

<b>Application Number:</b>	2021/0130/FUL
<b>Site Address:</b>	Land Adjacent to Yarborough Leisure Centre, Riseholme Road, Lincoln
<b>Target Date:</b>	3rd December 2021
<b>Agent Name:</b>	Globe Consultants Ltd
<b>Applicant Name:</b>	Mrs S Kane
<b>Proposal:</b>	Erection of five 3 and 4 storey buildings and twelve 2 and 3 storey town houses for student accommodation with vehicular access from Riseholme Road (Resubmission)

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

### Site Description and Proposal

This application, on land in front of Yarborough Leisure Centre, proposes to build four 2/3 storey buildings fronting Riseholme Road to form townhouses with five 3/4 storey buildings positioned behind. The development would consist of 293 bedrooms of accommodation for students with ancillary on site reception, laundry facilities and warden accommodation. A new vehicular access will be formed to Riseholme Road and 17 parking spaces provided within the site for accessible unloading and staff parking only.

The land in question is allocated as a site for residential development in the adopted Local Plan. It is currently owned by the City of Lincoln Council with an agreement to sell to the applicants.

The site is currently grassland located on the west side of Riseholme Road with the Lincoln Castle Academy & Yarborough Leisure Centre situated to the north and west. To the south are residential dwellings fronting Riseholme Road and Yarborough Crescent. To the North is the old caretaker's bungalow which is also in private ownership. There is a strong line of trees which form the eastern boundary with Riseholme Road.

### Site History

A previous application (2019/0943/FUL) was refused by Planning Committee on 26<sup>th</sup> February 2020 for the following reason:

*“The application as proposed would be harmful to the character and local distinctiveness of the site and its surroundings by reason of the height and massing of the proposed buildings contrary to the provisions of Policy LP26 of the Central Lincolnshire Local Plan.”*

The previous application included 295 bedspaces together with teaching facilities, support space, an on-site café and academic space.

### Amended Scheme

Following the previous refusal, the University revised their brief and appointed a new design team. The submitted scheme has been reconsidered and redesigned by the newly appointed architect. The key changes can be summarised as:

- Amended layout which reduces the footprint of the buildings and increases the setback from Riseholme Road

- Reduced scale and mass of development
- Removal of teaching space from the proposal and provide student accommodation only, in the form of townhouses and cluster flats consisting of 293 bedspaces
- Reduction of parking spaces (given these were previously only to be used in connection with the teaching space)
- Retention of trees to the front of the site (albeit whilst allowing a new access to be formed and thinning where necessary)

### **Case Officer Site Visit**

Undertaken on 17th November 2021.

### **Policies Referred to**

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP9 Health and Wellbeing
- Policy LP10 Meeting Accommodation Needs
- Policy LP12 Infrastructure to Support Growth
- Policy LP13 Accessibility and Transport
- Policy LP14 Managing Water Resources and Flood Risk
- Policy LP16 Development on Land affected by Contamination
- Policy LP26 Design and Amenity
- Policy LP29 Protecting Lincoln's Setting and Character
- Policy LP32 Lincoln's Universities and Colleges
- National Planning Policy Framework

### **Issues**

The key issues for consideration are:

- Principle of Use
- Visual Amenity
- Impact on Residential amenity
- Traffic and Pedestrian Safety
- Drainage/SUDs
- Trees and Landscaping
- Archaeology
- Contaminated Land

### **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted June 2006.

The applicant has also undertaken their own pre-application engagement via a leaflet drop to local residents encouraging comments on the revised scheme through an online portal/ email or in writing or a call to Globe Consultants.

Comments have been received as part of the consultation process. They can be viewed in full online at [comments](#) or at the end of this report. Concerns from neighbouring properties

include but are not limited to: traffic/parking impacts from the development, scale of the buildings, loss of green space, risk of flooding and increased noise and disturbance.

### **Statutory Consultation Responses**

Consultee	Comment
Lincolnshire Police	Comments Received
Lincoln Civic Trust	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
NHS England	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Highways & Planning	Comments Received

### **Public Consultation Responses**

Name	Address
Miss Charlotte Heaton	53 St Nicholas Street Lincoln Lincolnshire LN1 3EQ
Mr Charles Rawding	2 Thonock Close Lincoln Lincolnshire LN1 3SW
Mr Andrew Nolan	The Old Cobblers 18 Rasen Lane Lincoln Lincolnshire LN1 3EY
Mr Nicholas Fox	65 Manton Road Lincoln Lincolnshire LN2 2JL

