

Application Number:	2018/0781/FUL
Site Address:	Former Boultham Dairy, Boultham Park Road, Lincoln
Target Date:	18th October 2018
Agent Name:	Lindum Group
Applicant Name:	Longhurst Group Ltd
Proposal:	Erection of 36 affordable houses with associated infrastructure.

Background - Site Location and Description

The application site is the land formerly occupied by the Boultham Dairy (now demolished) and is located on the south east corner of the junction of Dixon Street and Boultham Park Road. The site forms part of a scheme which was approved under a hybrid permission (2011/0860/F) and included full planning permission for a food store with access and car parking, outline permission for a mosque both of which have now been built on site and outline permission for the erection of dwellings.

The site is 0.92 hectares and is located adjacent to the Lidl Supermarket with access available from Boultham Park Road. To the northern boundary is the mosque, the southern boundary is shared with a mixture of residential properties accessed from Marjorie Avenue and a small independent car sales business which fronts onto Boultham Park Road. To the east of the site which directly abuts the site is commercial development on Dixon Close. The site is currently vacant and has an unkempt appearance due to left over debris from the demolition of the original dairy building being stored on site.

The application proposes the erection of 36 affordable dwellings 18 two bed and 18 three bed with a split of shared ownership and social rented properties (19 shared ownership and 17 affordable rent).

Site History

Reference:	Description	Status	Decision Date:
2011/0860/F	Erection of a foodstore with access and car parking (FULL PLANNING PERMISSION) and erection of dwellings (OUTLINE) and a place of worship/mosque with car parking or business (B1) use (OUTLINE)	Granted Conditionally	28th June 2012

Case Officer Site Visit

Undertaken on 7th 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 LP11 Affordable Housing

- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

1. Principle of the use
2. Impact on residential amenity
3. Impact on visual amenity
4. Flood risk and surface water drainage
5. Impact on highway safety
6. Contributions
7. Contaminated land and other matters

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
Shane Harrison	Comments Received
Lincolnshire Police	Comments Received
NHS England	Comments Received
Lincoln Civic Trust	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Councillor Gill Clayton- Hewson	No Response Received
Councillor Gary Hewson	No Response Received

Councillor Ralph Toofany	No Response Received
Anglian Water	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Environment Agency	Comments Received

Public Consultation Responses

No responses received.

Consideration

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 '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 LP11 advises that developments should provide a 25% provision of affordable housing. The Strategic Housing Market Assessment for Central Lincolnshire (2015) identifies that the need for affordable housing relates to all sizes of property particularly for 1 and 2 bedroom properties. 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. Officers also welcome the 100% provision of affordable housing which will add to the supply and choice for the City.

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).

In the submitted Design and Access Statement it is identified that the site is in a sustainable location close to existing shops and services including schools and a doctor's surgery within walking distances and with good public transport connections.

Impact on Residential Amenity

The plot closest to the neighbouring residential dwellings would be Plot 36. The proposed dwelling would be located 8 metres from the boundary with the properties on Marjorie Avenue. Their gardens vary in length but generally are 30 metres or over. The interface distance and relationship between the proposed and existing building would ensure that there are no issues with regards to loss of light or the creation of an overbearing structure. An en-suite window is proposed at first floor in the facing elevation these are however by their nature obscure glazed and therefore there would not be any issues with overlooking.

The interface and relationship between the proposed and existing dwelling is not uncommon in urban settings such as this examples of which can be seen on many of the streets located along Boutham Park Road. Officers therefore consider that the relationship of the proposal to these properties is acceptable.

44a Marjorie Avenue is located 1.25 metres from the boundary with the application site. Plot 36 would be located 9 metres from the side boundary No. 44a. The interface distance and relationship between the proposed and existing building would ensure that there are no issues with regards to loss of light, loss of privacy or the creation of an overbearing structure. Officers therefore consider that the relationship of the proposal to these properties is acceptable.

