



Historic England

EAST MIDLANDS OFFICE

Ms Amy Davies
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Direct Dial: 01604 735460

Our ref: P00710370

1 December 2017

Dear Ms Davies

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**27-29 CLASKERGATE, LINCOLN
Application No. 2017/1181/FUL**

Thank you for your letter of 13 November 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

The planning application is for the proposed demolition of 27-29 Clasketgate and the erection of a six storey 63 bedroom hotel and restaurant. The development site also lies within Cathedral and City Centre conservation area and within the setting of highly designated heritage assets including Lincoln Roman Colonia.

Our advice is given in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (NPPF), the Planning Practice Guide and the Historic Environment Good Practice in Planning Notes 2 and 3.

We believe that insufficient information has been provided to fully assess the potential impact of the proposal on the significance of heritage assets, including potential archaeological remains of national importance (paragraph 128 NPPF).

Notwithstanding the sufficiency of information submitted in relation to the significance of 27-29 Clasketgate at this stage, in our view the building contributes positively to the character and appearance and overall significance of the Cathedral and City Centre conservation area. We advise that the total loss of this building would result in harm to this significance. It is also our view that the proposed new development would neither preserve nor enhance the character and appearance of the conservation area, nor would it make a 'positive contribution to local character or distinctiveness' (Paragraph 131 NPPF).



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In line with the NPPF, in determining this planning application it will be for your authority to weigh the degree of harm caused to the heritage assets affected against any public benefits deriving from the proposed scheme, and to consider whether clear and convincing justification has been provided.

Historic England has concerns regarding the application on heritage grounds as outlined above. If you propose to determine the application in its current form, please treat this as a letter of objection.

Historic England Advice

Significance

The Cathedral and City Centre Conservation Area was designated in 1968, and 27- 29 Clasketgate lies on a corner plot bounded by Clasketgate and Flaxengate within this designated area. The building which is thought to date from the early C18 (HER entry) is a non-designated asset which, in our view, makes a positive contribution to the character and appearance of the conservation area as an early C18 building of townscape merit. The rear range in particular has a steeply pitched roof which indicates an early form.

There is no Conservation Area Appraisal for the City and Cathedral Conservation Area, but a character statement has been produced by the local planning authority which covers the High Street Character Area. This statement notes that *buildings in this character area are almost entirely 2-3 storeys in height, with a handful of exceptions. Small stepped changes in height emphasise the individual buildings within strong building lines, adding to the varied townscape.* The townscape on Clasketgate itself is varied, buildings are largely commercial with shop fronts at ground floor level being recurring features. Buildings are typically 2-3 storeys in height, with two buildings on the south side of 4 storeys. We acknowledge that Danesgate House is 6 storey, however, we consider that this is an anomaly in relation to the surrounding townscape and clearly doesn't reflect the character and appearance of the conservation area.

Impact of the proposed scheme

There are three aspects of the proposal to consider - the impact of the proposed demolition of 27-29 Clasketgate, and the impact of the proposed new development on the character and appearance of the conservation area and archaeological remains.

Proposed demolition

The accompanying Heritage Statement identifies 27-29 Clasketgate as dating to the early C18, however, in our view it does not provide a robust analysis of the significance of the building, for example the phasing of the building (the rear range looks to be potentially older than the front range). An internal assessment of the building would assist in fully understanding the building's age, phasing and significance. In our view, the Heritage Statement does not provide sufficient





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information to fully understand and assess the impact of the proposal upon the heritage assets affected, including any contribution made by their setting, in line with paragraph 128 of the NPPF. We therefore recommend the applicant submits further information to address this important issue.

The report acknowledges the proposal would cause substantial harm to the locally significant 27-29 Clasketgate. It concludes that this will be offset by a built heritage survey and programme of recording. We strongly disagree with this statement. Paragraph 141 of the NPPF states that the ability to record evidence of our past should not be a factor in deciding whether loss should be permitted.

Notwithstanding the sufficiency of information provided at this stage, in our view, the proposed demolition of 27-29 Clasketgate would be harmful to the character and appearance of the Cathedral and City Centre Conservation Area through the total loss of this non-designated heritage asset.

New Development

The proposed new building is 6 storeys in height, in a mixed palette of materials which includes a buff brick cladding, standing seam roof, and glazed clerestory. Overall the proposed building does not reflect the prevailing character and appearance of the conservation area, particularly in terms of its scale/storey height and form. This is particularly the case along Clasketgate, the higher status street, with the majority of buildings being smaller scale, predominately 2-3 storey in height, with some buildings rising to four storeys.

