footprint (including the resultant floor areas) and height of the building. The indicative floor plans show the student accommodation use.

In terms of the indicative height of the building, it is important to note that this has been reduced as part of the application and the top floor has been set back.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 15/08/2017.

Policies Referred to

- Policy LP1: A Presumption in Favour of Sustainable Development
- Policy LP2: The Spatial Strategy and Settlement Hierarchy
- Policy LP3: Level and Distribution of Growth
- Policy LP5: Delivering Prosperity and Jobs
- Policy LP6: Retail and Town Centres in Central Lincolnshire
- Policy LP7: A Sustainable Visitor Economy
- Policy LP9: Health and Wellbeing
- Policy LP11: Affordable Housing
- Policy LP12: Infrastructure to Support Growth
- Policy LP13: Accessibility and Transport
- Policy LP14: Managing Water Resources and Flood Risk
- Policy LP16: Development on Land Affected by Contamination
- Policy LP17: Landscape, Townscape and Views
- Policy LP21: Biodiversity and Geodiversity
- Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
- Policy LP25: The Historic Environment
- Policy LP26: Design and Amenity
- Policy LP29: Protecting Lincoln's Setting and Character
- Policy LP31: Lincoln's Economy
- Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- Policy LP36: Access and Movement within the Lincoln Area
- Policy LP37: Sub-division and multi-occupation of dwellings within Lincoln
- National Planning Policy Framework

Issues

In this instance the main issues relevant to the consideration of the application are as follows:

1. The Principle of the Development;
2. Affordable Housing and Contributions to Service Provision;
3. The Impact of the Design of the Proposals;
4. The Implications of the Proposals upon Amenity;
5. Other Matters; and
6. The Planning Balance.

Consultations

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

Public Consultation Responses

Name	Address
Mrs M Hanby	4 Swan Street Lincoln LN2 1LF
Sarah Forward	Af1 The Terrace Grantham Street Lincoln Lincolnshire LN2 1BD
Mr Thomas Foley	7 Swan Street Lincoln Lincolnshire LN2 1LF
Mr Jeremy Wright	73 Nettleham Road Lincoln Lincolnshire LN2 1RT
Miss Suzanne Reid	8 Swan Street Lincoln LN2 1LF
Mr Paul Hurst	Room AF9, The Terrace Grantham Street Lincoln LN2 1BD
Mrs Anna Draper	4 the Glebe Upton Gainsborough

Statutory Consultation Responses

Consultee	Comment
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Highways & Planning	Comments Received
Lincoln Civic Trust	Object
Historic England	Raised Concerns

Consideration

1) The Principle of the Development

a) *Relevant Planning Policies*

i) Sustainable Development and the Proposed Uses

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is a material consideration in determining planning applications. Framework paragraph 215 indicates that due weight should be given to relevant policies in the development plan according to their consistency with the Framework i.e. the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

The development plan comprises the recently adopted Central Lincolnshire Local Plan (the Plan) and during its examination the policies therein were tested for their compliance with the Framework.

Paragraph 14 of the National Planning Policy Framework (the Framework) outlines the following in relation to the principle of development:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

For decision taking this means (unless material considerations indicate otherwise):

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

In terms of sustainable development, Paragraph 7 of the Framework suggests that there are three dimensions: economic, social and environmental. “These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

Meanwhile, at the heart of the Core Planning Principles within the Framework (Paragraph 17) is the expectation that planning should:-

“proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth”

Turning to Local Plan Policy, Policy LP1 of the Plan supports this approach and advocates that proposals that accord with the Plan should be approved, unless material considerations indicate otherwise.

In terms of the spatial dimension of sustainability, proposals need to demonstrate that they contribute to the creation of a strong, cohesive and inclusive community, making use of previously developed land and enable larger numbers of people to access jobs, services and facilities locally, whilst not affecting the delivery of allocated sites and strengthening the role of Lincoln (Policy LP2). Meanwhile, Policy LP3 sets out how growth would be prioritised and Lincoln is the main focus for urban regeneration; and Policy LP5 supports the growth of job creating development which also supports economic prosperity but only where proposals have considered suitable allocated sites or buildings or within the built up area of the settlement; and the scale of what is proposed is commensurate with its location.

The relatively recent adoption of the Local Plan ensures that there is a very clear picture of the options for growth in Central Lincolnshire. The Local Plan also adheres to the requirements of Paragraph 23 of the Framework, which sets out what Local Planning Authorities should include in Local Plans in order to ensure the vitality of town centres.

The Framework sets out when a Sequential Test and Impact Assessment is required (Paragraphs 24-27) and this is clarified in Policy LP6 of the Plan, whereby local floor space thresholds are derived from evidence contained in the *Central Lincolnshire City and Town Centre Study*. In the case of this application, only the office use could potentially require such assessment. Moreover, Policy LP6 therefore sets out the approach to these other town centres uses and defines the Primary Shopping Area. Policy LP33 supports Policy LP6 and suggests that other town centre uses should be “appropriate in scale and nature to the size and function of the relevant centre”.

In more broader terms, Policy LP33 sets out the general mix of uses that would be supported within the Central Mixed Use Area, including shops (A1); offices used by the public (A2); Food and Drink Outlets (A3, A4 and A5); houses and flats (C3); hotels (C1); student halls of residence and theatres.

ii) Ecology, Biodiversity and Arboriculture

Paragraph 118 of the NPPF requires LPAs to conserve and enhance biodiversity by refusing planning permission where significant harm resulting from a development cannot be avoided, mitigated or compensated for. Meanwhile, Policy LP21 refers to biodiversity and requires development proposals to “protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site; minimise impacts on biodiversity and geodiversity; and seek to deliver a net gain in biodiversity and geodiversity.” The policy then goes on to consider the implications of any harm associated with development and how this should be mitigated.

iii) Archaeology

The Framework and Planning Practice Guide as well as good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including *Managing Significance in Decision-Taking in the Historic Environment* and *The Setting of Heritage Assets* are relevant to the consideration of Planning Applications.

Indeed, heritage is referred to within the core principles of the Framework (Paragraph 17) and Paragraph 128 of the Framework states that “in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

Paragraph 141 of the Framework states that LPAs should ‘require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or

in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.’

