

Application Number:	2018/1113/FUL
Site Address:	De Wint Court, Bowden Drive, Lincoln
Target Date:	11th December 2018
Agent Name:	Glancy Nicholls Architects
Applicant Name:	Mrs Tracey Footsoy
Proposal:	Demolition of existing sheltered accommodation and erection of a 3 and 2 storey extra care facility comprising 50no. one bed apartments and 20no. two bed apartments with supported accommodation facilities and associated external arrangements to include hard and soft landscaping and car parking facilities. (Revised Drainage Layout).

Background - Site Location and Description

The application is for the demolition of De Wint Court, Bowden Drive and the erection of a replacement three and two storey extra care facility comprising 50 one bed apartments and 20 two bed apartments. The building would also include supported accommodation facilities; a restaurant, hair salon and lounge, with a new car park layout and areas of hard and soft landscaping. The extra care use is intended to bridge the gap between ordinary/sheltered housing and residential care.

The development is formed in a U shape with the principal elevation to the north, opposite the access to the rear of properties on De Wint Avenue. The communal facilities are located centrally within the front portion of the building with the residential accommodation within the wings to the south. One of the wings fronts Bowden Drive and steps down to two storey at the south west corner. The overall mass of the hipped roof structure is broken up by glazed links, a series of gables, brick detailing and variations to the materials. The materials have been chosen to be in keeping with the area and comprise two types of buff brick with grey windows and feature cladding.

Prior to the application being submitted the agent had extensive pre-application discussions with officers and also engaged with the local community through public consultation exercises in June and August this year. Some of the key changes made to the scheme as a result of this are the increase in the number of parking spaces from 24 to 35, a reduction in the ridge height of the building by 1m, dropping the height at the end of the wing fronting Bowden Drive to two storey and moving the building further away from Bowden Drive and the southern boundary.

The site currently accommodates the vacant, two storey building which provided 37 sheltered accommodation bedsits, common rooms, a hair salon and laundrette. The site is relatively flat with the existing building set within gardens with a range of trees and shrubs. There are two mature oak trees to the north east corner of the site, which are proposed to be retained. Access is taken from Bowden Drive via a private road to the north west, which also provides access to the rear of some properties to the north on De Wint Avenue. To the east of the site are allotment gardens and a playing field, with properties on Greenbank Drive to the south. The west boundary of the site fronts Bowden Drive. Properties in the area are predominantly two storey, with a few being bungalows. Properties vary in their design with both red and buff brick, tiles roofs and stone and timber features.

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

Site History

Reference:	Description	Status	Decision Date:
2014/0358/RG3	External alterations to include infilling of existing ground and first floor recesses, conversion of flat to pitched roofs at ground floor and associated rendering.	Deemed Consent	22nd July 2014

Case Officer Site Visit

Undertaken on 14th November 2018.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP9 Health and Wellbeing
- Policy LP10 Meeting Accommodation Needs
- Policy LP12 Infrastructure to Support Growth
- Policy LP13 Accessibility and Transport
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Principle of use
- Visual amenity
- Residential amenity
- Access, parking and highways
- Drainage and flood risk
- Trees and landscaping

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
Lincoln Civic Trust	Comments Received

Education Planning Manager, Lincolnshire County Council	Comments Received
NHS England	Comments Received
Environment Agency	Comments Received
Anglian Water	Comments Received
Upper Witham Internal Drainage Board	Comments Received

Public Consultation Responses

Name	Address
Ben And Laura King	
Mr Robert Blakesley	1 Greenbank Drive Lincoln LN6 7LQ
John And Linda Mills	
Mrs Deborah Elleray	25 Bowden Drive Lincoln LN6 7LG
Mrs R Wheeler	111 Astwick Road Lincoln Lincolnshire LN6 7LL
Ray + Chris Cooling	5 Greenbank Drive Lincoln Lincolnshire LN6 7LQ
Mr R O'Riley	27 Greenbank Drive Lincoln Lincolnshire LN6 7LQ
P Walker	14 Greenbank Drive Lincoln Lincolnshire LN6 7LQ

Consideration

Correspondence has been received from neighbouring properties on Bowden Drive, Greenbank Drive and Astwick Drive. Objections are raised to the scale, height and design

of the building; considering that three storeys are dominant, imposing and not in-keeping. It is also considered that the proximity to neighbouring dwellings would result in an overbearing impact, loss of light and overlooking. The lack of parking is also cited as an issue, as is increased traffic and congestion. Other concerns raised relate to the loss of trees and greenspace, impact on the oak trees, impact from lights at night, the increase in pressure on local GP surgeries and inaccuracies with the transport plan.

Some of the representations raise comments regarding de-valuing property and the impact from construction, although these are not material planning considerations.

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 development is wholly appropriate in this location, particularly considering the nature of the previous use and that the site is within a predominantly residential area where local facilities and services are available.

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).

The requirements for developer contributions has been assessed by officers. Due to the nature of the proposed use the development is not CIL liable nor is there a requirement for Section 106 contributions relating to education, playing fields or play space.

