

<b>Application Number:</b>	2023/0176/FUL
<b>Site Address:</b>	96 High Street, Lincoln, Lincolnshire
<b>Target Date:</b>	14th August 2023
<b>Agent Name:</b>	JH Architectural
<b>Applicant Name:</b>	Mr Mohammed Zuwhair
<b>Proposal:</b>	Installation of 2 no. rooflights to facilitate conversion of loft to provide 2no. additional bedrooms to existing HMO. (Partly retrospective).

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

The application is for the installation of two rooflights to facilitate the conversion of the loft at 96 High Street to two additional House in Multiple Occupation (HMO) bedrooms. The rooflights have been installed and internal works to create the rooms and install the staircase have been undertaken, although the rooms have not yet been finished or occupied.

The application property is an existing eight bedroom HMO (Sui Generis) with a, currently vacant, ground floor retail unit. The HMO was granted planning permission in July 2019. This application also approved the erection of a two storey rear extension to accommodate a seven bedroom HMO.

A subsequent application in 2020 to erect a larger extension to create three HMOs, totalling 22 bedrooms, was refused by members of the Planning Committee. It was considered that the extension would have appeared overbearing and caused loss of light to the occupants of neighbouring properties to the north. It was also considered that the number of bed spaces would have over-intensified the HMO use to an unacceptable level.

Work commenced to implement the 2019 permission, the HMO use of the main building has been occupied and the extension is under construction. However, the works undertaken thus far on the extension are to a poor standard and are not in accordance with the approved plans. The Enforcement Team is dealing with the matter and the applicant has been advised that the extension will need to be removed. The applicant has been advised that the existing building should be made good or the extension be re-built in accordance.

The three storey application property is located on the west side of the High Street, on the corner with Princess Street which continues along the south boundary of the site. The property is adjoined to 97-98 High Street to the north, to the rear of which is a part two storey, part single storey off-shoot with a first floor balcony accommodating 3A, B, C and D Princess Street.

The site is located within the St Peter at Gowts Conservation Area.

The application is being presented to committee at the request of Councillor Watt.

## **Site History**

Reference:	Description	Status	Decision Date:
2020/0171/FUL	Erection of a three-storey rear extension to facilitate conversion to 3no. HMOs; 1x 3 bed (C4), 1x 7 bed and 1x 12 bed (Sui Generis) and retention of ground floor retail unit (Use Class A1). (Revised plans).	Refused	17th August 2020
2019/0210/FUL	Erection of a two storey rear extension to facilitate conversion to 8 bedroomed accommodation (Sui Generis) and retention of ground floor retail unit (Class A1).  Discharge of conditions from planning approval ref 2015/0905/F	Granted Conditionally	9th July 2019
2015/0905/F	Erection of a two storey rear extension to facilitate conversion to 8 bedroomed accommodation (Sui Generis) and retention of ground floor retail unit (Class A1).	Granted Conditionally	17th February 2016

## **Case Officer Site Visit**

Undertaken on 21st June 2023

## **Policies Referred to**

- Policy S13 Reducing Energy Consumption in Existing Buildings
- Policy S25 Sub-division and Multi-occupation of Dwellings within Lincoln
- Policy S53 Design and Amenity
- Policy S57 The Historic Environment

## **Issues**

- Policy Context and Principle
- Visual Amenity and Character and Appearance of the Conservation Area
- Residential and Local Amenity
- Reducing Energy Consumption

## **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
Environment Agency	Comments Received
Lincolnshire Police	Comments Received
Councillor Gary Hewson	Comments Received
Councillor Calum Watt	Comments Received
Lincoln Civic Trust	Comments Received

## **Public Consultation Responses**

Name	Address
Simon Grantham	97 High Street Lincoln Lincolnshire LN5 7QQ

## **Consideration**

### **Policy Context and Principle**

Central Lincolnshire Local Plan (CLLP) Policy S25 advises that the changes of use of existing dwellings and buildings in other uses to houses in multi-occupation will be supported where:

- a) the existing building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area or would result in safety issues;
- b) in the case of an existing dwelling, it can be demonstrated there is an established lack of demand for the single family use of the property concerned;
- c) the development will not lead to or increase an existing over-concentration of such uses in the area;

- d) adequate provision is made for external communal areas, bin storage and collection, and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre; and
- e) for student accommodation, university/college facilities are accessible by walking, cycling and public transport.