Policy LP25 in the Central Lincolnshire Local Plan requires that development does not lead to significant detrimental impacts on heritage assets. This issue is directed in relation to archaeology that could be non-designated heritage assets.

b) Assessment of the Impact of the Proposed Uses

The proposals are potentially for a mix of residential, student accommodation, office and / or hotel uses within the building. However, it is evidently possible that the development could only encompass one of these use. As such, it would be necessary to consider the application upon the basis that the maximum quantum of each aspect of the development could be achieved.

i) Housing

The Council’s current housing supply was considered as part of the preparation of the Central Lincolnshire Local Plan and evidence currently available to officers indicates that the Council is able to demonstrate a five-year supply, as such the local development plan policies can be considered up to date and there is not pressure for the Council to approve development which may not otherwise satisfy the three strands of the Framework as referred to above.

As alluded to in the relevant policies, the incorporation of dwellings and/or student housing within the redevelopment of the site are considered to be appropriate uses. Unlike previous applications within the city, there is now not a requirement for developers to evidence a need for student accommodation linked to the demand for students. Similarly, in the context of Policy LP26 and the evidence base to Policy LP37, given the impact upon the social imbalance within nearby communities, the proposals could make a positive impact upon the demand for student housing in this and other communities. Moreover, the demand for houses in multiple occupation could reduce thereby facilitating a return of dwellings to family occupation. Notwithstanding this, it is clear that the site is sustainably located in the heart of the city, close to the facilities, services and employment opportunities that would support residential development; and the Universities in the city are accessible by cycle and walking routes. This ensures that either form of residential accommodation would be appropriate.

ii) Other Uses (Office, Retail and Hotel)

Concerns have been raised by a number of parties in relation to the nature of the uses proposed, particularly in terms of their impact upon the established cultural nature of the immediate area. However, as the site is located within the Central Mixed Use Area, the type of uses is not restricted wholly to leisure and other similar uses.

Nonetheless, the uses still have to meet other criteria, including as indicated by Policy LP6, the development of proposals for main town centre uses in edge-of-centre locations will be expected to sequentially test sites in accordance with the Framework. However, it is considered that the proposed location would be sequentially acceptable given the scale of accommodation sought, the disposition of the site within the wider Central Mixed Use Area and the proximity of the site to the Primary Shopping Area. What is more, as the quantum

of office development would ultimately be below 2500m², it would not be necessary to carry out an impact assessment of the development upon nearby centres.

Similarly, the inclusion of a small element of retailing on the street frontage to Grantham Street and the provision of a hotel would also be appropriate in the context of the mixture of uses expected in this location, and to support the visitor economy (Policy LP7).

Furthermore, the retention of car parking spaces within the development is a positive element of the scheme and the indication is that there would be a small increase to the existing provision within the locality. Whilst a resident has suggested that the proposals will undermine this provision as they would create a demand for parking, there is no planning policy requirement for the parking to be retained as part of the application. In addition, it would not be reasonable to insist that the users of the building should not utilise the car park to enable to be available for others.

iii) Sustainability of the Uses

In terms of the sustainability dimensions of the development, officers recognise that the development would deliver economic and social sustainability directly through the construction of the development and potential creation of other jobs by employment generating office, hotel or retail uses. There would also be indirect benefits through the occupation of the residential / student accommodation and the potential spend of occupiers in the City and the retention/creation of other jobs due to the location of the development within the City. In addition, the erection of development in this location would not in itself undermine sustainable principles of development subject to other matters referred to in the relevant policies, so it is important to consider the wider sustainability of the development.

c) Ecology, Biodiversity and Arboriculture

i) Assessment of the Impact upon the Trees within the Site

The front northeast and northwest corners of the site are occupied by a mix of Alder and Birch trees. Officers have sought the advice of the Council's Arboricultural Officer and do not disagree with his advice that each tree is of moderate amenity value on its own but, as a group, their amenity value is currently significantly greater.

Taking into account the loss of the trees within the site, officers are mindful that it would be difficult to develop an appropriately scaled building that would make a meaningful impact within the site without it compromising or being compromised by these trees. Furthermore, officers are also advised that the trees are mature specimens being possibly 30 plus years in age but that they may be regarded as having a rather limited life expectancy of a further 20 years.

Similarly, officers consider that the trees to the southern boundary of the site presently provide some positive amenity value to break up the open expanse of the site and neighbouring car park. However, the development of the site would almost certainly result in the loss or reduction of this amenity if the trees are retained or removed. Furthermore, due to the proximity of the trees to the retaining wall, between the site and the adjacent car park, the growth potential of the trees is likely to be limited in any case.

ii) Summary in terms of Trees

As the lifetime of the development is likely to be significantly in excess of this timeframe, it would not be reasonable to suppress the development of the site upon the basis of the retention of the trees. However, it would be reasonable to ensure that the trees are only removed from the site once an appropriately designed scheme has been approved and a contractor has been appointed to develop the site.

iii) Other Impacts

Beyond the trees within the site, the site would not be classed as habitat so officers consider that there would not necessarily be conflict with national planning policy principles in the Framework or in Policy LP21 of the Local Plan. Nonetheless, it would be reasonable for the development to provide enhanced opportunities for bird nesting, through bird boxes positioned on the building.

d) Archaeological Implications of the Development of the Site

This section of the report relies upon the advice provided by the City Archaeologist. Officers fully endorse this advice and the recommendations moving forward.

i) Archaeological Background

The site of the proposed development is located in an area of known archaeological potential as it lies within the boundaries of the former Roman city.

Part of the site was archaeologically excavated in 1982, and as a result there is a great deal of information available to inform the application. While it is not necessary to repeat the details provided by the applicant in the desk based assessment, the known remains present on the site include:-

- Well preserved remains of several phases of Roman buildings, dating from the 2nd to the 4th centuries AD
- Saxon timber buildings dating from the 10th century
- Medieval features, including pits, ditches and stone buildings, dating from the 12th to the 15th centuries

While half the site has been partially excavated, a great deal of archaeological material remains in situ. The proposed development therefore has the potential to impact upon these remains.