Mr Brett Still	6 Riseholme Road Lincoln Lincolnshire LN1 3SL
Mrs Karen Johnston	237 Laughton way north Lincoln LN2 2AW
Mrs Mavis Pearman	11 Thonock Close Lincoln Lincolnshire LN1 3SW
Mr R And Mrs A E Carter	19 Thonock Close Lincoln Lincolnshire LN1 3SW
Chris And Lesley Bowater	113 Yarborough Crescent Lincoln Lincolnshire LN1 3NE
Mr And Mrs J Stewart	15 Thonock Close Lincoln Lincolnshire LN1 3SW
Jeremy Wright	69 Nettleham Road Lincoln Lincolnshire LN2 1RT
Tony Moir	
Mr Roy Bratty	46 Somme Close Lincoln LN1 3WA
P Kempton	126 Yarborough Crescent Lincoln Lincolnshire LN1 3LX
Mr And Mrs Langdale	9 Thonock Close Lincoln Lincolnshire LN1 3SW
M J Riley	19 Riseholme Road Lincoln Lincolnshire LN1 3SN

Mr John Noone	13 Riseholme Road Lincoln Lincolnshire LN1 3SN
Alan Williams	130 Yarborough Crescent Lincoln Lincolnshire LN1 3LX
Mr Christopher Reid	12 McInnes Street Lincoln LN2 5NP
Mr Mark Harris	4 Riseholme Road Lincoln Lincolnshire LN1 3SL
Mr Dayton Smith	8 Sedgebrook house Laughton way North Lincoln LN2 2AN
Mrs Kathryn Gill	70 Riseholme Road Lincoln Lincolnshire LN1 3SP
Mrs Susan Nock	39 Riseholme Road Lincoln LN1 3SN
Ms Caroline Steel	128 Yarborough Crescent Lincoln LN1 3LX
David and Claire Cann	
Mr Vladimir Kubjatko	50 St Nicholas Street Lincoln LN1 3EQ
Mr Jonah Luke Pain	46 Riseholme Road Lincoln LN1 3SP
Mrs V Nadal	126 Nettleham Road Lincoln Lincolnshire LN2 1RX
Ann Hipkin	

Mr Peter Ricketts	11 Bellflower Close Lincoln LN2 4UD
Miss Kelly Burns	9 Riseholme Road Lincoln Lincolnshire LN1 3SN

## **Consideration**

### National and Local Planning Policy

#### 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. Policy LP1 and the National Planning Policy Framework (NPPF) also advise that housing applications should be considered in the context of the presumption in favour of sustainable development.

The site is a residential allocation in the adopted Central Lincolnshire Local Plan and has an indicative number of thirty nine dwellings attributed to the site. Officers are satisfied that the principle of the proposed use in this location is acceptable. The development will help the continued growth and associated economic benefits that BGU brings to the City which would also be in accordance with CLLP Policy LP32.

#### Developer Contributions

Due to the nature of the proposed use as student accommodation the development is not Community Infrastructure Levy (CIL) liable nor is there a requirement for S106 contributions relating to education, playing fields or play space.

A request from NHS England has been received advising that the development would put additional demands on the existing GP services for the area, and additional infrastructure would be required to meet the increased demands, with Lindum and Minster Medical Practice being the likely most impacted site. A commuted sum has therefore been requested to contribute to the development of additional clinical space in this setting. This request would be in accordance with CLLP Policies LP9 and LP12. The applicant has agreed to sign a S106 agreement securing the contribution and will be finalised should the Planning Committee be in support of the application.

#### Visual Amenity

The application site, as described above, is open land bounded by trees on the Riseholme Road frontage. The surrounding context is of two and some three storey dwellings on Riseholme Road with the larger scale of buildings at the Leisure Centre to the west along with the adjacent school buildings. Riseholme Road is a main approach road into the City.

The proposal is for four buildings containing 12 townhouses of two storey facing Riseholme Road with a third storey in the roof space. The two buildings to the south of the

access road would be behind the significant tree buffer between the site and Riseholme Road. Between the houses are a couple of smaller single storey structures (similar in scale to domestic garages). These are to be constructed with matching brick. The single storey main reception is also similar in scale. The dormers within the townhouses vary from house to house in order to break the rhythm and add interest to the elevations. With regard to materials, the townhouses are red brick with slate tiles with the dormers created in zinc or similar metal material.

