

<b>Application Number:</b>	2018/1415/FUL
<b>Site Address:</b>	Land East Of Riseholme Road, Lincoln
<b>Target Date:</b>	29th March 2019
<b>Agent Name:</b>	Lindum Group
<b>Applicant Name:</b>	Mr Andrew Parker
<b>Proposal:</b>	Erection of 35 affordable houses with associated infrastructure

### **Background - Site Location and Description**

The application site is a 2.22 acre area of land located on the eastern side of Riseholme Road. The site is currently vacant land which has been used previously as an allotment. The front boundary of the site is defined by a hedge and a wooden gate, whilst the other boundaries are defined by planting with a close boarded fence to part of the northern boundary. To the north of the site are dwellings situated on Blankney Crescent and 16 recently constructed dwellings with access from Blankney Crescent and Masons Close. To the east are residential properties which front Laughton Way with their rear gardens adjacent to the application site; to the south is the Cathedral Quarry and dwellings fronting Riseholme Road.

The application site was a former allotment which was de-registered following a City wide review of Council owned allotments. The site was then granted outline consent with access details although all other matters reserved under application, 2016/0987/OUT on 3rd February 2017.

The City Council currently still own the site although the land will be transferred to Waterloo Housing Group should planning permission be granted for the current proposal.

The application proposes 35 affordable two storey dwellings with a mixture of 2 and 3 bedrooms. 20 of the units would be shared ownership whilst 15 would be affordable rent.

### **Site History**

Reference:	Description	Status	Decision Date:
2016/0987/OUT	Residential development with new vehicular access from Riseholme Road (Outline)	Granted Conditionally	3rd February 2017

### **Case Officer Site Visit**

Undertaken on 28th January 2019.

### **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 LP11 Affordable Housing
- Policy LP12 Infrastructure to Support Growth
- Policy LP13 Accessibility and Transport

- Policy LP21 Biodiversity and Geodiversity
- Policy LP23 Local Green Space and other Important Open Space
- Policy LP26 Design and Amenity
- National Planning Policy Framework

### **Issues**

- The Principle of the Development in Terms of Planning Policy
- Impact on Visual Amenity
- Impact on Residential Amenity
- Other Matters

### **Consultations**

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

### **Statutory Consultation Responses**

Consultee	Comment
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Anglian Water	Comments Received
Mick Albans	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Highways & Planning	Comments Received
Environmental Health	Comments Received
Shane Harrison	Comments Received

## **Public Consultation Responses**

Name	Address
Mrs Sarah Fawcett-Howitt	4 Ashlar Close Lincoln LN2 2FL
Ms Kelly Harvey	35 Neile Close Lincoln LN2 4RT

### **Consideration**

Correspondence has been received from 2 residents, 1 from Ashlar Close to the north of the application site and 1 from Neile Close on Glebe Park. In summary concerns are raised relate to: the amount of housing proposed, loss of views, increased traffic, loss of habitats and impact on wildlife.

#### **The Principle of the Development in Terms of Planning Policy**

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 developments. 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 level of need for affordable housing is evidenced in the Strategic Housing Market Assessment (2015). The findings suggest that across Central Lincolnshire, there is a need for 17,400 affordable homes between 2012-2036. Policy LP11 of the Central Lincolnshire Local Plan requires all developments on housing on sites of 11 or more dwellings to provide 25% affordable homes. The development exceeds this requirement, providing 100% affordable units on site (35 dwellings), making a worthwhile contribution to the much needed requirement within the City.

With regard to the former allotment status of the land, it was agreed at the Council's Executive Committee in July 2015 that the Council would apply to the Secretary of State to deregister the allotment following a City Wide review of all 18 allotment sites. It was reported that on the Ermine Allotment which had 21 plots, 20 were unoccupied and had been for some time. Following the agreement at the Executive meeting that the site should be de-registered, the City Council made an Application for Consent to Dispose of Statutory Allotments to the Department for Communities and Local Government (DCLG) to de-register the application site as allotments. The application was assessed by DCLG against Allotment disposal guidance: Safeguards and alternatives, prepared by DCLG in January 2014 in relation to Section 8 (the statutory criteria) of the Allotments Act 1925 and was later de-registered.

Given the previous allotment status, the area is identified as a Local Green Space on the Policies Map within the Central Lincolnshire Local Plan. Such areas are protected from development in line with the NPPF and Policy LP23 of the Central Lincolnshire Local Plan unless it can be demonstrated that:

- a. In the case of publicly accessible open space, there is an identified over provision of that particular type of open space in the community area and the site is not required for alternative recreational uses or suitable alternative open space can be provided on a replacement site or by enhancing existing open space serving the community area; and
- b. In the case of all Important Open Spaces, there are no significant detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets.

