

24 Brookside Scopwick Lincoln LN4 3PA (Objects)

Comment submitted date: Thu 14 Oct 2021

My OBJECTION relates to the possible damage to a building of historic value to the City of Lincoln standing in close proximity to proposed buildings likely to require piled foundations.

Adjacent the proposed development site stands Cannon's Glue Factory, a 19thC factory building of considerable interest to the history of Victorian industrial development in central Lincoln.

This factory is designed in the traditional "sweat shop" style of the period. It was built by Bernard Cannon who had emigrated from Dublin went on to become mayor of Lincoln in 1880. It is reported that he was much loved by his workforce as well as being well respected in City circles. The business was continued under his son Willy Cannon into the early part of the 20thC when it was sold to another manufacturer. The products from this factory are likely to have been employed in the construction of aeroplanes for the airforce during WW1. My mother's family was related to the Cannons and I possess a diary written by my mother describing the working factory in detail while on a visit to William Cannon in 1921.

73 Waterloo Street Lincoln Lincolnshire LN6 7AQ (Objects)

Comment submitted date: Tue 12 Oct 2021

I raised comments to the planning consultant in their community involvement which have been answered in their Planning Statement and Statement of Community Involvement although I have not received a direct reply to date from them.

I recall it says that the hours of working during the construction will be "standard" and will be determined by the City Council. What are standard hours? I hope that the hours of construction can be limited to daylight hours Monday to Friday without starts before 8 am and no later than 5 pm finishes because during the demolition of the site, the demolition team were working some weekends.

The Planning Statement does inform me that the elevations of the apartment blocks in Phase 2 will be determined in a separate application for phase 2 and will not be considered with this application. I would like to record that I object to the three apartment blocks in Phase 2 being so high. They have said that the height of the apartment blocks in Phase 2 of I believe four, five and seven storeys are required to screen the large/industrial units to the northern boundary. These units are part of the shopping centre which at most I estimate are no taller than three storeys and therefore the apartment blocks do not need to be higher than this.

What assurances can the planning consultant provide that surface water will not be discharged into the river as part of the flow control when the water of the river is

very high? Over recent winters the water level of the river bordering this site has been very high.


77, Waterloo Street.
LINCOLN.
17th October 2021.

Dear Sir-Madam,

Thank you for your letter dated 12th October 2021. I would like to comment on the Access onto Waterloo Street from the former William Sinclair Holding Site. The River Authority has Rights of Way along the river bank onto Waterloo Street and William Sinclair Holding has easements from the former site onto Waterloo Street.

It is not clear how you can prevent the general public from entering this proposed site from Waterloo Street or prevent students from using this right of way to access the retail areas along Triton road i.e. Valentine retail park, Morrisons, Farmfoods, B & Q and Triton Retail Park.

I am pleased to see you are considering the parking issues in this area.

Yours Faithfully




Your Ref: 2021/0817/HYB

13th October 2021

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Town and Country Planning Act 1990

Former William Sinclair Holdings Site, Firth Road, Lincoln, Lincolnshire, LN6 7AH

Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of layout, scale, appearance and landscaping to be considered)

Thank you for your correspondence and opportunity to comment on the proposed development. I would request that you consider the following points that if adhered to would help reduce the opportunity for crime and increase the safety and sustainability of the development.

It is appreciated that some elements of this application are outline in context and detail and therefore would be finalised at a later stage of application, therefore my comments may be of a more generic nature.

Historically Student Accommodation can become vulnerable to crime and anti-social behaviour therefore it is important that the best security arrangements and provision are planned for such premises.

It is disappointing that no reference in the Design and Access Statement has been made to the overall provision of environmental and structural security that should be provided for the safety and security of residents.

The safety, security and general wellbeing of students should be of paramount importance when considering the detail of this application. The following aspects of security should be rigorously applied to this development.

POLICE HEADQUARTERS
PO Box 999, Lincoln LN5 7PH
(Sat Nav: LN2 2LT)
www.lincs.police.uk

☎ 01522 55 8292
☎ 075700 99424
✉ john.manuel@lincs.pnn.police.uk



Lincolnshire Police has no formal objections to the planning application in principle but would recommend that the initial advisory recommendations are implemented.

Perimeter and Boundary Treatment.

A secure access-controlled boundary and fence line remains a principal recommendation and would enhance the security and safety of students and staff.

Should a secondary internal fence line be considered this should have the benefit of creating a secure courtyard within the campus and should as stated have a 1.8 metal welded or decorative design with commensurate gating with uniform access control system.

In a Home Office report "University student safety in the East Midlands" it was identified that 62% of incidents in University campuses went unreported to any authority with 74% of on-campus incidents unreported to campus security departments, yet 69% of students in University accommodation saw burglary as a problem and not unsurprisingly 67% saw people behaving in a drunk and disorderly manner as a problem

<http://www.homeoffice.gov.uk/rds> Home Office Online report 61/04 University student safety in the East Midlands Rosemary Barberet, Bonnie S. Fisher, Helen Taylor

The safety and security, (perceived or otherwise) of students whilst staying away from home usually for the first time, is one of the primary concerns, of many parents and guardians. It must be stressed that a legal 'duty of care' exists in respect of all students, staff, and residents.

The principle of access control refers to the design of building and space to actively keep unauthorised people out and would encompass these aims.

- 1) to limit the likelihood that offenders will become aware of that area as a potential target.
- 2) to make it more difficult for offenders to navigate into, out of and within an area they have should they select it as a target.
- 3) to increase the physical difficulty of entering a building or space should offenders become aware of the area as a target.
- 4) to increase the difficulty *psychologically* for offenders to enter and move around an area without feeling conspicuous (anonymity);
- 5) to remove any excuse for potential offenders to be within a private or semi-private space and maximising the 'users' confidence in challenging non-legitimate users of space.

Fencing

Perimeter treatment to include appropriate fencing and commensurate gating is included to at least 1.8 m non-climbable LPS 1175 Security rating 1 (SR1) .1.9 Long & Fulton 'Modena' style fencing BS1175 SR1 or to similar SBD standard.

The detailed provision and design of the fencing and gating indicated will provide an adequate level of boundary control and help create a good defensible and secure zone within the student complex. It is important that any gating is commensurate in height with the boundary fencing system, access is integrated with the overall security control system envisaged for the complex and should seek the opportunity to eliminate unauthorised 'follow through' or gates being left open. All points of access should be covered within the proposed monitored CCTV system.

Whilst I would argue that the above border and boundary control should be always maintained the option for opening some or all of the points of access during prescribed times remains an option.

External doors and windows

The potential for unwanted guests will be considerable at this location and therefore robust measures should be installed to ensure the security and safety of student residents

I would recommend that an air-lock style entrance vestibule is incorporated into the design (to help prevent unauthorised follow through access) commensurate with an access control system, with an electronic door release, and visitor door entry system that provides colour images, and clear audio communications linked to each individual unit. Under no circumstances should a trade person release button or similar uncontrolled access method be used.

An Industry standard approved CCTV system should be installed covering all communal points of entry and lobby areas. This system must be able to capture and record all persons using the entry system.

The secured by design requirement for all dwelling external doors is PAS 24:2016 or Bespoke equivalent (doors of an enhanced Security) or WCL 1 (WCL 1 is the reference number for PAS 23/24 and is published by Warrington Certification Laboratories).

All ground floor windows and doors and those that are easily accessible from the ground must conform to improved security standard PAS24: 2016. **All ground floor windows should have window restrainers and effective locking systems.**

I would recommend that all ground floor and easily accessible windows have at least one pane of laminated glass.

Access to Places of Height

It is important that access to places of height (prevention of suicide) is secured on all levels and should include the provision of substantial windows and locking systems together with fixed and secured 'window restraining' devices. Any points of access to the roof area or other place of height should be secured by way of 'appropriate' fire compliant locking systems.

The provision of external ledges or elements of the building line that could be used as a platform should be avoided, particularly at places of height, and would effectively contribute to reducing the means to access such places.

Individual Flat or Unit Doors.

Flat entrance door-sets should meet the same physical requirements as the 'main front door' i.e., PAS24:2016. The locking hardware should be operable from both sides of an unlocked door without the use of the key (utilising a roller latch or latch operable from both sides of the door-set by a handle). If the door-set is certified to either PAS24:2016 or STS 201 Issue 4:2012 then it must be classified as DKT.

Homes of Multi-Occupancy / Student Accommodation – Communal Areas & Mail Delivery

Where communal mail delivery facilities are proposed and are to be encouraged with other security and safety measures to reduce the need for access to the premises communal letter boxes should comply to the following criteria.

- Located at the main entrance within an internal area or lobby (vestibule) covered by CCTV or located within an 'airlock style' entrance hall.
- Be of a robust construction (Federation Technical Specification 009 (TS009))
- Have anti-fishing properties where advised and appropriate.
- Installed to the manufacturer's specifications.
- Through wall mail delivery can be a suitable and secure method.

Lighting

Lighting should be designed to cover the external doors and be controlled by *photoelectric cell* (dusk to dawn) with a manual override. The use of low consumption lamps with an efficacy of greater than 40 lumens per circuit watt is required; it is recommended that they be positioned to prevent possible attack.

Cycle Storage Structure (if to be included)

Lincoln City in keeping with many University cities suffers a level of cycle thefts therefore:

- avoid furniture (for example railings) that might be used as ad-hoc cycle racks.
- include arrangements to promptly remove cycles or component parts that are left in situ.
- suitable signage should be deployed to inform user of this process.

Secure bicycle parking should be made available within an appropriate roofed building, with all **round surveillance** that is within view (no more than 100 metres) of occupied buildings or CCTV, using ground bolted cycle stands. Construction should be of Galvanised steel bar (min thickness of 3mm) filled with concrete and a – minimum foundation 300mm with welded anchor bar. This facility should have adequate vandal resistant, dedicated, energy efficient lamps illuminated during hours of darkness¹. A design-focussed and inviting cycle to rack/shed would encourage safe and secure bike use where residents feel confident to leave their cycles. If this is not achieved evidence strongly supports that cycle use will be reduced and residents will find alternative means to store cycles, i.e., in rooms or corridors.

Internally the locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person.

Bulkhead anti vandal lighting should be a feature of this design.

It is noted that the current proposed cycle storage areas do not appear to comply with the above criteria which is designed to provide protection, security, and safety for users. Clear lines of sight with good natural surveillance,

Bin Storage

Internal communal bin and bicycle stores within blocks of flats must have no windows and be fitted with a secure door set that meets the same physical specification as 'front door' and specifically Section 2, paragraphs 21.1 to 21.6 and 21.8 to 21.13.

¹ www.bikeoff.org/design_resource

This will ensure that such stores are only accessible to residents. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands.

External bins stores and home composting containers (supplied to meet 'Code for Sustainable Homes' 'Was 3') should be sited in such a way that they cannot be used as a climbing aid to commit crime.

Please do not hesitate to contact me should you need further information or clarification.

Please refer to *Homes 2019* which can be located on www.securedbydesign.com Homes 2019.

Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)

Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
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To: Lincoln City Council

Application Ref: 2021/0817/HYB

Proposal: **Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of layout, scale, appearance and landscaping to be considered)**

Location: **Former William Sinclair Holdings Site, Firth Road, Lincoln, Lincolnshire, LN6 7AH**

With reference to the above application received 12 October 2021

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Requests that any permission given by the Local Planning Authority shall include the conditions below

CONDITIONS (INCLUDING REASONS)

Highway Informative 02

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

Highway Informative 04

The streets within the proposed development are approved as private streets which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980).

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

For further guidance please visit our website via the following links:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

Highway Condition 00

No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development.

The Construction Management Plan and Method Statement shall include;

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

Highway Condition 27

The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

Further to the above condition, we recommend that the Travel Plan is updated to consider the comments below, prior to any occupation of the site:

Target	The target is based on TRICS data with a 3.8% baseline provided. Given the location of the accommodation, it is highly unlikely that public transport will be used and that the majority of students will walk or cycle. Targets should therefore focus on discouraging the use of the car and increase the walking and cycling baselines – again, the TP needs to work with the university in this area.
Measures	7.4.1 doubt residents (students) will be classed as 'employed' and therefore able to access Cycle to Work scheme. However, they may be eligible to utilise university offers.

<p>7.5.1 Given the location of the site and current provision of bus services locally, highly unlikely that operators will re-route or provide additional bus services.</p> <p>7.7.1 TP should be encouraging internal car sharing amongst students if it is deemed necessary to use the car.</p>

S106 Contributions

Prior to occupation of any part of the proposed development, LCC as HLLFA request a S106 contribution of £20,000 towards the upgrading of pedestrian facilities at the signalised crossing on Tritton Road near Valentine Retail Park.

Case Officer:

Date: 22 February 2022

Becky Melhuish

for Warren Peppard

Head of Development Management



Development Team
City of Lincoln Council
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4 November 2021

Dear Sir / Madam,

Letter of Objection In respect of Planning Application Ref. No. 2021/0817/HYB at the Former William Sinclair Holdings Site, Firth Road, Lincoln, LN6 7AH.

I write to submit this Letter of Objection on behalf of our client, the University of Lincoln in respect of the planning application proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB**. The purpose of this letter is to express in planning terms why the proposals as set out in **Planning Application Ref. No. 2021/0817/HYB** are not suitable or appropriate at Land South of Firth Road (hereafter referred to as the site). This letter demonstrates to the Local Planning Authority how and why this is the case, by setting out the relevant site context; evaluating the planning application submission; referring to relevant planning policy to demonstrate the grounds for objection; and pertinently, reviewing the need for student accommodation in the City of Lincoln.

Description of Proposals

We are objecting to the hybrid planning application that seeks **Full Planning Permission for Phase 1** and **Outline Planning Permission with details of only access for Phase 2**. The description of the proposals are as follows:

"Hybrid application for the erection of 22no. buildings for us as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only)"

Site and Surroundings

The application site is approximately **3.64 hectares** (8.99 acres) and is situated towards the south of Firth Road in Lincoln, approximately 280 metres south-west from the city centre. The Site directly borders the River Witham to the East, and Tritton Retail Park Shopping Centre to the North, the busy A1192 Tritton Road lies directly to the West of the site, and the South borders a substantial waterway. Adjacent to this waterway is a street of residential dwellings that directly face the



site, on Coulson Road. Access for pedestrians and vehicles is provided off Firth Road to the North of the site, as existing fencing, gates, and the waterway prevent access from the South at present.

The Site previously comprised of industrial buildings that were used to produce compost, fertiliser, and garden chemicals associated with William Sinclair Horticulture LTD. After a period of vacancy these buildings were demolished, leaving the Site to now comprise of vacant hardstanding.

The Site is surrounded primarily by commercial, industrial, and retail uses to the North East, North West, and South West. To the South and South East of the site lies residential areas with housing that comprises of 2-storey dwellings. North of the site there is student accommodation that has recently been granted planning permission and is currently under construction (these are the St. Marks student accommodation proposals permitted under **Planning Application Ref. No. 2018/1261/FUL**). These proposals are substantial and comprise of a total of 1372 bed spaces.

The entirety of the site sits in **Flood Zone 3a** (as defined by the Environment Agency) due to bordering the River Witham which has a recent history of flooding in Lincoln. Flood Zone 3a areas are those that have a high probability of flooding.

There are a number of important heritage sites in the vicinity of the site as identified on the Historic England Map Search facility. An extract from the map search has been provided at **Enclosure 1**.

There are various significant views from the Site, including Lincoln Castle, Lincoln Cathedral, and the Crown Windmill on Princess Street. The below images show how these important heritage assets are clearly visible from the Site:



Fig 1 – Photographs taken by JLL showing views of the following heritage assets that are clearly visible from the site, from left to right – Lincoln Cathedral, Lincoln Castle and the Crown Windmill

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires decisions of development proposals to be taken in accordance with the adopted development plan for the area unless material considerations indicate otherwise. National Planning Policy Framework, Planning Practice Guidance and other local planning policies e.g. Supplementary Planning Documents, are all material considerations.

Comments against various policies will be written in italics.

National Planning Policy Framework (2021) (NPPF)

The national planning policy is set within the new National Planning Policy Framework (NPPF) (2021). This edition replaces the previous National Planning Policy Framework published in March 2012, and its revisions in July 2018 and February 2019.

Accordance with the Local Plan policies

Paragraphs 2 and 47 state that planning law requires that applications for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Furthermore, **Paragraph 12** notes that where development proposals conflict with an up-to-date Development Plan, planning permission should not usually be granted.

Although the development proposals may be deemed to be in accordance with Policy LP35, the proposals are not compliant with Policies LP10, LP14, LP17, LP25, LP26 and LP29 of the Central Lincolnshire Local Plan (as evidenced in further detail later in this letter) and as such, are not compliant with Paragraphs 2 and 47 of the NPPF. In line with Paragraph 12 of the NPPF, the development proposals should therefore not be granted planning permission.

Presumption in favour of sustainable development

A presumption in favour of sustainable development lies at the heart of the Framework (**Paragraphs 10 and 11**).

Although the proposals involve the redevelopment of a brownfield site, they are not sustainable given the significant flood risk constraints, poor design and the lack of need for further student accommodation in the City of Lincoln.

Flood Risk

Table 1 below sets out the relevant planning policy paragraphs in respect of flood risk derived from the NPPF.

Importantly, **Annex 3 of the NPPF: Flood Risk Vulnerability Classification** states that apartments purposefully built for students come under the "more vulnerable" classification.

Paragraph No.	Policy wording	Planning analysis
159	<p>'Inappropriate development in areas at risk of flooding should be avoided directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.' [Our emphasis]</p>	<p>Given that the site in its entirety lies within Flood Zone 3a and the proposals come under the 'more vulnerable' classification, they constitute inappropriate development in an area with a high probability of flooding. In line with Paragraph 159, such uses should be directed away from areas at highest risk.</p> <p>Furthermore, the development proposals are not necessary given that the City of Lincoln Council has an up-to-date five year housing land supply and the Council's Housing Strategy Report 2020-2025 notes that there is sufficient development in the pipeline until 2025 to meet the accommodation needs of students. This site was not referenced as being within that pipeline in the Central Lincolnshire Five Year Housing Land Report (October 2021). This further supports the case that the proposals are not necessary.</p>
161	<p>'All plans should apply a sequential, risk-based approach to the location of development – taking into account a sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.'</p>	<p>Please see below.</p>
162	<p>'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known</p>	<p>It is considered that there are reasonably available sites that are appropriate for the proposed development in areas with a lower risk of flooding in the local area. In line with Paragraph 162 of the NPPF, the development proposals should be refused on this basis.</p> <p>Further details of <i>some</i> such sites can be found at Appendix C of the Central Lincolnshire Housing and Economic Land Availability Assessment Report (2020). The planning application submission included a Flood Risk Sequential Assessment and Exception Test Report prepared by DPP Planning. However, the methodology for</p>

to be at risk now or in the future from any form of flooding.'

determining whether there are alternative sites that are reasonably available is flawed for a number of reasons. Essentially:

- the requirement for alternative sites noted in the report is geared around a site that is located on the edge of Lincoln city centre that offers easy access to the University buildings and amenities used by students. There is no need for further student accommodation in the City of Lincoln as noted above, therefore, this should not form part of the search criteria.
- the size of the alternative sites sought was 'an area of at least 3.5ha'. Again, this was to suit the needs of providing low density student accommodation which is not needed in the area.
- the alternative sites were deemed to be needed to be available now. However, there are no student accommodation needs to be met until at least 2026 and even at that time, in line with the Council's Housing Strategy Report 2020-2025 document, it is anticipated that there will be a reduced need to provide student accommodation.

Given the above, the methodology used in the Sequential Test Report prepared by DPP Planning is flawed and there are sites included within the report that were unduly discounted.

Interestingly, the Site Assessment for the Former CEGB Power Station on Spa Road states that, '*The site's adjacency to the River Witham to the south has resulted in it being predominantly located in Flood Zone 3. The areas outside of Flood Zone 3 are located along the north and eastern boundaries of the site and would, at around 1.7ha, not be large enough to accommodate the Proposed Development.*' This is noted as a reason for discounting the site. However, the subject site is also within Flood Zone 3 and is also inappropriate for the proposed development.

163	<p>'If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.'</p>	<p>As sites were unduly discounted in the Sequential Test carried out by DPP Planning, it is considered that it is possible for development to be located in areas with a lower risk of flooding in this instance. For example, the Land of Wolsey Way site and the Waterside North/Spa Road site was discounted as it was noted that the sites were too small in size to accommodate the proposed development, the Land North of Ermine West site located 1.5 miles from the Lincoln city centre and was discounted on that basis. However, as mentioned the approach taken when undertaking the Sequential Test is flawed given that there is no need for student accommodation.</p>
164	<p>'To pass the exception test it should be demonstrated that:</p> <ul style="list-style-type: none">a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; andb) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'	<p>Notwithstanding the above, we have also demonstrated below why the proposals fail to meet the requirements of an Exception Test.</p> <p>The development would not provide wider sustainability benefits to the community that outweigh the flood risk. Although the proposals represent redevelopment of a brownfield site which does provide a benefit in terms of sustainability, this is overridden by the number of material considerations that must be factored into the balance when considering the proposals. Ultimately these material considerations result in the proposal being deemed as unsustainable.</p> <p>The proposals are unsustainable as they would lead to an over concentration of student accommodation in the local area. It is recognised that in local planning policy that this in turn, can lead to issues around antisocial behaviour, crime and create an imbalance whereby there is a failure to meet the housing needs of non-students. Local planning policy also highlights that a high concentration of student housing can make private renting unaffordable for other vulnerable groups. An oversupply of student housing also affects the area's prevailing character and setting.</p>

	<p>The proposals are also unsustainable as:</p> <ul style="list-style-type: none"> - there is no unmet need to deliver student housing accommodation in the City of Lincoln - the proposals are classed as being 'more vulnerable' development and are to be sited in an area where this is a high probability of flooding when there are other reasonably available sites which have a lower risk of flooding and as such, would be more suitable for the proposed use if it were required, - the proposals have failed to take account of Lincoln's rich historic heritage and the design is not sympathetic to the surrounding area. Good design is a key component of sustainable development and the proposals have failed to consider key views into and from the site.
<p>165 'Both elements of the exception test should be satisfied for the development to be allocated or permitted' [Our emphasis]</p>	<p>Importantly, both elements of the exception test need to be satisfied. As noted above, the proposals fall short of satisfying criteria 'a'.</p>

Re-use of brownfield site

Paragraph 120c states that substantial weight should be given to the value of using of **suitable** brownfield land within settlements for homes and other identified needs, and supporting **appropriate** opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

*The policy wording notes that substantial weight should be afforded to the re-use of **suitable** brownfield land and supporting **appropriate** opportunities only. This site is **unsuitable** for redevelopment due to the aforementioned flood risk constraints and the proposals to provide student accommodation are **inappropriate** as a result of the lack of need to provide student accommodation in the City of Lincoln (beyond what is included in the residential pipeline outlined in the Central Lincolnshire Five Year Housing Land Report (October 2021). Pertinently, this site is not mentioned in the Five Year Housing Land Report (October 2021).*

Furthermore, there are a number of material considerations that demonstrate that the proposals should not be supported and these material considerations should also be afforded substantial weight when determining the application proposals.

