

Application Number:	2020/0262/FUL
Site Address:	Land Adjacent 22 Saville Street, Lincoln.
Target Date:	18th June 2020
Agent Name:	A1 Project Services
Applicant Name:	MR. Rod Asher
Proposal:	Erection of 5 two-storey dwellings with 6 parking spaces (Revised plans).

Background - Site Location and Description

The application site is land adjacent to 22 Saville Street, a derelict and overgrown piece of land which is informally used for storage. The site is bounded by a mixture of timber, herras and palisade fencing and accommodates a dilapidated 1 ½ storey warehouse and some garages. These structures are to be removed as part of the proposals.

The site is located at the bottom of Saville Street. The current access to the site, via Saville Street, is located at the south east corner, which serves as an informal turning area for residents of the street. Beyond the access the remainder of the south boundary of the site steps out, which narrows the end of Saville Street where it joins St. Catherines Court. There are two bollards, one in the road and one in the footpath, to stop through vehicles.

The side gable of 22 Savile Street sits on the side, east boundary of the site. This property has a single off-shoot to the rear with the adjacent yard enclosed by an approximately 1.8m high fence. To the rear of this, along and adjacent to the remainder of the east boundary, are outbuildings within the ownership of the neighbouring 20 Saville Street. The rear boundary to the north forms the side boundary with 33 St. Catherines Court and the rear boundaries with 23 and 25 Stanley Street. To the west of the site is an area of landscaping on St. Catherines Court.

The wider area is characterised by traditional two storey red brick terraces on Saville Street with two storey semi-detached and terraced properties on St. Catherines Court.

Proposal

The application is for the erection of a terrace of five, two storey dwellings facing south. The two bedroom properties would have the benefit of six off-street parking spaces to the front with and gardens to the rear. The proposed development would see the existing access from Saville Street closed off and access to the proposed car park taken from St. Catherines Court.

The application originally proposed five dwellings in sets of two and three units facing west towards the landscaping on St. Catherines Court. The application has been revised during the process in response to concerns from officers regarding the design and the impact on neighbouring properties. The re-design also attempted to address objections from neighbours to the loss of the informal turning space at the bottom of Saville Street that the current access to the site provides. These changes will be detailed later within the report.

All neighbours and statutory consultees were notified of the revised plans. The expiry for this re-consultation exercise falls the day after this report is due to be finalised and, at the time of writing, no additional objections or comments had been received. Any representations received in the intervening period will be included in full on the update sheet.

Site History

No relevant site history.

Case Officer Site Visit

There has been no site visit undertaken in person 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 the applicant or their agent. 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 LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP13 Accessibility and Transport
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Principle of Use
- Visual Amenity
- Residential Amenity
- Access, Parking and Highways

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Lincolnshire Police	Comments Received
Highways & Planning	Comments Received
Witham & Humber Internal Drainage Boards	Comments Received

Public Consultation Responses

Name	Address
Mr John Reader	21 Saville Street Lincoln Lincolnshire LN5 8NH
Miss Lynn Starbuck	60 St Catherines Court Lincoln Lincolnshire LN5 8NX
Miss Gemma Main	2 Saville Street Lincoln Lincolnshire LN5 8NH
Mr Steve Taylor	4 Saville Street Lincoln Lincolnshire LN5 8NH
Miss Amy Watson	12 Saville Street Lincoln Lincolnshire LN5 8NH
Mr Edward Horn	10 Saville Street Lincoln Lincolnshire LN5 8NH
Mr Alan Bavin	2 Saville Street Lincoln Lincolnshire LN5 8NH
Mr Lee Sewell	33 St Catherines Court Lincoln Lincolnshire LN5 8NX
Mr Richard Dack	16 Saville Street Lincoln Lincolnshire LN5 8NH

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 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).

Visual Amenity

The application originally orientated the dwellings fronting the landscaping strip on St. Catherines Court. Given that this comprises a number of mature trees officers felt that the street presence of the proposal was limited. It was also considered that the subdivision of the dwellings into two sets and the roof design was not characteristic. Following discussions with the agent the scheme has been revised, turning the frontage through 90 degrees to the south and proposing a terrace of five dwellings.

Officers welcome the development of this piece of land for residential purposes, which is unsightly and detracts from the area. It is considered that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated forecourts and car parking and gardens to the rear. The development represents a good use of land and would have a good presence in the street, complementing the traditional terraces of Saville Street and the more modern St. Catherines Court. An indication of finished floor levels have been provided and these, as well as the height of the two storey terrace, are comparable with neighbouring properties. Full details of existing land levels and the proposed finished floor levels will of course be conditioned on any grant of consent. 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 dwellings would be constructed with red brick, a tiled roof and white UPVC windows. The elevations have traditional proportions and elements such as brick soldier courses above the windows, corbelled eaves and brick detailing to the gable verges add interest. It is therefore considered by officers that the development would reflect the architectural style of the local surroundings.

