

Application Number:	2020/0310/FUL
Site Address:	2 Cottesford Place, Lincoln, Lincolnshire
Target Date:	30th June 2022
Agent Name:	SRA Architecture Ltd
Applicant Name:	Mr P Pearson
Proposal:	Demolition of existing dwellinghouse and erection of replacement dwellinghouse. (Revised plans).

Background - Site Location and Description

The application property is 2 Cottesford Place, a 1960s detached two storey dwelling with a flat roof garage sitting to the side, which also projects forward of the property. The site is accessed via a shared driveway from James Street to the east, which is a single width no through road from Eastgate. The site also has the benefit of a private footpath which provides access to Bailgate from the south west corner of the site.

The application site is accessed via a shared driveway from James Street. This driveway also serves 1 and 3 Cottesford Place, which are respectively located to the east and south of the site. To the north east is 4 Cottesford Place, which is accessed directly from James Street. To the north of the site are the grounds of the Bailgate Methodist Church and Bailgate Pre-School. To the west are the rear boundaries of properties on Bailgate. The site is located within the Cathedral and City Centre Conservation Area and sits on the Lincoln Roman Colonia (Lindum) Scheduled Monument.

The proposed two storey, four bedroom detached dwelling would replace the existing property, which is of little architectural merit. There is an existing garden store to the north west of the site, constructed with limestone and a clay pantile roof, which will be retained as part of the proposals. The existing access arrangement would be retained and the currently overgrown pedestrian access to Bailgate would be reinstated.

The proposals have been revised during the process of the application following extensive discussions between the agent, officers and the Principal Conservation Officer, which will be detailed later within the report. All neighbours and statutory consultees have been re-consulted on the revised plans. No objections were received from neighbouring properties to the original proposal, although following the re-consultation, objections been received from the occupants of 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 71 Bailgate. The objections have been made in relation to various issues, which will each be addressed within the relevant sections of the report.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 19th August 2020 and 9th February 2022.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy

- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Principle of Use
- Visual Amenity, Character and Appearance of the Conservation Area and Listed Buildings
- Residential Amenity
- Scheduled Monument and Archaeology
- Trees
- Access and Highways

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Lincolnshire Police	Comments Received
Historic England	Comments Received

Public Consultation Responses

Name	Address
Elisabeth Marsland	64 Bailgate Lincoln Lincolnshire LN1 3AR
Caroline Phillips	67 Bailgate Lincoln Lincolnshire LN1 3AR
Maria And Julian Hobden	62 Bailgate Lincoln Lincolnshire LN1 3AR
Angela Burrows	71 Bailgate Lincoln Lincolnshire LN1 3AR
Elizabeth Cooper	65 Bailgate Lincoln Lincolnshire LN1 3AR
Mr Douglas Macmillan	63 Bailgate Lincoln Lincolnshire LN1 3AR
Mrs Janet Wallis	58 Bailgate Lincoln Lincolnshire LN1 3AR
Mrs Claire Bushell	60 Bailgate Lincoln Lincolnshire LN1 3AR
Dr Helen Bushell-Thornalley	59 Bailgate Lincoln Lincolnshire LN1 3AR
Mrs Claire Bushell	61 Bailgate Lincoln Lincolnshire LN1 3AR

Mrs Andrea Root	66 Bailgate Lincoln LN1 3AR
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Consideration

Principle of Use

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. CLLP Policy LP1 states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the local plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National Planning Policy Framework (NPPF).

The principle of residential development on the site is already established, as the proposal replaces an existing dwelling, but would also be supported by these policies. Accordingly, there is no objection to the application in this respect.

Visual Amenity, Character and Appearance of the Conservation Area and Listed Buildings

The existing property sits in an east west alignment on the site, facing south towards 3 Cottesford Place with the side gables facing towards 1 Cottesford Place to the east and the rear of Bailgate properties to the west. The proposed dwelling would sit in a similar position to the existing, although would sit at an angle on the site facing to the south east, towards the shared driveway. The existing property measures approximately 13m wide x 7.8m deep incorporating an off-shoot to the rear with the garage projecting to the front.

The proposed dwelling would have larger footprint than the existing, measuring approximately 19m wide x 9m deep, which includes a lower section to the east. The proposal is also taller than the existing, with the eaves height increasing from 5m to 6.5m and the ridge from 7.3m to 8.8m. A site plan has been submitted which indicates the footprint of the existing dwelling compared to the footprint of the proposal. Site sections have also been submitted which clearly illustrate the position and height of the proposal in relation to neighbouring properties.

Objections from the properties on Bailgate consider that the proposal is out of scale and proportion, is dominant in comparison to nearby properties, it over-develops the site, adversely effects the conservation area, the design is totally out of keeping and it does not reflect the aesthetics of James Street or Bailgate.