We consider that the scale of the proposed building would have a negative impact upon the character and appearance of the conservation area. In particular, when viewed from Clasketgate, the proposed building would appear overbearing in relation to nearby buildings and surrounding townscape which reflect the character of the conservation area, by virtue of its scale and massing. The proposed roof profile, including the large area of glazing with a standing seam element to the rear, would in our view, not sit harmoniously within this context. Another 6 storey building seen in close conjunction with Danesgate House would significantly amplify the harm caused by anomalous tall structures in this area when seen in views from within the conservation area including from uphill Lincoln.

If your authority was to consider that archaeological impacts could be avoided and the loss of the existing building was acceptable, based on sufficient further information and further advice, then we consider that the harm caused by the proposed new building could be avoided by reducing its height by 2 storeys to better reflect the scale of the surrounding townscape and amending the design and form of the roof structure.

Archaeological assessment

Contrary to the assertion in the report submitted in support of the application, the site



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has evident high potential for remains of national importance as demonstrated by the survival of such remains relating to the Roman and later lower city found both in the nearby areas designated as a Scheduled Monument and elsewhere; including on land directly adjacent to the proposed development area. The application is not supported by sufficient information to allow your authority to adequately assess the impact upon, and mitigation options for, the historic environment in respect of buried archaeological remains (NPPF paragraphs 128 and 129). There is not sufficient information to understand the corresponding archaeological setting impacts of the proposed development upon the significance of the Scheduled Monument comprising the designated parts of the remains of the Roman city (Li115) (NPPF paragraphs 132 and 134). Furthermore given the likelihood that the development area may contain remains of demonstrably equivalent importance to those designated as a Scheduled Monument it is not possible on the basis of the submitted material for your authority to effectively apply paragraph 139 of the NPPF (and hence, if demonstrated, paragraphs 132, 133 and 134) in respect of such remains as are likely to survive in the proposed development area.

The development as set out in the submitted materials including the landscaping and drainage arrangements clearly demonstrates a scale and depth of intrusion which, on the basis of the results of past excavation on adjacent ground, would lead (if permitted) to the loss of similar remains in the development area. There is nothing in the material presented regarding previous structures and intrusions within the development site which would lead us to believe that the potential for survival of remains up-to and including remains of national importance is compromised. Archaeological remains should in line with paragraphs 135, 139 and 141 be treated proportionately to their importance, something your authority would be unable to do at present as the submitted investigations are insufficient in terms of paragraphs 128 and 129 of the NPPF.

Legislation, policy and guidance

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

The courts have held that considerable importance and weight must be given to this consideration.

Your authority should aim to achieve the objective of sustainable development which means development that achieves social, economic and environmental gains. Conservation of the historic environment is recognised as one of the 12 core principles of sustainable development in the NPPF.





The importance attached to significance with respect to heritage assets is also recognised by the Government's National Planning Policy Framework and in guidance, including the Planning Practice Guidance. The NPPF defines significance as 'The value of a heritage asset to this and future generations because of its heritage interest'. That interest may be archaeological, architectural, artistic or historic.

Significance can be harmed or lost through development and any harm or loss to significance 'should require clear and convincing justification' (paragraph 132, NPPF).

Paragraph 131 of the NPPF, reminds us that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness

We also refer to paragraphs 137 and 138 specifically with regard to conservation areas. In accordance with paragraphs 132 and 134 of the NPPF it will be for your authority to consider the justification put forward for this scheme, and to balance all planning matters, including any public benefit that may accrue from the proposal, and attaching appropriate weight to heritage matters as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 Act and the NPPF.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We strongly recommend that further information is sought on the significance of the heritage assets affected, including archaeological remains of potentially national importance, and that the impact of the proposal on the significance of heritage assets affected is fully assessed. Notwithstanding the lack of information provided at this stage we believe that the total loss of 27-28 Clasketgate would be harmful to the character and appearance of the Cathedral and City Centre Conservation Area. It is also our view that the proposed new development would neither preserve nor enhance the character and appearance of the conservation area, nor would it make a 'positive contribution to local character or distinctiveness'. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 128,131,132,134,135,137,139 and 141 of the NPPF.

Your authority should take these representations into account and seek amendments,





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safeguards or further information as set out in our advice. Please consult us when further information is submitted as outlined above.

