

Consultation Responses on Revised Submission

Historic England

Thank you for your letter of 10 September 2018 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

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.

We have been consulted in relation to amended plans in relation at the above site. We have previously provided advice on this application in our letter of 9th August 2018. Having reviewed the additional information provided we have no further comments to make on this occasion and refer you back to our previous advice contained within our letter of 9th August 2018 which still remains relevant.

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

Recommendation

Historic England has concerns regarding the application on heritage grounds as outlined in our advice letter of 9th August 2018. 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 highlight our concerns in relation to archaeology as outlined in our letter of 9th August 2018, which we would wish to be thoroughly addressed.

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 192,193,194 and 196. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Rose Thompson
Inspector of Historic Buildings and Areas

Lincoln Civic Trust

OBJECTION - We have already made our position clear; but to briefly precis our comments:

1. Structure is too high particularly for the 'Clasketgate Street' elevation;
2. The mass of the structure is of too greater magnitude for position;
3. It is a boring non-descript "office block" sitting in the "cultural quarter";
4. There is no provision for student "drop-off" or deliveries; and
5. Internal design does not allow for any other use when student numbers decrease.

Lincolnshire Police (Revised Submission)

Lincolnshire Police has no formal objections to the revised planning application.

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 Designing Out Crime Officer (DOCO)

Responses by or on Behalf of Neighbours or Others on Revised Submission

Mr. S. Walia (Huckleberrys, 30 Clasketgate, Lincoln)

The addition of a further 2 floors to the development will have a significantly detrimental effect upon our residential accommodation, by blocking the little daylight available to us. Commercially the works will also impact our hotel rooms while causing significant disturbance to our guests while works are in progress.

I also struggle to comprehend how this will benefit an area of "conservation"

Consultation Responses on Original Submission

Historic England

Thank you for your letter of 26 July 2018 regarding the above application for planning permission and your letter of 7th August 2018 in relation to further amendments submitted. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

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.

We have previously given advice in relation to this site in our letters of 1st December 2017 and 15th May 2018. The previous proposal was for the demolition of 27-29 Clasketgate and the erection of a six storey building (2017/1181/FUL). In our letters we raised concerns in relation to the proposed demolition of 27-29 Clasketgate, the archaeological impacts of the proposal and the proposed new development. The application was subsequently approved by your authority. From our understanding the current application remains largely unchanged from the previous application with the exception of a few minor amendments to the design of the proposed 7 storey building. The application mainly proposes a change of use from the consented hotel

scheme to student accommodation. Our previous concerns therefore remain largely unchanged in relation to the current application as outlined below.

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

It will be for your authority to consider whether the Heritage Statement provides a robust and accurate analysis of the impact of the proposal on the significance of heritage assets in line with paragraph 189 and 190 of the NPPF 2012. As previously advised, 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 7 storeys in height, in a mixed palette of materials which includes a brick cladding, standing seam roof, and glazed clerestory. We understand from the information contained within the supporting planning statement that the height remains unchanged from the previously approved scheme and that the extra storey is possible through alterations in floor to ceiling heights. We also note that only minor amendments have been made to the previous design. Our comments therefore remain as outlined previously. In our view, 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. A 7 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. We are however aware, a building of this height has previously been approved.

Archaeological assessment

We have examined the updated Desk Based Assessment CGMS (October 2017) & Supplement (April 2018) and the Interim Archaeological evaluation Report PCAS Archaeology (April 2018). As previously advised Historic England does not concur with the narrow view of setting impacts upon the Scheduled Colonia (LI115) as set out

in the CGMS report nor aspects of the assessment of archaeological potential. Further to the approach set out in Setting of Heritage Assets (Historic Environment Good Practice Advice Note 3) setting needs to be understood both in terms of the experience of the monument as place and as associated archaeological remains. At Lincoln the experience of the Roman city as legible in the modern landscape and its overlay onto the natural topography is a key element of its significance and cannot be reasonably reduced to visiting the museum or looking at printed material. The development site has as demonstrated from the material submitted and records of interventions on adjacent ground, evident high potential for remains of national importance to survive at depth, we do not concur with the updated CGMS document that the results of the evaluation demonstrate an absence of Roman buildings nor can the Roman ground surface or the post-Roman levels be dismissed as providing a neutral contribution to the significance of the monument, indeed an understanding of how space was used in the City both in terms of open areas and structures is key to the understanding of significance in the City as a whole.

