

Application Number:	2019/1017/FUL
Site Address:	House Of Fraser, 226 - 231 High Street, Lincoln
Target Date:	19th March 2020
Agent Name:	Quod
Applicant Name:	Halifax Pension Nominees Limited
Proposal:	Demolition of existing buildings, erection of building consisting of Hotel with ancillary restaurant and bar (Use Class C1), flexible retail (Use Class A1/A2/A3/A4/A5) / leisure uses (Use Class D2), landscaping and associated works.

Background - Site Location and Description

The application site is located on a prominent corner on the west side of High Street, bounded by St Peter's Passage to the north, Mint Lane to the West and Mint Street to the south.

The site is occupied by a number of buildings, the main building being House of Fraser, a department store fronting High Street and Mint Street with a series of other buildings fronting Mint Street, lined towards Mint Lane.

The principal building fronting High Street consists of a four storey department store which was re-clad during the 1960s. Elsewhere on the site there are smaller scale three/two storey buildings fronting Mint Street which are positioned at the back edge of the footpath, these buildings have been amalgamated into the department store albeit some are used for storage or back of house facilities and a cafe in association with the main use.

There is a yard to the rear of the block, accessed from Mint Lane and used for car parking and deliveries.

None of the buildings on the site are listed although the site is located within the Cathedral and City Centre Conservation Area No. 1.

Adjacent to the site, on the south side of Mint Street, is Nat West Bank (Grade II Listed) and the Stonebow, a Scheduled Ancient Monument and Grade I Listed Building.

The site owner and applicant is Halifax Pension Nominees Ltd c/o Patriza Property Investment. The tenant of the building is currently House of Fraser, who went into administration in 2018 and were subsequently purchased by Sports Direct Group. The Planning Statement states that *"House of Fraser have since renegotiated their lease terms and are on a short-term lease (3 monthly); they will not commit to their long-term future at this location."*

The applicant has highlighted throughout pre-application discussions that securing a scheme for re-development is defensive position in order to secure a sustainable, long term future for the site.

The applicant has therefore submitted the current scheme which would, if granted, safeguard against a highly prominent site within the City of Lincoln's High Street becoming vacant. Whilst the operator of the hotel has not yet been confirmed, the applicant has confirmed that there has been significant market interest for a hotel use on the site and on submission of the application were in *"advanced negotiations with an international brand hotel operator, who proposes to deliver a 4* lifestyle hotel."*

The Proposals

The proposals involve demolition of all buildings within the site and erection of three connected blocks ranging from two storeys to five storeys. The new buildings, whilst all physically connected, can be defined into three sections given their differing design and scale; they are: the High Street Block, the Entrance/Link building and the Mint Street/Lane building. The High Street block is the largest, in terms of both scale and footprint. This block would be of five storeys, with the top floor set back from the roof edge. This block would be the most prominent and positioned on the High Street/Mint Street corner. The ground floor space would be flexible commercial space (A1/A2/A3/A4/A5/D2) at the High Street frontage with 150 bedroomed hotel above.

The entrance to the hotel would be through a two storey link building accessed off Mint Street. The two storey entrance, which would also include a bar, would link from the main hotel building to another two storey building further west on the corner of Mint Street/Mint Lane which would be occupied by the hotel restaurant. A first floor walkway would allow access from the main hotel into the building to the west, with the hotel gym located at first floor. The hotel entrance would open up into an outdoor courtyard area located to the rear of the building.

The proposed new buildings would be set back from the existing building line to Mint Street creating a wider footway and allowing the spaces for hotel guest drop off and pick up points adjacent to the hotel entrance and also creating a servicing bay for the retail units.

There is a proposed landscaped courtyard to the rear of the hotel entrance that would be accessible via the hotel, Mint Lane or St Peters Passage. Whilst currently closed, the proposal allows for a Public Space Protection Order on the passage to be lifted by the City Council, enabling the passage to be accessible to the public again.

Pre-Application Discussions

The proposals have been subject to extensive pre-application discussions, which began in early 2019. These have involved various meetings with Planning Officers/Heritage Team members from City of Lincoln Council, Highway Officers at Lincolnshire County Council and Historic England.

The proposals have also been subject to feedback from the East Midlands Design Review Panel, a public consultation event and a briefing to City of Lincoln Council Elected Members.

