

<b>Application Number:</b>	2021/0871/FUL
<b>Site Address:</b>	40 - 42 Michaelgate, Lincoln, Lincoln
<b>Target Date:</b>	28th December 2021
<b>Agent Name:</b>	None
<b>Applicant Name:</b>	Mr Michael Gilbert
<b>Proposal:</b>	Subdivision of existing C3 dwelling (used as holiday let) to two C3 dwellings (to be used as two holiday lets).

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

The application relates to 40-42 Michaelgate, a grade II listed building. The property is located on the east side of Michaelgate, close to the junction with Steep Hill and Bailgate. It adjoins The Harlequin, 20-22 Steep Hill to the east, which is a grade II\* listed building. To the south of the property is a yard, beyond which is the neighbouring 36 Michaelgate. The property is located within the Cathedral and City Centre Conservation Area.

The City Council's Principal Conservation Officer advises that the building has historically been two distinct properties, as suggested by the address, and by the various dates of construction. No. 42, to the north, has been a house and shop dating from the mid and late 18<sup>th</sup> century. Constructed from brick with a stone plinth it is two storeys plus garrets and includes a late C18 glazing bar shop window with pilasters and cornice. No. 40, to the south, is a domestic property and potentially dates from the 14<sup>th</sup> century with 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup> century alterations. The half-timbered structure sits on a dressed stone and brick ground floor plinth. The gable framing has curved braces and corner posts and the half-timber work is also expressed internally.

There is currently access through a party wall that links the two buildings as a single unit and in recent years the property has been a holiday let, managed by the National Trust. The building has been vacant since 2018 and the application proposes to reinstate the historic use of the building as two distinct dwellings. It is proposed to continue the existing holiday let arrangement with the two dwellings.

The application proposes that no. 42 will be accessed via the existing front door directly from Michaelgate. It will provide a living/dining area on the ground floor with a kitchen in the rear, single storey off-shoot. The kitchen has direct access to the rear yard. At first floor there will be a bedroom and bathroom with a further bedroom on the second floor, within the attic. No. 40 will be accessed through an existing door within the side elevation via the yard. This sits adjacent to Michaelgate and also provides access to the yard for no. 42, which sits on a slightly higher level to the rear. The internal arrangement of no. 40 will be a bedroom and bathroom on the ground floor with the living/dining/kitchen on the first floor.

Internal and external alterations are proposed to facilitate the subdivision, which also include repair and enhancement works. These works do not require the benefit of planning permission although an accompanying application (2021/0759/LBC) for listed building consent will consider these with regard to the impact on the building as a designated heritage asset.

Both the full planning permission and listed building consent applications are being presented to Members of the Planning Committee for determination as the application property is owned by the City Council.

## **Site History**

Reference:	Description	Status	Decision Date:
2021/0759/LB C	Internal and external alterations to facilitate subdivision of existing C3 dwelling (used as holiday let) to two C3 dwellings (to be used as two holiday lets). Internal alterations including new partitions, re-pointing of stone walls with lime mortar, replacement of brick wall with reclaimed bricks, new limecrete floor, damp proof works, removal of staircase and alterations to retained staircase. External alterations including re-roofing of single storey flat roof off-shoot and installation of conservation rooflight, replacement timber windows, refurbishment of windows and dormer, removal of render from south east elevation to expose timber frame, replacement of concrete slabs with Yorkstone paving and refurbishment of gates. (Listed Building Consent).	Pending Decision	
2018/0591/LB C	Works to repair structural damage including taking down and reinstating a section of the north wall, reinstating meters, and services, repairing damaged plasterwork and other finishes and redecoration to certain rooms.	Granted Conditionally	21st June 2018

## **Case Officer Site Visit**

Undertaken on 10th November 2021.

## **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**

- Policy context and principle of use
- Visually amenity and character and appearance of the conservation area
- Residential amenity
- Parking and highways

## **Consultations**

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

## **Statutory and Public Consultation Responses**

At the time of writing this report the consultation period is still underway and to date no statutory or public consultation responses have been received relating to this full application. The consultation period will have expired prior to the committee meeting and any comments received will be provided within the update sheet. Officers would note, however, that the same consultations have been undertaken for both the full and listed building consent applications. Therefore, the responses to the listed building consent application that are relevant to this full application are referenced below.