Making efficient use of land

Paragraph 119 states that planning decisions should promote the most effective use of land in meeting the needs of the area, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 124 highlights that development should be supported where it makes efficient use of land, taking into account:

- **the identified need** for different types of housing and the availability of land suitable for accommodation it
- **local market conditions**
- the availability and capacity of infrastructure and services
- the desirability of maintaining an area's prevailing character and setting and
- the importance of securing well designed, attractive and healthy places.

*There is not an identified need for the development proposals. The lack of demand for student accommodation in Lincoln is evidenced later in this letter. As such, the proposals do not align with **Paragraph 119** as redeveloping the site to provide student accommodation would not be an effective use of land and would not meet the needs of the area.*

Paragraph 126 states that, '*The creation of **high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.***' [Our emphasis].

Paragraph 130 notes that planning decisions should ensure that 'developments are **sympathetic to local character and history, including the surrounding built environment and landscape setting.**' [Our emphasis]

Paragraph 134 stipulates that '**development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design,** taking into account any local design guidance and supplementary planning documents such as design guides and codes.' [Our emphasis]

The proposals are not of good design as the flood risk constraints of the site compromise the quality of the development and the impact of the proposals upon the local heritage assets and nearby residential properties has not been considered. The scale and massing of the proposed development is not sympathetic to the surrounding built form and setting. The building that is proposed is of 3 storeys and the residential properties in the vicinity are only of 2 storeys. Important heritage assets are also clearly visible from the site and little has been done to enhance the setting or significance of these assets or indeed, even consider heritage. Overall, the proposals are not of a good design and thus, do not constitute sustainable development.

Heritage

Paragraph 189 stresses that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 199 notes that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The planning application submission omits any reference to heritage considerations which should have formed an important consideration when designing the proposals. This is very much a lost opportunity to promote sustainable design principles through incorporating heritage considerations. It is considered that a Heritage Impact Assessment needs to be carried out to ensure that there will be no harm to the significance or setting of the heritage assets in the vicinity.

Local Planning Policy

The current Development Plan covering the Site is made up of the following documents: -

- Central Lincolnshire Local Plan
- University of Lincoln Masterplan

The Central Lincolnshire Local Plan was adopted in April 2017 and guides development for Central Lincolnshire authorities until 2036.

Site specific policy – Regeneration and Opportunity Area

Policy LP35: Lincoln's Regeneration and Opportunity Areas notes that planning permission will be granted in the 'Firth Road Area' for the **appropriate** redevelopment of sites in the regeneration area for housing, including accommodation for students, either solely or as part of a mixed-use development in association with Business B1 use, Education and Community Use D1, small shops, cafes, restaurants on the ground floor along the waterfront; and leisure. The site falls within this Regeneration and Opportunity Area.

It should be noted any proposals should represent appropriate redevelopment of sites in the Regeneration and Opportunity Area. Given the flood risk constraints of the site and the lack of need for student accommodation, the proposals would not represent appropriate redevelopment of the site. There should be flexibility and the development proposals should meet an identified need rather than creating an oversupply of housing for one particular demographic as this is unsustainable.

High concentration of student accommodation

Paragraph 7.11.1 is of relevance as it acknowledges that whilst it is important that the accommodation needs of students is met, difficulties can arise where there is a high concentration in a particular area. The wording notes that, *'Problems mainly occur where there is a concentration of dwellings with a rapid turnover of residents or a concentration of converted dwellings in an established residential area causing an imbalance in those communities which can have negative effects. These can include an increase in parking pressures and a decreased demand for local shops and services which can lead to their closure. It can also lead to a rise in anti-social behaviour and crime levels and put pressure on family housing as owner occupiers and buy to let landlords compete for similar properties and inflate rental prices.'*

Flood Risk

Policy LP14: Managing Water Resources and Flood Risk notes that, *'All development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.'* As demonstrated in Table 1, the development proposals conflict with national planning policy in respect of flood risk and the proposals fail when assessed against the Sequential Test and Exception Test requirements. As such, planning permission should be refused.

Heritage

Paragraph 5.10.1 highlights that the notable historic environment positively contributes to Central Lincolnshire's character, the quality of life experienced by residents, and its appeal as a destination for visitors and tourists.

Paragraph 5.10.2 states that Central Lincolnshire's local character is heavily influenced by Lincoln, a world class Cathedral City.

Paragraph 5.10.3 stresses that Central Lincolnshire's heritage assets, including the significant historic building stock and archaeological resource, are irreplaceable and require careful management as the area evolves and undergoes significant growth and regeneration.

Policy LP25: The Historic Environment stipulates that, *'Development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.'*

In instances where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made by its setting, the applicant will be required to undertake the following, in a manner proportionate to the asset's significance:

- a. describe and assess the significance of the asset, including its setting, to determine its architectural, historical or archaeological interest; and*
- b. identify the impact of the proposed works on the significance and special character of the asset; and*
- c. provide clear justification for the works, especially if these would harm the significance of the asset or its setting, so that the harm can be weighed against public benefits.*

Unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposal(s) does not harm the significance of the asset and/or its setting.

Development proposals will be supported where they:

d. Protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;

e. Promote opportunities to better reveal significance of heritage assets, where possible;

f. Take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.'

Given Lincoln's rich historic character, it is considered a gross oversight that heritage has not been considered when designing the proposals. This lack of regard for heritage demonstrates poor design and good design is a key component of sustainable development. Any planning application to redevelop the site should have been supported by a Heritage Impact Assessment.

Planning Application Submission

The planning application submission comprises of the following plans and documents:

- Planning Statement and SCI by DPP
- Air Quality Assessment by Stroma
- Archaeological Desk Based Assessment by On Site Archaeology Limited
- Architectural Drawings by Den Architecture showing proposed plans and views
- Biodiversity Net Gain Assessment by Brooks Ecological
- Design and Access Statement by DEN Architecture
- Drainage Statement by Building Design Northern and associated plans
- Energy and Low Carbon Technology Statement by Desco
- Flood Risk Assessment by Building Design Northern
- Flood Risk Sequential Assessment and Exception Test by DPP
- Landscape Masterplan (ref: 21 5523 100) by JRP
- Noise Impact Assessment by Nova
- Notes on Site Investigation by Bradbrook Consulting
- Preliminary Ecological Appraisal by Brooks Ecological
- Transport Assessment by Local Transport Projects
- Travel Plan by Local Transport Projects Ground Investigation Report by Ian Farmer Associates

The planning system is important in ensuring high-quality, good design, sustainable place-making that meets current needs without intentionally harming the local area or community.

We have reviewed the planning application submission and consider that it is insufficient in demonstrating a need for student accommodation at this site and there are also a number of technical considerations that should preclude the granting of planning permission of the proposals.

Overall, we consider that the site is unsuitable for the development proposed, there is no need for additional student accommodation in the area, the proposals are of poor design and the proposals are unsustainable for these reasons.



Table 1 in this letter demonstrates the failure of the development proposals in satisfying the Sequential and Essential Tests required to be satisfied in order to allow the proposals to be granted planning permission given the site's Flood Zone 3a status. Thus, the proposals conflict with **Policy LP14: Managing Water Resources and Flood Risk of the Local Plan**.

Below, it is demonstrated that the proposals that have been put forward are of poor design and the lack of need for student accommodation in Lincoln is explored. Overall, each of these planning arguments - flood risk, poor design and lack of need for student accommodation – is a material consideration to be weighed in the balance when determining the planning application. It has been justified why the proposals constitute unsuitable, inappropriate and unsustainable development.

1. Poor design

Although the design of the scheme includes red brick, this is not enough to ensure that the proposals are of good design and are sympathetic to the surrounding area. The proposed buildings are of contemporary appearance which is a stark contrast to the historical built form and landscape in the vicinity of the site, including the local heritage assets and the Victorian houses on Coulson Road.

The Design and Access Statement, as well as other submitted supporting documents or plans, **do not effectively consider the key views at the site**, particularly views to and from key heritage assets in the local vicinity such as, but not limited to, the Crown Windmill, Lincoln Cathedral, and Lincoln Castle. The images presented in the 'Site and Surroundings' section of this letter show some of views photographed at different points throughout the site. These views and indeed, the impact of the proposals on these key heritage assets have been ignored in the planning application submission. Given Lincoln's rich heritage, due regard should be had to the heritage assets in the vicinity of the site. The planning application submission has not considered heritage.

Furthermore, the planning application has not given enough consideration to the implications of building 3-7 storey apartments at this site. This has significant implications for views *of* the site from important heritage assets and also views *from* the site. The changes in views for surrounding existing residents should also be considered, as well as views for the future residents of the proposed scheme. In particular, **the Crown Windmill** on Princess Street is well known for providing views of Lincoln that can be seen from the upper floors, and with the proposals at this site sitting within 300 meters of the Windmill, the changes and effects of these views should be considered in depth.

The proposed heights will also significantly change the views from the existing residential dwellings surrounding the proposed development such as those on Coulson Road. Heights of 3-7 storeys will significantly alter their views of the City and therefore, the height of buildings should be reconsidered to prevent conflict between the existing and potential future residents.



Overall, the design of the proposals in their current form, are not sympathetic to the existing built environment and wider landscape. Furthermore, the implications of the development on key heritage assets have not been considered. As such, we consider that the proposals are unsustainable.

For the reasons noted above, it is considered that the development proposals do not accord with:

- **Policy LP17: Landscape, Townscape, and Views**
- **Policy LP25: The Historic Environment;**
- **Policy LP26: Design and Amenity;**
- **Policy LP29: Protecting Lincoln's Setting and Character**

2. Lack of need for student accommodation in Lincoln

The City of Lincoln Council has a **5.35 year housing land supply** as of October 2021.

In addition, **The Housing Strategy 2020-2025 document** prepared by The City of Lincoln Council acknowledges that the housing market in the City needs rebalancing due to the high level of student housing in particular localities. It states that the University of Lincoln and Bishop Grosseteste University have advised that, further to the completion of the Medical School, they currently have no plans for further expansion within the timeframe of the Housing Strategy and pipeline residential sites will adequately meet demand until 2025. This site is not referenced as being within that pipeline in the Central Lincolnshire Five Year Housing Land Report (October 2021). This further supports the case that the proposals are not necessary.