Behind the townhouses towards the west of the site are three main blocks, one lower three storey building closest to the southern boundary and two 4 storey buildings linked with a 3-storey block to the north west which form clusters of rooms with shared kitchen facilities arranged in groups of 6-9. The 4 storey buildings present their end gables to the east and west which reduce the overall scale when viewed from outside of the site. These blocks have been designed with generous window openings with elegant frames set within deep reveals into brick work. They have a variety of perforated metal shades providing solar control allowing optimum daylight whilst allowing the windows to be opened safely for ventilation. The roofs of the blocks are flat but have tall parapets for safe maintenance and discreetly hide any low-level roof plant services or projections avoiding the need for exposed metal handrails. Lifts are central so that overruns do not project too high.

There are 14 accessible rooms distributed throughout the blocks and adjacent kitchens will be designed to provide accessible facilities. Additional Facilities: also include a reception desk (operated 24/7), management offices, laundry / cleaning storage space and laundry facilities and a meeting room.

The scale and massing of the previous proposal was the sole reason for refusal. The scale and massing of the development has been significantly reduced from the original proposals. The larger four storey elements of the proposal are positioned to the north-west of the site, furthest away from Riseholme Road and residential properties on Yarborough Crescent. The variation in scale and the breaking up of the buildings into smaller blocks gives interest to the longer views, particularly from the north; a set of buildings of the same height could be unduly repetitive. The careful modelling of these buildings and the stepping down to a more domestic scale adjacent to Riseholme Road means that the scale can be satisfactorily accommodated without the development feeling overbearing.

Furthermore, the revised layout of the buildings on the site has been carefully designed to ensure they provide external space, which is useable by the future residents, equally, a reduced amount of parking from the previous proposal has created a more attractive environment which is not dominated by an access road and parking spaces.

With regard to the materials the careful blend of traditional and more contemporary materials, alongside the modelling and variety introduced into the different buildings means that the development does not appear over dominant in the street, the relationship to the main campus is created but the development also successfully compliments the local area. It is considered that the revised proposals have brought significant positive changes in this regard and the proposal is appropriate in terms of making a positive contribution to local character and distinctiveness and responding to the established character of the area. In accordance with Policy LP26 of the Local Plan and paragraph 130 of the NPPF.

## Energy Efficiency

The submitted Design and Access Statement details the low energy design principles that have been established in order to minimise energy demand of the proposed buildings, they include:

- Improved Building Envelope 'U' Values and Air Permeability
- Mechanical Ventilation via high efficiency heat recovery units with low energy fans
- Variable speed pumping where appropriate
- High efficiency heat generating plant
- High efficiency electrical panel heating with automated controls.
- Low energy (LED) lighting
- Natural Daylighting
- Smart Building Management System incorporating Zoning and Metering
- Incorporation of Air Source Heat Pump technology to support the domestic hot water demand of the student residential accommodation blocks increasing generation efficiency

## Impact on Local Residents

The design and scale of the buildings have been carefully considered to minimise any physical impact on adjacent residents in terms of overlooking, loss of light or the creation of an overbearing development. The previous application was considered acceptable in terms of its impact on neighbouring properties and as the scale has been reduced, impact from the physical buildings of the current scheme is still considered appropriate.

With regard to the impact of the use, the site will be managed by BGU themselves. They have strict rules in relation to behaviour and indeed in relation to car use and parking which means that whilst students will be expected to not have a car, any who do will not be able to park it in local streets. Residents in Thonock Close have an understandable concern about this but it is matter that can be managed. The proximity of the accommodation to the main campus and the good public transport connections to the City Centre, which is in any event within easy walking distance, means that there is no reason for students to bring a car and BGU are clear that those who choose to do so and who seek to park it locally will be open to further action.

There will be an increase in students in and around the site and on Riseholme Road as a consequence of the development but there are no grounds for asserting that this would be harmful to the amenity of local residents. This is a busy part of the City due to the activity already generated by Castle Academy during the day and by Yarborough Leisure Centre on evenings and weekends and as a consequence any increase in activity generated by this site is unlikely to be unduly noticeable. Equally more people walking along Riseholme Road, a main approach road into the City, does not in itself constitute harm.

It is considered that the use proposed and the scale of development can be satisfactorily accommodated within the local area without undue harm to residential amenity in line with Policy LP26 of the Central Lincolnshire Local Plan.

## Traffic and Pedestrian Safety

17 car parking spaces are provided, 14 allocated to the accessible units on a need's basis and 3 for staff parking. The access road is suitable for fire engine access, refuge vehicles



and maintenance vehicles. Four spaces will have electric charging points. Cycle parking is also available at the site.