All stages of the design process are fully detailed in the submitted Design and Access Statement and some of the changes incorporated during the pre-application process include:

- The scale of Mint Lane building and entrance building reduced from those originally proposed,
- The top floor of the High Street Block revisited and modified to create a more defined visual end to the building,
- Building retention analysis produced detailing why retention is not possible,
- Detailing on Mint Lane building refined
- Materials on all buildings discussed and Design Code produced, agreement to use dark bronze for the window framing for the High Street Block,

- Planting on St Peters Passage removed and building refined at this point to reduce anti-social behaviour through passive surveillance.

Site History

The application has been screened for an Environmental Impact Assessment. The screening process concluded that the proposal was not EIA development (2019/0911/SCR).

The site history includes various applications for alterations to the existing store from 1960 onwards although it is not considered there are any previous applications that relate directly to the current scheme.

Case Officer Site Visit

Various site visits during pre-application and application stages.

Policies Referred to

- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP6 Retail and Town Centres in Central Lincolnshire
- Policy LP7 A Sustainable Visitor Economy
- Policy LP13 Accessibility and Transport
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP31 Lincoln's Economy
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- National Planning Policy Framework

Issues

In this instance the main issues to consider are:

- National and local planning policy- The principle of the proposed mixed use development
- Assessment of harm to the character and appearance of the conservation area
- Archaeology
- Highway Safety
- Impact on Adjacent Businesses
- Contamination
- Flood Risk and Surface Water Disposal
- Crime and Anti-Social Behaviour
- Ecology

Consultations

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

Public Consultation Responses

Name	Address
Mr Charles Cooke	12 Mint Lane Lincoln Lincolnshire LN1 1UD
Miss Elise Wiles-Komurcu	9 William Street Lincoln LN1 2LP
Mrs Joanne Bycroft	The Pessimist Gin and Wine Bar Mint Lane Lincoln LN1 1UD
Mrs B Toulson	9 Addison Close Navenby Lincolnshire LN5 0HA
Mrs Nicola Ellwood	20 Upper Long Leys Road Lincoln Lincolnshire LN1 3NH

Statutory Consultation Responses

Highway Authority - Discussed within the report- Does not wish to restrict the grant of permission, conditions recommended.

The Lincoln Civic Trust - Objection - Does not object to the principle of full demolition and re-build. However, question the use of a major hotel viability and not easily convertible. Design of building is pleasing but it could make more of a statement. Applaud design of building on Mint Lane/Mint Street but concern with delivery arrangements. Concern regarding opening St Peter's Passage.

Anglian Water - Informative recommended that an adoption agreement be entered into.

Historic England - Objection, less than substantial harm to Conservation Area and further details required regarding archaeology - Further details within the report.

Upper Witham Internal Drainage Board - No Comments

Environment Agency - No comments

Lincolnshire Police has also offered its advice regarding the design of the building and layout of the site in order to reduce crime.

The Comments of the Council's Pollution Control Officer, Scientific Officer, Principal Conservation Officer and the City Archaeologist are discussed within the report.

Local Residents and Businesses commented in summary as follows:

Concerns regarding full demolition, concerns regarding lack of parking, concern with delivery

arrangements, careful consideration should be given to the use of St Peter's Passage, disruption from building work in terms of noise, access and dust, loss of department store, loss of jobs, concern regarding the modern design of building in context, too many bars, restaurants and hotels already.

All comments are attached in full at the end of this report.

Consideration

The main policies engaged by the proposal can be summarised as follows:

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out three overarching objectives (social, economic and environmental) to be pursued in mutually supportive ways. The overall planning balance must look across all three strands (paragraph 8), it states that development should be pursued in a positive way therefore at the heart of the framework is a presumption in favour of sustainable development.

The NPPF states that planning policies and decisions should *"support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation"* (paragraph 85).

Chapter 12 states that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

Furthermore, planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and 39
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Where proposals affect heritage assets the NPPF states that *"great weight should be given to asset's conservation"* and that this is regardless of the level of harm. Where harm is established, paragraphs 195 and 196 are relevant which require a balancing exercise to be undertaken as to whether the public benefits of a scheme would outweigh the harm, in this case to the Conservation Area.

In addition to Planning Policy, there is a duty within the Planning (Listed Buildings and Conservation Areas) Act 1990 that *"special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

Local Planning Policy

Principle of Development and 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 retail, leisure, cultural, office and other employment development.

The importance of the visitor economy in Lincoln is highlighted in LP7, which generates over £130 million a year and supports 2,000 jobs. The Policy aims to encourage sustainable growth in the visitor economy.