Furthermore, the Housing Strategy document states that, by 2026, the demand by students for HMO accommodation in city centre locations will have greatly reduced, allowing for the reintroduction of family housing and more balance residential neighbourhoods.

Local market conditions should also be factored in. The University of Lincoln has provided JLL with a letter which further evidences the current lack of demand and uptake of student accommodation in the local area and stresses that the provision of further student accommodation will only serve to exacerbate existing void issues. The letter is provided in full at **Enclosure 2**.

Given that there is a substantial student accommodation block in construction to the north of the site at the St Marks Retail Park site permitted under **Planning Application Ref. No. 2018/1261/FUL** that has planning consent to deliver 1372 bed spaces and there are adequate sites identified to provide student accommodation up until 2025, if the application site were to be brought forward for student accommodation use also, this would result in an overconcentration of student housing in the area. As such, the proposals do not represent sustainable development.

The Housing Strategy 2020-2025 document prepared by The City of Lincoln Council acknowledges that the concentration of student accommodation in the City has driven up rents for private rented housing, making private renting unaffordable to many people on benefits and low incomes. Thus, an oversupply in student accommodation will further exacerbate these issues and will result in the needs of other groups that are vulnerable not being met.

Having a concentration of student accommodation in areas also has a knock-on effect on the local area's desirability for those that are not students as it impacts the area's prevailing character and setting and can lead to adverse effects in terms of antisocial behaviour and an increase in crime. Furthermore, an overconcentration of student accommodation is likely to cause an imbalance whereby there is a failure to meet the housing needs of non-students. This should be factored into consideration when determining the planning application.

For the reasons noted above, it is considered that the development proposals do not accord with:

- **Policy LP10: Meeting Accommodation Needs.**

Summary and Conclusions

The development proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB** conflict with policies contained within the NPPF and Local Development Plan. Specifically, the proposals do not comply with the following policies contained within the Central Lincolnshire Local Plan (2017):

- **Policy LP10: Meeting Accommodation Needs**
- **Policy LP14: Managing Water Resources and Flood Risk**
- **Policy LP17: Landscape, Townscape, and Views**
- **Policy LP25: The Historic Environment**
- **Policy LP26: Design and Amenity**
- **Policy LP29: Protecting Lincoln's Setting and Character**

In addition, the proposals conflict with the following policies contained within the NPPF:

- **Paragraphs 2 and 47** as the proposals do not accord within policies contained within the Development Plan;
- **Paragraphs 10 and 11** as the proposals do not represent sustainable development
- **Paragraphs 159, 162, 163, 164 and 165** as the proposals do not comply with policy in respect of flood risk
- **Paragraph 120c** as the proposals are unsuitable and inappropriate



- **Paragraphs 119, 124, 126, 130 and 134** as the proposals represent the ineffective and inappropriate use of land and poor design
- **Paragraphs 189 and 199** as the proposals have a lack of regard for heritage considerations

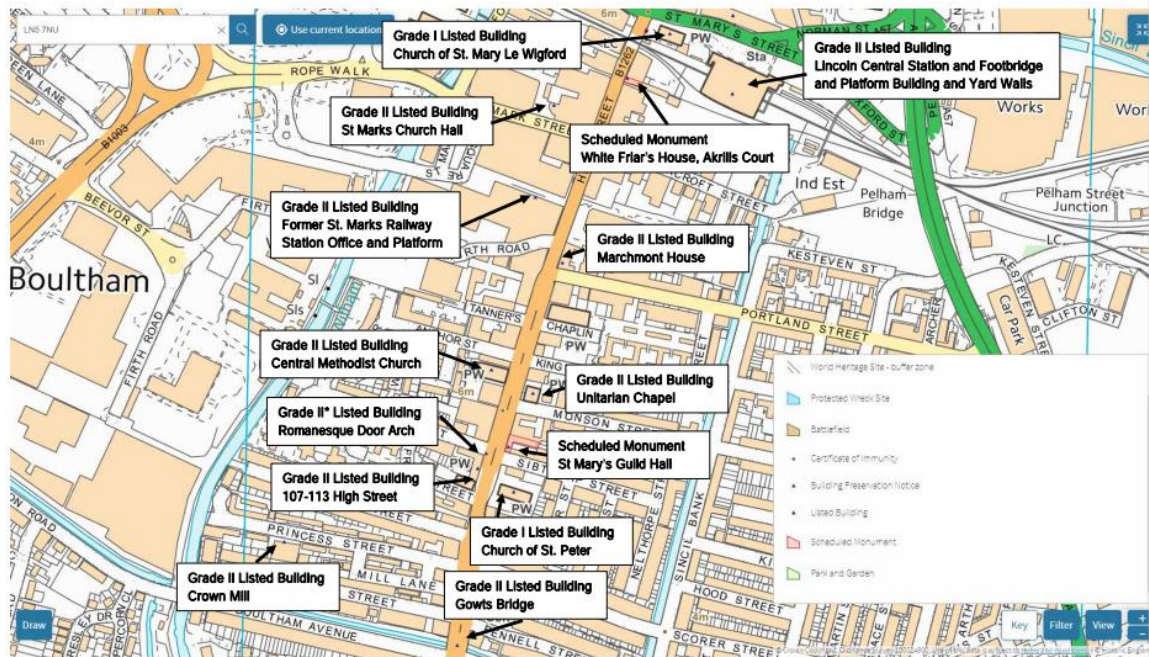
Furthermore, it has been demonstrated within this letter that the site is unsuitable due to the significant flood risk constraints that are present, the proposals are of poor design, there is a lack of need for student accommodation proposals and the granting of planning consent in this instance, would lead to an overconcentration of student housing in the local area. Overall, the proposals represent inappropriate, unsuitable and unsustainable development. On the basis of the planning arguments set out within this letter, the proposals should not be granted planning permission.

Yours sincerely,


Ravinder Uppal
Associate Director
Planning and Development
For and on behalf of Jones Lang LaSalle Limited



Enclosure 1 – Annotated Extract from Historic England illustrating the heritage assets within the local vicinity of the site



Enclosure 2 – Letter dated 4th November from the University of Lincoln to JLL providing current market evidence on the lack of demand of student accommodation in the local area



UNIVERSITY OF
LINCOLN

4th November 2021

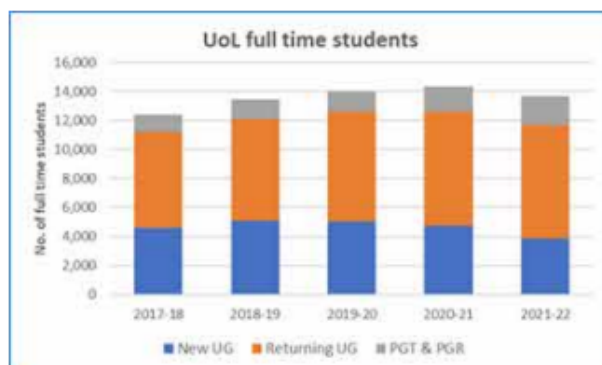
Mrs Ravinder Uppal
Jones Lang LaSalle
45 Church Street
Birmingham
B3 2RT

Dear Ravinder,

Re: Objection to Planning Application Ref. No. 2021/0817/HYB

Further to our correspondence, you have been instructed by the University of Lincoln (UoL) to consider the above referenced planning application relating to the proposed development of student accommodation at Firth Road. This letter is to support the formal letter of objection Jones Lang LaSalle (JLL) are to submit on behalf of UoL.

At present, UoL are experiencing significant voids in our existing supply of student accommodation. Currently, student numbers are approximately 800 down on last year, illustrated in the graph below, with a plan to recover to last year's level of take up by next year,



This aim is optimistic and highly dependent on steps taken by more popular Universities across the country and whether the 'over-offering' of places at these facilities continues and whether overseas students return. It will also be difficult to achieve this target given the smaller cohort of returning undergraduates due to this year's small intake.



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The table below shows the UoL capacity and occupancy as of 10th November 2021. In August 2022, UoL will also have taken on Block A at St Marks and assuming the same number of residents, the number of vacant beds will rise to 926. UoL

	Nov-21	Aug-22
UoL capacity	4,260	4,410
Occupancy	3,484	3,484
%	81.8%	79.0%
Surplus UoL beds	776	926

UoL are also aware of some private providers in the region who are extremely concerned about vacancy numbers. Adding more capacity will only pile more negative pressure onto an already over-supplied market.

UoL are happy to provide further input and supporting information as required.

Yours sincerely,



Mr Rob Haigh BSc (Hons) MRICS
Interim Estates Property Manager



For and on behalf of the University of Lincoln



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City of Lincoln Council
City Hall
Beaumont Fee
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+44 (0)121 643 6440
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Mobile: 07594519736
sarah.jones@eu.jll.com

15th February 2022

Dear Sir / Madam,

Letter of additional Supporting Information and response to comments to accompany the Letter of Objection against the proposals for the erection of student accommodation at the Former William Sinclair Holdings Site, Firth Road, Lincoln, LN6 7AH, prepared on behalf of the University of Lincoln.

I write to submit this Supporting Information alongside the **Letter of Objection dated 4 November 2021** on behalf of our client, the University of Lincoln, in respect of the planning application proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB**. This letter sets out research and evidence that demonstrates the lack of need for additional student accommodation in the City of Lincoln, and responds to the further information provided by the Applicant.

Description of Proposals

We previously submitted a letter of objection (dated 4th November 2021) in respect of the hybrid planning application that seeks Full Planning Permission for Phase 1 and Outline Planning Permission with details of only access for Phase 2 (**Planning Application Ref. No. 2021/0817/HYB**). This letter should be read in conjunction with the letter dated 4th November 2021. The description of the proposals are as follows:

"Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only)"

We understand that the Applicant has submitted amendments to the application that include a revised Proposed Site Plan, revised Drainage Strategy, revised Flood Risk Assessment, and a revised Landscape Plan, following comments from local authority consultees which indicated that the proposed drainage system would not function. The Applicant also issued a Response to Comments which we will address in this Letter.

Planning Policy requirements to consider the relevance of the proposed development

In their Response to Comments, the Applicant states that “there is no planning policy requirement for a student accommodation development to demonstrate that it meets a specified need for student accommodation, meaning the University’s claims in this regard are unsubstantiated from a planning policy perspective”.

National planning policy does require the Applicant to assess the need and requirement for a particular type and the proposed use of development. The **National Planning Policy Framework (NPPF)** asserts that development should ensure places respond to local changes and allow a suitable and relevant mix of uses that consider the scale and type of development that is likely to be needed in the surrounding area (**paragraph 86**).

Sustainable development lies at the heart of the NPPF, with **paragraph 8** stating that development should meet the needs of present and future generations that reflect uses for both current and future needs. To reinforce, the social, economic, and environmental objectives outlined in the NPPF should be considered together to ensure that land is used effectively to safeguard the vitality of localities and prevent decay of urban areas. This paragraph also states that local circumstances should be considered to “*reflect the needs of each area*”.