The trial trenching results suggest that a program of excavation to formation level (allowing for the avoidance of plant and service intrusion) could with careful location of piles to avoid sensitive remains provide a reasonable strategy to avoid unacceptable losses to national important remains or unacceptable impacts on the overall significance of the Roman City (including as setting to Li115 and other Scheduled Roman remains in Lincoln) and treat remains proportionately. To achieve this outcome excavation and potential resurvey with GPR from formation level and use of archaeological boreholes will be required in a bespoke scheme of work to the satisfaction of the City Archaeologist. As set out in our published Piling and Preservation advice a sustainable piling strategy is not a matter of simply setting an arbitrary percentage of acceptable loss to a poorly understood resource, rather it is necessary both to understand the character and form of the material to be piled and to set out the piling layout relative to the significance and sensitivity of those remains.

Elements of the submitted Desk Base Assessment remain unfit for purpose in that that they fail to engage appropriately with the significance of the site and the sensitivity of the Scheduled Monuments, however an approach based upon an archaeologically informed piling strategy as discussed above could address archaeological impacts and setting effects if supported by sufficiently robust conditions further to NPPF Para's 193, 194, 196 and 199. On that basis we do not object on archaeological grounds but would wish to see these concerns thoroughly addressed.

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

Recommendation

Historic England has concerns regarding the application on heritage grounds as outlined above. 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 192,193,194 and 196

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Rose Thompson

Inspector of Historic Buildings and Areas

Lincoln Civic Trust

We would firstly like to reiterate the 'Objections' we had to the original application 2017/1181/FUL.

The committee felt that the site was prime for redevelopment but that the application was too large and dominated the street scene. The original application talked about creating a bridge between uphill and downhill; we felt it created a barrier between the two parts of the city.

Our original objections are:

1. The overall mass of the structure is too large and with now 7 storeys rather than the original proposal of six, the building will be overpowering for the Clasketgate street scene. We appreciate that the plan appears to suggest that the overall height of the structure will not be increased (some concern there), the concentration of floors and windows on the proposal will have an equally overpowering effect. It is noted that the top floor appears from the plans, to be closer to the edge of the building which differs from the original proposal.
2. It has the general appearance is of a nondescript office block and given that it is within the cultural quarter of the city, should be more distinctive. (To refer to it as having Contemporary Art Deco features is pushing the boundaries).
3. There is no provision for a drop-off area for either students arriving with belongings or for future deliveries of supplies or student arrivals and departures.

In our original objections we were most concerned about the lack of any sensible parking facility.

The revised proposal removes that requirement, but as we have pointed out in past applications for student blocks, many students will attempt to bring cars to the city and there is in this particular area, absolutely no car parking provision at all. This will lead many students parking their cars further away and into the residential areas such as Monks Road. Whilst we appreciate that it is the Councils and Universitys policy to discourage the use of private transport, it cannot be legally enforced and we may be building up a real problem for the future.

Our other concern is that at the moment the student population of the Lincoln Universities and colleges is still growing and that is to be applauded, but there will come a time and is already being seen at many other Universities in the country, when the numbers either plateau or more likely start to shrink. The internal design of this type of purpose-built student accommodation does not allow for any other use without

some major alterations. The accommodation is purposefully designed to maximise the space and be suitable only for students with a short-term tenure and would not be adaptable for other residential purposes. The University's stated aim is to have a surplus supply of 2% which on a student population of say 16,000 would equate to 320 bed spaces being empty at the beginning of the academic year. As we all know the drop-out rate in the first two to three months is fairly high and hence the surplus rate by November will be higher. That level of surplus would equate to two blocks of a similar size to the application being completely empty which would be very concerning. We would ask that more consideration be given to the internal design.