The site is bounded on all sides by hedging and fencing and is therefore not considered publically accessible; point A of Policy LP23 would therefore not be relevant. Notwithstanding this, an overprovision of the site for an allotment has been established during the allotment review and development on this land is therefore compliant with this Policy providing it would not have significant impacts on character and appearance of the surrounding area, ecology and heritage assets as stated in part b of the Policy. These considerations are discussed later in this report. The principle of residential on this site has further been established through the previous outline application granted in 2017. In conclusion, officers are satisfied that the principle of the development is wholly appropriate in this location.

The requirements for developer contributions has been assessed and due to the development providing 100% affordable housing, the proposal is not CIL liable. However, a Section 106 is being drafted in order to secure contributions for the provision of primary school places, health provision, local green infrastructure and play space. Clauses within the S106 will also secure the tenure type and management arrangements of the affordable housing on the site.

### Impact on Visual Amenity

The layout of the site is widely dictated by its linear shape. The proposed layout would include a central road running through the site, gaining access from Riseholme Road. Two spur roads have been created within the site which allows access to service runs and drainage for future maintenance but also adds some elevational variety to the layout. Where possible, car parking has been included to the side of the properties but some frontage parking is included towards the east of the site.

The proposed dwellings are mostly semi-detached with 2 or 3 bedrooms, although there is also a row of three terraces towards the east end of the site. The dwellings are predominantly red brick with some use of render with grey UPVC windows. The design of the dwellings are simple in their form respecting both recent developments on Blankney and Ingleby Crescent, whilst also taking account of the established character along Riseholme Road and the adjacent Ermine Housing Estate.

The layout and design have been subject to discussion with officers and revised plans have been submitted to address some initial concerns with the scheme. The revisions include: a change of house type and re-orientation of the plots to Riseholme Road in order to present a more attractive frontage to Riseholme Road at the entrance to the site; some increased planting in order to improve the visual stop to the access road; removal of some of the render on House Type A and C and inclusion of windows in order to break up the brickwork and improve the overall appearance of the house types.

With regard to landscaping, there would be grassed areas to the larger frontages with

some shrubs included to break up the areas between paths and driveways. There is also planting proposed and some trees on corners of the access roads including on the entry into the site.

Overall, the design reflects other forms of recent development in area whilst maintaining its own identity. The development will respect the neighbouring sites and would have an acceptable relationship with Riseholme Road and the surrounding area. The application would therefore be in accordance with LP26 of the Central Lincolnshire Local Plan and paragraph 130 of the National Planning Policy Framework which requires development to take advantage of opportunities to improve the character and quality of an area.

### Impact on Residential Amenity

With regard to the impact on surrounding properties, beyond the north boundary of site are the properties on Mason's Close, Ashlar Close and Blankney Crescent. Plot 7 within the proposed development would have its blank side elevation adjacent to the rear boundary of No. 22 and 24 Blankney Crescent. Given the blank elevation and the sizeable garden of No.s 22 and 24, it is considered this relationship is acceptable and would not impose a harmful impact on the occupants of these properties in terms of residential amenity. The remaining plots adjacent to the northern boundary would have their rear gardens abutting this boundary, the rear gardens of the properties on Blankney Crescent are positioned beyond this point which would ensure sufficient separation would be created between the existing occupants on Blankney Crescent and future occupants of the development. Similarly, the east boundary of the site is adjacent to the rear gardens of the properties on Laughton Way, these gardens are of a sufficient size (approximately 15 metres) to ensure the new properties would have an acceptable relationship with these existing properties. Overall, the distances between the proposed and existing dwellings are similar to those seen on other recent schemes in the vicinity and would ensure that residential amenity to adjacent residents would not be unduly harmed by the proposed dwellings.

The City Council's Pollution Control Officer has recommended conditions regarding hours of construction and deliveries associated with construction, given the proximity to neighbouring properties times are restricted to minimise the noise and disturbance to neighbouring residential properties.

A noise impact assessment has also been submitted with the application which establishes the likely impact of noise on the proposed residential properties. Mitigation measures are proposed within the assessment including the installation of enhanced glazing and acoustic trickle vents to the affected habitable rooms. Acoustic fencing is also proposed to the gardens of the plots adjacent to Riseholme Road in order to reduce traffic noise to garden areas. The City Council's Pollution Control Officer has reviewed the report and concluded that the mitigation measures appear to be reasonable for protecting the internal acoustic environment within and to the garden areas of the dwellings. These details will therefore be subject to a condition requiring the mitigation measures are incorporated into the development.

