

<b>Application Number:</b>	2021/0002/FUL
<b>Site Address:</b>	Land to the Rear of 10 Steep Hill, Lincoln, Lincolnshire
<b>Target Date:</b>	2nd March 2021
<b>Agent Name:</b>	Core Architects
<b>Applicant Name:</b>	J O'Donohue & T Gumbrell
<b>Proposal:</b>	Erection of two detached Dwellings and demolition of two garage buildings.

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

This application proposes to build two new houses on land to the rear of 10 Steep Hill. The garden and land associated with this property extends through from Steep Hill to Michaelgate and is currently occupied by several empty and derelict former garages. The land on this part of the historic hillside is terraced and the application site is relatively level, the terrace above being retained by a boundary wall at the northern edge of the application site and a retaining wall on the south side of the site retaining the application site and forming the terrace on which the house known as Strelitzia sits.

The application proposes two new houses; a two storey contemporarily designed house at the back edge of the footpath to Michaelgate and then a second more traditionally designed and proportioned house to the east, of one and a half storeys, the upper floor being within the pitched roof.

Part of the site lies within an area that is a Scheduled Ancient Monument, which is based on the Roman Lindum Colonia and the whole of the site falls within the Conservation Area.

Access to both plots would be from Michaelgate, the property to the west having the upper floor extending over the ground level drive that would lead through the site to the house to the east, meaning that both new houses would have off-street car parking.

### **Site History**

Reference:	Description	Status	Decision Date:
2021/0003/LBC	Erection of two detached Dwellings and demolition of two garage buildings. (LISTED BUILDING CONSENT).	Pending Decision	

### **Case Officer Site Visit**

Undertaken on several occasions, most recently 23<sup>rd</sup> September 2021.

### **Policies Referred to**

- Planning (Listed Buildings and Conservation Areas) Act 1990 – sections 16, 66 and 72.
- National Planning Policy Framework (NPPF) – particularly: para 11 – presumption in favour of sustainable development; para 130 – achieving well designed places; para 183 and 184 – ground conditions and pollution; Chapter 16 – Conserving and enhancing the historic environment, particularly paras 199, 201, 202, 203.

- Central Lincolnshire Local Plan – particularly: Policy LP25 The Historic Environment and Policy 34 Design and Amenity Standards.

### **Issues**

The application site is a prominent location in the heart of the City. It sits on the historic hillside and consequently the proposals raise a number of issues:

1. Compliance with National and Local planning policies;
2. Impact on the character and appearance of the conservation area and wider views of the hillside;
3. Impact on the amenity of neighbouring properties;
4. Impact on slope stability;
5. Impact on the Scheduled Monument and archaeology;
6. Other matters.

### **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
Anglian Water	Comments Received
Lincoln Civic Trust	Comments Received
Lincolnshire Police	Comments Received
West End Residents Association	No Response Received

### **Public Consultation Responses**

Name	Address
Mr Carl Frost	61 High Street Billinghay Lincoln Lincolnshire LN4 4AU

Mrs Karen Spencer	20 Michaelgate Lincoln LN1 3BT
Mr Brian Hudson	2 Hawthorn Corner Aubourn Lincoln LN5 9FF
Mrs Lys Reiners	1 Cromwell Avenue Woodhall Spa LN10 6TH
Mr David Butler	11 Steep Hill Lincoln Lincolnshire LN2 1LT
David Lewis	Strelitzia Michaelgate Lincoln Lincolnshire LN1 3BT
Mr Robert Dorrian	St Michael's Lodge Christ's Hospital Terrace Lincoln LN2 1LY
Mr Glyn Dyer	2 Western Street Barnsley South Yorkshire S70 2BP
Mr Thomas Gumbrell	10 Steep Hill Lincoln Lincolnshire LN2 1LT
Mrs Natasha-Jade McFadyen	57A Yarborough Road Lincoln LN1 1HS
Mr Nicholas Fox	65 Manton Road Lincoln Lincolnshire LN2 2JL
Mr Chris Appleton	17 Cordage Court Lincoln Lincolnshire LN1 1EN
terry the bear	big bedroom hungate lincoln In1 1tb