If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Yours sincerely



Rose Thompson

Assistant Inspector of Historic Buildings and Areas

E-mail: rosemary.thompson@HistoricEngland.org.uk

cc: Sarah Harrison, City of Lincoln Council
Alastair MacIntosh, City of Lincoln Council



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Consultee Comments for Planning Application

2017/1181/FUL

Application Summary

Application Number: 2017/1181/FUL

Address: 27-29 Clasketgate Lincoln Lincolnshire LN2 1JJ

Proposal: Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces.

Case Officer: Amy Davies

Consultee Details

Name: Ms Catherine Waby

Address: St Mary's Guildhall, 385 High Street, Lincoln LN5 7SF

Email: lincolncivictrust@btconnect.com

On Behalf Of: Lincoln Civic Trust

Comments

OBJECTION

The Committee felt that the site was prime for redevelopment but that the application was too large and dominated the street scene. Rather than producing a bridge between uphill and downhill as quoted in the 'Design & Access Statement', we felt it created a barrier between the two parts of the city.

Our objections are:

1. The overall mass of the structure is too large
2. The design is one storey too high
3. It has the appearance is of a nondescript office block and the design could have been more distinctive. (to refer to it as having Contemporary Art Deco features is pushing the boundaries)
4. No parking provision with the nearest car park being Broadgate
5. No drop-off arrangement for cars or coaches

With regard to the Car Parking, we do not understand the comment in the statement regarding transport which read as the city is well served by public transport, it is not anticipated that a large number of parking spaces will be necessary. A Hotel means visitors coming to the city. MOST visitors planning to stay overnight in Lincoln will arrive by private transport and it would appear that this has obviously not been understood and has not been considered in creating the proposal.

On the positive side we applaud the re-development of the site and the addition of a roof-top restaurant.

Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2017/1181/FUL

With reference to this application dated 11 November 2017, relating to the following proposed development:

Address or location

27-29 Clasketgate, Lincoln, Lincolnshire, LN2 1JJ

Date application referred by the LPA
13 November 2017

Type of application: Outline/Full/RM/
Full Planning Application

Description of development

Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces

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

- Does not wish to restrict the grant of permission.
- Requests that any permission given by the Local Planning Authority shall include the conditions below.
- Requests that the Local Planning Authority refuses the application for the reasons set out below.
- Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

CONDITIONS (INCLUDING REASONS) /REASONS FOR REFUSAL/ADDITIONAL INFORMATION REQUIRED

H100 - In respect of the proposed site details as shown on the submitted plans, elevations and 3D images, albeit indicative, it is evident that some of the design features on the buildings front facades encroach on to the adoptable highway, where pedestrians will be in conflict with these obstacles.

Therefore, it would be reasonable to request the applicant to provide revised design details at this stage to resolve the concerns this Authority has on providing a safe passage for all users.

Additionally, Clasketgate and Flaxengate have restricted parking zones on them and we would ask the applicant to provide details on what arrangements are to be provided to service the hotel, specifically outlining the hours of deliveries, expected types and numbers of vehicles generated during a typical working week, to enable the Highway Authority to fully consider and assess the potential cumulative impact of this proposal upon the highway.

We are aware that only a limited amount of parking provision has been provided for this development, as sufficient parking is available within close proximity of the site to the City Centre of Lincoln, including adequate public transport. However please would you ask the applicant to advise on who will require these 5 spaces under the hotel.

Case Officer: Dean Whitehead

Date: 04th December 2017

for Warren Peppard
County Manager for Development

Environment & Economy

Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail:Highwayssudssupport@lincolnshire.gov.uk



To: Lincolnshire County Council

Application Ref: 2017/1181/FUL

With reference to this application dated 11 November 2017 relating to the following proposed development:

Address or location

27-29, Clasketgate, Lincoln, Lincolnshire, LN2 1J

Date application referred by the LPA
13 November 2017

Type of application: Outline/Full/RM/
FUL

Description of development

Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces

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

Requests that any permission given by the Local Planning Authority shall include the conditions below.

CONDITIONS (INCLUDING REASONS)

HI08

Please contact Lincolnshire County Council Streetworks & Permitting team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.

HP19A

The arrangements shown on the approved plan Proposed Ground and First Floor Plans dated October 2017 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Clasketgate and Flaxengate and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

HI00

Please contact Lincolnshire County Council Highways Network Team on 01522 782070 to obtain an oversailing license for the signs and canopies over the footway, under Section 177 of the Highways Act 1980.