The forecourts of the properties and the car park to the front will be bounded by a 900mm high brick wall. Details of this, the materials and surfacing will be required by condition on any grant of consent to ensure that these are appropriate and contribute to the overall character of the development and its surroundings.

With these conditions in place 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 side, east boundary to the site is defined by the side gable of 22 Saville Street, which incorporates two ground floor windows. This property has a single storey off-shoot to the rear including two windows facing onto the property's rear yard, which is bounded by an approximately 1.8m high fence. Beyond are a number of single storey outbuildings, within the ownership of 20 Saville Street. No objections have been received from the neighbouring occupants.

The approximately 1m wide side passageway, accessing the rear gardens of the proposal, runs along the full extent of the east boundary. The dwellings themselves are set back in the site, with the front elevation sitting approximately 1.5m behind the rear elevation of 22 Saville Street. While the relationship is close the set back position means that the proposal would not sit opposite the entire length of the neighbour's rear yard, providing a degree of open aspect. It is also worth noting that the existing 1 ½ storey outbuilding is located in proximity to this east boundary. It is not therefore considered that the proposal would significantly harm the occupants of this property either by appearing unduly overbearing or resulting in an unacceptable degree of loss of light. Opposite the gable of 22 Saville Street would be the car park and forecourts of the proposed properties, bounded by the 900mm high wall. Officers are satisfied that there would be no impact on the neighbour's ground floor windows within this facing gable.

First floor bedroom windows are proposed within the front elevation of the terrace, however, any overlooking from these towards 22 Saville Street would be limited and at an oblique angle only given the position and proximity of the proposal. The boundary treatment to the rear yard of no. 22 would further limit this, and also mitigate any overlooking from the ground floor windows in the front and side elevations of the proposal. At first floor within the side gable of the proposal would be two bathroom windows, which will be conditioned to be obscure glazed. Officers are therefore satisfied that the residential amenities of the occupants of the 22 Saville Street would not be unacceptably harmed by the proposal.

There is no concern regarding the relationship with the outbuildings adjacent/on the remainder of the east boundary as these are ancillary to the residential use of 20 Saville Street.

The rear, north boundary of the site forms the side boundary with 33 St. Catherines Court, with the neighbour's rear garden bounded by an approximately 1.8m high fence. An objection to the original plans has been received from the occupant of this neighbouring property, where the full extent of the side gable of the proposed terrace sat 1m away from the side boundary with the garden of no. 33. The objection raises concern regarding overlooking, loss of privacy and loss of light. At the time of writing this report no further responses to the revised proposals had been received from this or neighbouring properties on the grounds of residential amenity.

Officers are of the opinion that the revised site layout significantly improves the relationship of the proposal with 33 St. Catherines Court. The rear elevation of the proposed terrace would be located approximately 9.4m from the boundary with this neighbouring property. This is not dissimilar to the existing garden length of the terrace of 27-33 St. Catherines Court, or its relationship with the garden and property of 25 Stanley Street opposite. It is therefore not considered that the proposal would appear unduly overbearing or result in an unacceptable degree of loss of light to 33 St Catherines Court.

With regard to overlooking the side gable at first floor level of no. 33 is blank. The first floor bedroom windows within the rear of the proposed terrace will provide an opportunity to overlook towards the rear garden of this neighbouring property, although officers are satisfied that the separation distance and the existing boundary treatment would limit this, ensuring that this is not to an unduly harmful level.

Accordingly, officers are also satisfied that the proposal would not have a harmful impact on the gardens of 23 and 25 Stanley Street, the rear boundaries of which form the remainder of the north boundary of the site.

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 overlooking, loss of light or appearing as an overbearing structure. 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, Parking and Highways

Currently the access to the site is taken from Saville Street, beyond this the boundary to the site steps out, narrowing the street, with bollards preventing vehicular access beyond this point to St. Catherines Court. Given that Saville Street is a dead end the existing sites access serves as an informal turning area for residents of the street.

The application originally proposed to close off the access from Saville Street, becoming a fenced boundary to the car park, up to the back edge of the footpath. The stepped out section of the site would form part of the new access from St. Catherines Court, and additional bollards were proposed on east edge of this so vehicles from Saville Street could not cross the site to St. Catherines Court. The proposed car park would provide six spaces, one per dwelling with an additional visitor space.

Objections were received from the occupants of 2, 4, 10, 12, 16 and 21 Saville Street on the grounds of highway safety. The objectors noted that the loss of the turning space would force cars to reverse along the parked street and onto a busy highway, Newark Road.

