

Application Number:	2018/0881/FUL
Site Address:	Land Between 25 And 41 Gaunt Street, Lincoln, Lincolnshire
Target Date:	12th September 2018
Agent Name:	Lindum Group
Applicant Name:	Heidi Walton
Proposal:	Erection of three-storey building to accommodate 9no. self-contained flats (REVISED PLANS: RE-POSITIONED BUILDING AND WINDOWS)

Background - Site Location and Description

The application is for the erection of a three storey building to accommodate nine self-contained flats on land between 25-41 Gaunt Street. The development would front Gaunt Street, presenting a 2 ½ storey staggered elevation, with a three storey wing to the rear of further accommodation forming a 'T' shaped building. The development would be managed by the applicant, LEAP (Lincolnshire Employment Accommodation Project), which is a local charity and social landlord. The applicant advises the scheme would house independent young people who have completed a support package and evidenced their readiness to live successfully within the community.

The application has been amended during the process as a result of officer comments regarding the relationship of the proposal with neighbouring properties. The building has been re-positioned slightly to the west and the position/design of windows being revised. Neighbours were re-consulted on the revised plans, and at the time of writing this report no further representations had been received.

The site currently accommodates a flat roof block of 20 back to back garages. There are two vehicular access points to each side from the road to the south. Officers are aware that there are issues with anti-social behaviour at the site. The boundary to the north is defined by an approximately 1.8m high fence and forms the side boundary of 19 Witham Mews and the rear boundary to the gardens of 31, 33 and 35 Anchor Close. Directly adjacent to the east is the side elevation of 23-25 Gaunt Street and 1-5 Woodburn Place. There are a number of windows as well as a gated access serving these flats within the elevation facing the site. To the west is the side elevation and boundary wall of 41 Gaunt Street. The facing elevation of this property includes two garage doors and two high level windows.

The wider area is characterised by a mix of two storey traditional terraces along with two storey blocks of flats and more modern 2, 2 ½ and 3 storey dwellings as part of the Anchor Quays development to the north.

In addition to the application receiving more than four objections the site is owned by the City Council and therefore is being presented to Members of the Planning Committee for consideration and determination.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 29th August 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP10 Meeting Accommodation Needs
- Policy LP26 Design and Amenity

- National Planning Policy Framework

Issues

- Principle of use
- Visual amenity
- Residential amenity
- Access and highways

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
Lincolnshire Police	Comments Received
Environmental Health	Comments Received
Shane Harrison	Comments Received

Public Consultation Responses

Name	Address
Miss Heidi Walton	LEAP Homer House Monson Street, Lincoln LN5 7RZ
Mrs Margaret Jackson	20 Gaunt Street Lincoln Lincolnshire LN5 7PT
Richard Wright	

Mr Bill Taylor	1-5 Woodburn Place Lincoln Lincolnshire LN5 7AH
Dr Lucinda Taylor	Flat A + Flat B 25 Gaunt Street Lincoln Lincolnshire LN5 7PU
Mrs Wendy Halsall	Bagend Mill Lane Scamblesby Louth Ln11 9xp
Miss Ashley Chapman	31 Anchor Close Lincoln Lincolnshire LN5 7PE
Mr Russ Hubbard	120 Gaunt Street Lincoln Lincolnshire LN5 7RE
Mr Matthew Newton	20 Gaunt Street Lincoln Lincolnshire LN5 7PT
Mr Clarke	36 Gaunt Street Lincoln Lincolnshire LN5 7PX

Consideration

Correspondence has been received from and on behalf of neighbouring properties at Gaunt Street, Woodburn Place and Anchor Close. Objections are raised to the height of the building and that the scale is inappropriate for the area. It is also considered that the proximity to neighbouring dwellings would result in an overbearing impact, loss of light and overlooking, particularly towards the east. The loss of garages, increased on street parking, congestion, increase in anti-social behaviour and noise during construction are also cited as concerns.

Some of the representations raise comments regarding de-valuing property, although this is not a material planning consideration.

Comments have also been received from the applicant during the process of the application to attempt to address some of the concerns raised. The applicant notes that a

Community Consultation exercise was held in August for the residents of the area to discuss the proposals and answer any specific concerns.