Note to Officer

Please condition that the information regarding types of delivery vehicle and delivery times must be submitted prior to the restaurant and hotel opening, when the operators are known. All deliveries and refuse collection are to be on Flaxengate and may be subject to restricted delivery times to minimise disruption to highway users.

Case Officer:

Becky Melhuish

for Warren Peppard

Flood Risk & Development Manager

Date: 19 April 2018



LINCOLNSHIRE POLICE

POLICE HEADQUARTERS
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Your Ref: App. 2017/1181/FUL

17th November 2017

Our Ref: PG//

Planning Department
City Hall, Beaumont Fee
Lincoln LN1 1DF

Re: 27-29 Claskergate, Lincoln, Lincolnshire, LN2 1JJ

Thank you for your correspondence dated 13th November 2017 and the opportunity to comment on the proposed development. I have studied the online plans and would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the development on this site.

Lincolnshire Police has no formal objections to the planning application.

Reception / Entrances

This area should be well illuminated and welcoming with the reception staff able to with a clear view of the approaches to the entrance.

I would recommend that the entrance to the reception is an 'air lock' system whereby two sets of doors are used; the first opening will allow a visitor through into a secure vestibule operated by way of controlled form of access with the capacity for entrance to be gained once the first door is secured. Such a considered system will reduce the opportunity for any 'follow through' access by any unwanted access and would provide safety, security and reassurance to staff and guests. The reception should provide suitable staffing or alternative measures or operating systems to allow for 24/7 supervision of security and access to the hotel.

Signage.

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



Vehicle parking.

Vehicle parking should ideally conform to the standards set out by the police service's 'Park-mark' criteria for safer parking, whilst not a requirement for Secure by Design status it is a good standard to achieve.

It is not clear whether access to the under-croft parking area has any form of secure and monitored access control which would be recommended.

Lighting

Lighting should be co-ordinated with an effective CCTV system and any light fittings protected against vandalism. The overall lighting scheme should be well considered and evenly distribute light avoiding dark shadows ,provide good colour rendition, and not cause glare or light pollution and effectively support formal and informal surveillance within the hotel.

A good lighting system can be cost effective and ensure that there will be a witness to any intrusion. It should allow staff and guests to feel secure and safe. Importantly it should make intruders feel vulnerable and that there is an increased likelihood of being challenged.

Internal Lighting

It is advised the majority of internal lighting is linked to detection devices that turns lighting on and off as required based on movement activity. This type of system reduces energy consumption and will identify the presence and progress of intruders in the building when closed.

Lighting should be designed to cover all external doors

Landscaping

Boundaries between public and what is private space should be clearly defined and open accessible spaces should not allow for any unintended purpose which may cause any form of anti-social behaviour or nuisance. I would recommend that these spaces are defined clearly by low level (carefully considered) planting of limited growth height and maintenance shrubbery (maximum growth height of 1m).

External Doors & Windows

The Secured by Design requirement for all external door sets is PAS 24:2016 (doors of an enhanced security).

All windows must conform to improved security standard BS 7950:1997 All ground floor windows should be laminated safety glazing (BS EN 356 2000 rating P2A) (6.4mm minimum) in windows below 800mm (from floor level) or 1500mm if within 300mm of a doorframe.

All windows should include easily lockable hardware unless a designated fire egress route.

Windows should have secure restraining devices (this is particularly to be recommended on the ground and first floor accommodation to deter and prevent unwanted access.

Consideration to top down or bottom up hinges (subject to fire regulations).

CCTV System

A comprehensive monitored CCTV should be included throughout the site with appropriate signage.

Should it be considered appropriate a police response monitored system to with installation to EN 50131-1, (PD6662 Scheme for the implementation of European Standards), or BS 8418 for a detector activated CCTV system.

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

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

Yours sincerely,

John Manuel
Force Crime Prevention Design Advisor



Our ref:jw961

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]

73 Nettleham Road
Lincoln
LN2 1RT

9 December 2017

Attn: Mr Kieron Manning, Planning Manager
City of Lincoln Council
City Hall, Beaumont Fee
Lincoln
LN1 1DF

Dear Mr Manning

OBJECTION to Planning Application 2017/1181/FUL: Hotel on Clasketgate, Lincoln.

I am an adjoining owner to this proposed development. However, I would still have submitted this objection even if I did not have a direct interest in this site.

