

Application Number:	2019/0501/FUL
Site Address:	Markham House, 73-75 Swift Gardens, Lincoln
Target Date:	20th August 2019
Agent Name:	Lindum BMS
Applicant Name:	Mrs Helen Ritchie
Proposal:	Demolition of Markham House and erection of 5, two-storey (two bedroom) dwellings. (REVISED DESCRIPTION).

Background - Site Location and Description

The application site is Markham House, 73-75 Swift Gardens. The two storey premises was formerly occupied by St. Giles Matters, a community use, although is currently vacant. There is an existing vehicular access to the south side of the building from Swift Gardens providing access to a car park at the rear. Adjacent to this access is 71 Swift Gardens, accommodating flats, with 77A, B, C and D Swift Gardens beyond the opposite side boundary, to the north. Directly to the rear of the site is the car park of the Myle Cross Centre. The wider area is predominantly characterised by a mix of two storey semis and terraces, with parking both on and off street.

The application is for demolition of the existing building and the erection of a terrace of five, two storey dwellings. The two bedroom properties would have the benefit of an off-street parking space to the front and gardens to the rear. The City Council are the applicants and the scheme is proposed to provide affordable housing.

The application has been revised during the process. The height was reduced from 2 ½ storey which also reduced the number of bedrooms from three to the two now proposed. All neighbours and statutory consultees have been notified of these changes.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 9th July 2019.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP15 Community Facilities
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

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

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

Public Consultation Responses

Name	Address
Mr Richard Littlewood	Lancaster House 36 Orchard Street Lincoln LN1 1XX

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. Officers are therefore satisfied that the principle of the residential use is wholly appropriate in this predominantly residential location. 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).

CLLP Policy LP15 advises that the loss, via redevelopment, of an existing community facility to provide an alternative land use will only be permitted if it is demonstrated that the facility is demonstrably no longer fit for purpose and the site is not viable to be redeveloped for a new community facility, or the service provided by the facility is met by alternative provision that exists within reasonable proximity.

The applicant has advised that the premises has been vacant since January 2018 and is no longer considered fit purpose to be used as a community facility. There are alternative community facilities available in the vicinity including the Myle Cross Centre to the rear of the site, St. Giles Community Centre further along Swift Gardens and the St Giles Sure Start children's centre on Lamb Gardens. The applicant goes on to advise that a number of options were considered in order to bring this site back into productive use. The proposed new-build housing scheme is considered to offer the most favourable solution as it will enable the development of affordable housing in the area, meeting a housing need identified by the Council's Housing Strategy and Investment Team.

Officers are therefore satisfied that the redevelopment of the site, providing an affordable housing scheme within an area where there are a range of other existing community

facilities, is acceptable and meets the requirements of CLLP LP15.

Visual Amenity

It is considered that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated parking and gardens to the 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 building. The proposed terrace would sit in a similar position to the existing, set back from the street approximately in line with the adjacent buildings. The two storey height is comparable to the existing building and also existing two storey properties in 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 combine traditional proportions constructed with red brick, a tiled roof, UPVC windows and tiled porch canopies. To the rear are single storey pitched roof off-shoots. It is considered by officers that the development would reflect the original architectural style of the local surroundings.

Samples of materials and details of boundary treatments and landscaping will be conditioned on any grant of consent to ensure that these are appropriate and contribute to the overall character of the development and its surroundings.

Officers are therefore satisfied that the proposal would be in accordance with CLLP Policy LP26 and paragraph 127 of the NPPF, which requires that developments should add to the overall quality of the area.

Residential Amenity

The proposal would be located 5m from the side elevation of 71 Swift Gardens, to the south of the application site. The front elevation of the proposed terrace would sit behind the front of the neighbouring property with only the single storey off-shoot projecting beyond the rear, which is set a further 3m from the boundary with a pitched roof sloping away. The facing side elevation of no. 71 is blank with the exception of a door and small first floor window to the rear section. Given this relationship officers are satisfied that the proposal would not appear unduly overbearing or result in an unacceptable degree of loss of light. There is a door and WC window within the side elevation of the proposed rear off-shoot, although any overlooking would be mitigated by the boundary treatment for the rear garden, which will be required by condition.

The property beyond the opposite side boundary, 77 Swift Gardens, would be located 5m from the proposal. Similarly to the relationship with no. 71, the front elevation of the terrace would sit behind the front of no. 77 with only approximately a 2.5m projection beyond the rear. The single storey rear off-shoot would increase this projection, but is set a further 3m from the boundary with a pitched roof sloping away. There is one small window within the facing elevation of this neighbouring property, although it is worth noting that the proposed dwelling would actually be further away than the existing building. Officers are therefore satisfied that the neighbouring occupants would not be unduly harmed through the creation of an overbearing structure or through loss of light. With regard to overlooking, similarly to the above, there is a door and WC window within the side elevation of the rear off-shoot, although this impact would be mitigated by the boundary treatment for the rear

garden, which will be required by condition.

There are no other residential properties adjoining the site and officers would therefore conclude 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, overlooking or loss of light. 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

The application provides off-road parking, one space per dwelling, to the front of the proposed properties accessed directly from the street. In addition the occupants will have good access to local facilities and public transport.

The Lincolnshire County Council (LCC) as Local Highway Authority has considered the application and has no objection in principle to the level of parking or the access arrangements.

Trees

There are no trees within the application site although there are five trees located around the periphery. Comments have been received from the both the City and County Council's Arboricultural Officers regarding the potential impact on these as a consequence of demolition and construction. Most notably is T1, a highway tree the front, as the proposed car parking would fall within the root protection area.

These comments were sent to the applicant and in response a Tree Survey has been submitted which considers the potential impacts and suggests mitigation measures, such as root protection areas and hand digging only under the tree canopies. At the time of writing the report officers are yet to receive responses from the Arboricultural Officers so this will be reported on the update sheet.

Other Matters

Contaminated Land

The City Council's Pollution Control Officer has advised that, due to past uses on and in the vicinity of the site, there is the potential for significant contamination to be present. Conditions have been requested which will be attached to the grant of any permission.

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. Accordingly a condition will require details of charging points to be submitted for approval and for the units to be installed before development is first occupied.

Bin Storage

The application does not identify a dedicated area for bin storage although there is sufficient space within the rear gardens to accommodate these, with access to the rear/side for presentation on the street.

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

Yes.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The applicant has provided an appropriate case to sufficiently justify the loss of the community use and the principle of the use of the site for residential purposes is considered to be acceptable in this location. 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 highways and contamination are to the satisfaction of the relevant consultees and can be dealt with appropriately by condition. The application is therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP15 and LP26, as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

Subject to the Tree Report being to the satisfaction of the City and County Council Arboricultural Officers, recommend that the application is Granted Conditionally subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Contamination
- Land levels
- Material samples
- Boundary details
- Landscaping scheme
- Electric vehicle recharge points
- Construction of the development (delivery times and working hours)
- Tree protection measures