The site on Clasketgate is prime for redevelopment and with the down-turn in retail its uses are limited so we appreciate that a different use of the site has to be considered. We are concerned of the suitability and the damage to the street scene that a building of this magnitude will do.

Lincolnshire Police

Historically Student Accommodation can become vulnerable to crime and anti-social behaviour therefore it is important that the best security arrangements and provision are planned for such premises.

I have no further comments to add beyond those made in my previous response.

The safety, security and general well-being of students should be of paramount importance when considering the detail of this application.

Lincolnshire Police has no formal objections to the planning application.

However I would in particular draw your attention to the following paragraph as the plans indicate a roof terrace / flat roof to which ready access appears likely.

Access to Places of Height

It is important that access to places of height (prevention of suicide) is secured on all levels and should include the provision of substantial windows and locking systems together with fixed and secured 'window restraining' devices. Any points of access to the roof area or other place of height should be secured by way of 'appropriate' fire compliant locking systems.

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 Designing Out Crime Officer (DOCO)

Responses by or on Behalf of Neighbours or Others on Original Submission

Mr. J. Wright (69 Nettleham Road)

I OBJECT to the above revised application, specifically for excessive height and bulk, and its impact on Clasketgate and Flaxengate. My reasons are detailed below:-

Current Townscape of Clasketgate

1. Historic England on 9 August 2018 expressed concerns and stated *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.*
2. Immediately opposite the proposed development on Clasketgate is Ye Olde Crown, a Tudor timber framed tavern of two storeys, with ancient dormer windows in the steeply pitched roof.
3. There is a 3-storey office block immediately west of the proposed development, with 2-storey shops beyond that as far as The New Theatre Royal.
4. Immediately east of the proposal across Flaxengate is a 3 storey brick building with pitched roof

The Impact of the Proposal on Clasketgate and Flaxengate

5. The proposed 7-storey development fronting onto Clasketgate is thus far too high for the adjacent townscape. It will completely overpower and dominate Clasketgate, and is out of character with the adjoining buildings such as Ye Olde Crown and the adjacent shops.
6. This development is proposed to be a seamless continuation of the approved 6-storey student accommodation block on Grantham Street. It will therefore form a continuous wall of up to 7 storeys high, along the full length of Flaxengate from Clasketgate up to Grantham Street.

Drawings showing the Impact of the Proposed Development

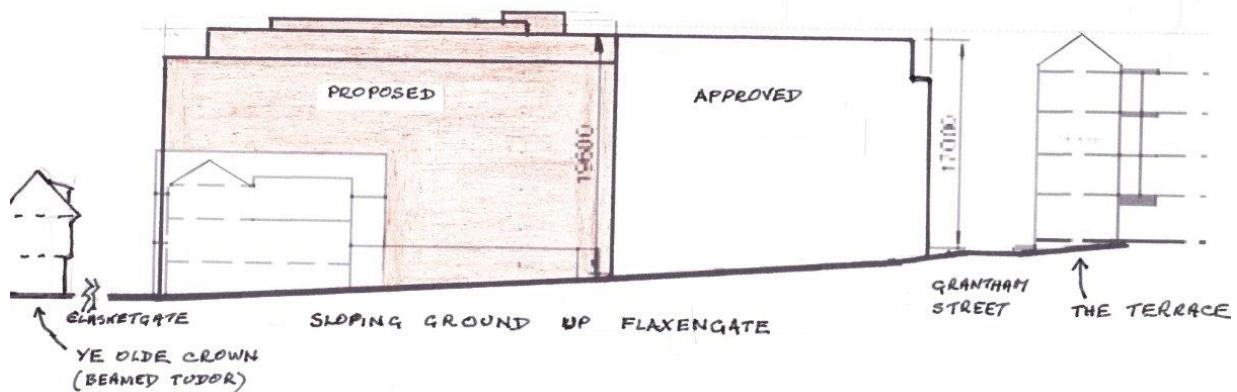
The impact is best conveyed by reference to the following three line drawn visuals. I am a chartered civil engineer, and have carefully prepared these drawings to try to ensure that they are as accurate as possible, without distortion.

