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| Application Number: | 2018/0559/FUL |
| Site Address: | 35 Newark Road, Lincoln, Lincolnshire |
| Target Date: | 23rd June 2018 |
| Agent Name: | London Residential Architects Limited |
| Applicant Name: | Mr Modestas Kurpeikis |
| Proposal: | Conversion of dwellinghouse into a ground floor flat and first/second floor maisonette (part retrospective). |

Background - Site Location and Description

The application proposes the conversion of an existing dwellinghouse into a ground floor flat and first/second floor maisonette. The application property is 35 Newark Road, Lincoln a three storey mid-terrace property.

The property has been occupied as two flats for at least 7 years without the benefit of planning approval. This application seeks to regularise this use with changes to the existing floor plans.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 7th June 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP10 Meeting Accommodation Needs
- Policy LP26 Design and Amenity
- Policy LP37 Sub-division and multi-occupation of dwellings within Lincoln 86
- National Planning Policy Framework

Issues

To assess the proposal with regard to:

- National and local planning policy
- Principle of the use
- Effect on residential amenity
- Effect on highway safety and parking

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|----------------------|-------------------|
| Highways & Planning | Comments Received |
| Environmental Health | Comments Received |
| Lincoln Civic Trust | Comments Received |
| Lincolnshire Police | Comments Received |

Public Consultation Responses

| Name | Address |
|---------------------|---|
| Mr Robert Dickinson | 8 St Catherines Grove Lincoln Lincolnshire LN5 8NA |
| Mr David Harding | 70 St Catherines Grove Lincoln LN5 8NA |
| Mrs Sara McNair | 170 St Catherines Grove Lincoln LN5 8ND |
| Ms Michele Servaud | 8 St Catherines Grove Lincoln Lincolnshire LN5 8NA |
| Mrs Shona Smith | 5 St Catherines Grove Lincoln Lincolnshire LN5 8NA |

Consideration

Local and National Planning Policy

Policy LP1 'A Presumption in Favour of Sustainable Development' of the Central Lincolnshire Local Plan (2017) states 'Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.'

Policy LP10 'Meeting accommodation needs' of the Central Lincolnshire Local Plan (2017) is relevant to the application site. The policy advises that 'new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.'

Policy LP26 'Design and Amenity' is permissive of alterations to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both construction and life of the development, 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.

Policy LP37 relates to the sub-division and multi-occupation of dwellings within Lincoln. It clarifies that the conversion or change of use of existing dwellings to self-contained flats will be supported where it can be demonstrated there is an established lack of demand for the single family use of the property concerned (b); and the development will not lead to or increase an existing over-concentration of such uses in the area (c). In addition, point (d) also refers to the provision of on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre.

Principle of the Use

In this instance, the proposals are for the dwelling to be split into two flats and within the provision of rooms proposed, officers are satisfied that there would still be potential for the building to be used by at least one family. As such, officers would not strictly apply Point (b) of the policy as this is inherently directed at greater subdivision. There is also no evidence that the occupation of the building as two flats would lead to an overconcentration of such uses. The application building is located within an area of predominantly residential development, the current and proposed uses fall within a residential use class and as such officers are satisfied that the use would be acceptable in this location.

A number of objections have been received from local residents. These issues principally relate to:

- Increased pressure on on-street parking
- Increased number of occupants
- Too many HMOs in the area
- Noise and other disturbance

Residential Amenity

Policy LP37 also outlines how the sub-division of dwellings within Lincoln should be dealt with in terms of amenity. Points (a) and (d) suggest that the dwelling should be capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area; and that adequate provision should be made for external communal areas and bin storage / collection. Policy LP26 also refers to amenity and is supported by the Framework.

The Council's records suggest the use has been operating since at least 2011 without complaint regarding noise and disturbance, parking or any other issues. The existing property has 4 bedrooms and there is no restriction on the number of people that can live within the property. The proposal would create 3 bedrooms and given the reduction in bedrooms it is not considered that the proposed use would constitute an over-intensive of use of the property.

The Council's Environmental Officer has raised no objections to the proposals in terms of contaminated land, air quality, noise or other environmental impact. There is no requirement therefore for any additional noise assessment or sound attenuation in relation to the proposal.

The occupation of the property by two independent households would not therefore result in a significant change in site circumstances to warrant the application being resisted upon the grounds of the noise and disturbance created by occupants and a residential use would be in keeping with the surrounding area. Similarly, the property would be served by sufficient amenities, both internally and externally for the proposed occupation by two households. Moreover, there is space for bin storage and for occupiers to enjoy quiet amenity space.

Visual Amenity

No external alterations are proposed as part of the application. Accordingly there would be no impact on visual amenity and therefore the character of the area would be preserved, in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Highways and Parking

The Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. The potential number of cars is likely to be reduced in fairly central locations with pedestrian and frequent bus facilities in the area. There are double yellow lines along Newark Road therefore parking outside the property would not be available. Based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

A number of residents have raised the issue of on street parking and the increased demand the proposal would have on surrounding streets. However there is no evidence to suggest that the 3 bedrooms proposed would have any greater impact than the current 4 bedrooms within the property. Therefore it would be considered that the proposal is acceptable.

Conclusion

The proposal is in accordance with local plan policies LP37 and LP26 of the Central Lincolnshire Local Plan (2017) and the National Planning Policy Framework and does not cause harm to the amenity of neighbours or to the wider area.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Conditions

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