Plots 7 and 8 would be located over 20 metres from the boundary with Sage Court, given this separation distance there would be no issues of overlooking loss of light or the creation of an overbearing structure

Plots 9, 18, 19, 20, 21, 22, 23 would all be located in excess of 40 metres from the properties on Marjorie Avenue, given this separation distance there would be no issues of overlooking loss of light or the creation of an overbearing structure

On the western boundary of the application site is a commercial premises on Dixon Way currently occupied by Uniform Direct. The buildings on this boundary turn their back on the application site with their rear elevations sharing the same boundary. The proposed dwellings would be located 9 metres from the boundary which is currently defined by a 1.8 metre high chain-link fence.

The Pollution Control Officer has advised that due to the close proximity to neighbouring residential properties, there is potential for significant problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. It is therefore recommended construction of the development only be undertaken between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time.

The Pollution Control Officer has also requested a dust management plan is submitted to ensure that the neighbouring residential properties are not affected during the construction phase of the development. Officers consider this to be reasonable and recommend that should you be minded to approve this condition is included on the planning permission.

No objections or comments have been received from any neighbouring dwellings during the consultation period.

The proposals are therefore considered to accord with CLLP Policy 26 which requires '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'.

Impact on Visual Amenity

The Lincoln Townscape Assessment states 'St Matthew's character area mainly consists of separate areas of residential developments, within a Character Area that is itself surrounded by industrial areas and 'out-of-town' retail parks to the north, west and east. The Character Area does not have a coherent form or centre and does not have a clear, distinct character. This is in part due to the varied suburban townscape reflecting changes from early 19th Century through to the 21st Century, many of which have been carried out

with limited reference to earlier developments.

It is considered that the site is of a sufficient size to comfortably accommodate the proposed number of dwellings along with the associated garden land and car parking (30 dwelling per hectare). The development represents a good use of brownfield land and has a traditional arrangement of dwellings with gardens to the rear, example of which can be seen at adjacent properties in the character area. The use of semidetached dwellings is also considered to be appropriate as the character of the area is varied- including two storey detached and semi-detached dwellings and bungalows. It is not considered the difference in land levels to address flood risk requirements would appear out of character in this context. Officers are therefore satisfied that the proposal would relate well to the site and surroundings, in relation to siting, height, scale, massing, form and plot widths.

It is also considered that the design of the proposal is acceptable. The elevations are simple combining traditional proportions and modern materials and features, such as recessed grey UPVC windows and canopies above the front doors. The front elevations and side elevations have contrasting brickwork, which serve to break up and add interest to the elevations. It has been agreed with the applicant that samples of the materials will be required by condition but there is no objection in principle in this respect to the use of redbrick with contrasting brick panels along with the other materials proposed. It is therefore considered that the development would reflect the original architectural style of the local surroundings.

Details of the boundary treatments and landscaping have been provided. The front boundary to Boutham Park Road will have a masonry wall with metal railing above to match the existing pumping station with an area of landscaping to the rear. The side and rear boundaries, are marked by a combination of 2.5 metre, 1.8 metre and 1.2 metre high fencing panels and trellis fencing. A landscaping plan has been included in support of the application. The scheme is designed to be attractive and manageable and includes grass to the larger frontage areas with low ground covering shrubs in the smaller frontage areas between paths and driveways. Rear gardens will be laid with grass seed and paving slabs. Street trees including Rowan and Flowering Cherry are included in prominent areas. It is considered that the proposed landscaping is acceptable for the scale of development. It is considered that both the landscaping and boundary treatments are acceptable and reflect and improve on the overall character of the development and its surroundings.

The proposal would provide contemporary dwellings of traditional construction, which reflects the mixed use nature of the St Matthew's character area. 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.