Drawing 1, - Height Parameters

- Flaxengate slopes down steeply, and drops approximately 3 storeys from The Terrace on the uphill side of Grantham Street down to Clasketgate

- This drawing shows how the proposed development joins to the approved development on Grantham Street to form a continuous wall.
- Members will note that the approved block has a roof level just under the roof height of the Terrace, but that the developers did not make any reduction in height to reflect the sloping ground down Flaxengate
- The proposed development has been continued at this same roof line, again with no allowance for sloping Flaxengate. Consequently, the frontage onto Clasketgate which continues the roof level of the 4-storey Terrace block is about 3 storeys higher than The Terrace frontage.
- There is no information on Lincoln City Council's Planning website about the top storey, Level 7, of the development. However, it appears that it may be a luxury pent house suite, glazed all round with curtain walling, plus a roof top terrace with safety screens which are higher than the roof line of the approved development. Rising still higher above this roof line is a structure which presumably is to give access to the roof top terrace. The result is that this rises almost to 8 storeys above street level.

DRAWING 1 - HEIGHT PARAMETERS



Drawing 2, - Line Drawn Visual of Clasketgate looking east from Swan Street

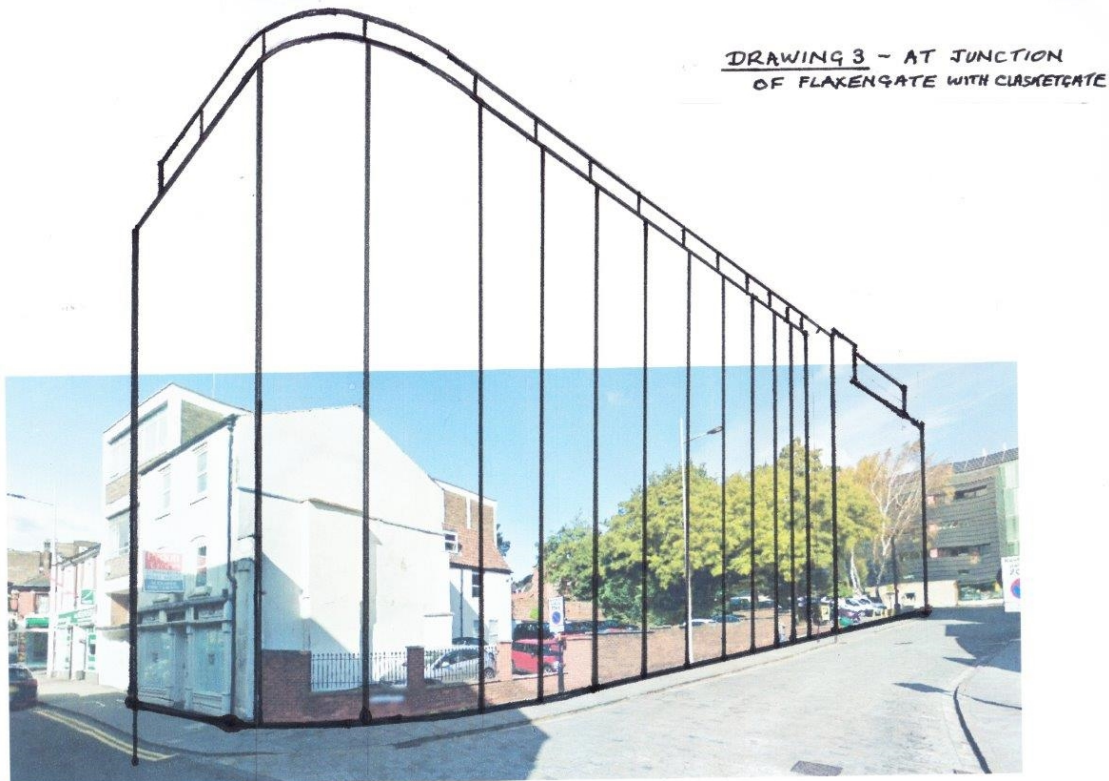
- This drawing shows how the development will dominate and overpower the predominately 2 and 3 storey buildings adjacent
- Notice the impact it will have on the Tudor beamed tavern – Ye Olde Crown, which is immediately opposite.
- The development will also be a discordant intrusion when viewed from longer distances along Clasketgate, both east and west