The site is within the City of Lincoln Central Mixed Area and the Primary Shopping Area (LP6 and LP33). Policy LP33 sets out uses which will be supported in principle within the Central Mixed Use Area. These supported uses contain all the uses proposed including, Hotel (C1), Retail (A1), Food and Drink Outlets (A3, A4 and A5) and Leisure (D2) providing a number of requirements are met, as outlined in the policy. One of the requirements is that 80% of the frontage remains in use Class A1 and others falling outside of A1 are should not undermine the vitality and viability of the shopping frontages.

Officers consider the proposed development is in accordance with Policy LP31 of the CLLP, in that the proposal will support the strengthening of Lincoln's economy, by contributing to the overall offer that Lincoln provides. The development would be a major mixed-use scheme within the Primary Shopping Area. The proposals would have the potential to strengthen the vitality of the high Street with a range of uses including flexible commercial space to respond to market conditions. The mixture of uses would complement each other, enriching Lincoln as a key destination for tourism and leisure, and as a significant provider of retail services.

Officers are therefore satisfied that the principle of this mixed-use development is wholly appropriate within the Central Mixed Use Area and supported within LP31 and LP33 of the CLLP.

Whilst the re-development of the site is acceptable in principle, the proposal involves total demolition of all buildings located on the site and given its position in a Conservation Area, should therefore be assessed against local and national policy in that regard.

Assessment of Harm to the Character and Appearance of the Conservation Area

The site location is rich in character and historical importance. The High Street Character Area details:

"Much of the character of the area is diverse and varied reflecting its plot-by-plot development and redevelopment of buildings and spaces along its length. Consequently, the area has one of the highest building densities in the city, giving emphasis and prominence to any open spaces as well as buildings which sit within open space. Despite the great variations of built form and streetscape, many of which reflect the fashions,

materials, construction techniques and styles contemporary with their periods of construction, there are elementary congruencies as well as patterns that gel the variety of the Character Area's constituents together. An example might be the prominence and individuality of buildings facing High Street, recognising the street's long-held status as the city's premier retail space."

The site is also adjacent to the Grade II Natwest building on the opposite site of Mint Street and the Stonebow, a Scheduled Monument and Grade I listed building.

History of the Site

The history of the building has been well documented in the Heritage Statement submitted with the application (December 2019).

The earliest map regression data from 1842 shows the eastern corner and the High Street boundary extending northwards being developed albeit within small scale buildings, whilst the western part of the site was still undeveloped at this time. Development here happened later, around 1888, when Nos. 9-19 and 21-23 Mint Street are visible. No. 5-7 was built in approximately 1902.

By 1930 all of the building on the site were owned by Mawer and Collingham, a clothing retailer. Buildings on the site were amalgamated and operated as a department store albeit with some of the property let to other businesses including the building on the western end of Mint Street (21-23) which were used as staff living quarters.

Major refurbishments took place in the 1960s comprising some unsympathetic alterations including the removal of traditional shopfronts at No. 9-12 Mint Street and replacement with recessed plain modernist façades with large square columns. The principal building was also re-fronted during this period which is how it remains at present. House of Fraser purchased Mawer and Collingham in 1980.

The Loss of Townscape from Demolition

Officers consider that the existing principal 4 storey building contributes negatively to the Conservation Area at present following the loss of its attractive frontage during the 1960s. Previous alterations have also compromised the ground floor at 5-7 and 9-12 Mint Street with the loss of their decorative historic shopfronts. However, some architectural detailing at first floor remains intact which contributes positively to the Conservation Area. These include two curved bay windows within 5-7 Mint Street along with their original windows and Queen Ann Revival style projecting turret with a weathervane above to the western most bay.

9-19 Mint Street is a more modernist designed building with fewer traditional features although officers consider they contribute positively to the Conservation Area in terms of historic townscape.

21-23 Mint Street provide an example of mid-late pair of semi-detached properties of a domestic scale in the Conservation Area. Constructed of red and buff brick (polychromatic pattern) in an alternate Flemish bond. Whilst the windows within the building have been boarded up for a number of years, it is considered that much of the external fabric of the building remains intact and therefore contributes positively to the Conservation Area.

The proposals include demolition of all of the buildings on site. Such wholesale demolition

to the established townscape within the centre of the Conservation Area will undoubtedly bring harm to its character and appearance and appropriate weight should be given to this matter. In such cases, Chapter 16 of NPPF and LP25 are relevant in establishing the degree of harm and whether that harm is justified when balanced against other issues.

