

Application Number:	2018/0547/FUL
Site Address:	129 Yarborough Road, Lincoln, Lincolnshire
Target Date:	22nd June 2018
Agent Name:	Evolution Design
Applicant Name:	Mr & Mrs C Appleton
Proposal:	Erection of a three storey dwelling.

Background - Site Location and Description

Site Location

129 Yarborough Road is located on the east side of Yarborough Road close to its junction with Carline Road. The plot of land is located to the rear of the host property and forms part of the rear garden. It is currently occupied by a single storey garage.

The development is located within Conservation Area No.8 - Carline.

Description of Development

Permission is sought to erect a dwelling to the rear of 129 Yarborough Road with access taken from Carline Road. The property would provide 4 bedrooms split over three floors and have off street parking and private external amenity space.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on various dates during the pre-application process. Photos taken on 08/06/2018.

Policies Referred to

- National Planning Policy Framework
- Central Lincolnshire Local Plan
 - Policy LP1 A Presumption in Favour of Sustainable Development
 - Policy LP25 The Historic Environment
 - Policy LP26 Design and Amenity

Issues

- National and Local Planning Policy
- The principle of the development
- Impact on the character and appearance of the conservation area
- Residential amenity
- Highways
- Loss of trees

Consultations

Consultations were carried out in accordance with the Statement of Community

Involvement, adopted May 2014.

Statutory Consultation Responses

Consultee	Comment
Lincoln Civic Trust	Comments Received
Lincolnshire Police	Comments Received
West End Residents Association	No Response Received
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mr Matthew Corrigan	7 Carline Road Lincoln LN1 1HL
Mr Lee Clark	5 carline road Lincoln LN1 1HL
Mr And Mrs Came	9 Carline Road Lincoln LN1 1HL
Mr And Mrs Eve	11 Carline Road Lincoln LN1 1HL
Mr Jon Alexander	135 Yarborough Road Lincoln LN1 1HR
Mr Michael Cowling	13 Carline Road Lincoln LN1 1HL

A number of objections have been received from neighbours. The issues can be summarised below:

- Inappropriate back yard development
- It would add more vehicles to the road
- Lack of parking on Carline Road
- Overlooking to 135 Yarborough Road
- Loss of trees
- Design
- Impact on sunlight to 135 Yarborough Road

- Contrary with Local Plan Policy
- Air pollution
- Sets a precedent for further buildings on rear gardens fronting Carline Road
- Slope stability
- Impact on views down the hillside

These issues will be considered within the main body of the report.

Consideration

Impact of the Proposed New Development on the Character and Appearance of the Conservation Area

Whilst the proposed property would be located within the garden of 129 Yarborough Road it would actually front Carline Road and would therefore need to take reference from the properties in this area in terms of relating to scale and design. This is supported in the NPPF which states that "Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness." Similarly Local Plan Policy LP26 requires the development to respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and form.

The applicants have considered the siting of the development and its relationship with Carline Road. Pre application advice on the scheme was sought from the Planning Authority and concern was raised at this time about the elevation fronting Carline Road. This issue has also been raised by neighbouring residents. To overcome this issue the applicants have retained the existing boundary wall to Carline Road but have added a gated entrance to act as an entrance to the site. When viewed from Carline Road, as shown on the sections, the ground floor of the property, where the entrance to the property would be expected to be found, is obscured by the boundary wall. A number of windows to the first floor have been added so as not to present as a blank elevation to the street. Neighbours have also raised concern about the positioning of the building in relation to Carline Road. However, it is common for properties on this side of the road to be built at the back edge of the pavement, with examples immediately to the east, and therefore the positioning of the proposal is appropriate.

The Planning Authority is therefore satisfied, that given the design alterations, and taking into account the site topography, the property would assimilate into the surroundings and would not have a harmful visual impact.

Whilst of seemingly modern design the proposed dwelling has taken reference from nearby properties, windows are of the correct proportions and the property has used traditional corbelled brick detailing to reference nearby properties. The proposal does not copy the architecture found on Carline Road but there is no requirement for developments to replicate previous designs in accordance with the NPPF.

Taking into account the prominence of the site it is essential that the applicant use appropriate, high quality materials which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. The applicants originally proposed a modern palette of materials, however it was considered that whilst the design

had some modern elements it would be more appropriate, given the location within a Conservation Area, for the proposal to be constructed of good quality materials which reference the surrounding context. Therefore the applicants have suggested an Ibstock Leicester Red Stock brick, natural slate roof tiles, grey aluminium windows and doors and black rainwater goods. The Planning Authority is comfortable that these materials would assimilate well into the surrounding area.

Due to the topography of the site, the properties on Carline road to the north east sit higher on the hillside than the proposed property. It is therefore considered that the scale of a two storey property would be appropriate and the overall massing of the development would be acceptable. The property does sit over three floors but this is due to the slope of the site, the additional height to the rear of the site relates to the properties fronting Yarborough Road.

Residential Amenity

Policy LP26 of the Central Lincolnshire Local Plan states that "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."

The garden to No.129 is substantial and slopes considerably. It is considered that even with the erection of a dwelling in the garden there would be sufficient amenity space for both the host dwelling and the proposed dwelling without compromising the character of the area. A 1.8metre high perimeter fence would separate the new dwelling from the existing. The proposed dwelling has been aligned with Carline Road which means that the property sits at an oblique angle to the properties on Yarborough Road, this would avoid any direct overlooking. As well as this there is substantial landscaping along the south and north boundaries to further prevent overlooking with the neighbours.

Comments have been received from neighbours at 135 Yarborough Road about overlooking and loss of sunlight. It is considered, that given the positioning of the proposed dwelling, the dwelling in between the two sites and the distance from 135 Yarborough Road, in excess of 25metres away, the property would not have an adverse impact on privacy or light.

Although this is a relatively small development, due to the close proximity to neighbouring sensitive uses, there is potential for problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. Therefore a condition should be attached to any consent granted to restrict construction to appropriate hours.

Loss of Trees

The proposal would result in the loss of a pear tree which would be replaced elsewhere within the site. No further changes to the soft landscaping are proposed as a result of this development and it is not considered that the removal of a single tree, to be replaced, would be harmful.

Land Stability

Paragraph 120 of the NPPF states 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."

The site is in an area where slope stability has occurred, but with similar developments in the area piled retaining walls have been used to intercept potential slip planes and allow excavation and filling activities to be undertaken whilst ensuring that an acceptable factor of safety against failure be maintained.

The applicants have submitted a structural engineer's report which considers that following further site investigation a suitable method for the construction of the substructure and foundations would be possible. Further detail could be secured by condition to give the planning authority comfort that, structurally, the property can be built.

Highways

The Highways Authority have raised no objections to the proposed scheme.

A number of objections have been received which cite the issue of parking on Carline Road. The proposed dwelling would come with off street parking with a garage and driveway. It should also be noted that permission has been granted for a new access to the front of 129 Yarborough Road which would serve the existing property and ensure that both the existing and the proposed property have dedicated off street parking provision.

Contaminated Land

A condition should be attached to ensure that any unexpected contamination is reported to the Local Planning Authority. This is to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Conclusion

It is considered that the applicants have addressed the constraints of the site and the proposal is appropriate in this location. The proposal is therefore in accordance with national and local planning policy.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Conditions

- Development to commence within 3 years
- Development to be carried out in accordance with the plans

- Land stability and foundation design details
- Surface water details
- Contaminated land
- Hours of working