With regard to health, a request from NHS England has been received advising that the development would put additional demands on the existing GP services for the area, a point noted by an objector. They advise that additional infrastructure would be required to meet the increased demand and have requested a financial contribution to create additional clinical rooms at Boutham Medical Practice. This request would be in accordance with CLLP Policies LP9 and LP12. Officers would recommend, if Members are in support of the application, that this matter be delegated to the Planning Manager to negotiate and secure.

Visual Amenity

Officers consider that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated access, parking and garden areas. The layout has been influenced by the sun path, the existing mature oak trees and the right of way to the back of the houses on De Wint Avenue. The U shaped building represents a good use of land and would have a strong presence in the street when viewed from Bowden Drive, despite the principal elevation and the feature entrance facing north within the site.

Objectors have raised concern regarding the scale, three storey height and design, considering that the building is dominant, imposing and not in-keeping. Officers have no

objection in principle to the three storey height despite the immediate vicinity being predominantly two storey. This has been subject to extensive pre-application discussions with officers and the overall height has been reduced by 1m as a result of the pre-application public engagement exercise. The overall mass is broken up by the use of recessed, glazed links and design features, such as brick detailing around the windows, gables, brick banding, cladding and Juliette balconies. The height of the wing fronting Bowden Drive also steps down at the south west end where it sits adjacent to a dormer bungalow. Officers therefore consider that the siting, height, scale and mass of the proposal would have an acceptable relationship with the street and surrounding area.

It is also considered that the design is of a high quality and would complement the local architectural style of the area. The use of two complementary buff bricks and the hipped roof reflecting existing residential properties in the area, and the aforementioned design features add interest to the elevations.

Landscaping, surfacing and trees will be discussed later within the report although it should be noted that a hedge is proposed to the boundary of the site with Bowden Drive along with new tree planting. This will help the development assimilate into the surrounding area. The bin store, which is to be located at the north west corner of the site to allow ease of access for collection, will be a simple timber enclosure. There is no objection to the position or appearance of this.

Officers are therefore satisfied that the proposal would 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 principal façade of the building would be located 18m from the north boundary with the rear gardens of properties on De Wint Avenue, which are defined by approximately 1.8m fences. In between is the access and proposed car park, which allows vehicular access to be maintained to the rear gardens that currently benefit from this arrangement. The total separation between the proposal and the rear elevations of these properties is over 30m. Officers therefore consider that this is sufficient to ensure that the proposal would not appear unduly overbearing, result in an unacceptable degree of loss of light or have a significant impact through overlooking.

To the south of the site are properties on Greenbank Drive with the boundaries predominantly defined by an approximately 2.2m high hedge. 1 Greenbank Drive, on the corner with Bowden Drive to the south west of the site, is a dormer bungalow with an approximately 1.8m high fence/wall to the boundary. The neighbouring 3, 5 and 7 Greenbank Drive are two storey properties with the bungalow of no. 27 adjacent to the opposite south east corner of the site. The wing of the building which fronts Bowden Drive would be located between 5m and 10m from the boundary, and a minimum distance of 18m from the neighbouring properties. At this point the building is stepped down to two storey with the three storey element over 14m from the boundary and over 25m from the nearest neighbouring property. The opposite wing has a closer relationship to the boundary, a minimum of 3m, with approximately 5m to the side gable of 27 Greenbank Drive. However, it should be noted that the building does not sit directly opposite this neighbour's rear garden.

Given these relationships and the separation distances officers consider that the building

would not appear unduly overbearing to the neighbouring occupants. Located to the north loss of sunlight would not be impacted. With regard to overlooking no windows are proposed within the end elevations of the wings which sit directly opposite the south boundary. There are windows within the return elevations, facing onto the internal courtyard, however, the orientation of these would limit overlooking from an oblique angle only. It is therefore concluded that the proposal would have an appropriate relationship with the neighbouring properties of Greenbank Drive.

There is also no objection from officers to the relationship of the development with the properties on Bowden Drive to the west, which are located on the opposite side of the road, over 23m away.

Officers have therefore carefully considered the objections from neighbouring occupants in respect of proximity, overbearing impact, loss of light and overlooking. 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 in these respects.

The objection from a local resident regarding the impact from external lights has been noted. The City Council's Pollution Control Officer has recommended a condition requiring an assessment of the off-site impact of external light. He has also reviewed the submitted noise report, which considers both the impact of the existing acoustic environment on the proposed use and the impact of any noise from plant and machinery associated with the development on surrounding receptors. There is no objection to the conclusions of this report although the officer has requested more details by way of conditions.

Officers are therefore satisfied that the level of amenity for both neighbouring and future residents is acceptable, in accordance with the requirements of CLLP Policy LP26.

Access, Parking and Highways

Vehicular access to the site would be maintained from the north west off Bowden Drive, which also provides access to the rear of properties on De Wint Avenue. The development would provide 35 parking spaces, including four accessible spaces which would all be arranged to the north and north east of the building. Pedestrian access is also maintained from this point, giving immediate access to the building's main entrance, with an additional pedestrian access point to the south west corner from Bowden Drive.