Principle of Use

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Policy LP10 also advises that residential care accommodation, which is designed to accommodate those who need some form of on-site assistance, should also be directed to urban areas. Officers are therefore satisfied that the principle of the residential use and the nature of the accommodation is wholly appropriate in this location, particularly considering that the site is within a predominantly residential area.

Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

Visual Amenity

It is considered that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated access, parking and garden areas to the side and rear. The development represents a good use of land and would have a strong presence in the street, which would visually be an improvement on the current garage use. The building would have a slight set back from the street and step in the elevation, breaking up frontage giving the appearance of two separate units. To the rear of the site the building is three storey in height, but to the frontage presents as 2 ½ storeys with dormer windows. Similar examples of 2 ½ storey development with dormers can be seen on the nearby 49 Gaunt Street and properties to the north.

The ridge height of the development would only sit approximately 0.5m above that of 23-25 Gaunt Street. While objectors have stated that the height and scale of the building is inappropriate, officers are satisfied that the proposal would have an acceptable relationship with the street, particularly considering the varied character of the area. Officers are therefore satisfied that the proposal would relate well to the site and surroundings in relation to siting, height, scale and massing.

It is also considered that the design of the proposal is acceptable. The elevations are simple combining traditional proportions and red brick with grey UPVC windows set in reveal and canopies above the two front doors to the street. The design is continued throughout the rest of the development to the rear. The materials proposed have been used before on another scheme and officers are satisfied with the colour, quality and appearance. It is therefore considered that the development would reflect the original architectural style of the local surroundings.

The agent has indicated that the boundaries are to remain open with the exception of a low level railings or a knee rail. Details of these and their position will be conditioned. The site layout plan indicates areas of hard and soft landscaping. Subject to details of the boundary treatment officers consider that this and the landscaping would improve on the overall character of the development and its surroundings.

The proposal would therefore be in accordance with CLLP Policy LP26 and also paragraph 130 of the NPPF, which requires that developments take advantage of opportunities to improve the character and quality of an area.

Residential Amenity

The front portion of the building would be located approximately 3.6m from the side, east boundary of the site which is directly abutted by the side elevation of 23-25 Gaunt Street. This would sit opposite a ground floor bedroom window and three first floor windows; which are understood to be a landing, kitchen and obscure glazed bathroom. The rear portion of the proposed building steps in and increases the separation to the boundary to between approximately 5.8 and 6.6m. Opposite this is the 1 ½ storey rear off-shoot known as Woodburn Place, which also directly abuts the boundary. Within the facing elevation of this are five ground floor, obscure glazed bedroom windows, above which are four rooflights serving living rooms. Objections have been received from and on behalf of the occupants of the adjacent flats with concerns regarding the impact on these windows and rooflights due to the proximity of the proposal which would appear overbearing, result in loss of light and outlook. Officers have also met the owner of flats 3, 4 and 5 Woodburn Place on site and are aware of his specific concerns regarding overlooking and loss of light to the rooflights.

Officers have carefully considered these relationships. With regard to the proximity, while this is closer than would usually be expected it is an unusual situation as the neighbouring windows benefit from an outlook directly over land not within their ownership. A 2m high fence could be erected under permitted development allowances on the boundary in front of the ground floor windows, which would have a significant effect. This, and the fact that windows in the side elevation generally are not afforded the same level of protection as those in the front or rear, means that, on balance, officers are satisfied that the separation is sufficient and that the proposal would not appear unduly overbearing or result on an unacceptable level of loss of light. It should be noted that discussions with the agent during the process of the application resulted in this separation being slightly increased.

These discussions also resulted in amendments to the window positions and design. The facing elevation of front section of the building is blank, so there would be no direct overlooking towards the bedroom and kitchen windows of 23-25 Gaunt Street. The east facing elevation of the rear section of the building incorporates landing and bathroom windows to all floors, all of which are obscure glazed. First and second floor kitchen windows are also proposed, however, officers are satisfied that the over 6m separation and angle would ensure that the level of overlooking towards the rooflights of Woodburn Place would not be unacceptable. The ground floor kitchen window was also originally proposed in the facing elevation but was re-positioned to the rear at the request of officers to avoid any direct overlooking towards the bedroom windows of Woodburn Place.

It is therefore concluded that the proposal would have an appropriate relationship with the neighbouring properties of Gaunt Street and Woodburn Place to the east.

