

<b>Application Number:</b>	2020/0171/FUL
<b>Site Address:</b>	96 High Street, Lincoln.
<b>Target Date:</b>	4th June 2020
<b>Agent Name:</b>	I-kiect Aid Ltd
<b>Applicant Name:</b>	Mr Mohammed Zuwahir
<b>Proposal:</b>	Erection of a three storey rear extension to facilitate conversion to 3no. HMOs; 1x 3 bed (C4), 1x 7 bed and 1x 12 bed (Sui Generis) and retention of ground floor retail unit (Use Class A1). (Revised plans).

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

The application is for the erection of a three storey rear extension to facilitate the conversion of 96 High Street to three Houses in Multiple Occupation (HMOs). One of the HMOs would accommodate 3 bedrooms (Use Class C4), with one seven bedroom and one 12 bedroom (Sui Generis). The application will retain the existing retail unit, which fronts the High Street.

The three storey application premises is located on the west side of the High Street, on the corner with Princess Street which continues along the south boundary of the site. The ground floor retail unit is currently vacant with the upper floors and a single storey rear off-shoot occupied as a six bedroom HMO. The rear off-shoot will be removed to accommodate the proposal.

The property is adjoined to 97-98 High Street to the north, to the rear of which is a part two storey, part single storey off-shoot with a first floor balcony accommodating 3A, B, C and D Princess Street. Vehicular access to the site is available to the west, adjacent to Princess Street Garage, serving an area of site curtilage to the north. This open portion of the site separates the proposal from 3A-D Princess Street and also other properties to the north; 99 High Street, the rear elevations and yards of 2 and 4 Foster Street as well as flats 1 and 2 St. Georges Court.

The site is located within the St Peter at Gowts Conservation Area.

The application is being presented to Planning Committee at the request of Cllr. Hewson.

### **Proposal and Planning History**

The property currently has the benefit of planning permission, granted in July 2019, for the erection of a two storey rear extension to accommodate a seven bedroom HMO, conversion of the existing property to an eight bedroom HMO and the retention of the ground floor unit. This application was a resubmission of a 2015 permission that had lapsed.

This application proposes additional accommodation on a second floor within the extension. The footprint of the proposal is identical to that previously approved. The overall height is also similar, the extra accommodation is achieved by altering the shape of the pitched roof. This arrangement will be detailed later within the report.

The application has been revised during the process of the application. Firstly at the request of officers to alter the design of the roof and most recently the agent has changed the plans to include an additional door to the south elevation and a window to the west.

All neighbours and statutory consultees have been notified of both revisions. The current re-consultation period for the latest revision, which relates to the new door and window only, is due to expire after this report is finalised. Those additional comments already received have been included here and any further representations received in the intervening period will be included in full on the update sheet.

### **Site History**

Reference:	Description	Status	Decision Date:
2019/0210/FUL	Erection of a two storey rear extension to facilitate conversion to 8 bedroomed accommodation (Sui Generis) and retention of ground floor retail unit (Class A1).  Discharge of conditions from planning approval ref 2015/0905/F	Granted Conditionally	9th July 2019
2015/0905/F	Erection of a two storey rear extension to facilitate conversion to 8 bedroomed accommodation (Sui Generis) and retention of ground floor retail unit (Class A1).	Granted Conditionally	17th February 2016

### **Case Officer Site Visit**

There has been no site visit undertaken in person for this application due to the restrictions in place as a result of the Covid 19 pandemic. The proposals have instead been assessed using various online tools together with photographs taken by case officers at the time of the previous application. Officers are satisfied that there is sufficient information consequently available to assess any potential impact and to make a robust decision on the proposals.

### **Policies Referred to**

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- National Planning Policy Framework

### **Issues**

- Principle and Policy Context
- Visual Amenity and Character and Appearance of the Conservation Area

- Residential and Local Amenity

## **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

## **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received
Lincoln Civic Trust	Comments Received
Councillor Gary Hewson	Comments Received
Lincolnshire Police	Comments Received

## **Public Consultation Responses**

Name	Address
Mrs Helen Mary Durasamy	25 Nettleham Road on behalf of 6 Foster Street Lincoln LN2 1RQ
Miss Imogen Hobson	3B Princess Street Lincoln Lincolnshire LN5 7QJ
Mr Simon Grantham	3A, 3B, 3C & 3D Princess Street Estate Office Walcott Lincolnshire LN4 3SY

## **Consideration**

### **Principle and Policy Context**

The site is located within the Central Mixed Use Area and on a Secondary Shopping Frontage. Central Lincolnshire Local Plan (CLLP) Policy LP33, although not specifically referencing HMOs, advises that residential uses of houses and flats will be supported in this area. Given that residential uses are supported by this policy, and accordance with the previous approval, officers have no objection in this respect and are satisfied that the HMO use would be appropriate to the building and location. It is not considered that the proposal would detract from the vitality or viability of the primary shopping area or result in the area losing its mixed use character. The ground floor retail unit within the building would be retained and the lower High Street area has a good mix of uses, with retail being

predominant. The proposal would also bring a vacant building back into use.

In this respect, the proposal would therefore be in accordance with CLLP Policy LP33.

Cllr. Hewson has noted that the retail unit to the front is to be retained, although this has been vacant for many years and he has queried whether there is any intention for its refurbishment. Officers discussed this with the agent. The agent has advised that the applicant, who has only recently purchased the property, is intending to develop the rear (HMO) element in the first instance, with a view to tidying this up but also to providing funds to invest in the retail element. The agent has suggested that there has been interest from potential occupants for the retail unit but this is subject to the refurbishment of the building as a whole.