The site is covered by a local designation known as "Ancient Monument 115A". This designation covers sites within the Roman city that are not protected as Scheduled Monuments, but are considered to be of equivalent significance within the meaning of Paragraph 139 of the Framework. This requires the LPA to apply the relevant paragraphs of the Framework in relation to designated heritage assets as well as those for non-designated heritage assets.

ii) Assessment of Impact

The proposal for Outline permission is supported by an archaeological desk-based assessment that would comply with the requirements of Paragraph 128 of the Framework.

This can be used to establish what archaeological deposits are likely to be impacted by groundworks, and to inform the preparation of detailed foundation designs that enable such impacts to be minimised. However, the information provided by the applicant indicates that there will likely be unavoidable harmful impacts on known remains of medieval date from shallow foundations and landscaping of the site and this will require some level of mitigation by excavation if impacts cannot be avoided.

The use of piled foundations will inevitably result in harm to Roman remains, and the level of that harm can only be fully established once foundation designs are finalised. However, in the context of Paragraph 139 of the Framework, that harm would be **less than substantial**. As such, it is considered that it would be necessary to balance the public benefits of the development against the harm that would be caused.

iii) Public Benefits

Paragraph 133 of the Framework therefore applies and consent should be refused unless substantial public benefits outweigh the harm **or** all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

The public benefits associated with the development have similarities with but are not exclusively confined to the above list. Taking these first, aside from a relatively low-rise, lightweight building, the uses that would not lead to a direct impact upon the asset are those which make use of the current surfaced site. In those circumstances, the asset would not be affected but the site would remain undeveloped and a gap site within the Conservation Area.

Bringing the site forward for development represents an opportunity to plug that gap but only where it is suitably designed to make a positive enhancement of the Conservation Area; and where the harm to archaeology as a non-designated heritage asset is managed accordingly.

Subject to the nature of the proposed use, there would be different direct and indirect benefits, including increases in:-

- the number of hotel bed spaces available within the city, thereby encouraging greater opportunity for visitors and tourism within the city, contributing to direct spending and indirect trading with businesses located in the city; or
- the number of residential properties close to the centre, to the benefit of the mixed use nature of the locality, including direct spend by residents; or
- the opportunities available for office-based businesses to locate themselves in the city, thereby supporting the economy of the city; or
- the number of purpose-built student bed spaces available in a location relatively close to both universities in the city, which should hopefully reduce the dependency further upon houses in multiple occupation.

In considering these impacts, officers are satisfied that the public benefits of the development would be sufficient to outweigh the harm caused to the asset. Notwithstanding this, as alluded to above, it would also be relevant to undertake further evaluation, for the foundations to be sensitively designed in order to ensure that the harm caused can be kept to a level that is **less than substantial**, and for the developer to be aware that some level of excavation may ultimately be required in order to mitigate any residual harm.

iv) Further Archaeological Work

It is recommended that several planning conditions are imposed to require the provision of further information informative to and prior to the submission of any application for reserved matters. This is to ensure that an appropriate mitigation strategy is prepared and enacted as required by Paragraph 141 of the Framework. These should include:-

- Further intrusive evaluation to establish the character and survival of deeply stratified deposits;
- An appropriate foundation design drawn up in negotiation with the local planning authority; and
- An appropriate mitigation strategy, prepared in consultation with the local planning authority, which will allow excavation.

Once this information has been prepared, submitted and approved, the development should proceed in accordance with conditions to govern:-

- The undertaking of works only in accordance with the agreed foundation design and mitigation strategy;
- The submission of an appropriate and acceptable site report; and
- The submission of the site archive to an appropriate museum or archive.

v) Summary

The information provided for the application fulfils the requirements of both National and Local planning policy, and is sufficient to establish the significance of archaeological remains, the broad impacts that will result from the development as proposed, and the level of harm that will result.

While there are certainly significant archaeological remains present on the site, it is considered that a combination of excavation and sensitive foundation design will allow the preservation of these remains either in situ or by record. As there will still be harm to these remains within the meaning of Paragraph 134 of the Framework, the balancing of the public benefits of the proposal alongside this harm has demonstrated that these would outweigh the harm to the heritage assets to be impacted. However, it would still be necessary for the planning conditions to be imposed as suggested above.

In light of this, the Officers fully endorse the approach advocated by the City Archaeologist and are satisfied that the concerns expressed by Historic England have been suitably addressed.

2) Provision of Affordable Housing and Contributions to Services

a) *Relevant Planning Policies*

i) Provision of Affordable Housing

The Framework maintains the principle of creating sustainable, inclusive and mixed communities and calls for local planning authorities to set policies for meeting identified affordable housing needs on site unless offsite provision or a financial contribution of broadly equivalent value can be robustly justified (para. 50). The Council's current policy for affordable housing dictates that 25% of all units should be affordable homes (Policy LP11) for all schemes incorporating 11 or more residential properties.

ii) Other Community Infrastructure and Services

The Framework highlights that planning should be a creative exercise in finding ways of enhancing and improving the places in which people live (para.17). Perhaps most crucially however, is Paragraph 70 which refers to new development and states:

"To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments; and
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."

Paragraph 72 of the Framework refers to the importance of ensuring "that a sufficient choice of school places is available to meet the needs of existing and new communities." The Framework therefore advocates that LPAs should "give great weight to the need to create, expand or alter schools".

In addition, developments which would result in an increase in the number of households within the locality are expected to contribute to improvements to existing playing facilities or provide play and amenity and open space that could be utilised by the development (Policy LP24 of the Plan).

This also aligns with the requirements of Policy LP9 of the Local Plan, which requires that developments of 25 or more dwellings demonstrate how they have taken into account health impacts have been designed into the development. Furthermore, developments should also contribute towards health provision where there is evidence that a development will impact upon current provision.

b) Impact upon Education and of the Community Infrastructure Levy

Given that the amount of residential development proposed is not known and may not be implemented should the application be successful, the County Council as Education Authority has requested that a planning condition be imposed to cover the potential impact upon education provision. This is considered to be reasonable and proportionate given the varied nature of the uses proposed and the potential that there ultimately may not be any family units created.