While the proposed dwelling clearly has a larger footprint than the existing, relatively modest 1960s dwelling, officers consider that the site is of a sufficient size to comfortably accommodate the proposal along with the associated garden land and parking. The site is read in the context of James Steet and Cottesford Place, which is characterised by large dwellings, ranging in scale, that are set within gardens. The overall ridge height is increased by 1.5m, from 6.5m to 8.8m, however, this is comparable to the 8.2m ridge height of the neighbouring 1 Cottesford Place. On the basis of this and the site sections officers are satisfied that the height and scale of the proposal would be appropriate to the context. Land levels and finished floor levels will be conditioned to ensure that the height of the proposal as built is as per the proposed plans.

The City Council's Principal Conservation Officer is also satisfied that the scale of the property is acceptable. She notes that the rear of the Bailgate properties that look towards the application site and their setting contrasts to the residential character of James Street in that they have a tighter urban grain and townscape character. The proposal is commensurate with the prevailing grain on James Street and Cottesford Place of large and high status properties.

In terms of the design of the dwelling, this has changed significantly from the initial proposal, which can be seen within the committee report. The proposal would have been constructed in stone adopting a modern design approach incorporating traditional elements, similar to those employed at another modern property on James Street. The Principal Conservation Officer advised that, on James Street, several new properties have been constructed within the last couple of decades. A number have followed a 'modern interpretation' approach, employing fairly traditional forms and materials but also introducing a contemporary approach to fenestration. It is considered that this particular design has reached a point whereby anymore in this type of style would create a critical mass which would start to dominate James Street stylistically. The resultant homogenous appearance would have created a standardised approach to the built context, which would be harmful to the character and appearance of the conservation area. It was therefore considered that the replica design initially proposed was not appropriate.

The final, revised proposal is the result of extensive discussions. The Principal Conservation Officer states that the design approach looks to celebrate the 18th century architectural style predominate in the historic built context of James Street. This classical architecture has proven popular since the ancient period through to neoclassicism and up to the present day. This is largely a consequence of the pleasing aesthetic created by the 'golden ratio' geometry, symmetrical compositions and mass to void ratios which achieves high levels of natural light in the rooms. What is essential in revisiting established architectural styles is that it is done well, and the essential principles of scale, proportion and materials are understood and employed appropriately.

The proposed property would be constructed with red brick, measuring 50mm deep as opposed to the standard 65mm. The two storey principal frontage would be symmetrical with a central porch. The porch would be constructed with natural stone, with natural stone also utilised for the window surrounds, quoins, plinth, platband and cornice. An 'annex' is located to the side, east where the stone detailing is not continued other than on the window surrounds. This helps to identify this part of the building as a subservient element. Windows will be six over six timber sliding sashes. Details and section of the windows, stonework, chimneys and rainwater goods have been provided to ensure that these important details are appropriate and will be successfully executed. Samples of all external materials will be required as a condition on any consent.

Officers and the Principal Conservation Officers are satisfied with the final design. It is considered that the proposal has satisfied the requirements to achieve a successful iteration of the architectural style, sympathetic to the character and appearance of James Street. Given the appropriate architectural design and detailing, palette of material and overall scale it is considered that the proposal will sympathetically complement the local architectural style and character, in accordance with CLLP Policy LP26 and paragraph 130 of the NPPF. It is also considered that the proposal would preserve and enhance the character and appearance of the conservation area, in accordance with CLLP Policy LP25.

The existing boundaries walls to the north and west and the fence to the east are to be retained. Two new walls within the site are proposed to separate the driveway from the applicant's garden. These are proposed to be constructed with brick and stone cappings. There is no objection to this, subject to a condition to confirm the final design, or to the proposed 2.1m and 1.2m high fences to the south boundary with 3 Cottesford Place.

The objectors from Bailgate have also raised concern regarding the impact of the proposal on nearby listed buildings. Listed buildings in the vicinity include the grade II listed Railings and Gateway at 17 James Street leading to the grade II listed former Stable Range and Burghersh Chantry. To the north of the site the Close Wall adjoining 4, 10 and 12 James Street is grade II listed, as are 4 and 5 James Street. Buildings along Bailgate back onto the site and include three rows of properties, with 58-63 and 69, 71, 72, 73, 74 and 75 being grade II listed.

The Principal Conservation Officer considers that there will be a limited visual impact on the properties along James Street. However, where views are available, and in terms of the experience of James Street as a locality of high-quality traditional buildings set within gardens, the proposal will preserve this setting and therefore their significance. The properties along Bailgate post-date many of the properties on James Street, and historically the rear of Bailgate has looked over to the gardens and larger properties on James Street. In this way, the replacement of the existing property with a more appropriate and sensitive replacement will preserve and enhance their setting and their significance as an intersection between two very different parts of the historic townscape. In this respect officers are satisfied that there would be no impact on the setting of the nearby listed buildings, in accordance with the requirements of CLLP Policy LP25.