The main access for pedestrians, and only access for vehicles, is via the main entrance off Riseholme Road. This entrance is controlled via the reception building which is manned 24 hours. There is space for vehicles up to the size of a large taxi to drop off next to reception and exit by reversing into a dedicated space behind, separated from the pedestrian route by a kerb and bollards.

The application has been the subject of consultation with the Highway Authority at the County Council and their comments are appended to this report. The Highway Authority consider the site to have good visibility and geometry for the intended use and within a site that is sustainably located with good access by foot, cycle, and bus routes. They consider the proposals to also include adequate cycle parking provision.

The proximity of the main campus to the south east means that there will be a level of pedestrian movement between this site and the campus across Riseholme Road/Yarborough Crescent and the Highway Authority is satisfied that this can happen safely. Each leg of the roundabout junction has within it a pedestrian island and, as adults, the students can be expected to negotiate crossing the road safely.

The advice from the Highway Authority also contains a request for this site to fund increased bus services to and from the City Centre, officers have discussed this request with the Highway Authority and advised that we do not consider such a request to be reasonable or proportionate. It does not therefore meet the tests set out in legislation in relation to off-site contributions from development.

The Highway Authority do not raise any objections to the application in respect of, highway safety or traffic capacity subject to recommended conditions regarding the submission of a construction management plan and implementation of the submitted travel plan.

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 paragraph 111 of the NPPF and LP13 of the CLLP.

### Drainage/SUDs

The applicants have submitted a drainage strategy that demonstrates that the positive drainage of the site as a result of the development will deal with any potential surface water. Further ground investigation work and design work has been undertaken since the previous application and the drainage proposals demonstrate that all surface water run-off can be discharged via infiltration to the ground without the requirement of an overflow to the mains sewer in Riseholme Road. The strategy has been designed to accommodate 1 in 100-year rainfall event plus 40% uplift for climate change allowance. The drainage strategy will ensure that there is no increased risk of flooding.

The strategy has been considered by the County Council as Highway Authority and Lead Local Flood Authority (LLFA) who have raised no objections to the proposed arrangements. The development would therefore satisfy the requirements within paragraph 167 of the NPPF and LP14 of the CLLP.

## Trees and Landscaping

The applicant has provided a detailed assessment of the current and proposed landscaping throughout the site. This includes retention of the front tree buffer area to Riseholme Road which was previously proposed to be removed in its entirety. The existing trees within the buffer will be thinned to remove specimens that are in poor condition, dead, or too crowded. Beneath the trees it is proposed that woodland wildflowers will be planted into the existing grass. In the area to the north of the entrance new trees will be planted to extend the existing belt.

The trees on the site frontage are a notable feature locally and therefore members will recall their removal in their entirety proposed on the previous application was a contentious issue. Officers consider the revisions to maintain this buffer will have a positive impact on the wider area.

The tree planting and landscaping strategy for the wider site sets out detailed planting proposals. New planting includes, trees, planters, low level planting around buildings, wall shrubs and climbers as well as grassed areas. Overall, the proposals represent a net gain in trees, giving long term benefits to tree cover in this part of the City in accordance with Policy LP26 of the CLLP.

## Archaeology

Riseholme Road follows the route of roman Ermine Street and so there is some potential for archaeology within the site. As with the previous application, it is proposed that a condition will be able to deal with any such matters during the course of construction.

## Contaminated Land

A remediation scheme has been submitted with the application to address any potential contamination within the site. The City Council's Scientific Officer has considered the information and is satisfied that subject to conditions requiring implementation of the remediation scheme, any potential contamination has been successfully considered in line with Policy LP16 of the CLLP.

## Conclusion

The previous refusal reason relating to height and massing of the buildings have been overcome by the revised application. The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, and design. The proposal allows BGU to continue to develop and ensures that there is little impact on their neighbours and the wider City.

Technical matters relating to highways, contamination, archaeology, and drainage are to the satisfaction of the relevant consultees and can be further controlled as necessary by conditions. The proposals would therefore be in accordance with the requirements of CLLP Policies and the NPPF.

## Application Determined within Target Date

Yes – with extension of time.

## **Recommendation**

Delegate the application to grant upon signing of the S106 subject to the conditions set out below.

## **Conditions**

1. Development to commence within three years
2. Hedge and tree protection to be in place at all times during construction
3. Materials
4. Highway conditions
5. Archaeology
6. Remediation shall be implemented in accordance with submitted remediation strategy
7. Submission of construction management plan
8. Retention of parking spaces at all times
9. Development to proceed in accordance with submitted Travel Plan
10. Landscaping to be implemented in accordance with the submitted landscaping plan