Meanwhile, the majority of the development would not be subject to the Community

Infrastructure Levy given that it is for the development of apartments / student accommodation but the ground floor use may be depending on the nature of the retailing use fronting Grantham Street.

c) *Local Green Infrastructure and Strategic Playing Fields*

The size of the development site would not be sufficient to meet the requirements of policy in respect of on-site provision. As such, it would be necessary to improve existing provision off-site should the development provide residential accommodation. As with education, as the end use is not known, this can be secured through a planning condition.

d) *Impact upon Health*

i) Health Impact Assessment

The application is not supported by a Health Impact Assessment but it is considered that it would be unlikely to result in a significantly different approach to the development of the site. However, it would be reasonable to suggest that the development incorporates some cycle storage to encourage staff / residents / visitors to the development to cycle. Officers are satisfied that this matter could be addressed by planning condition.

ii) Mitigating the Impact on Health Provision

It is important to note that suitable arrangements were only recently made with Healthcare Commissioners in respect of the consultation on planning applications, so no consultation has been undertaken as part of this application, as it would be unreasonable upon the applicant to carry out new consultations in relation to matters not previously discussed. As such, the developer contributions aspect of Policy LP9 will not be applied to this particular application.

e) *Provision of Affordable Housing*

In the context of the relevant policy framework and the scheme presented, it is possible that the development would need to provide affordable housing on or off-site. However, as with other facilities, this can be secured by virtue of a planning condition. Should the applicant subsequently fail to meet these requirements, it could undermine the principles of sustainable development outlined in the Framework.

3) The Impact of the Design of the Proposals

a) *Relevant Planning Policy*

So far as this issue is concerned, as alluded to above, the proposals must achieve sustainable development and it is the social dimension of sustainability that relates to design. Moreover, Paragraph 7 of the Framework requires the creation of high quality built environment. In addition, the policy principles outlined in Paragraphs 17, 58, 60, 61 and 64 of the Framework also apply. Moreover, the Framework states that good design is a key aspect of sustainable development and is indivisible from good planning. Design is to contribute positively to making places better for people (para. 56). To accomplish this development is to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and responding to local character and

history (para. 58). It is also proper to seek to promote or reinforce local distinctiveness (para. 60).

At the local level, the Council, in partnership with English Heritage, have undertaken the Lincoln Townscape Appraisal (the LTA), which has resulted in the systematic identification of 105 separate “character areas” within the City. The application site lies within the High Street Character Area. Policy LP29 refers to the LTA and requires that developments should “protect the dominance and approach views of Lincoln Cathedral, Lincoln Castle and uphill Lincoln on the skyline”. This policy is supported by Policy LP17, which is relevant to the protection of views and suggests that:-

“All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible. Particular consideration should be given to views of significant buildings and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive intervisibility from various viewpoints.”

Policy LP26 refers to design in wider terms and requires that “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.” The policy includes 12 detailed and diverse principles which should be assessed. This policy is supported by Policy LP5 which also refers to the impact on the character and appearance of the area; and Policy LP31, which refers to the protection and enhancement of the character of the city.

In terms of the wider impacts upon built heritage, Policy LP29 also requires that “proposals within, adjoining or affecting the setting of the 11 Conservation Areas and 3 historic parks and gardens within the built up area of Lincoln, should preserve and enhance their special character, setting, appearance and respecting their special historic and architectural context”; and “protect, conserve and, where appropriate, enhance heritage assets, key landmarks and their settings and their contribution to local distinctiveness and sense of place, including through sensitive development and environmental improvements”.

Meanwhile, conservation is enshrined in the Core Planning Principles of the Framework (Paragraph 17) as planning is expected to “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”. In addition, Section 12 of the Framework also refers to the impacts of development upon designated heritage assets and is supported by Policy LP25 also applies as it specifically refers to the impacts of developments upon these assets. In terms of conservation areas, the policy requires that development should either enhance or reinforce features that contribute positively to the area’s character, appearance and setting. Meanwhile, proposals also need to have regard to the setting of other designated assets, including listed buildings.

Finally, whilst reference has been made by a number of residents to the Lincoln City Centre Master Plan and a Design Brief therein for this site, this document has never been through a formal adoption process either prior to or as part of the adopted Local Plan, as such it is not a Supplementary Planning Document and does not carry any weight.

b) Assessment of the Implications of the Proposals

i) The Site Context and Submission

The application site is contained within the Cathedral and City Centre Conservation Area City Centre and is considered to have the potential to affect views into and within the Area. As such, the visual implications of the proposals for the site are key to the assimilation of development into its context and the creation of high quality built environment. As part of the application process, officers have worked with the applicant in order to ensure that the scale of the development would not have a detrimental impact upon townscape. The applicant has therefore investigated views within the city towards the application site. Meanwhile, in terms of the more immediate context, the applicant has provided two photovisuals of the indicative proposals inserted into their context.

ii) The Impact of the Development in its Wider Context

The information presented in relation to views has demonstrated that the proposals would not be visible from Pelham Bridge due to existing buildings and landscaping in the city. Furthermore, although the proposals would emerge in views in a westerly direction along Monks Road; from a southeasterly direction along Spring Lane; and South along Lindum Road, the impacts would not be harmful in the context of the townscape as the building would either be sat against the backdrop of existing townscape or would be no higher than that townscape. For example, the existing view southwards along Lindum Road shows buildings in the background beyond Danesgate House and the building would sit around the same height.



Existing



Proposed

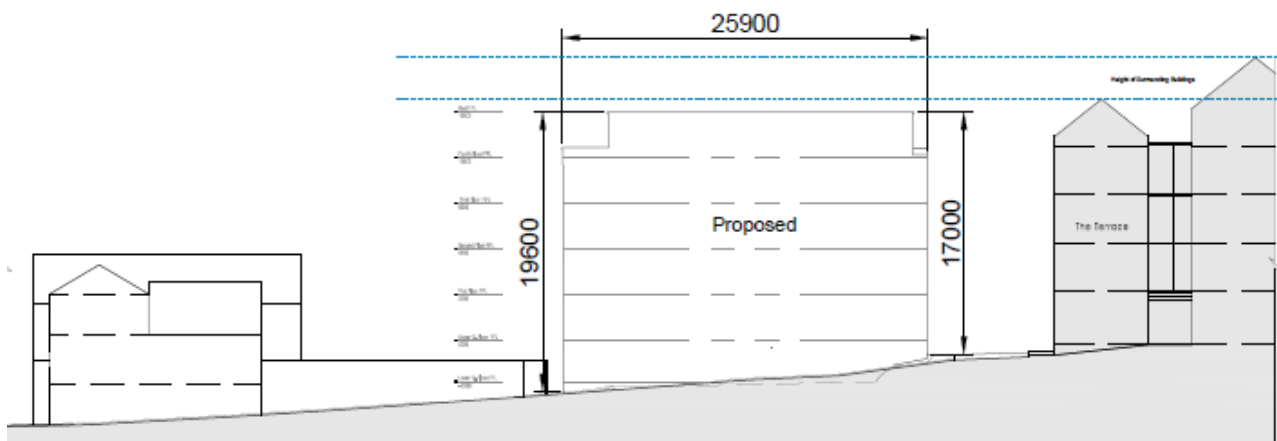
In light of the above, officers are satisfied that there would not be a harmful impact upon views into the Conservation Area as a result of the presence of the development. However, it would be important to ensure that the building is recessive in townscape to assimilate in those views.