Residential Amenity

The existing two storey property faces south, with the side elevation sitting 9.4m from the side, east boundary with 1 Cottesford Place. The boundary is defined by a 1.8m high close boarded fence. The separation between the two properties is over 13.7m. The orientation of the proposed dwelling will face south east, towards the shared driveway. The front corner of the proposal would be located 4.3m from the boundary and 8.7m from the blank side elevation of 1 Cottesford Place. These separation distances increases towards the rear of the proposal by 2.8m as it angles away from the boundary. No objections have been received from the occupants of this property.

While the proposal has a closer relationship than the existing, and measures 1.5m taller, it is worth noting that the closest section of the proposal steps down from the main dwelling, sitting 0.5m lower. It is not considered that the proposal would appear unduly overbearing, and any potential impact would be to a large degree be mitigated by a mature Beech tree which sits in between the proposal and the boundary. A degree of loss of light would be experienced in the early to mid-afternoon, however, the existing tree already has a similar impact. The proposed facing gable is blank at first floor and any overlooking from the first floor windows within the front elevation, the living room being the closest, would be at an oblique angle and across the neighbour's driveway. Officers are therefore satisfied that there would not be an undue impact on the occupants of this neighbouring property.

The boundary with 3 Cottesford Place to the south is defined by a 1.2m high fence with a hedge containing several large trees and shrubs adjacent, within the applicant's garden. The hedge is proposed to be removed due to its proximity to the neighbouring dwelling and the existing fence will be replaced with 2.1m high fence, with a lower 1.2m high fence adjacent

to the driveway. The front elevation of the existing dwelling faces towards the south boundary and, as outlined above, the orientation of the proposed dwelling will be altered to face towards the south east. The separation of existing property to the boundary is 12m, and this will change to between 7.2m and 14.7m. The two storey side elevation of 3 Cottesford Place sits 4.5m from the boundary, which incorporates a first floor window, with a single storey element in between this and boundary. There has been no objections from the occupants of this property.

The removal of the hedge, which does not require any form of consent, would change the relationship between the existing property and 3 Cottesford Place. However, and similarly to the previous consideration, while the proposed dwelling is larger than the existing and has a closer relationship, officers are satisfied that the separation distances are sufficient to ensure that there would not be an unduly harmful overbearing impact on the occupants of this neighbouring property. There would be no issues of loss light given the application site's orientation to the north.

The existing hedge mitigates any overlooking between the first floor windows within the existing property and the first floor window within the side elevation of 3 Cottesford Place. The removal of the hedge would open up the boundary, and if undertaken at present, would allow for direct overlooking. The position of the proposed dwelling, facing south east, would mean that the proposed first floor windows are angled away from the neighbouring boundary. Therefore, while the windows are closer than the existing and the boundary would be more open, it is not considered that they would result in direct overlooking towards the neighbour's rear garden and the level of overlooking towards the window within the neighbour's side elevation would not be unacceptably harmful. The proposed 2.1m high fence will mitigate any overlooking from ground floor windows and the applicant's garden. Officers are therefore satisfied that the relationship with 3 Cottesford Place, although somewhat different to the existing, would not be sufficiently harmful to warrant the refusal of the application.

The existing dwelling is located 14.4m from the west boundary with the properties on Bailgate, which is defined by an approximately 2.5m high brick wall. A hedge sits adjacent to the wall, in some areas extending above, and there are also two mature trees within the applicant's garden adjacent to this boundary. The proposed dwelling would sit closer than the existing, approximately 9.4m away at the rear corner increasing to 12.7m away at the front corner. The facing, side elevation of the proposal is blank.

The objections from the properties on Bailgate consider that the proposal will increase in footprint, scale and height of the existing. It will be much closer to the boundaries and will "box in" the properties on Bailgate, appearing overbearing. There will be loss of light and overshadowing to the properties and gardens. It is also considered that there will be overlooking from the second floor, compromising privacy, particularly as the proposed lounge will be on the first floor. The proximity of the car parking is also noted as a concern.

While officers acknowledge that the proposed replacement dwelling is clearly a larger structure both in terms of its footprint and height, and also sits closer to the boundary, it is not considered that this relationship would be unduly harmful. The separation is a minimum of 9.4m from the boundary and over 14.5m to the properties themselves. It is not considered that the proposal would appear unduly overbearing and, located to the east, only a degree of early morning sunlight would be lost. There would be no direct overlooking as facing gable is blank and the front elevation faces away from Bailgate to the south east. The closest first floor windows within the rear, north west elevation serve a dressing room and en-suite.