The presumption in favour of sustainable development (**paragraph 11**) outlines that sustainable development should meet the development needs of the area and provide objectively assessed needs for both housing and other uses. In any circumstance, the Applicant and the Local Authority should consider how sustainable the development proposals are for current and future generations. The research presented by the University of Lincoln evidences the vast oversupply of student accommodation in the area and thus, the development proposals are wholly inappropriate and unsuitable for the local area.

Further Information: The Lack of Need for Student Accommodation in the City of Lincoln

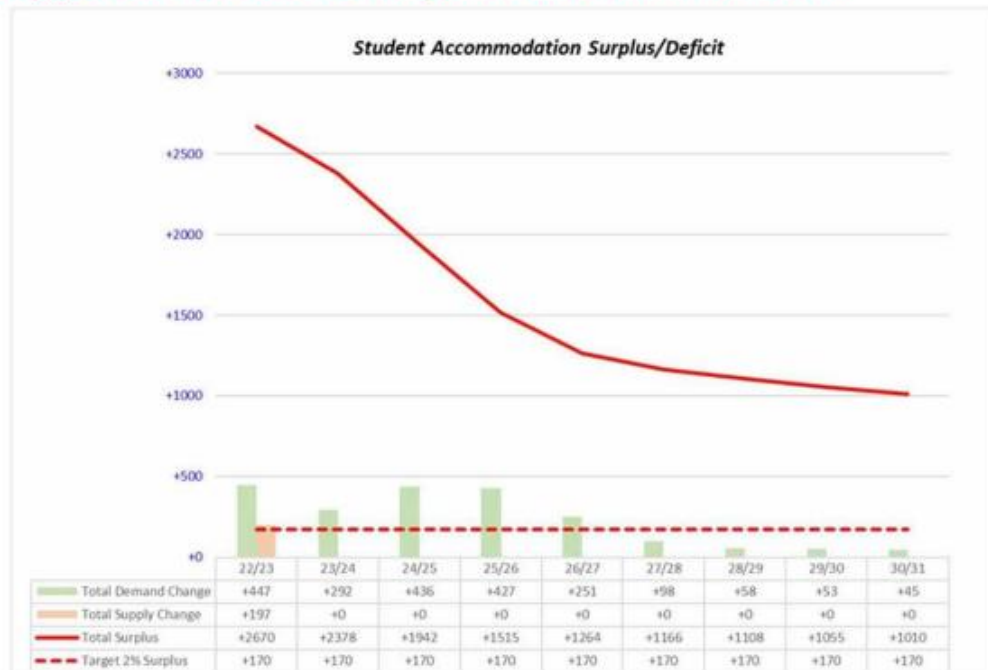
In their Response to Comments, the Applicant states that the proposal “looks beyond the need for accommodation up until 2025”.

The University of Lincoln has undertaken research into the need for student accommodation in the City for **the next decade**, and to this end, has compiled evidence of the forecast numbers of students that are predicted to reside in Lincoln between now and 2031. The University of Lincoln has analysed these predictions against both existing and proposed student accommodation schemes in the City, with the findings demonstrating that there is a **vast oversupply of student accommodation in Lincoln**, thereby demonstrating that there is a **lack of need for additional student accommodation** provisions in Lincoln **both now and for the next decade**. These findings are explained in further detail below.

Figure 1 below, produced by the University of Lincoln, indicates the existing supply and demand of student accommodation over the course of the next decade.

This shows that currently, with the existing stock of student accommodation in Lincoln, (and not including any pending applications for schemes), **there is already a surplus of 2,670 beds in the city of Lincoln**. This is predicted to be a **surplus of 1,010 beds by 2031**. As shown in the graph, this exceeds the target 2% surplus of 170 beds.

Figure 1: Supply and Demand of beds from the existing stock of student accommodation in Lincoln

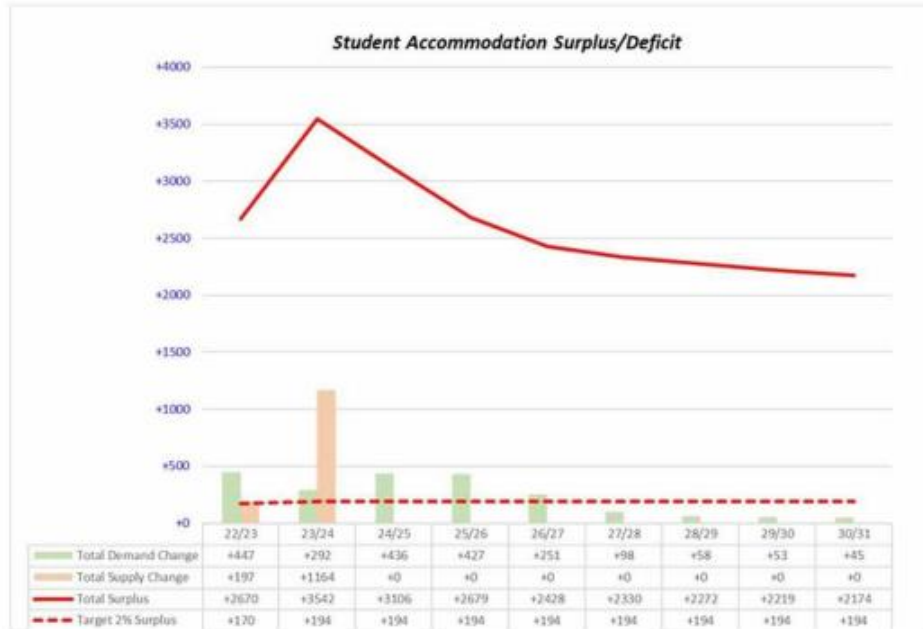


Source: University of Lincoln

Figure 2 below, again produced by the University of Lincoln, indicates how this existing surplus will be affected by the proposals for additional student accommodation in the City, namely at Land at Firth Road.

If the pending schemes are approved by the Council, **the surplus will rise to 3,542 beds** too many by 2023 and will **maintain a significant surplus of 2,174 beds by 2031**. This again drastically exceeds the target surplus of 2% (170 beds).

Figure 2: Supply and Demand of beds from the existing and proposed stock of student accommodation in Lincoln



Source: University of Lincoln

The evidence provided herewith justifies the University of Lincoln’s objection of proposals for additional student accommodation at Firth Road, on the basis that there is a lack of need for this type of development in the City of Lincoln.

The existing stock of student accommodation is more than sufficient to support the predicted forecast of student numbers over the next decade. Therefore, it is in the Council’s interest to encourage better use of this land as student accommodation here will not meet the needs of the City and its’ residents, and over time, may prove detrimental to the successful and sustainable development of Lincoln as a City.

Heritage

In their Response to Comments, the Applicant aimed to justify their lack of consideration of the impact of the development on surrounding heritage assets by stating “in respect to the perceived impact on the nearby heritage assets, this has not been assessed as part of the planning application as it was not raised as an issue by the LPA at pre-app stage”.

Section 16 of the **NPPF** highlights the importance of conserving and enhancing the historic environment and demonstrates how planning applications should always assess the impacts upon surrounding heritage assets.

Paragraph 194 states that applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage asset to understand the potential impact of the proposal. As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed.

Paragraphs 195, 197, 199 and 205 extend this, encouraging authorities to consider how surrounding heritage assets and their settings may be affected by a proposal by encouraging developers to record and advance understanding of the significance of the surrounding heritage assets. The potential impacts should be considered wholly by the applicant, irrespective of whether the potential harm amounts to substantial harm, or less than substantial harm to its significance.

The proposals as submitted fail to consider the surrounding heritage assets that are in view from the site, including **Lincoln Cathedral** and **Lincoln Castle**. The Applicant should demonstrate understanding of the potential heritage impacts of the proposed development before the local authority consider approval of the hybrid planning application.

Flood Risk and Drainage

This letter should be read in conjunction with the letter submitted to the City of Lincoln Council on 4th November on behalf of the University of Lincoln. Overall, it is considered that the proposals for this 'more vulnerable' use are wholly unsuitable, unsustainable and inappropriate at the site.

Conflict with planning policy

The development proposals that are the subject of **Planning Application Ref. No. 2021/0817/HYB** conflict with policies within the **NPPF** and the **Local Development Plan**. The evidence presented in this letter specifically indicate how the proposals do not comply with the following policies contained within the **Central Lincolnshire Local Plan** (2017):

- **Policy LP10: Meeting Accommodation Needs;**
- **Policy LP26: Design and Amenity;**
- **Policy LP29: Protecting Lincoln's Setting and Character**

In addition, the evidence presented here shows how the proposals conflict with the following policies contained within the **NPPF**:

- **Section 16: Conserving and enhancing the historic environment** as the proposals do not wholly consider the potential impacts upon heritage assets in the surrounding area / setting of the site



- **Paragraphs 2 and 47** as the proposals do not accord within policies contained within the Development Plan;
- **Paragraph 120c** as the proposals are unsuitable and inappropriate;
- **Paragraphs 119, 124, 126, 130 and 134** as the proposals represent the ineffective and inappropriate use of land

Therefore, the granting of planning consent in this instance is not in the public interest as it would lead to an **overconcentration of student housing** in the local area. Overall, taking the recent amendments to the application in account, the proposals still represent inappropriate, unsuitable, and unsustainable development. On the basis of the evidence set out within this letter, and the planning arguments set out in the Letter of Objection dated 4th November 2021, we respectfully request that the proposals should not be granted planning permission.

Yours sincerely,



Sarah Jones MSc BA (Hons)
Graduate Planner
For and on behalf of Jones Lang LaSalle Limited

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Julie Mason
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DF

Ref: KD/LF/JL/3793NE/L005

Date: 25 January 2022

Dear Julie,

Planning reference 2021/0817/HYB – Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and landscaping works (Phase 1 - Full Planning Permission); and erection of approximately 3no. apartment blocks (Class C3) and 9no. HMOs (Class C4/Sui Generis) with associated parking and landscape works (Phase 2 - Outline planning permission including details of access only) at Former William Sinclair Holdings Site Firth Road Lincoln Lincolnshire LN6 7AH.

On behalf of our client, Ashcourt Group (“the Applicant”), we submit the following responses (in bold) to the consultee and public comments received to date in respect of the application described above.

Consultee Comments

Environment Agency

The EA have not objected to the development and have instead recommended that four conditions are attached, including one for flood risk and three for land contamination. The flood risk condition states that the flood resilient construction methods set out in point 5.5 of the previous FRA should be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/phasing arrangements.

The EA have also offered up further advice regarding land contamination, including additional assessments.

The EA have noted that the Council’s EIA screening opinion confirms that they are of the opinion that the proposed development does not warrant an EIA.

In addition to the above, the EA have made the following comments:

- Impacts of raised development platform – it is noted that the proposal includes a raised development platform. The EA are aware of the objections raised by the Drainage officer to this proposal and, in respect of their concerns relating to access to the adjacent Main Drain and possible impacts on adjacent surface water, the EA support their position.

Cardiff Leeds London Manchester **Newcastle upon Tyne**

DPP One Limited
Company number 08129507
VAT number 138284595

It is their strong recommendation that a multi-agency meeting of all Flood Risk Management Authorities be held to discuss this site.