Historic England have objected to the proposal although have stated that they do not object in principle to the demolition of the 4 storey building nor the re-development of the site. They state: *"The historic character of Lincoln would play a large part in attracting guests to the proposed hotel and demolition of historic buildings would be completely at odds with this desire."*

They have requested amendments to the proposal which would include retention of the smaller scale buildings fronting Mint Street. They consider *"It would be possible to make significant alterations to the internal footprint of these buildings whilst retaining their external contribution to the streetscape and conservation area, i.e. mainly facades and roofs. Façade retention with rebuilt/retained historic roof forms is common practice. The modern shopfronts of 5-7 and 9-19 Mint Street would provide an opportunity for reworking as part of the hotel entrance. The limited depth of the surviving buildings on Mint Street also presents opportunities for rethinking the arrangement and use of spaces immediately beyond them and within the site to accommodate the surviving buildings."*

Constraints to Retention

The application is accompanied by a Design and Access statement, a Planning Statement and a response to the objection from Historic England. All of these documents set out the constraints of the site and the reasons that retention of buildings onsite cannot be considered a viable or workable option.

Retention of the buildings on site was discussed at length during the pre-application stage. During this stage, the applicant submitted indicative information to show that financial viability was one of many reasons as to why retention would not be possible. Historic England, in their objection have stated that they are not convinced by the financial justification put forward with the application and an independent audit should be carried out by the Local Planning Authority. Whilst viability information was submitted during the pre-application stage, this information has not been submitted with the current application nor is it required to be by planning policy. Officers have not therefore investigated financial viability further, particularly as this is only one of the many reasons the applicant has put forward for demolition of the buildings on the site.

The Design and Access statement, in its 'Retention Analysis,' sets out the reasons for demolition which include:

- Low floor to ceiling heights are not suited to hotel use; as servicing and plant would need to be accommodated there is a need for greater floor to ceiling heights.
- Façade retention has been considered, however to accommodate the required floor to ceiling heights, floor slabs will likely be situated in front of existing windows - affecting the visual appearance of the buildings.
- Considerable internal and external wear, with heavily weathered external brick work at lower levels and large cracks recorded within basement ceilings - creating health and safety risks, and implications for increased costs.
- Further costs associated with restoring the heavily altered shopfronts of nos. 9-19 and 5-7, and ensuring the buildings provide a comfortable environment and remain energy efficient.

- Varying levels across the site levels, creating issues with accessibility
- Building retention would compromise appropriate servicing and access to the site. Delivery bays along Mint Street and Mint Lane would not be deliverable, resulting in inappropriate servicing and drop-off arrangements that would conflict with transportation objectives and create problems during the operational stage.

Notwithstanding the advice from Historic England, Officers consider façade retention has its limitations and has varying degrees of success. In this case, the buildings worthy of retention would be those located on Mint Street. These are the smaller scale buildings and pre-application discussions with the applicant team suggested that in order to incorporate those buildings into the scheme there would be a need for large scale buildings directly behind the façade. If this option was viable, which the applicants have stated it wouldn't be, the result would be a remnant of the townscape being retained. Whilst compromising the scheme from the applicant's point of view, Officers consider it is also unlikely to result in a positive outcome in design terms.

Whilst each one of the above site constraints may not be considered unsurmountable when viewed in isolation, officers consider that collectively the constraints on site raise significant difficulties for the applicant. Consequently finding a viable and commercially sustainable future for the site is highly challenging. Officers therefore consider the applicants have put forward comprehensive and convincing argument for demolition of the Mint Street buildings.

Harm from Loss of Buildings

Historic England and the City Council's Principal Conservation Officer consider that the harm caused to the Conservation Area from the loss of buildings on the site would be less than substantial harm.

Paragraph 196 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

It is therefore necessary to appraise the design of the proposals further in order to balance the issues whilst also considering the wider benefits and implications of the proposals.

Assessment of the Design of the Proposal

The proposals have been designed by Sheppard Robson, an Architecture Practice with 80 years' experience of designing large-scale projects. They have a proven track record of designing and delivering high quality, successful schemes.

The development involves the erection of three interconnected buildings. These can be divided into three elements; the High Street Block, the Hotel entrance and Mint Street Block.