iii) Implications of the Development in its Immediate Context

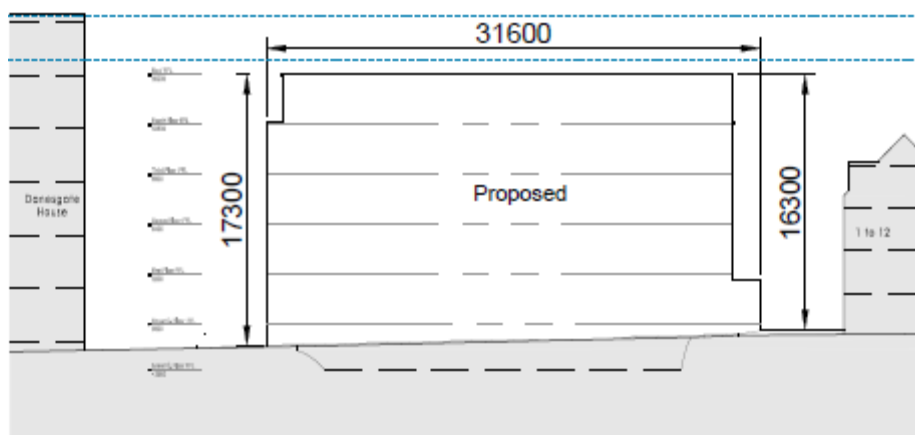
The Civic Trust, as well as residents, are concerned regarding the aesthetics of the building as the design of the building is not considered to be appropriate for its setting.

However, as Members will appreciate, the details shown in the application are only indicative and would need to be agreed through a subsequent application. This would be particularly important in respect of the entrances to the car park. Nonetheless, alongside its end use, the scale parameters included in the application will guide the future form and appearance of the building, as they are essential to demonstrating that a quantum of development can be accommodated in a suitable manner.

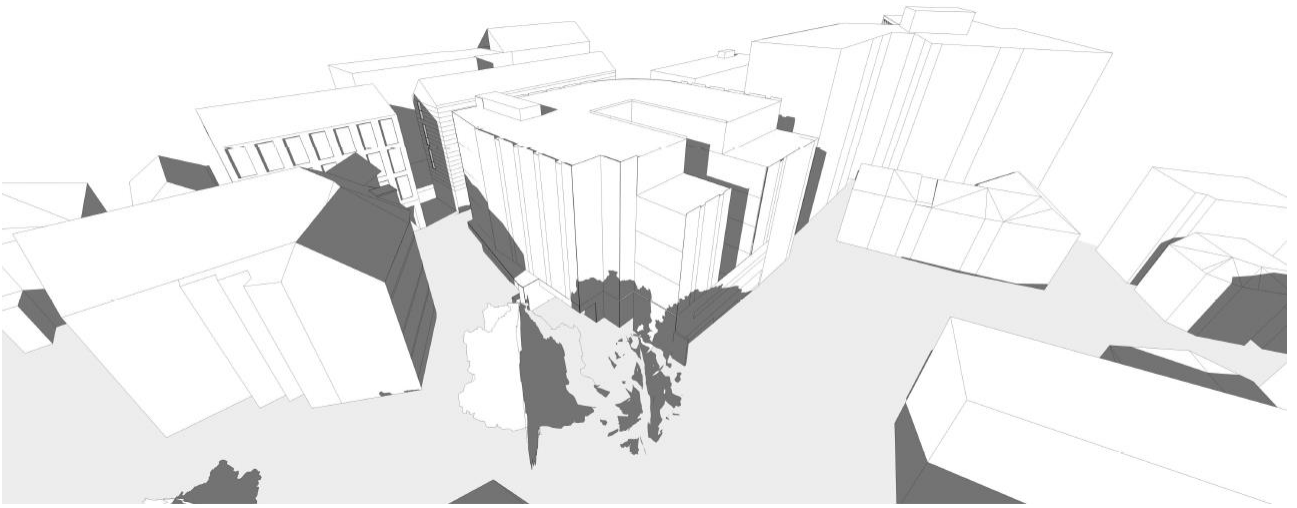
In terms of the scale of the building, it is clear that there are tall buildings within the vicinity of the application site, particularly to the northern side of Grantham Street, in the form of The Terrace, and to the opposite side of Flaxengate, with Danesgate House. Even so, as alluded to above in terms of the view analysis, the importance of getting the scale right within the application site has not been underestimated. Moreover, the details within the application have been amended to reflect officer concerns that the indicative form could not be accommodated without being uncomfortable within the street. The height of the building has therefore been reduced on the top floor and recessed back to lessen the impact of the scale of the building and set it below the roofline of The Terrace and Danesgate House. The original height is shown in blue:



Section through Site from Flaxengate



Section through Site from Grantham Street



Line Drawing of the Building in its Immediate Context from Elevated Position

At present officers remain to be convinced regarding the indicative design and share some of the reservations of residents but, as is evident from recent buildings erected in the city, it is possible to design tall modern buildings that sit well within their context. What the indicative details do show is that the inclusion of a recessed top floor will undoubtedly help to reduce the perceived scale of the building. However, this would be only one part of the design, which would need to incorporate suitable façade treatments to address the street edge and provide activity, to provide visual interest and to further break up the perceived mass of the building, particularly in views from the south and east:



The indicative design of the building viewed from the east



The indicative design of the building viewed from the south

iv) Other Matters Addressed in Comments

The loss of landscaping within the site is addressed elsewhere but it would not be expressly necessary to provide planting in the street in a location which is not typified by planting or street trees. Moreover, the use of appropriate materials and activity are often sufficient in tight street patterns to provide visual interest to stimulate users of the environment. Furthermore, the presence of a building abutting the pavement is not uncommon

c) Summary in Relation to this Issue

The proposals offer the opportunity to regenerate this important area with a high quality development that is suitably scaled to appropriately integrate with the surrounding townscape that contributes to the valued character and appearance of the conservation area. Therefore, it is considered that the proposal satisfies the duty contained within section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 'In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'. Furthermore, the proposal is in accordance with the guidance contained within paragraph 137 of the NPPF which advises that Local Planning Authorities should look for new development within a Conservation Area and within the setting of heritage assets to reveal or better enhance significance.

4) Implications of the Proposals upon Amenity

a) Relevant Planning Policy

In terms of national policy, the NPPF suggests that development that results in poor design and/or impacts upon the quality of peoples' lives would not amount to sustainable development. Consequently, the implications of both are key to the consideration of the acceptability of the principle of development within a given site. Moreover, the Framework (Paragraph 9) sees "seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life" as being important to the delivery of sustainable development, through "replacing poor design with better design" and "improving the conditions in which people live" amongst others. Furthermore, the core principles of the Framework (Paragraph 17) indicate that "planning should...always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

Policy LP26 of the Plan deals with design and amenity. The latter refers to the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy and suggests that these must not be unduly harmed by, or as a result of, the development. There are nine specific criteria which must be considered. The policy is in line with the policy principles outlined in Paragraphs 17, 59 and 123 of the NPPF. Indeed, Paragraph 123 of the Framework suggests that "decisions should aim to...avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development".

b) Concerns Expressed Through the Consultation Process

i) Concerns of Residents and Occupants of Buildings

Concerns have been expressed by occupants of the residential apartments adjacent and of the commercial premises within The Terrace. It is suggested that the proposals would result in direct loss of privacy, loss of light and outlook to those premises and result in an uncomfortable feeling of enclosure to the detriment of living and working due to the distance of the building to neighbouring properties. Furthermore, it is suggested that the height of the building would result in the creation of a dark draughty street.

The response to these matters will be set out below.

ii) Concerns of Other Landowners

The owner of the small car park accessed from Swan Street has suggested that he has been considering an application for the development of his land. However, the application needs to be considered in light of its impact upon the existing use or any approved development. As no such application has been submitted or approved, officers do not consider that there would be any harm caused by the development in respect of this land and there would not be a need to revise the application further.

c) *Assessment of the Implications of the Proposals*

i) Impacts of the Scale of the Building

A number of residents have raised concerns with respect to the scale of the proposed building and the impacts of the scale of the building on outlook, as well as the potential for loss of light into adjacent properties.

A number of residents have referred to the fact that their view would be obstructed across the site due to the development. Whilst, this is not a planning matter, issues of outlook are more relevant and the impacts upon properties can be considered as part of this report.

The dense urban context within which the area is situated would mean that one would not necessarily expect the same degree of protection of amenity in this context as in a suburban context. However, it is clear that there would be a considerable change in circumstances, including overshadowing and loss of light and outlook resulting from the development. In light of this, officers have considered the suggestion that the building should be reduced to 3-4 storeys in height and set back from its boundaries.

However, due to the dense urban grain of development, including the proximity of buildings to one another, it is considered that a 3-4 storey building set in from its boundaries would undoubtedly still result in some harm by the nature of the scale of the building and its proximity to other buildings and the street below. What is more, setting the building would appear at odds with the established grain of development as buildings are set at the back edge of the footpaths.

In light of the above, it would be necessary for officers to attribute weight to the harm that could be caused in the planning balance of the application and then recommend to Members whether this would be sufficient in its own right or with other matters to warrant the refusal of the application. However, there may be other considerations that could outweigh this harm. This will be addressed later in this report.

ii) Other Impacts of the Development

Residents have also raised concerns regarding the impact of noise from additional residents (particularly students). In addition, the construction of the development has also attracted concerns due to the potential for disturbance from works on site.

- Noise from the Development

The existing noise and disturbance associated with the site as a car park is not one that can be controlled by the Council. Moreover, the noise associated with comings and goings from the car park, cars idling and people returning to their cars (even at unsociable hours) are not possible to control. For the most part, this would remain for the development but some of the impacts would be contained within the building as the car park would be internalised.

Notwithstanding the above, the application suggests that there would be a single point of entry for pedestrians to the building (indicatively shown to the western side of the building). Due to the large number of occupants that the proposed development could house, there is potential for comings and goings associated with hotel, student or residential accommodation to be harmful to residents of the adjacent apartments, particularly at unsociable hours. However, as alluded to by the Council's Pollution Control Officer, this potential issue could be mitigated by implementing an appropriate level building management plan, such as a 24 hour concierge serving the main entrance/reception. This could be controlled by a suitable condition requiring that details of a management plan be submitted at the reserved matters stage to demonstrate how noise from this particular source will be mitigated.

At this time, it is not possible to be sure what plant and machinery, commercial kitchen extraction, or refuse storage may be required for the proposed use but the applicant has indicatively demonstrated that these can be located within the building but these would be close to neighbouring properties. As such, it would be appropriate to control these matters through planning conditions, including the collection hours for refuse and deliveries to the end users.

- Impacts of Construction

Given the proximity of the site to neighbouring properties, there is potential for the impacts of construction to disturb residents. As such, officers agree with the Council's Pollution Control Officer that it would be appropriate to ensure that adequate control measures are put in place. As such, it is recommended that a Construction Environmental Management Plan would be necessary, alongside working and delivery hours.

In particular, residents have raised concern regarding the potential impact of construction traffic. Given that the majority of the site would be developed, it is unlikely that construction vehicles could be accommodated within the site. Given the narrow nature of Grantham Street and requirement for access to neighbouring commercial businesses and residences, it is considered that it would be reasonable for the applicant to explain in the CEMP how it is expected that this issue would be managed to reduce disruption upon those living and working in the locality.

