

<b>Application Number:</b>	2022/0927/HOU
<b>Site Address:</b>	54 Sibthorp Street, Lincoln, Lincolnshire
<b>Target Date:</b>	24th March 2023
<b>Agent Name:</b>	Awake Architects Ltd
<b>Applicant Name:</b>	Mr T Rehman
<b>Proposal:</b>	Erection of a single storey rear extension and installation of 2 conservation rooflights on the front elevation. (Revised Description) (Revised Plans received 31st January 2023 and 3rd February 2023)

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

The application proposes the erection of a single storey rear extension and installation of 2 conservation rooflights on the front elevation. The application property is 54 Sibthop Street a two storey mid terrace dwelling.

The site is located within the City of Lincoln Sibthorp No .7 Conservation Area.

The property has the benefit of a Certificate of Lawful use for its use as a House in Multiple Occupation (HMO) for up to 6 occupants (C4). The use of the property would remain as a HMO.

The application was subject to extensive negotiations with the agent securing revisions to the proposal to overcome some of the concerns raised by Officers, neighbours and the Conservation Officer. Revised plans were submitted and a re-consultation was carried out.

The application is brought to Planning Committee due to the number of objections against the application.

### **Site History**

Reference:	Description	Status	Decision Date:
2022/0661/CLE	Continued use of property as a House in Multiple Occupation (Class C4) (Application for Certificate of Lawfulness)	Granted	30th September 2022

### **Case Officer Site Visit**

Undertaken on 6th January 2023.

### **Policies Referred to**

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

## **Issues**

To assess the proposal with regard to:

- Planning Policy
- Effect on Visual Amenity and the Character and Appearance of the Conservation Area
- Effect on Residential Amenity
- Effect on Highway Safety

## **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

## **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received
Environmental Health	Comments Received
Principal Conservation Officer	Comments Received

## **Public Consultation Responses**

Name	Address
Sibthorp Street Residents	Sibthorp Street Lincoln LN5
Mr Aaron Swain	Sibthorpe Street Lincoln LN57SH
J Howson	Sibthorp Street Lincoln LN5 7SH
Mr Sotiris Yiakoumi	52 Sibthorp Street Lincoln Lincolnshire LN5 7SH
Mrs Shauna B	Sibthorp Street Lincoln LN5 7SH

## **Consideration**

### **Planning Policy**

Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) requires development within, affecting the setting of, or affecting views into or out of, a Conservation Area to preserve (and enhance or reinforce it, as appropriate) features that contribute positively to the area's character, appearance and setting.

Policy LP26 'Design and Amenity' is permissive of alterations to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both construction and life of the development, the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

The proposed works require planning permission as permitted development rights would be exceeded. Given the proposed development would be in an established residential area, the principle of developing an existing property would be acceptable in principle. However, this is dependent on consideration of other matters, including design and amenity issues.

### **Impact on Residential Amenity**

The property has an existing offshoot and detached outbuilding, the proposal would increase the width of the extension and join with the outbuilding. The majority of the off shoot is located on the boundary with 56 Sibthorp Street which has a matching off shoot. The extension projects 2.4 metres beyond the off shoot where it meets the existing outbuilding, given the single storey nature and minor projection, it is not considered that the extension is unduly overbearing when viewed from No. 56, nor would loss of light to No. 56 be unduly compromised. There are no windows proposed in the elevation facing No. 56 and therefore there would be no issues of overlooking to this neighbouring property.

Similarly, it is not considered that the extension would be overbearing on the other neighbouring property No. 52 Sibthorp Street. There is a new window proposed within the new extension facing No. 52 it is considered that this would not create any new overlooking. Both properties have full permitted development rights and could build up the boundary treatment to 2 metres should they consider it necessary in the future. It is not considered that the extension would appear unduly overbearing when viewed from No. 52, nor would loss of light to No. 52 be unduly compromised.

To the rear is 4 Nelthope Street the proposal would be obscured by the existing building there would therefore be no harm to the residential amenities of this property.

The new conservation rooflights to the front would not be harmful to the residential amenities of neighbouring properties.

Neighbouring properties were consulted on the proposal and objections have been received from these properties; these are attached in full in the report. There are concerns

that the extension will lead to an increase in occupants at the property. It is noted an additional two bedrooms would be created through the conversion of the second floor however the property remains to be a lawful C4 use which allows up to 6 unrelated people to live at the property. There is concern from direct neighbours regarding noise and disturbance during and following construction it is recommended should Members be minded to approve the application that a construction hours condition is placed on an approval of planning permission, changes to the internal layout of the dwelling do not require planning permission and therefore conditions relating to this matter cannot be considered. Matters raised in the objections relating to drainage would need to be considered by a Building Inspector, the applicant has been advised of these concerns.

Officers raised concerns with the agent during the consideration of the application that the use of the extension as a bedroom would likely have an unduly harmful impact on the residential amenity of neighbouring residents and the floor plans were subsequently amended to remove the bedroom from the proposed extension. Should Members be minded to approve a condition ensuring the extension is not used for sleeping accommodation is recommended to be placed on an approval of planning permission.

There are no other properties in the vicinity which would be affected by the proposal it is therefore considered that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with CLLP Policy LP26.

The City Council's Pollution Control Officer has confirmed they have no observations to make regarding this application.

#### Impact on Visual Amenity and Character and Appearance of the Conservation Area

Following negotiations with the agent the proposal has been amended to reduce the impact on visual amenity and the character and appearance of the conservation area.

The extension would be constructed from brick and tiles to match that of the existing property. It is considered that the palette of materials is appropriate and the extension would complement the original architectural style of the property. Given the extension's position to the rear, it would not have an impact on the character and appearance of the wider area.

The use of conservation rooflights which have been positioned evenly on the roofslope are considered acceptable additions and would preserve the character and appearance of the Conservation Area,

The property's original architectural style and character would remain largely unchanged to the front. Consequently, it is considered that the proposed development would relate well to the application property and preserve the character and appearance of the Conservation Area, in accordance the duty contained with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with the Central Lincolnshire Local Plan Policies LP25 and LP26.

#### Effect on Highway Safety

Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. It is considered that the proposal would not be

detrimental to highway safety or traffic capacity.

### **Central Lincolnshire Local Plan Review**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

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

Yes.

### **Financial Implications**

None.

### **Legal Implications**

None.

### **Equality Implications**

None.

### **Conclusion**

The proposed development is of an appropriate design that would not materially harm the character and appearance of the building or conservation area, in accordance with the duty contained within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, policies LP25 'The Historic Environment' and LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and 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 the approved plans

- No sleeping accommodation in bedroom
- Hours of construction