High Street Block

This is the most visible part of the proposal and the proposed design responds to its setting with an appropriately scaled civic style building to the corner site. The building would be 5 storeys high although the top storey would be set back from the roof edge and treated in a darker material to the rest of the block.

In terms of scale, the block would sit slightly higher than the building to the north although

this is also evident with the existing House of Fraser building.

The building picks up on the strong vertical emphasis of the adjacent building to the north and Grade II listed Nat West building on the opposite side on Mint Street. The building uses repetition of fenestration set within deep reveals to create a pleasing rhythm to the design. Whilst there is a strong vertical emphasis, the design also includes horizontal detail that is carried through from the cornice line of the building to the north. Recessed brick panels and deep window reveals will create light and shade and add interest to the elevation. At ground floor the shop fronts would include signage areas with small canopies above. A ribbed pre-cast panel would be positioned above the canopies and would separate the retail element from the hotel above.

The upper floor is set back from the roof edge creating a lighter presence to the top storey. The proposal has been revised during pre-application discussions to incorporate an overhang to the roof of the top storey. This creates more of a defined visual 'end stop' to the building.

Proposed finishes to the building include a pre-cast concrete frame with infill brick panels. The upper floor will be finished dark bronze aluminium panels which will also match the window frame colour.

The shop front to the corner would be chamfered and finished in gold aluminium a colour which is repeated for the underside of the roof soffit.

The City Council's Principal Conservation Officer considers:

“The loss of the building on the High Street and its replacement is considered to make a positive contribution to the character and appearance of the conservation area and setting of listed buildings given the superior design of the proposed building.”

Officers concur with this view and consider the design of the building represents a contemporary but uncomplicated, quality piece of architecture that takes account of its sensitive setting and responds to adjacent buildings in form and scale. The building sits comfortably in its location whilst the palette of materials add interest and quality to the building.

Hotel Entrance -Link Building

The entrance to the hotel would be positioned on Mint Street and be of two storeys in scale. The entrance canopy at ground floor creates an attractive entry point with views into the building and further into the landscaped courtyard to the rear. Whilst the canopy creates horizontal emphasis to the building at ground floor, slim vertical pre-cast detailing at first floor bring more of a balance to the elevation whilst also assimilating successfully with the High Street block. A first floor walkway would allow access from the main hotel building into the building to the west and would add activity at this level.

Finishes would include pre-cast concrete with dark bronze metalwork to the entrance doors. Slim frames to the doors and large areas of glazing would ensure a permeable view into the courtyard to the rear. The Entrance and High Street blocks maintain a physical connection whilst the repetition of materials would provide a visual synergy between the two elements of the proposal whilst being designed differently in scale and form to respond to the changing character.

Officers consider the scale and design of the proposed entrance responds appropriately to its context and represents a transition from the larger High Street character to the more domestic scale at Mint Lane.

Mint Street Block

The Mint Street corner block reflects the domestic scale of the surrounding character having the appearance of two semi-detached properties whilst also retaining a commercial feel particularly with regards to the roof scape. Glazing on the corner of Mint Street/Mint Lane to the restaurant of the hotel creates activity and interest.

The detailing avoids the obvious use of rainwater goods and uses deep window reveals to add light and shade to these elevations. Vertical and horizontal joints and brickwork laid in Flemish bond would break up the brickwork, adding texture whilst reflecting the existing building. Gun metal grey windows provide a contrast to the other blocks but represents the transition in character moving from east to west.

The Principal Conservation Officer states that *"Of particular success is the corner building to Mint Street and Mint Lane which responded to context in its use of a distinctive approach to the use of brick and the quasi industrial appearance."*

A key to the success of the design in built form will be the appropriate choice of specific materials. In order to give officers comfort in relation to the quality of the finish, a 'Façade Materials Design Code' has been submitted. The specific colour and texture of brick, pre-cast concrete, mortar and windows will be agreed before commencement on site and will require the construction of sample panels. A Facade Maintenance Strategy has been submitted with the application which sets out how facades will be regularly cleaned and maintained in order to maintain a high quality finish.

In conclusion, it is considered that each component of the proposal has been carefully designed to be successful individually whilst also working as a composition to respond appropriately in form and scale to the context. The architectural rationale for the elevations and the materials palette chosen are well informed and would be appropriate to the form of the building and locality. The proposal would in turn enhance the conservation area and secure positive contributions to the wider historic townscape. However, harm is not solely balanced against the contribution to the townscape and quality of the proposed design. It is therefore appropriate to look at the wider public benefits of the scheme in order to weigh them against the harm from loss of buildings.

