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| Application Number: | 2019/0062/CXN |
| Site Address: | Lord Tennyson House, 72 Rasen Lane, Lincoln |
| Target Date: | 27th April 2019 |
| Agent Name: | Globe Consultants Ltd |
| Applicant Name: | Mill House Developments Lincoln Limited |
| Proposal: | Variation of Condition 13 (occupied by students only) of planning permission 2015/0530/F. (Revised description) |

Background - Site Location, History and Description of Development

Planning permission is sought to vary Condition 13 of planning permission reference 2015/0530/F, granted 18 September 2015. This permission was for the 'Demolition of existing Public House. Erection of part 2-storey, part 3-storey building to accommodate 12 apartments, including 12 car parking spaces, refuse area and new boundary wall to front and side elevations.'

Condition 13 prohibits the occupation of the building by anyone other than students.

"Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent re-enactment or revocation thereof) the student accommodation hereby approved shall only be used by students and for no other residential use without the prior consent of the City Council as Local Planning Authority." To this end the apartments have been occupied by students of Bishop Grosseteste University since opening.

The applicants have stated that the university have recently exercised their right to a clause which breaks their lease of these student accommodation blocks. As this has only just been received there is a reduced chance of securing its full occupation for the next academic year.

Therefore the applicants are now seeking the occupation of the apartments by people other than students. Permission is sought to vary condition 13 to:-

"Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enactment or revocation thereof) the accommodation hereby approved shall only be used by students or those provided with supported living accommodation and for no other residential use without the prior consent of the City Council as Local Planning Authority".

There is a detailed history to the site however the application prior to the most recent approval was refused and subsequently dismissed at appeal in March 2015 (2014/0366/F and 2014/0002/APRPP). This sought permission for 12 No. apartments (open market housing). The inspectors report stated; "Taking a precautionary approach, I am not persuaded that this situation would not give rise to additional difficulties for the occupiers of nearby dwellings in finding parking spaces with a commensurately adverse impact upon their living conditions." They went on to state "My attention was drawn to Crosstrend House near the appeal site, which, it was suggested, has considerably less than one space per residential unit. However, Crosstrend House appears to be student accommodation, controlled by Bishop Grossteste University, rather than an open market apartment development. As such, different parking requirements are applicable under Annex B(ii) of CLLP policy 34. Consequently, I give this little weight as a comparable example."

This gave rise to the submission of the student accommodation application, which by the inspectors own admission requires less parking. It is this subsequent build which is the subject of this planning application.

Lord Tennyson House is located on the north side of Rasen Lane on the corner of the entrance with Sastangate House. Cecil Street is located opposite with all other boundaries being residential terrace properties.

Case Officer Site Visit

Undertaken on various dates.

Policies Referred to

- National Planning Policy Framework
- Central Lincoln Local Plan – Policy LP26 Design and Amenity

Issues

- Residential Amenity
- Visual Amenity
- Applicants Reasons for Varying Condition 13

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 |

Public Consultation Responses

| Name | Address |
|-----------------|---|
| Celia McCauley | 40 Rasen Lane Lincoln Lincolnshire LN1 3HF |
| Sandra Thompson | 1 Harrison Place Lincoln Lincolnshire LN1 3HG |

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| John And Roberta Fleming | 3 Saxon Street Lincoln Lincolnshire LN1 3HQ |
| Phil And Linda Pompa | 81 Rasen Lane Lincoln Lincolnshire LN1 3HA |
| Mr Jonathan Stockdale | 80 Rasen Lane Lincoln Lincolnshire LN1 3HD |

Consideration

National and Local Planning Policy

Since the approval of the previous planning application the Central Lincolnshire Local Plan has been adopted and as such new policies will be used for the consideration of this application.

Proposed Development and Relevant History

In 2015 an appeal was dismissed for 12 market housing apartments. The reason for dismissal given by the inspector was that the impacts on street parking would have a detrimental impact on the living conditions of current residents.

“Although parking on Cecil Street, roughly opposite the appeal site, is permit controlled this is not the case in relation to many of the surrounding streets. Although parking demand may ebb and flow during the day, based on all that I have read and seen I have no reason to doubt the submissions of local residents that finding a parking space can be challenging. Any overspill parking from the proposed development would certainly exacerbate this situation.”

This was supported at the time by the Council’s adopted parking standards, set out in Annex B(ii) to policy 34 of the City of Lincoln Local Plan (CLLP). However this policy has subsequently been superseded by the Central Lincolnshire Local Plan and no prescribed parking standards are set out within this document.

The inspectors view was that the demand for student parking would be lower and therefore the scheme was subsequently permitted for 12 student flats to overcome the impact on neighbouring residents. It is this impact which needs to be assessed as part of the current application.

The applicants have been contacted by the YMCA. The YMCA operate Rasen House, located east of the application site on Rasen Lane, and have registered an interest in utilising the apartments in question on a ‘supported living’ basis. The applicants have described supported living as “the arrangement whereby someone who already has, or who wants their own tenancy or own home, also receives assistance from a “Care and Support” provider to help them to live as independently as possible. The assistance provided for the prospective tenants could include but is not limited to; help and advice in managing bills and finance, cooking and healthy eating, attaining a job, and learning new skills for independence.”

The YMCA have stated their intention for the application site to be used by their residents in a similar manner to those currently in Rasen House. This would involve a client group anticipated to require 'low support needs' occupying the application site.

The management would have control over car tenant parking on this site. Based on their current client groups, the YMCA has a total of 90 accommodation units across the city, with only 3 people living in these units owning a car. On this basis they are confident that the issue of on-street car parking would not arise as a consequence of YMCA occupation. Given that the restriction of the use of the property by students was to limit and control the need for car parking, it is considered that the use of the property by both students and tenants of the YMCA, would give rise to no greater demand for car parking.

Residential Amenity

The proposed variation of condition would result in no changes to the approved scheme in terms of layout and design. Therefore there would be no increase in the numbers of people occupying the development as a whole and the type of occupancy would still fall within the C3 (residential) use class.

A number of objections have been received from local residents. The main issue raised relates to the impact on street parking. This has been discussed elsewhere within this report and it is considered that the proposed change of occupation would still have sufficient control over parking so as not to affect residential amenity.

The other issue relates to the demand for student accommodation in the city. Local residents feel there is sufficient demand in the city that this accommodation could be occupied by students. The proposed application does not prohibit the apartments being occupied by students, and should there be demand the whole site could continue to be occupied in the same way. However the variation allows some flexibility should the demand for student accommodation fluctuate.

Visual Amenity, Design and the Character and Appearance of the Area

The proposed removal of Condition 13 would have no impact on the appearance of the building.

Highways

The Highways Authority have raised no objections to the proposed variation of the condition.

Conclusion

The variation to allow the occupation of the apartments by both students and as supported living accommodation would have no adverse impacts on neighbouring residents and nor would there be any visual impacts. The condition still allows control of car parking which was the reason for the condition being imposed on the original consent. Therefore it is acceptable to allow the variation and it accords with national and local planning policy.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally.

Conditions

All those conditions on the previous application which are still valid:-

- Prior to the installation of any stationary external plant or machinery (including air source heat pumps), a noise impact assessment report shall be submitted to the planning authority for approval.
- The arrangements shown on the approved plan for the parking/turning/manoeuvring/loading/ unloading of vehicles shall be available at all times when the premises are in use.
- Any gates to the vehicular access shall be set back and shall not open over the highway.
- Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enactment or revocation thereof) the accommodation hereby approved shall only be used by students or those provided with supported living accommodation and for no other residential use without the prior consent of the City Council as Local Planning Authority.