Mr Glenn Chambers	71 Woodfield Avenue Birchwood Lincoln LN6 0LU
Mrs Wendy Butler	11 Steep Hill Lincoln LN2 1LT
Mr Michael Bolton	266 High Street Lincoln Lincolnshire LN2 1HW
Mrs Jane Goulden	12 Michaelgate Lincoln Lincolnshire LN1 3BT
Mr Michael Limming	32 South Park Lincoln LN5 8EP
Mr Colin Hill	18 Cordage Court Lincoln LN1 1EN
Mr David Nejrup	9 Daisy Road Witham At Hughs Lincoln LN6 9ZH
Miss Rosemary Wood	5 Cecil Street Lincoln Lincolnshire LN1 3AT
Mr Douglas Williamson	11 Cordage Court Lincoln Lincolnshire LN1 1EN
Mr Henry Flear-Charlton	4 Turner Street Lincoln Lincolnshire LN1 3JL
Mr Jamie Kyle	68 Andover Road Nottingham NG5 5FF
Mr Anton Southward	39 Woodfield Avenue Lincoln LN6 0LJ
Miss M Lindeman	12 Chapel Lane Nettleham Lincoln LN2 2NX

Mrs Fiona Stafford-Baker-Thomas	38 Saxon Street Lincolnshire Lincoln LN1 3HQ
James T Russell	Hungate Lincoln LN1 1ET
Mrs Sue Storey	5 Michaelgate Lincoln Lincolnshire

## **Consideration**

### **National and Local Planning Policy**

The application site is within the heart of the City and proposes two new houses to be built to modern standards. The location and the construction of the houses will be highly sustainable. The impact on the historic environment will be considered in detail below as will the design and amenity standards of what is proposed together with the impact on slope stability.

### **Impact on the Character and Appearance of the Conservation Area and the Hillside**

The design of the two houses and their relationship to the historic context within which they would sit has been the subject of detailed analysis and consideration. The applicant has produced a Design and Access Statement and a Heritage Impact Assessment (HIA) which examines in detail the physical impact of what is proposed, both in terms of the effect on the appearance of the Conservation Area and the effect on the below ground archaeology. The application and associated documents have been assessed by your Planning Officers, the Principal Conservation Officer and the City Archaeologist.

The site in its current condition is considered to be harmful in its visual impact on the amenity of the area. The garages on the site have been in a dilapidated condition for many years and there is a distinct lack of definition to the east side of Michaelgate at this point; this site and the one adjacent to the north create an out of character gap in the built form at this point. Michaelgate is defined in the most part by development on its east side at the back of pavement and on the west side by the high brick wall that encloses the terraced grounds of what is now Bailgate Court (formerly Chad Varah.) To the south of the application site is the modern three storey house known as Strelitzia and this is set back from pavement – it is very much the anomaly in terms of its siting on Michaelgate. The application proposal for a new house at the back of pavement therefore responds to the characteristic built form of the street and would repair in part the gap in the street that is currently apparent.

The new house to Michaelgate, dwelling A in the HIA, is two storeys in height and of a contemporary design with a flat roof. The building extends back eastwards into the site and is proposed to be built tight up against the northern boundary, adjacent to an existing brick retaining wall. The elevation to Michaelgate allows for vehicular access to the southern edge of the site so that the ground floor of the building would be narrower than the first floor. The front door to the property would be located to the northern side of the

Michaelgate elevation and be set in reveal and this then allows the first floor to appear to cantilever out over the ground floor on both sides. The building follows the slight curve in Michaelgate at this point and is successful in re-introducing definition to the street at this point. The design is good, the proportions pick up on those in the area and the applicant is proposing to use traditional materials, particularly brick, which helps blend the contemporary design into the established setting.