Public Benefit Assessment and Planning Balance

The National Planning Policy Guidance confirms that public benefits, which follow from development could be anything that delivers economic, social or environmental objectives as described in the NPPF.

Economic

The Design and Access Statement states that the applicant is in advanced discussions with a global hotel operator who is an *"upscale 4* rated lifestyle hotel brand."* Additionally, the proposed retail units would have a flexible use to ensure they can respond to market conditions. A mixed-use development in the heart of the City will clearly contribute to the

vitality and viability of the Central Mixed use area and prosperity of both the day and night time economy as well as the visitor economy.

The Hotel Fact File produced by Greater Lincolnshire Local Enterprise Partnership acknowledges the growth of budget hotels in Lincoln and it states that "... *the immediate priority for the city is the development of luxury boutique hotels to match the boutique hotel offer of competitor heritage city destinations.*" Increasing hotel space in the City is also emphasised in the Growth Strategy for Lincoln 2014-2034. The development would therefore contribute towards the objectives of these strategies.

Additionally, the Planning Statement submitted with the application anticipates that the hotel, restaurant and bar would create approximately 35 full time equivalent, 20 part time equivalent and at least 10 housekeeping roles. The retail element would create between 49-66 full time equivalent roles whilst the construction phase is estimated to create approximately 90 full time equivalent jobs.

The mixed-use development would therefore support Lincoln's role as a key destination for tourism and leisure and enhance Lincoln's status as a significant provider of retail services which is supported by LP31 - Lincoln's Economy and paragraph 8 of the NPPF.

Environmental

Notwithstanding the immediate visual benefits derived from the high quality development, the proposal generates a number of other environmental improvement opportunities. To the north of the development boundary is St Peters Passage, a historic ginnel connecting the High Street to Mint Lane. Unfortunately, anti-social behaviour caused by lack of surveillance and high walls surrounding the passage has resulted in the City Council placing a Public Protection Order on the area which is now gated. The applicants wish to re-open the passage, design out corners and encourage passive surveillance to prevent anti-social behaviour in the future. The passage would open up into the landscaped courtyard to create a welcoming and inviting space to the benefit of the scheme and public realm. Furthermore, double doors from the restaurant and meeting rooms within the hotel would open out into the green space which has been carefully designed by a landscape architect. There would be potential for this to be a vibrant, pleasant and safe space for its users as well as members of the public passing through from High Street to Mint Lane. In addition to the courtyard providing visual and social benefits the planting within the courtyard area and use of rain gardens will increase storage and infiltration of surface water run off which would in turn reduce pressure on drainage systems.

The proposal would be set back from its existing position on Mint Street which would result in a widening of the highway on the northern side of the street. Whilst this has benefits in terms of traffic flow and creates sufficient drop off/servicing space for the hotel, it also ensures a less oppressive atmosphere for pedestrians.

The demolition of existing buildings and replacement with a new building would ensure it would meet the current sustainable credentials for building regulations. The Design and Access statement has highlighted the sustainability credentials of the proposal which would include:

- Floor slabs designed to allow free circulation and reduction of energy loss of the buildings
- Sustainability sourced materials where possible

- High performing thermal envelope with U values exceeding Building Regulation requirements
- An anticipated Energy Performance Certificate of A when compared to the existing D rated building, resulting in reduced energy consumption

The proposal has been carefully designed to ensure quality for the lifetime of the development with appropriate and effective use of landscaping, creating a safe inclusive and accessible space for users in accordance with Paragraph 8 and 127 of the NPPF and Policy LP26 of the CLLP.

Social

The social benefits brought by the scheme are inherently linked to the economic and environmental benefits discussed above. These include the creation of jobs, an improved public realm and a safer more attractive environment for users of the hotel, restaurant and bar as well as being accessible and available to members of the public.

Summary

The demolition of the buildings on site would cause harm to the identified heritage assets. Whilst this harm is less-than substantial harm, considerable importance and weight has been given to the objective of preserving the heritage assets with due weight given to these impacts. However, in recognition of the substantial public benefits that the proposed development provides, it is considered that the benefits of the scheme substantially outweigh the heritage harm caused.

Importantly, the proposal represents an opportunity to address an identified need for a prestigious mixed use scheme of the highest quality at a prominent location in the heart of the city centre and conservation area, whilst securing a long term future for this important site.