I own a small private car park abutting it immediately on the west, which has been in my family's possession since the 1930's. The whole of the east boundary of my land shares a boundary with this proposed development, which has a ground floor approx. one storey lower than my land. There is thus a retaining wall up from the Applicants site to the level of my site.

My comments are delayed because I regret I was not informed of this planning application, despite being an adjoining owner.

Planning Background

In 1998, the City of Lincoln adopted an admirable **Lincoln Local Plan** that included Policy 19A that dealt with sites at Flaxengate. This encouraged small scale uses on the **ground floor** of new developments, including small shops, restaurants, cafes, pubs, business etc. A pedestrian dominated environment was to be encouraged.

The Lincoln Townscape Assessment was produced in 2012. All current development proposals should take this assessment and any subsequent guidance into account.

The **Lincoln Local Plan** has been superseded, but **The Lincoln City Centre Master Plan** was produced about 5 years ago. Although it does not have statutory status, it should be regarded as relevant guidance. The Council's excellent vision for the area remains much the same as in the 1998 plan, included developing the area as part of the city's cultural quarter, promoting creative industries/incubator business, capacity for home working, and promoting active street frontages through mixed use development and servicing to the rear

The Council's Design Brief on the Applicant's site envisaged along the west side of Flaxengate, a number of 8m wide 3-4 storeys mixed use buildings, to reflect the typical street scene in this area. Specifically along Flaxengate it suggested some sort of cultural activity with flats above.

Although the relevant statutory plan is now **The Central Lincolnshire Local Plan, April 2007**, which is less prescriptive and has more generic policies, one would have expected that this development would have made some attempt to reflect the City Council's vision for this area. **Regrettably, this detailed application bears no relation at all to the Council's vision, and is a gross overdevelopment of the site, with complete disregard for previous policies for the historic environment and street scene, and for the amenity of and effect on adjoining owners and residents.**

I therefore object for the following detailed reasons:-

City of Lincoln Conservation Area No.1 - Cathedral & City Centre

This application is sited within this area of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance. Conservation area protection extends beyond buildings, to include streets, trees, paths and views.

This development should therefore reflect the intention of the conservation area, be sensitive in design, and make a positive contribution to the area. Regrettably it does none of this. I agree with Historic England that *'this proposal would neither preserve nor enhance the character and appearance of the conservation area, nor would it make a positive contribution to local character and distinctiveness'*.

In summary it is a **massive overdevelopment of the site, occupying the whole area right up to the pavement and adjoining boundaries. The scale and mass of the building is far too large, it is much too high, and the design is uninspiring. The design and the intended use does nothing to contribute to the special character of the area**, which is in the Cultural Quarter of the City, and which Lincoln City promotes for its emphasis on theatre, museums, art, music, small shops, cuisine, bars and cafes.

Impact on Adjoining Owner

My land is accessed from Swan Street, which is a narrow and inclined cobbled street that still retains some of the original character. I have recently been considering whether to apply for a development with small ground floor units such as artists and craft workshops and shops, and with a limited residential development above, broadly in line with the Lincoln Centre Master Plan. However, this application is sited virtually on my boundary, and has windows effectively up to 5 floors in height above and overlooking my site. This will harm my development rights, and effectively damage and reduce the use of my land for residential purposes.

This development needs to be set back much further from my boundary, there should be no windows facing and overlooking my site, and the height should be much reduced

Loss of the Existing Building on the Site

The existing building at No 27 to 29 Clasketgate on the development site is 2 storeys. It fits the street scene, and has significant historical value. Its destruction would be a major and important loss of architectural heritage to the area, as well explained by Historic England.

Effect of Excessive Height on the Street Scene

The Applicants Design and Access Statement correctly states that *the site is located on a prominent junction, the site is clearly visible when travelling west along Clasketgate towards the centre of Lincoln*. This statement then attempts to justify the 6 storey height of the hotel by stating that *the small scale of the existing buildings on site appears out of place in comparison with the Danesgate student accommodation and other buildings lining Clasketgate*.

This statement is not correct. As Historic England points out, the townscape on Clasketgate is varied, and buildings are typically 2 to 3 storeys in height, with only two buildings of 4 storeys on the south side, and typically with shop fronts on the ground floor. I regard the 6 storey Danesgate House as an unfortunate anomaly, as does Historic England.