DRAWING 2 - CLASKETGATE LOOKING EAST
FROM SWAN STREET



Drawing 3, - Line Drawn Visual looking from the junction of Flaxengate with Clasketgate

- This drawing clearly shows the overpowering scale of the proposed development, and the intimidating effect of the continuous tall façade from Clasketgate up the hill to Grantham Street.



Conclusions

1. I note that Historic England states that *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.....We consider that the scale of the proposed building would have a negative impact upon the character and appearance of the conservation area.....when viewed from Clasketgate, the proposed building would appear overbearing.....The proposed roof profile, including the large area of glazing.....would....not sit harmoniously within this context.....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 and distinctiveness.*
2. I note that Lincoln Civic Trust states that *The overall mass of the structure is too large and now with 7 storeys.....the building will be overpowering for the Clasketgate street scene.....We are concerned of the suitability and the damage to the street scene that a building of this magnitude will do.*
3. **I submit that the scaled drawings I have supplied clearly demonstrate that the building is at least 3 to 4 storeys too high and that its mass on Flaxengate is far too heavy and intrusive. It is a major overdevelopment of this small site.**
4. I am aware that a 6 storey hotel proposal has previously been approved for this site. This had a proposed roof line slightly lower than the present application, and was proposed as a shorter building, clearly separated from the approved student's accommodation on Grantham Street. The impact of its height and mass was thus significantly less.
5. Notwithstanding this comment, the hotel proposal was not implemented, and the current application is a completely new proposal. Planning Committee members can therefore view this current application from first principles, as no precedent has been set.

I therefore urge members of the Planning Committee to refuse this application on the grounds of excessive height and mass, on its damaging effect to the character and appearance of the conservation area, and that it makes no positive contribution to local character and distinctiveness.

Yours sincerely

Jeremy Wright
B.Sc (Tech), M.I.C.E, Chartered Engineer.

Moka and Shack, 11 Silver Street

We write on behalf of our client, Deltic Group, owners and operators of Moka and Shack, a nightclub 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 22:00-04:00 on Fridays and 22:30-03:00 on Saturdays with occasional one-off mid-week events. The venue 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 seven-storey, 118-bedroom student accommodation building opposite its nightclub, is the possible impact upon a long established existing late-night business like Moka and Shack. The concern is over the potential impact upon residents in bedrooms of the proposed accommodation, 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 Agent of Change Principle whereby developers are responsible for ensuring new developments provide mitigation against existing late-night businesses is now an accepted planning consideration, following its inclusion in national planning policy. Paragraph 182 of the revised National Planning Policy Framework (NPPF) states:

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Whilst it is accepted that existing national and local development plan policies support mixed use developments in central locations, due consideration has to be given to existing businesses in line with the above.

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.