### Visual Amenity and Character and Appearance of the Conservation Area

It has been noted that the footprint of the proposal is identical to that previously approved, also replicating the three stepped sections of the extension. The overall height is also similar to the approved scheme, indeed the tallest section of this revised proposal is approximately 200mm lower than the approved. The alteration to form a second floor in the roof is achieved by raising the eaves at the rear and forming a partial flat roof. From the front, facing Princess Street to the south, the traditional pitch and roof detailing is retained, albeit with the inclusion five roof lights. The alteration to the roof is most notable from the rear, although this is not open to public view. The gable end facing west is also altered, although views of this would be limited by the position of the adjacent Princess Street garage. The principal elevation to the street sees alterations to window arrangement but still essentially appears as a two storey addition.

Lincoln Civic Trust has objected to the application considering the proposal to be overdevelopment, creating too high a density. In accordance with the previous consideration officers remain of the opinion that the site is of a sufficient size to comfortably accommodate the proposed footprint and overall height of the extension. The alteration to the roof would have a minimal visual impact when viewed from the street. The structure is broken up by the three stepped sections with the roof height of each dropping down away from the host property. Detailing to the elevations also helps to break up the overall mass.

Officers and the City Council's Principal Conservation Officer have negotiated with the agent during the application process and it was agreed to use red brick as opposed to sections of render. This detail would be conditioned to ensure a high quality finish. The window, cill and lintel details will also be conditioned to ensure they are appropriate. The window arrangement and proportions are visually acceptable and there is no issue with the most recent revision to the plans to include an additional door to the south elevation or a window to the west elevation.

Officers therefore consider that the siting, height, scale and mass of the proposal would have an acceptable relationship with the host property, the street and surrounding area. Subject to conditions to secure high quality materials and detailing, officers are also satisfied that the design would complement the local architectural style of the area. The proposal would therefore be in accordance with CLLP Policy LP26.

The proposal would also enhance the character and appearance of the conservation area, as required by CLLP Policy LP25.

## Residential and Local Amenity

Policies LP26 and LP33 require that developments should not harm the local environment or the amenities which occupiers of nearby properties may reasonably expect to enjoy, through reducing daylight, outlook or privacy to an unacceptable degree.

Objections have been received from 3B Princess Street, on behalf of 3A, B, C and D Princess Street and also from the owner of 6 Foster Street. These properties are all located to the north of the site. One of the objectors is pleased that the site is being developed as it has become unkempt but there is general concern regarding loss of light. Comments also relate to the increase in height and scale as well as overlooking and loss of privacy towards property, rear yards and a balcony. The Lincoln Civic Trust has also raised concern regarding loss of light to neighbouring properties.

The extension is separated from these neighbouring properties by the curtilage of the site. While the relationships may be close this is not unusual for the area and this application neither alters the footprint of the approved extension nor its position on the site. When viewed from the north the approved scheme presented a two storey extension with a traditional pitched roof. This application seeks to maintain a similar overall height as that approved but remove the pitch of roof at the rear and continue extending the rear wall up; appearing from the rear as a three storey flat roof structure. From the rear, as viewed from properties including 97-98 and 99 High Street, 3A-3D Princess Street, St. Georges Court and those properties on Foster Street this would add a degree of bulk but it is not considered that this relationship is significantly different to the approved scheme or indeed harmful. Accordingly officers are satisfied that the proposal would neither appear unduly dominant nor overbearing, and loss of light would not be to an unacceptably harmful degree.

This application includes additional windows to the rear and the concerns from neighbours regarding overlooking were noted by officers. Officers requested that this be addressed by the agent and in response it has been agreed that these will all be obscure glazed. This is indicated on the revised plans and will be conditioned on any grant of permission. The additional window to the west elevation will not create any issues as the adjacent premises is in commercial use.

Officers are therefore satisfied that the proposals would not cause undue harm to the local environment or the amenities which occupiers of nearby properties may reasonably expect to enjoy, in accordance with the requirements of CLLP Policies LP26 and LP33.

## Other Matters

### Parking

The proposal does not incorporate any off-street parking although is in a sustainable location with good access to local facilities and public transport. The Lincolnshire County Council as Local Highway Authority has raised no objection to the application.

Cllr. Hewson has noted in his response that the area is designated for residents parking. The agent has been made aware of this.

## Refuse

Although an area for refuse storage has not been identified on the submitted plans there is sufficient space within the curtilage of the site to provide this. Accordingly officers would recommend that this is dealt with by a condition on any grant of consent.

## Design and Crime

Lincolnshire Police has raised no objections to the application, although have suggested a number of recommendations in their response. This has been forwarded onto the agent for his information.

## Construction

The City Council's Pollution Control Officer has advised that while this is a relatively small development, due to the proximity to neighbouring sensitive uses, there is potential for problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. A condition restricting the construction and delivery hours will therefore be applied to any grant of permission to help limit any potential impact.

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

Yes, as outlined above.

## **Financial Implications**

None.

## **Legal Implications**

None.

## **Equality Implications**

None.

## **Conclusion**

The principle of the use is appropriate in this location. The height, scale, mass and design of the extension is considered to be acceptable and would complement the architectural design of the property, also relating well to the surroundings. The character and appearance of the conservation area would accordingly be enhanced. The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. The application is therefore in accordance with the requirements of Central Lincolnshire Local Plan Policies LP25, LP26 and LP33, and guidance within the National Planning Policy Framework.

## **Application Determined within Target Date**

Yes.

## **Recommendation**

That the application is Granted Conditionally subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Reporting unexpected contamination
- Material samples
- Details of windows and sections
- Cill and lintel details
- Refuse storage details
- Obscure glazed windows to rear, north elevation
- Construction of the development (delivery times and working hours)