Flood Risk and Surface Water Drainage

The application site falls within Flood Zone 3a and as such the applicant has produced a Flood Risk Assessment (FRA) which has been considered in detail by the Environment Agency. It has been established that for residential development on the site, a minimum floor level of 6.00 metres is required. Submitted land levels show the site is around 4.190metres to the west with a gradual rise to the east of 4.850 metres. On the west of the site where it is not practical to raise the levels the application proposes three storey dwellings with no habitable rooms on the ground floor. This strategy was originally agreed in principle during the consideration of the Outline planning permission.

The Environment Agency has confirmed the Flood Risk Assessment submitted with the application meets the requirements of the NPPF, subject to a condition being imposed on an approved application to mitigate flood risk to the development.

The Lincolnshire County Council as the Lead Local Flood Authority has assessed the application and raised no objections in terms of flood risk based on this advice it is considered that the development would not increase flood risk.

The Upper Witham Drainage Board has objected to the proposed development due to concerns about flood risk and the effect of raising the ground level would have on neighbouring properties through increased flood risk. These matters have been considered by the applicant and a drainage scheme has been submitted which shows there would be no increase in flood risk to the neighbouring properties.

The Council is awaiting a response from Anglian Water on Surface Water drainage they have previously confirmed that there is adequate spare capacity for used and foul water drainage. In this respect officers will provide an update on this matter at committee.

Impact on Highway Safety

Access to the site is achieved via a priority T-Junction from Boutham Park Road and is, deemed acceptable in highway safety terms by the Highways Authority. A transport assessment has been prepared in support of the planning application which has been considered in detail by the Highways Authority.

In term of parking all three bedroom dwellings and most of the two bedroom dwellings provide on plot parking and where this is not possible for a number of the two beds the spaces are provided to the front of the dwelling. In addition to this parking the three storey dwellings have garages and there are a number of additional visitor spaces.

The Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. Therefore based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

Contributions

The Community Infrastructure Levy Regulations (CIL) make a number of provisions for relief from the Levy social housing falls within this provision for relief. Therefore no CIL payment would be required for this development.

A section 106 legal agreement is also required to cover the Local Green Infrastructure (Playing Field, Play Space and Amenity Space). The applicant is requested to contribute a total sum of £16,741 for playing fields and children's play space.

NHS England has been consulted on the application and has concluded that the applicant is requested to contribute a total sum of £14,652 to mitigate the additional demands on the existing GP Services.

Lincolnshire County Council as the Education Authority has formally responded and does not request a contribution towards primary school places.

Contaminated Land and Other Matters

The City Council's Pollution Control Officer has indicated there is potential for contamination to be found on the site due to past uses. A site investigation report has

been submitted in support of the application gas monitoring has also been ongoing on the site. 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.

Other Matters

The site is not considered likely to reveal any significant archaeological deposits.

A tree survey has been submitted in support of the application. Two trees are on the site both Birch trees on the southern boundary both found to be in good condition and are retained in the proposals.

The proposed development will include off street parking and it was therefore recommended that the applicant be required to incorporate appropriate electric vehicle recharge points into the development in line with the recommendations of paragraph 110 of the NPPF and CLLP Policy LP13. Officers have discussed this with the agent who is happy to provide charging points. A condition requiring details of the point and their installation prior to the occupation of the dwellings is recommended should you be minded to approve the development.

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.

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

Yes.

Financial Implications

None.

Legal Implications

The applicant is required to enter into a Section 106 agreement for financial contributions towards health care and local green infrastructure.

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 flood risk can be dealt with appropriately by condition. Subject to Anglian Water not raising any issues regarding surface water drainage the proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP10, LP11, LP13 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 Anglian Water in respect of surface water drainage officers recommend that the application is Granted Conditionally following the signing of the s106 legal agreement and subject to the conditions listed below,

- Time limit of the permission;
- Development in accordance with approved plans;
- Contamination;
- Dust management plan;
- Samples of materials;
- Details and implementation of electric vehicle recharging points
- Implementation of Flood Risk Assessment;
- Implementation of landscaping;
- Implementation of tree protection
- Construction of the development (delivery times and working hours); and
- Roads and footways to be constructed to an adoptable standard