- External Lighting

As the site is close to residential properties, any lighting used to illuminate the building or its entrances may have an impact upon those residents. It is therefore important that this is appropriately designed not to have a detrimental impact upon neighbouring properties. It is therefore recommended that an appropriate scheme of lighting is controlled by planning condition.

- Crime and Anti-Social Behaviour

Concerns have been expressed in relation to the potential overlooking from the development and whether this would decrease security of surrounding properties. However, officers would suggest that a greater level of surveillance would actually improve security of the area.

Nonetheless, the consultation response received from Lincolnshire Police contains pertinent advice in relation to the proposed building including designing-in crime reduction measures within the site and building. It is considered that much of which is suggested can be dealt with through other planning conditions, including effective site lighting but the applicant should be made aware of these recommendations if Members are minded to grant permission for the application.

iii) Overlooking and Loss of Privacy

A number of residents have raised concerns with respect to overlooking / loss of privacy from the proposed development based on the indicative design proposed. However, as all of the details of the development are not fixed, it is not possible to determine whether the proposals would have a detrimental impact upon the occupants of existing properties from the perspective of overlooking / loss of privacy from windows as the final design and position of these is not known. Nonetheless, it would be possible at Reserved Matters to ensure that there would be sufficient controls in place to avoid unobscured windows directly facing into neighbouring windows and/or to present a window to window relationship similar to that already found within the immediate context.

d) The Planning Balance

Taking all the above in to account, it is considered that the proposed development of the site could be accommodated in the future in a manner that would not cause unacceptable harm in respect of most matters relevant to the protection of amenity. Moreover, with satisfactory controls over the design and layout of development at Reserved Matters and controls over the mitigation employed in relation to noise, plant / machinery and servicing / working, the proposals would be socially and environmentally sustainable in the context of the Framework and would accord with the policies in the Local Plan. However, it would be necessary to consider within the planning balance whether the harm that would be caused by the scale of the building would be sufficiently harmful to warrant refusal of the application.

5) Sustainable Access, Highway Safety and Air Quality

a) Relevant Planning Policies

i) Sustainable Access and Highway Safety

The impacts of growth are enshrined in the Core Planning Principles of the Framework (Paragraph 17), which expects planning to actively manage this growth “to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”. As such, Paragraph 35 requires that: “developments should be located and designed where practical to [amongst other things] give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones”.

A number of Local Plan Policies are relevant to the access, parking and highway design of proposals. In particular, the key points of Policy LP13 are that “all developments should demonstrate, where appropriate, that they have had regard to the following criteria:

- a) Located where travel can be minimised and the use of sustainable transport modes maximised;
- b) Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;
- c) Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing routes where opportunities exist, that give easy access and permeability to adjacent areas”

There are also transport measures referred to in Policy LP36, which more specifically refers to development in the ‘Lincoln Area’, the key measures add to and reinforce the criteria within Policies LP5 and LP13. As such, they are intended to reduce the impact upon the local highway network and improve opportunities for modal shift away from the private car. In particular, development should support the East West Link in order to reduce congestion, improve air quality and encourage regeneration; and improve connectivity by means of transport other than the car. Similarly, Policy LP33 also requires that developments do not result in “levels of traffic or on-street parking which would cause either road safety or amenity problems.” Moreover, the policy also highlights the importance of providing appropriate parking for vehicles and cycles for all users within developments; and that walking and cycling links are maintained and promoted.

Paragraph 32 of the Framework suggests that the residual cumulative impacts of the development would need to be severe for proposals to warrant refusal. This is reinforced by Policy LP13 of the Local Plan which suggests that only proposals that would have “severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.”

ii) Air Quality

Paragraph 109 of the NPPF introduces the section in relation to the conservation and enhancement of the natural environment. Given that the site is located adjacent within the Air Quality Management Areas (declared by the Council due to the likely exceedance of the national air quality objectives for nitrogen dioxide and particulate matter), this section of the NPPF should be given great weight. It states that “the planning system should

contribute to and enhance the natural and local environment by...preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability”.

Paragraph 120 sets the scene and refers to development being “appropriate for its location”. It goes on to say that “the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.” Paragraph 124 refers in more detail to the implications of the location of development within an Air Quality Management Area and requires that “planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan”.

Meanwhile, Local Plan Policy LP13 also refers to air quality and requires that “all developments should demonstrate, where appropriate, that they...ensure allowance is made for low and ultra-low emission vehicle refuelling infrastructure.”

b) Sustainable Access and Highway Safety

Residents have raised concerns regarding the existing traffic in the locality associated with the present multitude of mixed uses. It is suggested that severe traffic will ensue from the car park entrances and cause safety issues. There are conflicting views regarding the car parking as highlighted elsewhere in this report, as some suggest that parking should be reduced or controlled. However, the impact of the parking from the development would be largely consistent with the existing arrangements, except that there will be 14 spaces on the lower floor accessed from Flaxengate and 18 spaces on the upper floor accessed from Grantham Street.

The Highway Authority has not noted any incidences of accidents involving the use of the existing access or raised any concerns regarding issues of visibility from the proposed accessed. Similarly, they have not raise any concerns regarding the implications upon traffic capacity or requested a reduction or increase in parking within the site. In light of this, officers consider that it would be difficult to raise concerns regarding the development.

c) Air Quality

Whilst there has been no specific supplementary planning guidance produced in relation to air quality, the quality of air throughout the city has been monitored, and the clear goal of the City’s action plan is to improve air quality.

The site is currently occupied by a surface car park and although the quantum of development proposed may make direct use of the reconfigured parking it may also add to existing pressures. A resident has requested that an Air Quality Assessment is carried out for the development but this has not been requested by the Council’s Pollution Control Officer and officers consider that this would not be proportionate to the development, particularly as the development could be car-free due to its central location.

Nonetheless, there is potential to make a positive contribution to air quality through the development. Whilst there are sound reasons why an operator may not currently make use of electric vehicle charging points within the car park at present, including vandalism, the security offered by a permanent building would provide an opportunity to enhance

provision at the site. It is with this in mind that officers consider that it would be appropriate to request the developer to provide a scheme to include one or more charging points for electric vehicles within the development.