Immediately opposite this proposal on the south side is the listed Ye Olde Crown Pub, with 2 storeys that are half-timbered with brick in-fill, and dormer windows in the roof. The Akrill office block that abuts on the west is 3 storey, with 2 storey shops beyond, and these continue as 2 storeys all the way to the Theatre Royal. Immediately across Flaxengate on the east is a brick 3 storey pitched roof traditional apartment block.

It would therefore be much more correct to state that **the large scale of this proposed development and of Danesgate student accommodation appears out of place in comparison with other buildings lining Clasketgate**.

The proposed hotel will be highly visible when travelling east or west along Clasketgate and will significantly overtop the surrounding buildings. The marginal 'softened' roof line will do nothing to lessen this appearance when viewed from a distance. The claimed advantage of the roof top restaurant with wide views across Lincoln is only obtained by significantly overtopping adjoining buildings, to their disadvantage and to that of the entire street scene

This proposal should therefore be reduced in height by at least 2 storeys

Effect of Excessive Bulk and Design

This proposal is too large and will dominate the street scene. The Design and Access Statement attempts to mitigate this by stating that it will produce '*...a bridge between uphill and downhill...*'. No evidence is produced to substantiate this extraordinary statement. In contrast, it seems to create a barrier between uphill and downhill

Comments on the appearance of the elevations of the proposal are obviously personal. I find that the attempted 'Art Deco' façade is crude and brash. It does not reflect the character of Lincoln at all, except that found in some suburban developments. It has no relation to the vernacular of the current adjacent street scene, and will produce a jarring intrusion completely out of sympathy with its surroundings.

Use of the building

The Lincoln Local Plan excellently envisaged small scale uses on the **ground floor** of new developments, including small shops, restaurants, cafes, pubs, business etc., along the local streets. This proposal effectively sequesters a long local frontage from these types of public uses that would enhance and liven the area. It effectively reserves and sterilises this frontage only for its hotel guests, and a few cars.

Loss of Car Parking

It is surprising that the promoters of this development are only providing 5 car parking spaces for a 63 bedroom hotel, as most visitors to Lincoln who stay overnight will arrive by car. The current NCP public car park in Grantham Street has 30 parking spaces, and is well used, but may be built over if a current development proposal is approved. The next nearest car park is a small one next to the Collection but this is usually full all day. The large Broadgate car park is the next most obvious car park, but it is difficult to cross Broadgate, and visitors to the hotel will find it very inconvenient.

Additionally, many evening diners will prefer to bring their own cars, and may be deterred if there is nowhere to park.

Other Design Details

- a) **Drop off areas:** A hotel of this size will need a dedicated drop-off and collection area for cars, coaches and taxis. Taxis in particular will need areas where they wait to collect customers. There is no provision for this, and hence Flaxengate and surrounded streets will accumulate waiting vehicles
- b) **Goods delivery and collections:** A hotel of this size needs constant servicing with deliveries and collections. It is surprising that there is no on-site area for this, and that all service vehicles will have to park on the road in Flaxengate.
- c) **Waste Storage:** there will need to be substantial areas for the collection and storage of waste. The indicated area at the back of the hotel appears to be inadequate
- d) **Plant Noise and Odours:** There are residential properties close to this proposed development. Noise from air extraction, kitchen ventilators etc may therefore be a problem.

Relevant Policies in the Central Lincolnshire Local Plan

This application conflicts with many policies in this statutory Local Plan, particularly as highlighted:-

Policy LP25: The Historic Environment, Conservation Areas

Development within, affecting the setting of, or affecting views into or out of, a Conservation Area should **preserve (and enhance or reinforce it, as appropriate) features that contribute positively** to the area's character, appearance and setting. Proposals should:-

- m). **Retain and reinforce local distinctiveness** with reference to height, massing, scale, form, materials and lot widths of the existing built environment;
- n). **Assess, and mitigate against, any negative impact** the proposal might have on the townscape, roofscape, skyline and landscape;

Policy LP26 Design and Amenity

Design Principles

All development proposals **must take into consideration the character and local distinctiveness** of the area (and enhance or reinforce it, as appropriate) and create a sense of place.