The opposite side boundary, to the west, is defined by the side elevation and boundary wall of 41 Gaunt Street. This facing elevation only incorporates two garage doors and two high level windows, with further windows set back behind the boundary wall. The front section of the building would be 6.2m from the boundary, separated by the vehicular access into the site, increasing to 14.6m at the rear. While the proposal would sit forward of the neighbouring property the separation and arrangement of windows in the existing elevation would ensure that the proposal would neither appear overbearing nor result in a

harmful level of loss of light. Similarly to the opposite east elevations, the west elevations of the building comprise a blank facing front section with glazing to the rear section. Again, the relationship between the existing and proposed is such that there would be no significant issues regarding overlooking.

Part of the rear boundary, towards the north west, forms the side boundary with the garden of 19 Witham Mews, the facing gable of which is blank. The remainder of the rear boundary is to the rear gardens of 31, 33 and 35 Anchor Close. The boundary is defined by an approximately 1.8m high fence and the rear off-shoot of the building would be approximately 4.5m this. However, this portion of the building does not have a substantial width and is in an off-set position to the neighbouring dwellings. It also has no windows to the first or second floors. The front portion of the building, although incorporating windows, would be over 16m away. Officers therefore consider that the relationship of the proposal to these properties is acceptable.

The consideration process has taken into account the objections from the neighbouring occupants of Gaunt Street, Woodburn Place and Anchor Close. It is concluded that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development through either overbearing, loss of light or loss of outlook. It is also considered that the level of amenity for future occupants of the development would be acceptable. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

Access and Highways

Vehicular access to the site would be taken to the west of the building providing access to two on-site parking spaces and also enabling the access to the neighbour's garages to the rear of 41 Gaunt Street to be maintained. Pedestrian access along the opposite side, east boundary of the site would be maintained to the neighbouring flats within 23-25 Gaunt Street and Woodburn Place.

Objections from local residents raise concerns regarding the loss of the garages and that there will be an increase in on street parking and congestion.

The Lincolnshire County Council (LCC) as Local Highway Authority has requested that the applicant provide justification for the loss of the garages and if there are any proposals to replace the parking facilities removed. At the time of writing the report discussions regarding this were ongoing, so this will be fully reported on the update sheet along with the LCC's final comments.

Other Matters

Contaminated Land

A site investigation report has been submitted in support of the application. The City Council's Scientific Officer has been in contact with the agent during the process of the application. The officer has advised that while this matter is ongoing it can be appropriately dealt with by conditions as necessary.

Drainage

Officers have been copied into an email from the Upper Witham Drainage Board to the LCC in their capacity as Lead Local Flood Authority in respect of surface water drainage. To date the LCC has not commented formally on the application in this respect so officers will provide an update on this matter at committee.

Archaeology

Due to the location of the site the City Council's Archaeologist requested a desk based assessment (DBA). The DBA has been submitted and considered and as a result the Archaeologist has recommended trenches, which should be undertaken and reported on prior to the determination. The recommendation to Members will therefore reflect this, and request that, if the application is approved, this matter be delegated to officers to finalise.

Bin Storage

The City Council's Community Contracts (CC) Officer has raised no objections to the application and has provided information regarding communal bin requirements, which have been forwarded to the agent.

Design and Crime

Comments have been made by the Lincolnshire Police, they have raised no objections but have suggested recommended measures. This correspondence has been forwarded to the agent for their information.

Construction

Some objectors have raised concerns that there will be disruption during construction. This matter cannot be strictly controlled by the planning process although a condition will restrict construction and delivery hours.

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

Yes. Revisions made to the position and window arrangement/design in the interests of protecting residential amenity.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the use of the site for residential purposes is considered to be acceptable and the development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design. The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Matters relating to contamination and archaeology can be dealt with appropriately by condition. Subject to the LCC not raising any objections in respect of highways or flood risk the proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP10 and LP26, as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

Subject to receiving no objections from the Lincolnshire County Council in respect of highways or surface water drainage, officers recommend that the application is Granted Conditionally subject to the following conditions, with delegated authority granted to the Planning Manager to resolve matters relating to archaeology:

- Time limit of the permission;
- Development in accordance with approved plans;
- Contamination;
- Archaeology;
- Boundary details;
- Land levels;
- Implementation of landscaping;
- Construction of the development (delivery times and working hours); and
- Windows and doors set in reveal.