The application is accompanied by a Transport Assessment and Travel Plan documents. An objector noted that the plans within these documents were not up to date and the agent has provided an amended copy including the revised plans to address this. Other objections from local residents raise concerns regarding the lack of parking, increased traffic and congestion.

Lincolnshire County Council (LCC) as Local Highway Authority has raised no objection to the application subject to the proposed access improvements works being carried out in accordance with the submitted drawings.

In response to the specific objections from local residents the LCC has advised that the site has an existing fall back use as sheltered accommodation with far reduced parking provision. They consider that the proposals provide adequate parking in line with the LCC Design Approach. Furthermore, they note that the site is in a sustainable location with good public transport links, nearby cycle infrastructure and local amenities within walking

distance. The layout has been designed to allow refuse collection within the site curtilage, and adequate space has been provided for all vehicles to turn and manoeuvre in order to enter and leave the highway in a forward gear. In respect of the Transport Assessment the LCC highlight that this details a minimal increase in trips in association with the development, alongside a specific assessment of the junction capacity at Bowden Drive and the site access, which showed significant spare capacity at peak times.

Officers are therefore satisfied that this matter has been appropriately considered and would concur with the LCC, in accordance with CLLP Policy LP13.

Drainage and Flood Risk

The application is accompanied by a Flood Risk Assessment (FRA) which recommends the use of SUDs. The Environment Agency (EA) has assessed the FRA and advised that they do not wish to comment on the application.

LCC in their capacity as Lead Local Flood Authority and the Upper Witham Drainage Board has raised no objections in respect of surface water drainage.

Anglian Water has raised no objections to surface water or foul drainage subject to informatives.

Trees and Landscaping

The landscape masterplan indicates that the two mature oak trees to the north east corner of the site are to be retained. The City Council's Arboricultural Officer has raised no objection to the removal of other trees within the site to accommodate the proposal, having not identified them as being worthy of a protection by a Tree Preservation Order. The officer has, however, requested additional information regarding the suggested tree protection measures relating to the retained oak trees, to ensure there will be no significant damage caused to the roots. This information has been submitted although at the time of writing this report the Arboricultural Officer had not responded with comments. Members will be updated on this matter at Planning Committee.

The landscape masterplan illustrates grassed areas, trees, shrubs, hedging, meadow planting and raised beds. An internal courtyard garden is to be created for the use of residents which will include a central sustainable drainage feature to manage surface water but also provide biodiversity benefits. Gardens are to be created to the east and west of the building. Within this west garden, facing Bowden Drive, tree planting is proposed to soften views of the building. The existing hedge to the southern boundary, with properties on Greenbank Drive, is to be maintained and infilled to ensure privacy to the adjacent gardens. Further tree planting is proposed to the south west corner. Hard landscaping comprises charcoal and grey block paving, tarmac and gravel.

Notwithstanding comments from objectors regarding loss of trees and greenspace it is clear that the application has carefully considered landscaping as part of the development. Officers are of the opinion that the landscaping will be of benefit to future residents and the local environment.

Other Matters

Contaminated Land

The City Council's Scientific Officer has reviewed the submitted Phase 1 and Phase 2 Geo-Environmental reports, which conclude there are no remedial requirements for the development. It is therefore recommended that the unexpected contamination condition be applied to any grant of consent.

The EA has also confirmed that, based on the available information, they consider the site to pose a negligible risk to controlled waters and have no objection to the proposed development in this respect.

Air Quality and Sustainable Transport

The City Council's Pollution Control Officer has advised that, whilst it is acknowledged that the proposed development, when considered in isolation, may not have a significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted. It 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. This matter will accordingly be conditioned on any grant of consent.

Archaeology

The City Council's Archaeologist has confirmed that there is no reason to impose an archaeological condition on any permission due to the absence of any indications of archaeological potential on the site, and the likely damage that existing development would already have caused.

Bin Storage

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

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.

Conclusion

The principle of the use of the site is considered to be acceptable and the development would relate well to the site and surroundings 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. Subject to the Arboricultural Officer being satisfied with the tree protection measures the landscaping and tree retention proposals are acceptable and would be a benefit to the local environment. Technical matters relating to highways, contamination and drainage are to the satisfaction of relevant consultees. The proposals would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP9, LP10, LP12, LP13 and LP26, as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

Recommend that the application is granted conditionally subject to the following conditions with delegated authority granted to the Planning Manager to secure the financial contribution as requested by NHS England:

- Time limit of the permission;
- Development in accordance with approved plans;
- Samples of materials;
- Access improvement works in accordance with submitted plan;
- Electric vehicle recharge points;
- Tree protection measures;
- Fume extraction details;
- Noise impact assessment;
- Noise assessment for external plant or machinery;
- Assessment of off-site impact from external lighting;
- Implementation of landscaping;
- Erection of bat boxes;
- Reporting unexpected contamination; and
- Construction of the development (delivery times and working hours).