## **Consideration**

### **Policy Context and Principle of Use**

The site is located within the Central Mixed-Use Area. Central Lincolnshire Local Plan (CLLP) Policy LP33 advises that the principle of residential uses will be supported in the mixed-use area. The existing residential use is already established, and the sub-division would neither result in the area losing its mixed-use character nor would it detract from the vitality or viability of the primary shopping area. The principle of the proposal would therefore be in accordance with the requirements of Policy LP33.

From a heritage perspective the principle of reinstating the historic use of the building as two dwellings is welcomed by officers and the City Council's Principal Conservation Officer. This proposal would be compatible with and enhance the historic character, and its use as a holiday let would assist in the maintenance and enhancement of the building. Supporting the principle of the sub-division would therefore also be in accordance with CLLP Policy LP25.

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

External alterations are proposed including the re-roofing of the single storey flat roof off-shoot, installation of a conservation rooflight, replacement timber windows, refurbishment of windows and dormer, removal of render from south east elevation to expose the timber frame, replacement of concrete slabs with Yorkstone paving and the refurbishment of the gates. None of these works require planning permission although officers welcome these as part of the proposed sub-division proposals and consider that they would be an improvement to the building and would add to the overall quality of the area, as required by CLLP Policy LP26 and paragraph 130 of the National Planning Policy Framework (NPPF).

Accordingly, it is also considered that the application would enhance the character and appearance of the conservation area, as required by CLLP Policy LP25.

### **Residential Amenity**

The occupier of 36 Michaelgate has made comments on the proposals against the listed building consent application. While they welcome the refurbishment of the properties, they

raise concern regarding the proposed layout of 40 Michaelgate. The living/dining/kitchen area is located on the first floor, and the neighbouring occupant considers that the increased occupancy of this will exacerbate issues of overlooking towards their bedroom, kitchen, dining room and garden. Concern is also raised regarding potential overlooking and loss of privacy from the new paved area, which would sit adjacent to a low wall with the neighbour's garden sitting 2.7m below. These comments are copied in full against the corresponding application.

Officers carefully considered this relationship at the time of the site visit. There are two first floor windows within the side elevation of the host property facing towards the side gable of no. 36, which includes a first-floor window and a ground floor window and door. The ground floor is for the most part obscured by the boundary wall and plantings given the lower land level of the neighbouring property. The existing relationship between the host property and no. 36 is established and the principle of the subdivision of the host property would not change this. The internal layout of the application property cannot be controlled, but in any case, it is not considered that the position of the living areas on the first floor would have a significant impact given the established residential use and the separation between the windows.

The same conclusion has been reached regarding the potential overlooking towards the neighbour's rear garden from the yards within the application site. The existing residential use of the property and the yards is established, and the subdivision into two would not change or unduly exacerbate this relationship.

The City Council's Pollution Control Officer has raised no objection to the application in terms of noise or any other environmental impact.

There are no other properties in the vicinity that would be affected by the proposals. Officers are therefore satisfied that the proposed subdivision would not cause undue harm to the amenities which neighbouring occupants and uses may reasonably expect to enjoy, in accordance with CLLP Policy LP26.

The amenities of the future occupants will also be acceptable. Each property will have independent access and the availability of separate external amenity space. There is no indication of areas for bin or cycle storage, although it would be reasonable to assume that these could be accommodated here.

### Parking and Highways

The site does not include off-street parking although it is in a highly sustainable location with easy access to local facilities and public transport links.

Lincolnshire County Council as Local Highway Authority has not yet responded directly to this planning application but has made comments in relation to the listed building consent application, which included reference in the description to the conversion to two units from one. In their consultation response to the listed building consent the County Council state that the proposal will have no impact on the highway, concluding that it is acceptable, and they do not wish to object to the application. Accordingly, officers have no objection to the proposal in respect of parking and highways.

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

No.

### **Financial Implications**

None.

### **Legal Implications**

None.

### **Equality Implications**

None.

### **Conclusion**

The sub-division of the property, re-instating its historic use, is welcomed and would neither result in the area losing its mixed-use character nor would it detract from the vitality or viability of the primary shopping area. The external works associated with the sub-division, although not requiring planning permission, would be an improvement to the building and would enhance the character and appearance of the conservation area. The application would not cause undue harm to the amenities of neighbouring properties. The application would therefore be in accordance with the requirements of CLLP Policies LP25, LP26 and LP33 and guidance within the NPPF.

### **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