- c). Respect the existing topography, landscape character and identity, and **relate well to the site and surroundings**, particularly in relation to siting, height, scale, massing, form and plot widths;
- j). **Duly reflect or improve on the original architectural style of the local surroundings**, or embrace opportunities for innovative design and new technologies which **sympathetically complement or contrast with the local architectural style**;

Amenity Considerations

The amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

- m). **Compatibility with neighbouring land uses**;
- n). **Overlooking**;
- o). **Overshadowing**;
- p). **Loss of light**;

Policy LP29: Protecting Lincoln's Setting and Character

Proposals for development should **seek to make a positive contribution to the built and natural environment and quality of life** in the Lincoln area. All development proposals should contribute to the realisation of the following key principles, taking into account the Lincoln Townscape Assessment (2012), and any subsequent guidance:

- c). 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**;

Conclusion

This outline application is a gross and inappropriate overdevelopment of the site. It does nothing to respect or contribute to the vision of the Council or to this area of special character or. It is in conflict with many policies in the Central Lincolnshire Local Plan

It would continue the trend where developers seize every possibility, and if the City then grants approval, then this would harden and reinforce the massive large scale overdevelopment of the area. It would lead to a street scene that would be an ad-hoc collection of unrelated and discordant buildings that are too large and obtrusive. It would inhibit future small scale improvements that would be more in harmony with the area.

Although I applaud attempts to revitalise the area, and to support the New Theatre Royal, this application appears to be a too ambitious development that has been inadequately considered, and has not the requirements for a commercial success, or for a building that enhances the area.

If the Planning Committee approves this development, even with conditions, it will lose the opportunity to improve the area, and future generations will wonder why this important location has been allowed to be misused.

For all the above reasons, I urge the Planning Committee to refuse to grant planning permission

Yours faithfully

Jeremy Wright

B Sc, MICE, Chartered Engineer.

Coucom, Milly (City of Lincoln Council)

From: Rachel Meager [REDACTED]
Sent: 05 December 2017 19:38
To: Coucom, Milly (City of Lincoln Council)
Subject: Re: Clasketgate developments

Hello,

Please can I log the following objections to the plans:

*Parking- as a resident in a block of flats at the back of the building, we are currently not offered residents parking due to the lack of it within the vicinity. Therefore, we use the bays and pay and display- as there are only 5 spaces we will suffer from this as well all of the residents of the city and particularly disabled parking as this is ideal for the city centre

* I think a restaurant in the location is a great idea, maybe even a small boutique hotel with a few rooms however the extent of the plans do not fit in with the area.

* Noise- the noise from the nightclub opposite the site and the overspill of nights out to the taxi ranks and takeaways is already unbearable during the week and weekends- this building would only add to this

If you wish to contact me further, please feel free to do so

Many Thanks

Rachel

Swan Street
Lincoln

On Fri, Nov 17, 2017 at 3:54 PM, Coucom, Milly (City of Lincoln Council)
<milly.coucom@lincoln.gov.uk> wrote:

Good afternoon,

Thank you for your email, and thank you for raising the issues with the website – I have logged this for you.

You are more than welcome to send any comments / objections via email to us. We can log them against the application for you.

Kind regards,

Milly Coucom
Assistant Planning Officer

Comments for Planning Application 2017/1181/FUL

Application Summary

Application Number: 2017/1181/FUL

Address: 27-29 Clasketgate Lincoln Lincolnshire LN2 1JJ

Proposal: Erection of a 63no. bedroom Hotel (Use Class C1) and Restaurant (Use Class A3) including 5no. car parking spaces.

Case Officer: Amy Davies

Customer Details

Name: Miss Rachel Meager

Address: 12 Swan Street Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: A restaurant I agree with as the area needs improving or a small boutique hotel however a 63 bedroom hotel is too much. As parking is not going to be catered for with only 5 spaces available, this is going to put more pressure on the already limited space in the city centre. Our flats do not have parking due to the lack of amenities around here for this so we have to use pay and display car parks so we will now be losing out on our spaces for hotel guests. The noise from the nightclub opposite is already ridiculous until the early hours of the morning anyway due to the smoking area being outside and noise travelling within this area as well as the people who use this area for waiting for taxis.

Your ref:
Our ref:
DD:
E:
Date: 14/12/2017

Planning
Directorate of Development and Environmental Services
City of Lincoln Council
Beaumont Fee
Lincoln
LN1 1DF

Dear Sir/Madam

PLANNING APPLICATION 2017/1181/FUL – 27-29 CLASKETGATE, LINCOLN, LN2 1JJ

We write on behalf of our client, Deltic Group, owners and operators of Moka and Shack, a night club at 11 Silver Street, Lincoln, directly opposite the site of the above planning application.