- Site drainage strategy – the EA highlight the fact the proposed outfall from the site is below water level and therefore the system as designed will not work.
- Flood warning and evacuation plan – the EA advise that a flood warning and evacuation plan is produced for the development in order to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area.
- Signing up for flood warnings – the Applicant should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message.
- Environmental permit – under the terms of the Environmental Permitting Regulations 2016, a permit or exemption may be required for any proposed works or structures, in, under, over or within a ‘main river’ or within 8m of a fluvial main river or 16m of a tidal main river. Please contact our Partnership and Strategic Overview Team in Lincoln by email psolincs@environment-agency.gov.uk to discuss the proposals. The team will be able to advise if permit or exemption is required and the fee applicable. Please be aware that the EA have up to two months to determine the application from duly made date, therefore prompt discussions are advised.

The Flood Risk Assessment and Drainage Strategy originally submitted in support of this application have been amended to address the Environment Agency’s comments.

The flood resilient construction methods set out in point 5.5 of the previous Flood Risk Assessment have been replaced by the following flood mitigation measures, which are deemed sufficient to ensure the future residents are not at adverse risk of flooding:

- It is proposed to place the new development on the Environment Agency’s emergency flood line which would advise occupants of potential flood events;
- A flood procedure plan will be drafted by the management to ensure that all occupants are aware of the evacuation plan / safe egress and refuge routes should flooding occur; and
- To manage residual risk and minimise flood risk to the proposed dwellings, the FFL’s have been set at 1300mm above the existing ground levels of the site, to a minimum level of 5.700mAOD.

The above measures can be secured by condition.

Anglian Water

No objection. Anglian Water’s records show that there are assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. Anglian Water have requested the following text is included on the decision notice should permission be granted: *“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence”*.

The applicant has no objection to the above.

Upper Witham Internal Drainage Board

The Upper Witham Internal Drainage Board has objected to the development on basis of the proposed raised ground level preventing maintenance of the Boultham Pump Drain. The officer states that under the terms of the Upper Witham Internal Drainage Board’s Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (6m) of the top of the bank of a Board maintained watercourse. At this location, the full width is required to be kept clear of all obstructions to allow

maintenance with large excavators and tractor flail units and to deposit cut vegetation and silt. The Byelaws are independent of the planning process and any ground raising, planting (as shown on the landscape plans), street furniture, lighting, etc. would not be permitted. The Board will shortly be adopting revised Byelaws with a distance of 9m, as this is a large watercourse the full 9m would be required to provide sufficient room for maintenance, it is advised that the layout is revised to accommodate this.

They go on to state that there is a culverted riparian watercourse running parallel to the River Witham, which is not identified on any plans or in the FRA or Drainage Strategy. It is vital this watercourse is not obstructed. The current plans show buildings on top of it, the Applicant needs to address this and it would be advised that the culvert is reconstructed as it is likely to be in poor condition.

It is also noted the proposed system discharges to the River Witham, the current design as detailed will not work because of the proposed levels relative to the water level in the river. It would only work if a pump was used. The current methodology in the Drainage Strategy is unacceptable and the allowable discharge rate would be lower.

The Flood Risk Assessment and Drainage Strategy originally submitted in support of this application have been amended to address the Upper Witham Internal Drainage Board's comments. The Board have reviewed both reports initially and have confirmed that they are now acceptable, and that they have no objections.

University of Lincoln

University of Lincoln object to the proposed development, their three main reasons for the refusal are as follows:

1. Flood Risk

Table 1 in the University's letter argues that the development proposals have failed to satisfy the Sequential and Exception Tests which are required to be satisfied in order to allow the proposals to be granted planning permission given the site's Flood Zone 3a status. Thus, it is asserted that the proposals conflict with Policy LP14: Managing Water Resources and Flood Risk, of the Local Plan.

2. Poor Design

The University states that the design of the proposals in their current form are not sympathetic to the existing built environment and wider landscape. Furthermore, the implications of the development on key heritage assets have not been considered. As such, it is considered that the proposals are unsustainable.

3. Lack of need for student accommodation in Lincoln

The University of Lincoln has provided JLL with a letter which supposedly evidences the current lack of demand and uptake of student accommodation in the local area and stresses that the provision of further student accommodation will only serve to exacerbate existing void issues.

It is noted that there is a lack of need for student accommodation proposals and the granting of planning consent in this instance, would lead to an overconcentration of student housing in the local area.

We have responded to each of the University's proposed reasons for refusal in turn below:

Flood Risk

Local Plan Policy LP14 – Managing Water Resources and Flood Risk, states that all development proposals will be considered against the NPPF, including the application of the sequential and, if necessary, the exception test. DPP maintain the position that the Flood Risk Sequential Assessment and Exception Test report (ref: R002) submitted as part of this planning application sufficiently demonstrates that there are no reasonably available, alternative sites for the proposed development to meet the specific criteria of the Land south of Firth Road, Lincoln, can replicate the sustainability benefits to Lincoln, or that present any lesser risk than the proposed development site. Moreover, it is also demonstrated by the Exception Test and accompanying Flood Risk Assessment and Drainage Strategy, that the proposed development passes both elements of the Exception Test as it has been demonstrated to be safe for its lifetime, providing

a significant betterment to the site and neighbouring sites in relation to flood risk and wider community benefits in terms of volumes for flood storage, in addition to the weighty economic, social and environmental benefits. In light of the above, the proposed development is considered to accord with Local Plan Policy LP14 as it has passed both the required Sequential and Exception Tests.

The University states that the development proposals are not necessary as there is sufficient development in the pipeline until 2025 to meet the accommodation needs of students. This proposal looks beyond the need for accommodation up until 2025, and this is discussed further below.

The methodology of the Flood Risk Sequential Assessment and Exception Test is deemed not sound by the University on the basis that again, there is sufficient development in the pipeline until 2025 to meet the accommodation needs of students. This is addressed above and below, however, the LPA have deemed that the methodology is sound based on the Applicant's requirements and the requirements of a functional student village site.

The University have stated that the DPP site assessment of the Former CEGB Power Station on Spa Road discounts the site on that basis that the site is in Flood Zone 3 but the proposed development site is also in Flood Zone 3. This is recognised but, in line with the Sequential Test requirements set out within paragraph 162 of the NPPF, it is acceptable to a discount a site within the same floodzone as it is not at a lower flood risk than the proposed development and thus not sequentially preferable. Therefore, our approach in discounting this site is sound and in accordance with national policy.

The University also state that the Exception Test has not been passed by the proposed development as it will not provide wider sustainability benefits to the community that outweigh the flood risk. The very clear and substantial benefits of the proposed development are set out in point 6.11 of our Flood Risk Sequential Assessment and Exception Test report (meeting part A of the exception test), whilst it has also been demonstrated that the scheme incorporates flood mitigation and management that ensures the development will be safe for its lifetime taking into account the vulnerability of its users, will not increase flood risk elsewhere, and in fact reduces flood risk overall (meeting part B of the exception test). Therefore, the proposed development passes both elements of the Exception Test. Once again, the LPA have confirmed that the content of the Flood Risk Sequential Assessment and Exception Test report is acceptable.

Poor Design

The scale and massing of the proposals are considered appropriate when viewed within the wider context of the Site and the surrounding area. Please note, Phase 2 is currently submitted in outline and as such the detail (including height) is not submitted with this planning application. The design has been extensively consulted upon and sits very well between the more urban form to the north and the residential streets to the south and east. The proposal is well contained by the two waterways and gives great access into the city and the university.

Although the architectural style may be more contemporary than the existing buildings surrounding the site, the proposed materials of red brick with alternative patterned accents and mansard style roofs will ensure that the scheme is in-keeping with the local area. Moreover, the variance in flat and pitched roofs will add interest to the surrounding roofscape.

In respect to the perceived impact on the nearby heritage assets, this has not been assessed as part of the planning application as it was not raised as an issue by the LPA at pre-app stage and the detailed aspect of the proposed development comprises three-storey HMOs which would have no impact on the heritage assets identified within the University's response. As above, the scale and massing of the Phase 2 apartment blocks are submitted in outline and as such, the impact of the blocks upon the identified heritage assets will be fully assessed at reserved matters stage when the LPA will have further detail relating to appearance and scale.

Overall, the proposed development is considered to accord with section 12 of the NPPF and Local Plan Policies LP18 and LP26.

Lack of need for student accommodation in Lincoln

First and foremost, it should be noted that there is no planning policy requirement for a student accommodation development to demonstrate that it meets a specified need for student accommodation, meaning the University's claims in this regard are unsubstantiated from a planning policy perspective.

The city of Lincoln faces a tangible issue in that the west end of the city is inundated with HMOs and this has severely impacted housing stock in this location and has led to tensions between residents and students. Therefore, the development of a student village on the proposed development site will see students moving here and freeing up traditional housing stock in areas subject to high concentrations of students, and specifically the west end, in turn allowing families to move into these traditional houses and re-balancing communities.

As there is no policy requirement to demonstrate student need, the comments made by the University relate more to a commercial decision of Ashcourt as to whether to deliver a development which the University believes may be left empty due to lack of student demand. Ashcourt are confident that their scheme is viable and deliverable. The proposal is based upon a very successful scheme that the Ashcourt Group built and operate in Hull close to the University of Hull. The accommodation is presented in a series of townhouses, giving intimate individual student communities largely used by 2nd, 3rd and 4th year students who have formed social groups through coming together during the first year at university. Many of the Ashcourt properties are reserved by the same student groups throughout their university life. As such the product very much competes with converted residential properties scattered across the city. As such it will assist in easing tensions within residential communities where the different lifestyles can and do cause conflict.

It is entirely possible that the product could be used by some first-year students but in the experience that Ashcourt have in Hull, this is limited. The product offers enhanced student accommodation and will increase and enrich the student experience, ultimately to the benefit of the university. It will help create long lasting social groups and friendships extending students relationships with each other, the University, and the city.

It is also worth noting that Ashcourt as a company also ran 850 student rooms in and around the University of Hull within converted residential properties but as a result of the new purpose built student scheme that they now operate, they took the decision to sell these properties, as they are much less desirable to the student community and to a far inferior specification to the purpose design and built accommodation. Many of these properties are now being used for their originally intended residential purpose. The management within a purpose-built community such as this proposal is much more straightforward, allowing for garden spaces that students can use but which is easy to maintain, avoiding gardens within residential areas becoming uncared for. The landscaped spaces within the development allow students to gather outdoors without affecting residential communities and where they can enjoy games with friends and eat outdoors. Ashcourt provide safe and secure student communities, with CCTV and night time security 7pm to 7am, meaning student tenants (and their parents, who are often financial contributors of rent) feel safe whilst living away from home at University. Ashcourt also offer a first class property management service, with on site maintenance management and staff.

Notwithstanding the above, the units will be built to be future-proofed meaning in the unforeseen circumstance in which some of the proposed units are vacant, they could be flexibly converted from HMOs to apartments or offices, for example. It is not expected that such conversions would be required, but it is an option in the future should vacancy become an issue.