The uses proposed would make an important contribution to the economic growth of the City with a lifestyle brand hotel and a range of other complementing uses, boosting the City Centre economy and prosperity.

The public realm would be improved with the creation of a landscaped area and enhanced movement through the re-opening of St Peter's Passage, linking High Street and Mint Lane assisting the development in integrating into the wider townscape.

In addition to the NPPF, the City Council are also duty bound by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990. However, despite the loss of buildings on the site, officers consider that in this instance the design of the development would make a positive contribution to the character and appearance of the Conservation Area. The loss of the existing building does cause a level of harm but in the context of the heritage asset, which is the Conservation Area, that level of harm is low. The re-development of a high quality, high specification building both preserves and enhances the character and appearance of the High Street which is a prominent part of the Conservation Area in accordance with Section 72 (1).

The applicant has offered to undertake a Building Recording exercise controlled via condition, prior to demolition. Whilst this does not limit or justify harm it will ensure a proper record of the buildings are made before their demolition.

Archaeology

A Desk Based Assessment (DBA) has been submitted with the application in order to assess the potential impacts on archaeological remains that may be present within the site. The DBA includes a deposit model albeit without borehole data which explores the relative levels and likely survival of Roman and other remains on site. It is possible that existing basements have destroyed archaeological deposits although it is also possible that it has merely removed post medieval deposits from above Roman and Medieval archaeology.

Further information has been requested by both the City Archaeologist and Historic England which relate to impact from the proposed attenuation tank, a piling plan showing the position and density of foundation piles within the site and test pits within the existing cellars.

The constraints on the site, namely Covid 19 restrictions and the current occupation of the building, has meant that pre-determination work on site has not been possible. Whilst this would be useful at the pre-determination stage in order to determine an archaeological strategy for the site, it has not been possible. However, officers consider this work can be undertaken pre-commencement and be controlled with a suitability worded condition.

Officers would therefore recommend a bespoke condition, which requires initial investigations of test pits and bore holes as well as the standard archaeology condition requiring a Written Scheme of Investigation to ensure that potential deposits can be avoided or limited where possible and properly recorded if discovered.

Overall, it is considered that the public benefits presented by the scheme are considerable and outweigh the potential harm to archaeology and the proposal. Notwithstanding that, a detailed condition will ensure limitation of harm to archaeological remains where possible. Officers therefore consider the proposal accords with LP25 of the CLLP and paragraphs 189 and 190 of the NPPF.

Highways Impact

The site occupies a highly sustainable location, being within the city centre and adjacent to public transport links at the railway station, Transport Hub and various car parks. Reflective of its highly accessible location, there would be no onsite parking. Notwithstanding the sustainable location, the submitted Transport Assessment submitted with the application highlights enough capacity for the hotel within the closest car park (Lucy Tower) to the development. A cycle store with a minimum of 10 spaces would be provided within the site. Improvements to highways would also include the widening of the Mint Street footway brought about through moving the building line back from its existing position. St Peters Passage would also be widened, improving visibility and movement for pedestrians.

The hotel would be serviced from the bay accessed via Mint Lane, an improvement from the current loading arrangements, which take place on the street. The widening of Mint Street would also create a new loading bay on Mint Street which would be utilised for serving the new retail units on High Street. Additional drop off bays would also be provided adjacent to the hotel entrance on Mint Street. A Delivery and Servicing Management Plan has been submitted with the application detailing the arrangements in full.

A Travel Plan has been submitted with the application subsequently revised following

highway comments. The Travel Plan details the sustainable options to access the site whether users are travelling by car, rail, cycling or on foot. A condition will ensure the Travel Plan is in place prior to the opening of the hotel.

The application has been considered by the County Council as Highway Authority who do not raise any objections to the application in respect of access, highway safety or traffic capacity subject to recommended conditions regarding the implementation of the highway improvement works prior to occupation, the submission of a construction management plan and a road safety audit prior to commencement.

Subject to the recommended conditions, officers consider the development would promote the use of sustainable modes of transport for users of the site and would not have a severe impact on the transport network in accordance with paragraphs 108 and 109 of the NPPF and LP13 of the CLLP.

Impact on Adjacent Businesses

Given the location of the development, there are few, if any, residential properties in the area which would be impacted upon by the development. However, a number of local businesses have raised concerns with the proposals. These concerns focus on the construction period and servicing of the development once constructed rather than the principle of re-development of the site.