Deltic Group are the latest company to run and operate a night club from these premises. For the past 30 years plus it has been home to a variety of such clubs and currently Moka and Shack is open from 21.30 to 0400, seven days a week and is one of the most popular in Lincoln, hosting every Friday night "Superbull" student nights, celebrating end of their study week with DJ's and state of the art sound systems.

Our client's principal concern over the proposed erection of a six storey 63 bedroom hotel and restaurant opposite its night club is the possible impact a long established existing late night business like Moka and Shack, and others in the surrounding town centre would have on hotel guests staying in bedrooms facing onto Clasketgate and Flaxengate, by virtue of late night noise from its club and general activity from its customers and those from other established late night city centre establishments when leaving the various premises.

Any complaints about noise and general on-street activity alleged to be caused by our client's night club and/or its customers and those of other late night businesses in the surrounding city centre, could lead to possible constraints on our client's existing authorised late night use and opening hours through restrictions imposed on its Premises Licence. This in turn would reduce the profitability and viability of its business at a time when there are other late night businesses in the surrounding area all operating in a very competitive market and struggling to maintain an economic and viable business in central Lincoln, whilst contributing to the City's night time economy.

Paragraph 6 of the Planning Practice Guidance on Noise highlights that proposals for conflicting uses which need to exist cheek by jowl on the same street will require appropriate consideration:

"The potential effect of a new residential development being located close to an existing business that gives rise to noise should be carefully considered. This is because existing noise levels from the business, even if intermittent (for example, a live music venue), may be regarded as unacceptable by the new residents and subject to enforcement action. To help avoid such

instances, appropriate mitigation should be considered including optimising the sound insulation provided by the new development's building envelope."

Paragraph 7 continues on the same theme, recognising that noise may already exist in the area and therefore that this noise will contribute to the established character of the locality:

"When assessing whether a statutory nuisance exists, local authorities will consider a number of relevant factors, including the noise level, its duration, how often it occurs, the time of day or night that it occurs and the 'character of the locality'. The factors influencing the "character of the locality; may include long-established sources of noise in the vicinity – for example, church bells, industrial premises, music venues or public houses."

The Agency of Change Principle whereby developers are responsible for ensuring new developments do not threaten the future of existing late night businesses is now an accepted planning consideration, as evidenced by an assessment of the impact of noise from a commercial premises on the intended occupiers of residential development under Class O of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

Whilst this Agency of Change principle applies specifically to dwelling houses it is argued that it equally applies to people resident overnight in hotels.

It is accepted that existing national and local development plan policies support mixed developments in central locations, but due consideration has to be given to existing uses and businesses on adjacent sites. Indeed, the National Planning Policy Framework (NPPF) requires that plans and decisions need to take local circumstances into account. Paragraph 123 of the NPPF requires planning decisions to recognise that existing businesses should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

No noise assessment accompanies the application. It is considered that one would be essential to survey and establish back ground noise levels in the surrounding area, particularly levels at night time and through into the small hours of the morning when our client's club is open, as well as the half hour after it closes and customers leave it and walk past the application site.

Such a survey and resultant noise assessment would identify the degree of double/triple glazing needed to the hotel's bedroom and whether their windows should be sealed shut to prevent overnight residents opening and leaving them open in warmer weather, with a resultant ingress of street noise and that from our client's night club, its customers and those attending other late night businesses in the surrounding area.

In the absence of any information on ambient noise levels and if planning permission were to be granted for the proposed development it is considered it should be conditioned that all bedroom windows be triple glazed and permanently sealed shut and air conditioning provided to each bedroom.

Planning Officers will be aware of the recent High Court decision on 8th September 2015 relating to proposed residential development adjoining the Koko night club, a live music venue in Camden. High Court Judge Mr Justice Stewart ruled that insufficient attention had been paid by the local planning authority to the setting of nearby heritage assets and that noise impact had not been adequately assessed. The grant of planning permission for the proposed residential development was quashed and the Council was required to pay costs.

In the context of the setting of nearby heritage assets to the application site it is noted that Historic England have severe reservations about the potential impact of the proposed development on heritage assets, archaeological remains of potentially national importance and the character and appearance of the Cathedral and City Centre Conservation Area.

In conclusion, it is considered that in the absence of a full noise survey, undertaken over several nights and the absence of a resultant noise assessment report, the application should either be refused or deferred until a survey is undertaken, a report prepared, and its receipt advertised with a 21 day period to comment on it.

Please may we be informed on the progression of the application so if a noise assessment report is submitted we can comment on it on behalf of our client.

Yours faithfully

Bidwells LLP