A previous application for a 63-bed hotel (2017/1181/FUL) was approved on 30th May 2018, at the same site. Condition 12 required, prior to the installation of the windows, the submission to the council of details of specification and measures to reduce the transmission of sound into the hotel rooms. When determining the current application, significant consideration should be had regarding the heightened sensitivity of the proposed student accommodation. The previously approved hotel had 63 residential receptors, compared to 118 included in this scheme. As a result, any potential condition(s) imposed should reflect such sensitivity. It is suggested that if the application is to be approved, conditions should be imposed to ensure all bedroom windows are triple glazed and permanently sealed shut and air conditioning is provided to each bedroom.

The applicant's planning statement outlines that the layout of the proposed scheme is such that the common area is sited facing the Clasketgate frontage. While it is appreciated that sleeping accommodation

is facing the quieter Flaxengate, the noise from our client's premises will still be audible and will therefore require the requisite attenuation measures to fully protect amenity and ensure no unreasonable restrictions are placed upon the existing premises.

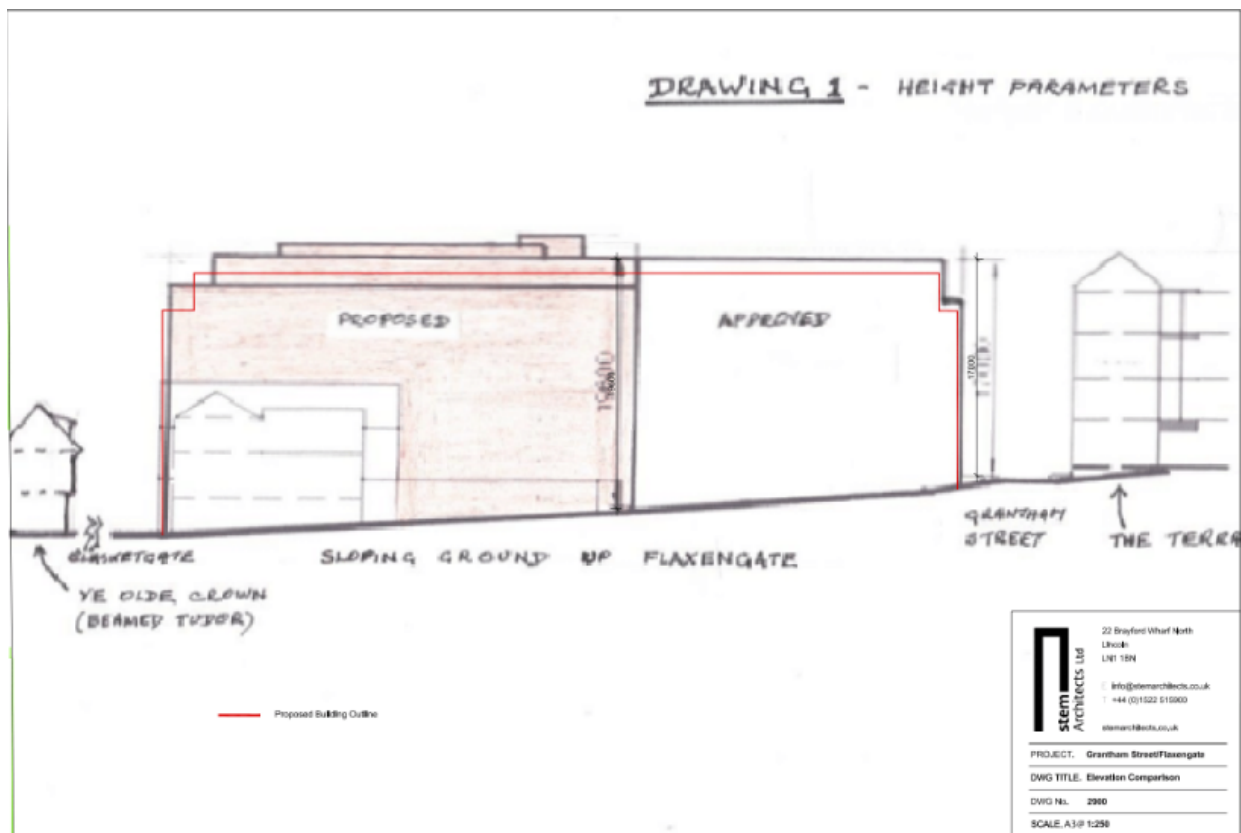
Planning Officers will be aware of the recent High Court decision on 8th September 2015 relating to proposed residential development adjoining the Koko night club, a live music venue in Camden. High Court Judge Mr Justice Stewart ruled that insufficient attention had been paid by the local planning authority 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.