The Servicing Plan submitted with the application shows the servicing arrangements. Whilst there is concern from some adjacent businesses that servicing will still take place on the street, the servicing plan along with a swept path analysis shows that servicing will be possible from the provided bay. Planning conditions will ensure these measures are in place before the use commences.

It is acknowledged that the Mint Lane/Beaumont Fee site has been under construction for some time and neighbouring businesses are concerned regarding another development adjacent to their businesses. Development is evitable in this urban context although whilst there will be some degree of disturbance caused, this can be limited through use of a Construction Management Plan, recommended by the City Council's Environment Health Officer and the Highway Authority which should be submitted prior to commencement. This will require details of matters such as wheel washing, parking of site vehicles, unloading of plant and materials and their storage, routes of construction traffic as well as details of the control of dust, noise and vibration to be submitted and approved before the development commences.

Officers therefore consider that the proposals would be unlikely to cause unacceptable harm the amenities of nearby properties subject to a construction management plan condition.

Contamination

A Phase 1 preliminary risk assessment has been submitted with the application. This report recommends a Phase 2 intrusive site investigation is undertaken.

These have been assessed by the Council's Scientific Officer and it is considered that ground contamination can be dealt with in an acceptable manner via a pre-commencement condition.

Flood Risk and Surface Water Disposal

The site is located in Flood Zone 1 and therefore at low risk of flooding from river flooding.

A Flood Risk and Sustainable Drainage Assessment details the approach for surface water and foul water discharge. Surface water will be dealt with via an attenuation tank of a size to deal with a 1 in 100 annual storm event + 40 climate change increase which will then discharge into the drainage network at an appropriate rate. Tree pits within the landscaped area and rainwater gardens would also be used to assist discharge rates. Pre-application discussions were undertaken with both Anglian Water and the Lead Local Flood Authority neither of which have raised any objection to the proposed application. The Internal Drainage Board has also raised no objections. Officers are therefore satisfied that the arrangements on site are sufficient in order to ensure surface water will be dealt with appropriately and would not cause flooding of the site or surrounding sites.

Crime and Anti-Social Behaviour

Lincolnshire Police have raised no objections to the proposals although have offered advice for the applicant in designing-in crime reduction measures within the site and building which have been directed to the applicant for their information.

Ecology

A bat survey has been submitted with the application which included a Bat Suitability Assessment. This concluded there was low suitability within the site for roosting bats although this could not be ruled out therefore further investigations were carried out. The further investigations concluded that the proposed works would have minimal impact on the bat population. Lincolnshire Wildlife Trust were consulted on the application but did not make representations. Officers are satisfied that the conclusions of the report are reasonable, and, in any case, bats and their roosts are protected under the Wildlife and Countryside Act 1981, if any unanticipated roosts are found during demolition.

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

Yes - extensive pre-application and application discussions.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposals represent an opportunity to address an identified need for a Lifestyle hotel and mixed-use scheme of the highest quality at a prominent location in the heart of the city

centre and conservation area, whilst securing a long term future for this prominent site and impacting positively on the City Centre economy.

The public realm would be improved with the creation of a landscaped area and enhanced movement through the re-opening of St Peter's Passage, linking High Street and Mint Lane and assisting the development in integrating into the wider townscape.

Whilst the development would impact on the historic environment, the harm is considered to be less than substantial. Officers consider that there is a clear and convincing justification for this harm which is outweighed by the significant public benefits offered by the proposed scheme.

On balance, therefore, it is considered, that, notwithstanding the very considerable weight that must be given to preserving the setting of the conservation area, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and therefore meet the requirements set out in paragraph 196 of the NPPF.

Application Determined within Target Date

Yes- extension of time given.

Recommendation

To grant consent for the proposal with the conditions set out below.

Conditions

- Timeframe of permission - Standard
- Approved Plans –Standard
- Material samples for all external materials
- Archaeology
- Contamination
- Noise assessment with regard to external plant and machinery
- Construction Environmental Management Plan;
- Highway construction management plan
- Building Recording Survey
- Travel Plan to be in place before operation
- Stage 1 Road Safety Audit
- Highway works to be completed before occupation
- Delivery and Servicing arrangements to be implemented before use
- Kitchen extract system to be submitted
- Hard and soft landscaping details for courtyard to be approved

Report by: Planning Manager

All relevant drawings are attached to your report but the full set of drawings and representations are available to view on the website. We would encourage you to visit the website for the fullest picture of the detail available with the application.

<https://development.lincoln.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q2PTVMJFMAO00>