6) Other Matters

a) *Site Drainage*

Policy LP14 of the Local Plan deals with foul and surface water disposal. This links closely to the Framework, which deals with flooding at Paragraph 103. It is proposed that the development would be connected to the mains foul sewer and Anglian Water has suggested that there could be a harmful impact downstream from the development, unless the application includes a scheme to address its impact. Similarly, whilst the Lead Local Flood Authority has not raised any concerns with respect to surface water drainage, Anglian Water do raise concerns. However, the impact in this regard is would not be greater as the site is already hard landscaped and there is potential for rainwater to be reused as part of the development.

In light of this, officers consider that the design of both schemes can be agreed by planning condition and would not be in conflict with the environmental dimension of sustainability outlined in Paragraph 7 of the Framework.

b) *Land Contamination*

i) Relevant Planning Policy

As with air quality, Paragraph 109 of the Framework also refers to contamination. Paragraph 120 expands upon this and suggests that “to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.”

In addition Paragraph 121 states that planning decisions “should also ensure that:

- the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
- after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- adequate site investigation information, prepared by a competent person, is presented.”

In terms of Local Plan policies, given the location of the site, Policy LP16 directly refers to the requirements of development in relation to contaminated land.

ii) Assessment of the Implications of the Proposals

The application is not supported by a report into contamination so it would be necessary for this matter to be dealt with by planning conditions. Moreover, further detailed information will be required before built development is undertaken.

However, it is likely that the proposals would result in lowering of the site for one of the levels of parking, which would lead to remediation of any contamination. In light of this, officers are advised that planning conditions should be imposed to deal with land contamination.

7) Planning Balance

Paragraph 14 of the Framework sets out a presumption in favour of sustainable development which for decision taking means that where relevant policies of the development plan are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework, taken as a whole; or specific Framework policies indicate development should be restricted. There are no restrictive policies that would lead to the proposals not being sustainable. However, a conclusion whether a development is sustainable is a decision that has to be taken in the round having regard to all of the dimensions that go to constitute sustainable development.

In this case, officers consider that the principle of the development of the uses proposed within the site would be acceptable and these developments would deliver economic and social sustainability directly through the construction of the development and the uses proposed therein; and indirectly through the occupation of or use of the floor space within the building. Moreover, the variety of the uses proposed bring separate benefits but all are linked to economic and social sustainability:

- Additional hotel bed spaces available within the city would provide greater opportunities for visitors and tourism within the city, contributing to direct spending and indirect trading with businesses located in the city;
- Whilst the Council currently has a five-year supply of housing, the location of additional residential development in a sustainable location would not undermine this position, rather it would provide additional choice, would benefit the mixed use nature of the locality and promote direct spend by residents;
- The opportunities available for office-based businesses to locate themselves in the city would support the economy of the city; and
- The provision of additional purpose-built student bed spaces available in a location relatively close to both universities in the city should hopefully reduce the dependency further upon houses in multiple occupation (this would also improve environmental sustainability).

It is clear from the main body of the report that the proposed building could not be accommodated within the site without causing some harm to the amenities that the occupants of neighbouring buildings would expect to enjoy. Moreover, the scale of the building would almost certainly overshadow and result in loss of light to neighbouring properties; and would be somewhat overbearing. Equally, it is also clear that it would not be reasonable to preserve the site in aspic or unnecessarily restrict development; both matters are important in the context of sustainable development.

In this instance officers would advise Members that the planning balance should tip in favour of the proposals as greater weight should be afforded to the long term implications of the enhancement that would be brought to the conservation area, as well as the potential stimulus that the proposals could be for further wider enhancement of the historic townscape. This is particularly important given the proximity of Grantham Street to the High Street. As such, although officers sympathise with the owners and occupiers of the properties adjacent, the harm that could be caused to the amenities that they would expect to enjoy would not be sufficient to outweigh the presumption in favour of sustainable development or tip the planning balance against the application.

There is no evidence to suggest matters of congestion or road safety and the impacts upon air quality would warrant refusal of the application due to the social or environmental sustainability of the development. Furthermore, with a suitably designed development, the implications upon the character of the area and the residential amenities of near neighbours would not have negative sustainability implications for the local community, as they would lead to a development that would be socially sustainable. As such, with suitable schemes to deal with drainage, archaeology, contamination, noise and air quality, the development would be environmentally sustainable.

Thus, assessing the development as a whole in relation to its economic, social and environmental dimensions and benefits, officers are satisfied that the benefits of developing this site would, in the long-term, be more important than the potential impacts of not doing so. As such, it is considered that, in the round, this proposal could be considered as sustainable development and would accord with the Local Plan and Framework, sufficient for the recommendation of officers to be that suitable planning permission should be granted subject to planning conditions.

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

Yes additional information provided and the scheme revised following officer feedback.

Financial Implications

The proposals would offer benefits to economic and social sustainability through spend by new and existing residents and visitors, jobs created/sustained through construction and the operation of the development respectively. In addition, if there would residential properties that would be subject to council tax payments or business rates for other uses. What is more, the Council would receive monies towards the upgrade of strategic playing fields and local green infrastructure; and potentially contributions toward the County Council for education.

Legal Implications

None.

Equality Implications

None.

Conclusion

The presumption in favour of sustainable development required by the National Planning

Policy Framework would apply to the proposals as there would not be conflict with the three strands of sustainability that would apply to development as set out in the planning balance. Therefore, there would not be harm caused by approving the development. As such, it is considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions outlined below.

Application Determined within Target Date

Yes, subject to extension of time.

Recommendation

That the application is approved, with authority delegated to the Planning Manager to formulate Planning Conditions covering the matters referred to below:-

- Timeframe of the application (for outline permission);
- Requirements of Reserved Matters;
- Archaeology;
- Schemes to deal with the mitigation of impact upon Education, Local Green Infrastructure / Strategic Playing Fields and Affordable Housing;
- Scheme for Future Management of the Building;
- Details of External Plant and Machinery (including Extraction);
- Refuse Collections and Deliveries (End Users);
- Construction Management Plan;
- Working and Delivery Hours for Construction;
- External Lighting;
- Contaminated Land;
- Electric Vehicle Recharging;
- Schemes to deal with foul and surface water;
- Scheme for Cycle Parking.

Report by Planning Manager