These would only provide a very limited opportunity to overlook as they are at an oblique angle and there is a tree adjacent. The first floor living room referred to in the objections sits at the opposite end of the property. The driveway/parking area would extend slightly closer to the boundary than the existing arrangement, however, an approximately 1.8m high stone wall will separate this from the applicant's garden and in turn the boundary with the Bailgate properties.

A number of the objectors have raised concern regarding noise and disturbance during demolition and construction works. Officers have noted this concern and also the comment of the City Council's PC Officer, which states that, although this is a relatively small development, due to the proximity to neighbouring sensitive uses, there is potential for noise from the demolition and construction phase of the development, particularly during noise sensitive hours. Officers would propose that the PC Officer's suggested condition to restrict the hours of demolition and construction be applied to any grant of consent.

There are no other residential properties in the vicinity that would be impacted by the proposal. It is therefore concluded that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development, in accordance with CLLP Policy LP26.

Scheduled Monument and Archaeology

The site is located on the Lincoln Roman Colonia (Lindum) Scheduled Monument. Historic England (HE) and the City Council's Archaeologist initially raised concerns regarding the application as it did not include information setting out the significance of the nationally important archaeological site. The application also did not include information regarding how the impact from demolition, construction or servicing of the proposed development may be controlled. Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 201 goes on to require that, where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The agent submitted a Desk Based Assessment. Site investigation works were undertaken, and a Test Pit Report was provided. In response to this HE advised that, whilst the level of information was improved from that previously submitted, there were still concerns that the issues and safeguarding of the heritage asset had not been met. Additional comments were also made in respect of the proposed walls.

Further information was provided by the agent, including a proposed minimal dig solution for surfacing and carrying the wall on blocks. Subject to these measures HE advised that they would not object to the grant of planning permission. The agent is aware that all groundworks within the site would, however, also be subject to separate Scheduled Monument Consent through HE.

The City Archaeologist has suggested that the standard archaeological conditions should be applied to any grant of consent, along with a bespoke pre-commencement condition to require the submission of a foundation design for approval. The wording of these conditions would satisfy the request from HE and would also meet the requirements of CLLP Policy LP25 and the NPPF.

Trees

The City Council's Arboricultural Officer has visited the site to assess the trees on and adjacent to the site. He is satisfied that the footprint of the proposed property appears to avoid the root protection area of the trees. He considers that the size of the plot would allow for demolition and rebuilding operations to be undertaken without compromising the trees, provided protective measures complying with BS 5837:2012 are utilised. This should be confirmed within an Arboricultural Method Statement, which will be conditioned on any grant of consent.

Access and Highways

The application increases the area of the driveway, providing four off-street parking spaces, with the access remaining the same from Cottesford Place. The site also has good access to local facilities and public transport.

The Lincolnshire County Council as Local Highway Authority has raised no objections to the application.

Other Matters

Air Quality and Sustainable Transport

The City Council's Pollution Control Officer has advised that, whilst it is acknowledged that the proposed development, when considered in isolation, may not have a significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted. Accordingly, it has been recommended that the applicant be required to incorporate an appropriate electric vehicle recharge point into the development, in line with the recommendations of CLLP Policy LP13 and paragraph 112 of the NPPF. This will be required by condition on any grant of consent.

Non-Material Objections

A number of the letters of objection from the properties on Bailgate state that the proposal will obstruct views of the Cathedral and will reduce the value of neighbouring properties. Neither of these are material planning considerations. There is also concern that opening up of the currently overgrown pathway to the south leaves the rear of properties on Bailgate open to trespassers. This is an existing access and permission is not required for it's use to be re-established.

Bin Storage

An area for bin storage is not identified on the site plan, however, there is sufficient external space within the site for this to be accommodated.

Design and Crime

Lincolnshire Police has raised no objections to the application in this respect.

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

Yes, see above.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of a dwelling in this location is established by the existing use and the development would relate well to the site and surroundings, particularly in relation to siting, height, scale, and massing. The architectural design, detailing and palette of materials would sympathetically complement the context, and would preserve and enhance the character and appearance of the conservation area. The proposal would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Technical matters relating to the scheduled monument, archaeology and trees are to the satisfaction of the relevant consultees, and can be dealt with appropriately by condition. The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP25 and LP26, as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Archaeological WSI and foundation design
- Land levels and finished floor levels
- Samples of external materials and brick sample panel
- Details of wall design
- Arboricultural Method Statement
- Electric vehicle charging scheme
- Implementation of fence to south boundary
- Construction and demolition hours