Ultimately, the site is allocated under Local Plan Policy LP35 for a mixed-use development comprising what were formerly known as Class A1, A3, B1, D1 and D2 uses, as well as housing, including accommodation for students. Moreover, the site is identified in the Council's Brownfield Land Register and the proposed development is in accordance with the HGDP, which outlines that one of the LPA's strategic housing priorities is to provide student accommodation and to work with providers to deliver more student accommodation to meet demand.

Lincoln Civic Trust

The Trust have objected to the application on a number of grounds, including; overdevelopment of the site, a lack of need for further student accommodation, design, unacceptable height of the Phase 2 blocks, flooding and drainage, and access.

Please refer to the above responses regarding overdevelopment, a lack of need for further student accommodation, design, height of the Phase 2 blocks, and flooding and drainage.

In relation to access into the site, the Transport Assessment submitted as part of this application notes that the proposed development would not be expected to have a significant impact on the operation of the local highway network. The proposed development is therefore considered to be in accordance with Local Plan Policy LP13.

City Archaeologist

The City Archaeologist has no objections to the Desk-Based Assessment submitted as part of the application, and the proposed borehole survey. In such cases, they would condition (i) the foundation design, (ii) further archaeological evaluation (the proposed borehole survey), (iii) archaeological mitigation and (iv) archiving and reporting.

The applicant has no objection to the proposed condition.

Community Contracts

Community Contracts confirms the requirements for communal bin stores.

Comment noted, these requirements will be followed by the Applicant.

Lincolnshire Police

Lincolnshire Police had no formal objections in principle, but recommended that their initial advisory recommendations are implemented to reduce the opportunity for crime and increase the safety and sustainability of the development. Their principal recommendation is a secure access-controlled boundary and fence to enhance the security and safety of students and staff. Further to this they recommend:

- Perimeter treatment to include appropriate fencing and commensurate gating is included to at least 1.8 m non-climbable LPS 1175 Security rating 1 (SR1);
- External doors and windows should be made safer by:
 - an air-lock style entrance;
 - industry standard approved CCTV; and
 - ground floor windows should have window restraints and effective locking systems.
- Access to places of height is secured on all levels and should include the provision of substantial windows and locking systems together with fixed and secured 'window restraining' devices; and
- Lighting should be designed to cover the external doors.

The layout has been amended to incorporate appropriate fencing as suggested by Lincolnshire Police. It is understood that the remaining points could be secured via planning condition.

Housing Strategy Officer

No comment.

Comment noted.

Education Officer

No comment.

Comment noted.

Scientific Officer

The Scientific Officer has recommended standard conditions given that the submitted Site Investigation Report was based upon a different use to that of the current application.

The applicant has no objection to the proposed conditions.

Noise

The Pollution Control Officer is content with the details in the new Noise Impact Assessment subject to a condition regarding the noise mitigation measures to be submitted prior to commencement of development.

The case officer has confirmed that this condition can be amended to read 'prior to works above damp proof course', which the application accepts.

NHS

The NHS contribution request has been summarised below:

- The contribution requested for the development of Phase 1 - £85,250 (275 x 310 dwellings)
- The contribution requested for the development of Phase 2 - £75,900 (275 x 276 dwellings)
- Total for Phases 1 and 2 = £161,150

There is currently limited capacity at some practices to accommodate additional growth in patient numbers arising from this development, therefore it is requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50% of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure. To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.

The applicant has no objection to the proposed financial contribution.

Public Comments

A total of 3 public comments have been received to date, these include 2 objections and 1 neutral comment. These comments have been summarised and responded to (**in bold**) below:

Hours of Construction

The hours of construction have been raised as a concern. A public comment hopes that the hours of construction can be limited to daylight hours Monday to Friday without starts before 8 am and no later than 5 pm finishes.

Hours of construction are expected to be standard. This will be secured by condition by the Council's Environmental Health Officer.

Height of Phase 2 Apartment Blocks

Concerns regarding the height of the apartment blocks in Phase 2.

Phase 2 is currently submitted in outline and as such the detail (including height) is not submitted with this planning application. The comments have been shared with the Applicant for consideration as part of the future development phase.

Surface Water

A public comment requests assurance the surface water will not be discharged into the river as part of the flow control when the water of the river is very high.

The proposed development will not be discharged into the River Witham.

Impact on Historical Assets

Concerns regarding the likely unacceptable heritage impact upon Cannon’s Glue Factory which is a building of considerable interest to the history of Victorian industrial development in central Lincoln..

Cannon’s Glue Factory is situated directly north of site but is in a poor state of repair and vacant and covered in graffiti. This is not a designated or non-designated heritage asset and as such, the assessment of the proposed development’s impact on this building is not considered relevant to this planning application.

Access

Clarification is requested on how general public access into this site can be prevented from Waterloo Street, or how students will be restricted from using the Public Right of Way to access the retail area to the north.

Sufficient boundary fences are proposed around the site to ensure that public access from Waterloo Street into this site will be restricted. Students will not be restricted from using the Public Right of Way (PROW) along the eastern boundary of the site, with a access-controlled gate in the east of the site providing access to this PROW.

Parking

Pleased to see that the Applicant is considering the parking issues in the area.

Comments noted.

Plans/Reports

Original (Superseded) Plans & Reports	New/Amended Plans & Reports
3233-DEN-AB-ZZ-DR-A-200 – Proposed House Type A and B – Plans and Elevations	3233-DEN-AB-ZZ-DR-A-200 - Proposed House Type A and B - Plans and Elevations Rev B
3233-DEN-C-ZZ-DR-A-201 – Proposed House Type C – Plans and Elevations	3233-DEN-C-ZZ-DR-A-201 - Proposed House Type C - Plans and Elevations Rev B
3233-DEN-D-ZZ-DR-A-206 – Proposed Office – Apartments Type D – Plans and Elevations	3233-DEN-D-ZZ-DR-A-206 - Proposed Office - Apartments Type D - Plans and Elevations Rev C
3233-DEN-E-ZZ-DR-A-203 – Proposed House Type E – Plans and Elevations	3233-DEN-E-ZZ-DR-A-203 - Proposed House Type E - Plans and Elevations Rev B
3233-DEN-F-ZZ-DR-A-204 – Proposed House Type F – Plans and Elevations	3233-DEN-F-ZZ-DR-A-204 - Proposed House Type F - Plans and Elevations Rev C

Original (Superseded) Plans & Reports	New/Amended Plans & Reports
3233-DEN-G-ZZ-DR-A-205 – Proposed House Type G – Plans and Elevations	3233-DEN-G-ZZ-DR-A-205 - Proposed House Type G - Plans and Elevations Rev D
3233-DEN-H-ZZ-DR-A-207 – Proposed House Type H – Plans and Elevations	3233-DEN-H-ZZ-DR-A-207 - Proposed House Type H - Plans and Elevations Rev A
3233-DEN-I-ZZ-DR-A-208 – Proposed House Type I – Plans and Elevations	3233-DEN-I-ZZ-DR-A-205 - Proposed House Type I - Plans and Elevations Rev D
3233-DEN-JK-ZZ-DR-A-209 – Proposed House Type J and K – Plans and Elevations	3233-DEN-JK-ZZ-DR-A-209 - Proposed House Type J and K - Plans and Elevation Rev A
N/A	3233-DEN-NO-ZZ-DR-A-200 - Proposed House Type N and O - Plans and Elevations Rev B
N/A	3233-DEN-LM-ZZ-DR-A-209 - Proposed House Type L and M - Plans and Elevations Rev A
N/A	Riparian Mammal Survey (ref: ER-5774-03)
Flood Risk Assessment (ref: S2274-C-01-0)	Flood Risk Assessment (ref: S2274-C-01-B)
Drainage Strategy (ref: S2274-C-02-A)	Drainage Strategy (ref: S2274-C-02-B)
Landscape Masterplan (ref: 21 5523 100)	Landscape Masterplan (ref: 21 5523 100 Rev A)

Summary

The above responses and amendments to the planning documents demonstrate that the Applicant has made every endeavour to work proactively with the LPA and consultees. The development would not have any significantly adverse impacts and as such, planning permission should be granted without delay. If you require any further information at this stage, please do not hesitate to contact me.

Yours sincerely,



Kayleigh Dixon
Associate Director
DPP
M: 07398229076



Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk.

AW Site Reference: 181268/1/0133548

Local Planning Authority: Lincoln District (B)

Site: Former William Sinclair Holdings Site Firth Road Lincoln Lincolnshire LN6 7AH

Proposal: Hybrid application for the erection of 22no. buildings for use as HMO (Class C4/Sui Generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (Class E(g)/C3) with associated parking and I

Planning application: 2021/0817/HYB

Prepared by: Pre-Development Team

Date: 10 December 2021

ASSETS

Section 1 - Assets Affected

Our records show that there are assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA September 2021/Drainage Strategy September 2021 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.



City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
LN1 1DF

Our ref: AN/2021/132385/02-L01
Your ref: 2021/0817/HYB
Date: 14 February 2022

FAO Julie Mason

Dear Julie

Hybrid application for the erection of 22no. buildings for us as HMO (class C4/sui generis) (totalling 67no. units) and 1no. office building with 8no. residential apartments on the first and second floors (class E(g)/C3) with associated parking and landscaping works (phase 1 - full planning permission); and erection of approximately 3no. apartment blocks (class C3) and 9no. HMOs (class C4/sui generis) with associated parking and landscape works (phase 2 - outline planning permission including details of layout, scale, appearance and landscaping to be considered)

Former William Sinclair Holdings site, Firth Road, Lincoln, LN6 7AH

Thank you for re-consulting us on the above application on 25 January 2022 following the submission of amended plans.

Environment Agency position

In our response of 26 October 2021 we had no objection to the application but requested conditions covering flood risk mitigation and land contamination.

Having reviewed the amendments, our position remains as before but the flood risk mitigation condition will need to refer to the latest flood risk assessment, as follows:

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref S2274-C-01-B, dated 22 September 2021, revised 24 January 2022, by Building Design Northern) and the following mitigation measures it details:

- Finished floor levels to be set no lower than 5.7 metres above Ordnance Datum (AOD)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Ceres House, Searby Road, Lincoln, LN2 4DW
Customer services line: 03708 506 506
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

Calls to 03 numbers cost no more than national rate calls to 01 or 02 numbers and count towards any inclusive minutes in the same way. This applies to calls from any type of line including mobile.

Cont/d..

Reason

To reduce the risk of flooding to the proposed development and future occupants.

Advice to the local planning authorityImpacts of raised development platform

We note the proposal includes a raised development platform. We are aware of previous objections raised by the Upper Witham IDB to this proposal and, in respect of their concerns relating to access to the adjacent Main Drain and possible impacts on adjacent surface water, if the amended arrangement has not addressed the IDB's concerns we would continue to support their position.

Land contamination conditions

Please refer to our letter of 26 October 2021 for our requested conditions.