The southern elevation of the house which would face Strelitzia is the longer elevation and has within it at first floor along recessed balcony feature at first floor that would afford views across the City. It faces towards the house to the south but is at a height and of a position that it does not unduly harm the privacy of that property. The northern elevation of the building, which would be built adjacent to the retaining wall which forms the boundary between the application site and No. 11 Steep Hill to the immediate north. The elevation has some variety designed into it but has also been designed in such a way as to not inhibit the development of that land to the north. The eastern elevation of the building faces back towards 10 Steep Hill and the second house that is part of this application.

Dwelling A is of a scale that is appropriate for the hillside, fits with the stepping down that is apparent when viewing the site from a distance and would be built of materials that are appropriate to the local area. It is a contemporary design but it is carefully designed for its context and respects the existing surroundings. It does not cause harm to the character or to the appearance of the conservation area and repairs a gap in the streetscene.

Dwelling B is a new one and half storey building proposed to be built between 10 Steep Hill and Dwelling A described above. The position of the house is not dissimilar to a much older existing cottage to the north which sits between Steep Hill and Michaelgate and faces south across the City. The proposal for Dwelling B is a modest property with traditional proportions, of red brick with a pitched slate roof within which an upper floor is accommodated with, on the southern elevation, a small dormer that runs through the eaves and two rooflights. The building is modelled such that a lower single storey element is situated on its east side which adds interest to the design and reduces the potential impact on the property to the north. The north elevation is blank other than a single door and the east and west elevations of the building are blank. The house, unlike Dwelling A, would be built approximately one metre south of the retaining wall on the northern boundary of the site. The position and design of the building does not cause harm to the character and appearance of the conservation area.

The development of the two dwellings as proposed will still leave 10 Steep Hill with a decent sized garden that is not uncharacteristic in the local context and the development will also leave 10 Steep Hill with two parking spaces, accessed from Michaelgate along with the vehicular access for the two new houses. There is no harm to the setting of 10 Steep Hill.

The proposals, as detailed above, do not cause substantial harm to the heritage asset that is the conservation area (the impact on the archaeology and Scheduled Monument will be dealt with below). The existing condition of the site, the derelict garages, has existed for many years and is a harmful impact on the conservation area. The development would remove that harm and can therefore be considered, taking all of the matters discussed above into account, to be neutral in its impact on the character and appearance of the conservation area. The use of the land for houses is likely to be its optimum viable use.

## Impact of the Proposed Buildings on the Amenity of Neighbours

The position of the site and the particular location of neighbours means that the impact of the proposals on neighbours' amenity is largely restricted to the impact on No. 11 to the north and to Strelitzia to the south. The development will potentially be visible from other residential properties beyond these, but any impact is limited to a change in outlook and in no cases could that be considered harmful in relation to this development.

Taking the impact on the property to the south there is a limited impact. Dwelling A has the balcony that faces south but this is positioned in such a way that the potential for overlooking is limited. The owner and occupier of that property has written in support of the application.

The property to the north, 11 Steep Hill has been extended fairly recently with a high quality extensively glazed single storey structure on its south side and this property has a common boundary with the application site in the form of the retaining wall that is referenced above. The owner and occupant of 11 Steep Hill has provided a detailed objection to the application proposals.

We have, as always, carefully assessed the impact of the proposals on this property and whilst there will be an effect, the limited scale of dwelling B and the difference in levels means that the effect on no.11 is not considered so harmful that it could justify a refusal of planning permission. Dwelling A is at the western end of the site and has been designed with a blank wall facing the garden area of No.11 so that there is no overlooking. The building again is not so harmful in its effect as to justify refusal.