The Lincolnshire County Council as Local Highway Authority (HA) shared the concerns of residents- blocking off the access may force residents of Saville Street to reverse out onto Newark Road when the street is heavily parked up offering no other opportunities to manoeuvre. The agent was advised of these concerns. The agent noted that the area that has been used as a turning area is under ownership of the applicant and could therefore be fenced off at any time, removing this facility. Notwithstanding this the agent has worked with officers and the HA to discuss potential options and find a solution to this problem.

The revised layout maintains the access from St. Catherines Court although the re-orientation of the terrace provides more space within the car park. A total of six parking spaces are still provided but the site boundary at the end of Saville Street (the existing site access) is now set back by approximately 1m. This strip of land sits parallel to the footpath and provides additional space to enable vehicles to turn at the end of the street. All neighbours and the HA were re-consulted on the revised proposal. At the time of writing this report no additional objections or comments have been received to the revised site layout or turning space arrangement. Any representations received in the intervening

period will be included in full on the update sheet.

The HA has welcomed this arrangement subject to a condition that the parcel of land is to remain open and free of obstruction so that it can function as part of the turning area at the end of the street. The agent has no objection to this, which will accordingly be conditioned as part of any grant of permission. Officers would note that there are also ongoing discussions, separate from the planning process, regarding this area of land being given over to the HA as highway land and a potential scheme to introduce double yellow lines around end of Saville Street through a Traffic Regulation Order. Again, this is separate from the planning process, but officers and the HA are satisfied with the current solution that has been reached as part of this application.

With regard to the proposed access from St. Catherines Court this would be taken from the existing road, across the stepped out section of the site. Objections to this have been received from 33 and 60 St. Catherines Court. These state that there are existing issues with parking on the court, including residents' vehicles from neighbouring streets. The development would increase traffic flow and exacerbate the current parking and congestion situation as the development only provides one space per dwelling and one visitor space. There is also concern that the width of the access and visibility is insufficient, posing concerns for pedestrian safety.

The HA has considered the access proposals and raised no objection to the position, width or visibility subject to the existing full height kerbs being replaced with flush kerbs or blocks to identify the privately owned land. They are also satisfied that the provision of six parking spaces for the two bedroom properties is sufficient. A condition requiring a Construction Management Plan, to ensure that there are no issues relating to highways during the construction phase, will be applied to any grant of consent.

In accordance with the advice of the HA officer have no issue with the proposal in terms of access, parking and highways, which would meet the requirements of CLLP Policy LP13. The solution to the turning area issue is also welcomed.

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, including a former landfill 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.

Drainage

The Upper Witham has advised that they support the use of Sustainable Urban Drainage Systems (SUDs) and that a scheme should be agreed with the Lincolnshire County Council in their capacity as Lead Local Flood Authority prior to the development commencing. The County Council has made no such request, however, the application indicates that the surface water will be disposed of via soakaways.

Trees

The site has areas of overgrown plants as well as a small tree adjacent to the existing access. There is no objection to the removal of this given its size and limited amenity value.

The trees within the landscaping area on St Catherines Court are mature although their canopies are contained within this area and do not overhang the application site to any great degree. Accordingly it is not considered that the proposed dwellings would have an undue impact of the trees or their root systems. An informative will be applied to any grant of consent to advise that no works should be undertaken to the trees that are outside of the site boundary.

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.

Construction

Comments have been received from the neighbouring objectors with concerns regarding congestion and noise during construction. The City Council's Pollution Control Officer has also 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. While issues relating to the construction phase are not a material planning consideration a condition restricting the construction and delivery hours will be applied to any grant of permission to help limit any potential impact. This will be in addition to the aforementioned Construction Management Plan condition.

Refuse

The application identifies a dedicated area for bin storage within the car park, and there is also access to the rear of properties for bins to be stored in the occupant's own gardens. A City Council Community Contracts Officer has advised of the requirements for wheeled bins, which has been forwarded to the agent for their information.

Design and Crime

Concerns have been raised by an objector relating to the use of the access paths to the side and rear of the properties for anti-social behaviour. These will be for private use only and do not serve as a public thoroughfare. The plans also indicate that passageways with have locked gates. Lincolnshire Police has raised no objections to the application in this respect.

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 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, contamination and refuse 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, LP13 and LP26, as well as 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
- Contamination
- Construction Management Plan
- Kerbs to St. Catherines Court replaced with flush kerbs/blocks
- Material samples, including hard surfacing
- Boundary details
- Existing land levels and proposed finished floor levels
- Landscaping scheme
- Electric vehicle recharge points
- Obscure glazing to first floor, east facing windows
- Land adjacent to Saville Street to remain open and clear of obstructions
- Construction of the development (delivery times and working hours)
- All windows and doors set in reveal