Advice to the applicant

Please see our letter of 26 October 2021 for advice on flood warning and evacuation, environmental permit requirements and site investigation and remediation.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Nicola Farr

Sustainable Places - Planning Specialist

Direct dial 02030 255023

Direct e-mail nicola.farr@environment-agency.gov.uk

Application Number: 2021/0817/HYB

**Location: Former William Sinclair Holdings Site, Firth Road, Lincoln comprising of:
 Phase 1 - 67 Houses in Multiple Occupation (HMO) and 8 flats equating to 310
 bedspaces, Phase 2 - apartments and 9 HMOs totalling 276 bedspaces**

Impact of new development on GP practice	<p>The above development is proposing in Phase 1 - 310 dwellings, and Phase 2- 276 dwellings which, based on the average of 1 person per dwelling for single occupancy in the City of Lincoln Council area, would result in an increase in patient population of 586.</p> <p>The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.</p> <p>Phase 1:</p> <p>Consulting room GP</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr><td>Proposed population</td><td>310</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.310 \times 5260 = 1631$</td></tr> <tr><td>Assume 100% patient use of room</td><td>1631</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$1631/50 = 32.6$</td></tr> <tr><td>Appointment duration</td><td>15 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$32.6 \times 15/60 = 8.2$ hrs per week</td></tr> </table> <p>Treatment room Practice Nurse</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Proposed population</td><td>310</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.310 \times 5260 = 1631$</td></tr> <tr><td>Assume 20% patient use of room</td><td>$1631 \times 20\% = 326.1$</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$326.1/50 = 6.522$</td></tr> <tr><td>Appointment duration</td><td>20 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$6.522 \times 20/60 = 2.2$ hrs per week</td></tr> </table>	Proposed population	310	Access rate	5260 per 1000 patients	Anticipated annual contacts	$0.310 \times 5260 = 1631$	Assume 100% patient use of room	1631	Assume surgery open 50 weeks per year	$1631/50 = 32.6$	Appointment duration	15 mins	Patient appointment time per week	$32.6 \times 15/60 = 8.2$ hrs per week	Proposed population	310	Access rate	5260 per 1000 patients	Anticipated annual contacts	$0.310 \times 5260 = 1631$	Assume 20% patient use of room	$1631 \times 20\% = 326.1$	Assume surgery open 50 weeks per year	$326.1/50 = 6.522$	Appointment duration	20 mins	Patient appointment time per week	$6.522 \times 20/60 = 2.2$ hrs per week
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¹ Source: Lincolnshire Research Observatory 2011 Census Data

	<p>Phase 2:</p> <p>Consulting room GP</p> <table border="1" data-bbox="456 389 1193 667"> <tr><td>Proposed population</td><td>276</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.276 \times 5260 = 1452$</td></tr> <tr><td>Assume 100% patient use of room</td><td>1452</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$1452/50 = 29$</td></tr> <tr><td>Appointment duration</td><td>15 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$29 \times 15/60 = 7.3$ hrs per week</td></tr> </table> <p>Treatment room Practice Nurse</p> <table border="1" data-bbox="456 779 1193 1057"> <tr><td>Proposed population</td><td>276</td></tr> <tr><td>Access rate</td><td>5260 per 1000 patients</td></tr> <tr><td>Anticipated annual contacts</td><td>$0.276 \times 5260 = 1452$</td></tr> <tr><td>Assume 20% patient use of room</td><td>$1452 \times 20\% = 290.4$</td></tr> <tr><td>Assume surgery open 50 weeks per year</td><td>$290.4/50 = 5.807$</td></tr> <tr><td>Appointment duration</td><td>20 mins</td></tr> <tr><td>Patient appointment time per week</td><td>$5.807 \times 20/60 = 1.9$ hrs per week</td></tr> </table> <p>Therefore, an increase in population of 586 in the City of Lincoln area will place extra pressure on existing provisions, for example, extra appointments requires additional consulting hours (as demonstrated in the calculations above). This in turn impacts on premises, with extra consulting/treatment room requirements.</p>	Proposed population	276	Access rate	5260 per 1000 patients	Anticipated annual contacts	$0.276 \times 5260 = 1452$	Assume 100% patient use of room	1452	Assume surgery open 50 weeks per year	$1452/50 = 29$	Appointment duration	15 mins	Patient appointment time per week	$29 \times 15/60 = 7.3$ hrs per week	Proposed population	276	Access rate	5260 per 1000 patients	Anticipated annual contacts	$0.276 \times 5260 = 1452$	Assume 20% patient use of room	$1452 \times 20\% = 290.4$	Assume surgery open 50 weeks per year	$290.4/50 = 5.807$	Appointment duration	20 mins	Patient appointment time per week	$5.807 \times 20/60 = 1.9$ hrs per week
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<p>GP practice(s) most likely to be affected by the housing development</p>	<p>Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.</p> <p>Due to the location of the development the 3 practices that would be impacted are Abbey Medical Practice, Portland Medical Centre (The University Health Centre is now part of Portland Medical Centre) and Brayford Medical Practice.</p>																												
<p>Issues to be addressed to ensure the development is acceptable</p>	<p>Lincolnshire Clinical Commissioning Group (LCCG) wishes for the Section 106 contribution from the development at the Former William Sinclair Holdings Site, Firth Road, Lincoln comprising of: Phase 1 - 67 Houses in Multiple Occupation (HMO) and 8 flats equating to 310 bedspaces, Phase 2 - apartments and 9 HMOs totalling 276 bedspaces to contribute to support the University patients within Marina PCN.</p> <p>Collaborative work is currently underway on the estate's strategy for the Lincoln area, as part of the Primary Care Network.</p>																												

	<p>This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.</p> <p>Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), and includes measures to:</p> <ul style="list-style-type: none"> • Improve out-of-hospital care, supporting primary medical and community health services; • Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025; • Support older people through more personalised care and stronger community and primary care services; • Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer. <p>The strategic direction both nationally through the development of Primary Care Networks (PCN) and locally through the Sustainability Transformation Plan, is to provide primary care at scale, facilitating 100% patient population coverage by primary care and services being delivered in the community in an integrated way. Included within the PCNs is the requirement to provide on-line access to services and appointments, as well as the introduction of additional roles to enhance the delivery of primary care, including Clinical Pharmacists, Physiotherapists, Social Prescribers, Emergency Care and Mental Health Practitioners.</p> <p>The Lincoln GP Practices are within the Lincolnshire CCG IMP and Marina PCNs (Primary Care Networks) where the housing is being developed. There is a huge variation in the type, age and suitability of current premises within the PCN Networks.</p> <p>The PCNs are working to employ additional staff to increase capacity within primary care and as more care is moved to the community from secondary care closer to individuals' home.</p>					
<p>Fairly and reasonably related in scale and kind to the development.</p>		<p>Average list size per GP</p>	<p>Required m2</p>	<p>£ per m2</p>	<p>Total cost</p>	<p>£per person</p>
	<p>GP team</p>	<p>1,800</p>	<p>170</p>	<p>2,300</p>	<p>£391,000</p>	<p>217</p>
	<p>GP furnishings</p>	<p>1,800</p>			<p>£20,000</p>	<p>12</p>
						<p>229</p>
	<p>Contingency requirements @ 20%</p>					<p>46</p>
	<p>Total per resident</p>					<p>275</p>
	<p>Total per dwelling (resident x 1.0)</p>					<p>£275</p>
	<p>The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined.</p>					

	<p>This figure is multiplied by 1 (the average number of persons per dwelling for City of Lincoln Council) to provide a funding per dwelling of £275. Single occupancy (e.g.- student accommodation)</p>
<p>Financial Contribution requested</p>	<p>The contribution requested for the development of Phase 1 - £85,250 (275 x 310 dwellings)</p> <p>The contribution requested for the development of Phase 2 - £75,900 (275 x 276 dwellings)</p> <p>Total from Phase 1 and Phase 2 amounts to £161,150.</p> <p>Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.</p>
<p>Trigger point</p>	<p>There is currently limited capacity at some practices to accommodate additional growth in patient numbers arising from this development, therefore it is requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure.</p> <p>To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.</p>

Kate Robinson
Locality Improvement and Delivery Manager
NHS Lincolnshire Clinical Commissioning Group
3rd December 2021

Lincoln Civic Trust

Comment Date: Mon 21 Feb 2022

OBJECTION

We have read the revised documents and the Comments responses for which we commend the developers for addressing. However, we still feel that some of our original objections were not adequately answered and are hence still valid.

' Flooding ' We do not offer any expert knowledge on the subject but are pleased that the developers have re-visited the subject and accept the findings of the experts.

' 3 Storey Properties ' The street scene along Coulson Road is of 2-storey houses and were it not for the watercourse on the opposite side, the 3-storey properties would do unacceptable damage to the street scene. The watercourse breaks that problem and although we still feel that the buildings visible from the Coulson Road should be 2-storey, we do accept the idea of the contrast created between the commercial buildings and the traditional houses to be valid.

' Overdevelopment & Student need ' We do not accept the explanation to these arguments as we still feel that the number of units to be built in phase 1 to be excessive and congested and if we then add in the future application for phase 2 with the potential Student tower blocks, it becomes even more excessive. As to the volume of student accommodation provided, we consider that the number of those who choose to, or currently, occupy the houses in the West End Quarter is dwarfed by number of student places already provided, or yet to come on stream in 'purpose-built student blocks'. When all the authorised, purpose-built accommodation is available, there will be more than enough student places available, even if the West End Quarter is excluded. We fear the over provision of places for students will be mirrored by the under provision of decent starter homes for young professionals and families. Contrary to the comments made by the developers, purpose-built student accommodation is NOT easily adaptable to form other types of residences and the mixing of students and non-students does not lead to residential harmony.

' Access ' We totally disagree with the dismissive response to vehicle access as when the volume of traffic that the site will create be that student, visitor, delivery, maintenance and service vehicles all have to enter and exit the site via Firth Road and then to the traffic lights on to Tritton Road, the volume will be substantial. The luxury for the developers is that they are only expected to view this application in isolation whereas we and the Lincoln public will view it in conjunction with the expected additional growth in traffic created by the Science and Innovation Park, the Student accommodation on St Marks, the through traffic created by the Western Growth Corridor development, the further expansion of the University of Lincoln and the lack of any multistorey car park in the area. All this added together is a recipe for gridlock and needs to be addressed before its too late. The Lincolnshire County Council Highways department needs to reconfigure this whole area to avoid a nightmare scenario.

Upper Witham, Witham First District & Witham Third District

Comment Date: Mon 21 Feb 2022

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district. The Board maintained Boultham Pump Drain (24200) is on the south of the site.

Following the submission of revised drawings and documents the Upper Witham IDB Objection can be removed.

BDN Outline Levels Plan, drg no S2274-BDN-XX-XX-DR-C-0105 Rev P3.

DEN Architects - Sections adjacent Boultham Pump Drain, drg no 3233-DEN-ZZ-ZZ-DR-A-3002.

BDN Drainage Strategy Rev C, dated 18-02-22 & Flood Risk Assessment Rev C, dated 18-02-22

Byelaw Consent from Upper Witham IDB will be required for the works adjacent to the Boultham Pump Drain including the proposed outfall. Land drainage consent will be required for the diversion of the culvert running north south through the site. The developer is aware of this.

Regards

Guy Hird
Head of Technical & Engineering Services

Education Planning Manager, Lincolnshire County Council

Comment Date: Mon 31 Jan 2022

The County Council has no comments on this consultation in relation to education as there would not be any children generated by the scheme.