The HMO use of the property is established, therefore the criteria in relation to the loss of a dwelling and over-concentration are not relevant to the consideration of the application. The Civic Trust has objected to the application, considering it to be overdevelopment of the site. Officers do not concur that an additional two bedrooms would result in overdevelopment. It is also considered that this High Street location is appropriate for an HMO accommodating the proposed number of rooms.

The additional rooms will share the existing bin storage facilities. There is no cycle storage provided on site, although the property is sustainably located as required by the policy with the city centre, local facilities and public transport within walking distance. The Lincolnshire County Council as Local Highway Authority has raised no objection to the application. They do not consider that the proposal would result in an unacceptable impact on the highway.

The consideration of amenity will be dealt with later within the report.

Officers would therefore raise no objection to the principle of the additional bedrooms.

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

The rooflights are of a standard Velux design and are positioned on the north roof slope. Officers have no objection to the design or position and, given the height of the application building and the neighbouring one, there would be only very limited views available from the High Street. The rooflights are appropriate to the building and satisfactorily assimilate into the surrounding area, in accordance with the requirements of CLLP Policy S53.

The City Council's Principal Conservation Officer has noted that the rooflights will be discreetly positioned and in terms of scale are a minimal addition to the historic roofscape. As such it is considered that there will be no harm caused to the character and appearance of the conservation area, in accordance with CLLP Policy S57.

During the process of the application Councillors Watt and Hewson have raised concern regarding the state of the partly constructed extension. As previously noted, the extension is being dealt with by the Enforcement Team. Councillor Watt also raised concerns regarding the shopfront, and requested that this be upgraded as part of the application. Officers advised that this could not be insisted upon as the shopfront is not directly linked to the current proposal for alterations to the loft, however, it was queried with the agent whether there are any plans to undertake any works. The agent has confirmed that there are no plans for the shop unit in the near future. It is proposed to retain the unit as a shop although there are no current prospective tenants. He also advised that the main focus remains on getting the HMO parts of the building finished and the extension dealt with appropriately before the focus moves onto any other parts of the building, such as the shop frontage.

### Residential and Local Amenity

Given the position of the rooflights officers do not have any concerns regarding direct overlooking towards neighbouring properties. There are also no concerns regarding the amenities for future occupants. The application would therefore meet the requirements of CLLP Policy S25 in these respects.

### Reducing Energy Consumption

CLLP Policy S13 requires that “for all development proposals which involve the change of use or redevelopment of an existing building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended.” The agent has advised that the additional insulation in the roof/floor area for the new rooms in the loft will improve the overall efficiency of the building. Other energy saving measures are to be included, such as energy saving LED light fittings along with timed light fittings in the general hall areas to ensure that lights do not stay on when it is not necessary.

### Other Matters

The response from the occupant of 97 High Street is mainly concerned with the extension. Officers have advised the neighbour that this is being dealt with by the Enforcement Team. Officers have also advised that matters raised regarding Sky/BT wires and site boundaries are not matters that can be considered as part of the application process.

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

No.

### **Financial Implications**

None.

### **Legal Implications**

None.

### **Equality Implications**

None.

### **Conclusion**

There is no objection in principle to the addition of two rooms to this existing eight bedroom HMO. The rooflights do not have a harmful effect on the building or wider context, and the character and appearance of the conservation area is preserved. The level of amenity for neighbouring and future occupants is considered to be acceptable. Matters relating to bin storage, the local highway and reducing energy consumption have been appropriately considered. The application would therefore be in accordance with the requirements of CLLP Policies S13, S25, S53 and S57, and guidance within the NPPF.

### **Application Determined within Target Date**

Yes.

### **Recommendation**

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

- Time limit to implement use
- Development in accordance with approved plans