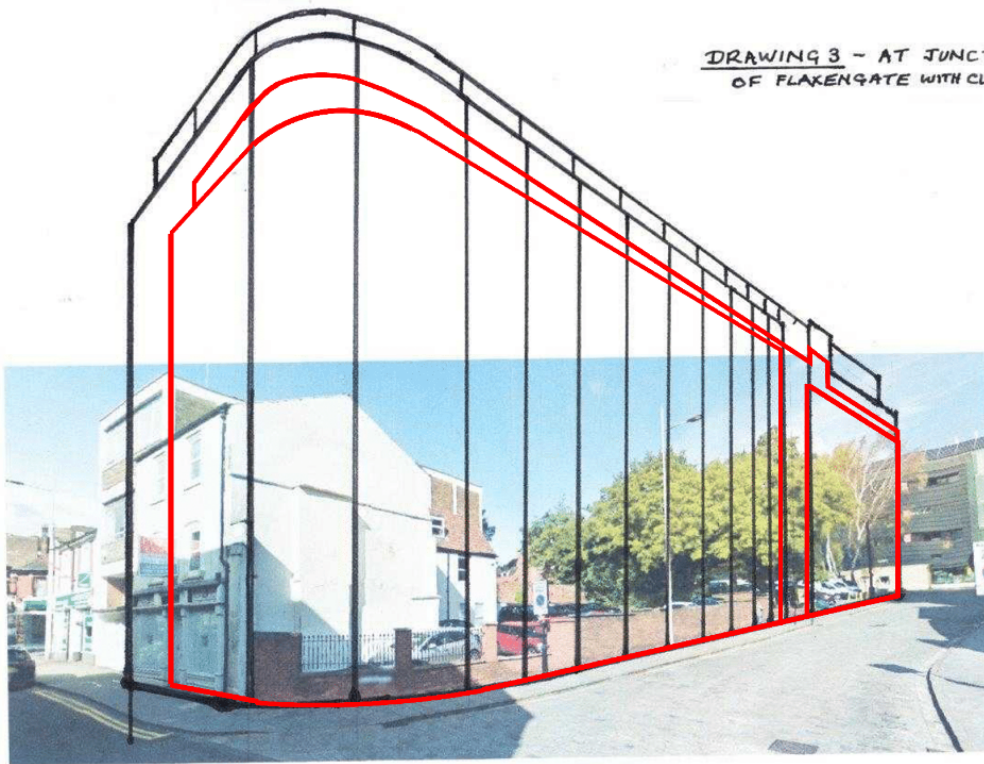
In conclusion, it is considered that in the absence of a full noise survey, undertaken over several nights and the absence of a resultant noise assessment report, the application should either be refused or deferred until a survey is undertaken, a report prepared, and its receipt advertised with a 21-day period to comment on it. If the council are minded to approve the scheme, conditions should be imposed that reflect the sensitivity of the proposal to nearby longstanding late-night premises.

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.

Appendix A: Applicant's Response To Concerns Regarding Massing



DRAWING 3 - AT JUNCTION
OF FLAKENGATE WITH CLASKETGATE



DRAWING 2 - CLASKETGATE LOOKING EAST
FROM SWAN STREET