It is therefore considered that the development is appropriate and the level of amenity for both neighbouring and future residents is acceptable, in accordance with requirements of Policy LP26.

## Access, Parking and Highways

The application has been discussed with the Highway Authority before submission with regard to the site layout. The layout is such that each plot would include off street parking for at least 1 car. The majority of the plots will be accessed via the single access road running through the centre of the site, whilst direct access from Riseholme Road is also provided for Plots 1 and 34 with appropriate turning space to ensure vehicles can access Riseholme Road in a forward gear. The Highway Authority have raised no objections in terms of traffic capacity or highway safety subject to standard conditions ensuring the access is constructed to adoptable standards and a construction management plan is submitted. The applicant will also be required to enter into a S38 agreement with Lincolnshire County Council in order to agree the adoption arrangements of the access road.

Taking account of the advice from Lincolnshire County Council, it is considered that the development would be acceptable in terms of highway safety and traffic capacity and therefore be in accordance with Policy LP13 of the Central Lincolnshire Local Plan.

## Impact on Trees/Ecology

A Tree Report has been submitted as part of the application which has been considered by the City Council's Arboricultural Officer. He considered that the report is a fair and accurate account of the trees located on the site and confirmed that no trees located within the site boundary could be reasonably considered as being of high amenity. The survey does recommend that trees retained in boundary locations will need to be adequately protected during construction works and this condition is recommended as part of any approval.

An ecology report has also been submitted with the application by CBE Consulting. The report concludes that there are no statutory or non statutory sites within the survey area or nearby which could be impacted upon by the proposed development.

It is therefore concluded that the development has been considered in relation to the impact on the protected trees and ecology within the site and subject to conditions relating to the tree survey recommendations, the application is in accordance with Policy LP21 and LP26 of the Central Lincolnshire Local Plan.

## **Other Matters**

### Drainage

The application is accompanied by a Drainage Scheme showing that surface water will be dealt with by infiltration into soakaways at greenfield rates. Lincolnshire County Council in their capacity as Lead Local Flood Authority have raised no objections in respect of surface water drainage stating that good infiltration is available with low groundwater level so the proposed permeable paving is an acceptable SUDs design. They have however, recommended a condition in order to secure the details of implementation, maintenance and adoption of the drainage arrangements.

Anglian Water have confirmed that the foul drainage from the development is in the catchment of Canwick Water Recycling Centre that will have available capacity for the proposed flows.

There has also been no objections raised by the Upper Witham Drainage Board on the application.

### Contaminated Land

A Site Investigation Report has been submitted with the application in relation to Contaminated Land. This is currently being considered by the City Council's Scientific Officer and ongoing discussions are taking place with the applicant. However, if these discussions have not been concluded before the determination of this application, then the standard conditions could be applied to the application in order to deal with any potential contaminated land on the site.

### 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

Previous archaeological investigations have taken place on the site via 5 trenches. All trenches were found to be archeologically negative and demonstrated that such remains are either absent from the site or sufficiently sparse to have evaded detection. The City Council's Archaeologist has therefore confirmed that there is no reason to impose further archaeological conditions.

### 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.

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

Yes.

### **Financial Implications**

None.

### **Legal Implications**

None.

## **Equality Implications**

None.

## **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. Technical matters relating to highways, contamination and drainage are to the satisfaction of relevant consultees or can be controlled through relevant conditions. The proposals would therefore be in accordance with the requirements of the relevant policies within the Central Lincolnshire Local Plan, as well as guidance within the National Planning Policy Framework.

## **Application Determined within Target Date**

Yes.

## **Recommendation**

That authority is delegated to the Planning Manager to grant planning permission subject to the signing of a legal agreement to secure the contributions for health care, play space and playing field space, education and the details of the affordable housing and subject to the conditions set out below.

## **Proposed Conditions**

- Time limit of the permission
- Development in accordance with the approved plans
- Samples of materials to be submitted
- Details of electric vehicle charging points
- Noise impact assessment mitigation measures implemented
- Landscaping implemented
- Highway conditions
- Details of maintenance of surface water drainage
- Construction proceed in accordance with Arboricultural recommendations in terms of tree protection
- Contaminated land remediation if required
- Time restrictions on commercial deliveries, waste collection and construction