## Impact on Slope Stability and Impact on the Schedule Monument and Archaeology

Roman Lincoln, as we understand it covered a significant part of uphill Lincoln, the hillside and some areas downhill and much of that area is identified as a Scheduled Ancient Monument because of the (mostly) below ground roman remains and potential roman remains. The application site falls partly within the area of the scheduled monument, dwelling A being outside the Scheduled area whilst dwelling B falls within the Scheduled area as does all of the garden of 11 Steep Hill to the north. We, as the local planning authority, have to have regard to the impact of development on heritage assets; we have considered the impact on the conservation area above and we must also consider the impact on the heritage asset that is the Scheduled Monument. We consulted Historic England on the proposals; permission from Historic England is also required where works will affect a scheduled monument and whilst this permission is entirely separate from planning permission we do endeavour to work together in cases such as this to ensure a co-ordinated response.

The Heritage Impact Assessment, submitted with the application, sets out how the effect of the development on the scheduled monument will be mitigated. The design of the foundations for the houses is critical to the understanding of this impact. Foundations for new developments on the hillside have tended to be piled foundations in recent years because these piles can lock into the underlying bedrock and prevent problems that we have previously experienced in relation to land slip. However, a piled foundation, by its very nature, can be harmful to the archaeology of a site and where the sites are scheduled because of that archaeology a more considered approach is needed. In this particular case the architect has designed a raft foundation for both house that sits above the known archaeology. Your officers subsequently requested that the design for the raft foundation

was then further assessed to ensure that it would not lead to problems of slope stability. A qualified structural engineer has undertaken this assessment and has advised that, subject to the particular design of the raft being undertaken on site, then there will not be a problem with slope stability.

Historic England has granted consent in part for works to be undertaken within the area of the scheduled monument but has advised that further detail will be needed before the development of the two houses could go ahead. Your City archaeologist is in agreement with that advice but both parties are satisfied that the development of the site will be possible. We will recommend conditions that deal with these matters before work commences.

The neighbour at No. 11 who has objected to the development is concerned both about slope stability and about the scheduled monument and has himself experience of both issue when a portion of the retaining wall collapsed about three years ago. The development proposed will strengthen the retaining wall, which is in poor condition and this strengthening will need to be undertaken before development of the houses can take place. This can also be controlled by way of appropriate conditions.

Overall the impact on the scheduled monument can be controlled and mitigated and Historic England considers the effect of the proposed works upon the monument to be works which would materially alter the present condition and appearance of this part of the monument, but potentially without damage to the significance of its buried archaeological deposits or terraced character.

#### Other Matters

- Highways – no objections raised. Dwelling A has two parking spaces, dwelling B has one and No.10 Steep Hill retains two parking spaces.
- Contaminated land – condition to be applied to deal with unexpected contamination found during construction
- Electric Vehicle Charging points – minimum of one per new dwelling
- Working Hours – Demolition, construction and construction deliveries - \*am to 6pm Monday to Saturday, 8am to 1pm Saturday and not at all on Sundays or bank Holidays.

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

Pre-application discussions and further discussions and negotiation during the course of the application.

#### **Conclusion**

The development of the two houses will change the appearance of this part of the City but the designs have been developed in such a way that it is considered that the change that would result would not be harmful to the area, to the heritage assets in the area and would not be unacceptable to the amenity of the neighbouring residents.

#### **Application Determined within Target Date**

Yes – as extended



## **Recommendation**

That planning permission is GRANTED subject to the conditions summarised below.

## **Standard Conditions**

1. Development to commence within three years
2. Development to be carried out in accordance with the approved drawings
3. Details of the facing materials to be submitted and approved before commencement
4. Details of the methodology for the installation of the foundation for both properties and for the retention and strengthening of the retaining wall along the northern boundary of the site
5. Works to be undertaken in accordance with archaeological watching brief
6. Detail of boundary treatments
7. Details of surfacing materials
8. Details of surface water drainage
9. Electric vehicle charging points for each new dwelling
10. Hours of work as reported above