

| | |
|----------------------------|---|
| Application Number: | 2023/0618/HOU |
| Site Address: | 15 Fleet Street, Lincoln, Lincolnshire |
| Target Date: | 29th November 2023 |
| Agent Name: | None |
| Applicant Name: | Mr Tanzeel Rehman |
| Proposal: | Erection of single storey side and rear extension (Revised Drawings). |

Background - Site Location and Description

The application proposes the erection of a single storey side and rear extension. The application property is 15 Fleet Street a two storey end-terrace dwelling.

The application has been revised during the process. Officers raised concerns regarding the scale of the original proposal, which would have covered a large proportion of the rear yard, extending up to the side boundary of the site and within 0.29m of the side boundary. This raised issues both in terms of visual and residential amenity. Revised plans were submitted. Officers were more comfortable with the scale of the proposal and a re-consultation was undertaken.

The application is brought before Planning Committee as it has received more than 4 objections and been called in by Cllr Lucinda Preston and Cllr Neil Murray.

The site is located within Flood Zone 2.

A certificate of existing lawfulness was granted this year for the continued use of the property as a Small House in Multiple Occupation (Use Class C4) 2023/0537/CLE. The dwelling can therefore be occupied as a C4 HMO which permits up to 6 individuals to live within the property.

Site History

| Reference: | Description | Status | Decision Date: |
|---------------|--|---------|---------------------|
| 2023/0537/CLE | Continued use of property as a House in Multiple Occupation (Class C4). (Application for Certificate of Lawfulness). | Granted | 21st September 2023 |

Case Officer Site Visit

Undertaken on 19th September 2023.

Policies Referred to

- National Planning Policy Framework
- Policy S53: Design and Amenity
- Policy S13: Reducing Energy Consumption in Buildings

Issues

To assess the proposal with regard to:

- Accordance with National and Local Planning Policy
- Impact on Residential Amenity
- Impact on Visual Amenity
- Highway Safety, Access and Parking
- Flood Risk
- Reducing Energy Consumption

Consultations

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

Statutory Consultation Responses

| Consultee | Comment |
|--------------------------------|-------------------|
| West End Residents Association | Comments Received |
| Highways & Planning | Comments Received |
| Environmental Health | Comments Received |
| Highways & Planning | Comments Received |
| Environmental Health | Comments Received |
| West End Residents Association | Comments Received |

Public Consultation Responses

| Name | Address |
|--------------------|--|
| Mrs Amanda Leake | 6 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Mrs Amanda Konrath | 35 Hewson Road Lincoln Lincolnshire LN1 1RZ |

| Name | Address |
|----------------------------|--|
| Mr James Burt | 4 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Councillor Lucinda Preston | |
| Mr Simon Parnaby | 12 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Councillor Neil Murray | |
| Ms Gill Hart | 10 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Mr Karl Hanson | 89 Richmond Road Lincoln Lincolnshire LN1 1LH |
| Mr Simon Fitch | 2 Fleet Street Lincoln LN1 1SD |
| Mrs Emma Neary | 252 West Parade Lincoln Lincolnshire LN1 1LY |
| Sarah Ray | 5 Wellington Street Lincoln Lincolnshire |
| Mrs Debra Gregory Jones | 38 Moor Street Lincoln Lincolnshire LN1 1PR |
| Mr Nick Jones | 38 Moor Street Lincoln Lincolnshire LN1 1PR |
| Chris Konrath | 35 Hewson Road Lincoln Lincolnshire LN1 1RZ |

| Name | Address |
|----------------------|--|
| John Thompson | 13 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Mrs Rani Grantham | 60 Richmond Road Lincoln Lincolnshire LN1 1LH |
| Mrs G Kerr | 1 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Ms Margaret Da Costa | 242 West Parade Lincoln Lincolnshire LN1 1LY |
| Mrs Sue Tilford | 92 Astwick Road Lincoln Lincolnshire LN6 7LL |
| Mr Simon Fitch | 2 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Mr Thomas Arnold | 3 Bedford Street Lincoln Lincolnshire LN1 1NA |
| Jasmine Mills | 3 Bedford Street Lincoln Lincolnshire LN1 1NA |
| Mr Ian Stuart | 116 West Parade Lincoln Lincolnshire LN1 1LA |
| Mrs Claudia Zigante | 5 Cambridge Avenue Lincoln Lincolnshire LN1 1LS |

| Name | Address |
|----------------------|--|
| Mr Mike Cancedda | 45 West Parade Lincoln Lincolnshire LN1 1PF |
| Ms Gonia PONIATOWSKA | 11 Queens crescent Lincoln LN1 1LR |
| Ms Grace Timmins | 70 Hewson Road Lincoln Lincolnshire LN1 1RX |
| Ms Gonia Poniatowska | 11 Queens Crescent Lincoln Lincolnshire LN1 1LR |
| Mr Mat How | 53 Hewson Lincoln Ln11rz |
| Miss J Kerr | 47 Carr Street Lincoln Lincolnshire LN1 1SU |
| Mr Damien Buttimer | 27 Tennyson Street Lincoln Lincolnshire LN1 1LZ |
| Mr Mike Cancedda | 46 west parade Lincoln Ln1 1PF |
| John Bustin | 65 Richmond Road Lincoln Lincolnshire LN1 1LH |
| Mrs Daphne Thompson | 13 Fleet Street Lincoln Lincolnshire LN1 1SD |
| Mr Lee Allen | 12 Wellington Street Lincoln Lincolnshire LN1 1PL |

| Name | Address |
|------------------|--|
| Mrs Helen Bawden | 7 Fleet Street Lincoln Lincolnshire LN1 1SD |

Consideration

Principle of Development

The proposed floor plans show the extension would provide additional space within the rear living/kitchen/dining area and a shower room. The existing and proposed floor plans would indicate that the number of bedrooms are remaining the same.

Written representations have questioned the use of this space, suggesting that it may in fact be used as an additional bedroom space for the HMO and thereby circumventing the Article 4 direction.

The application proposes a single storey extension to the rear to accommodate expanded living space and officers may therefore principally consider the physical and visual impact of the extension upon the neighbouring properties.

Local and National Planning Policy

Paragraph 11 of the revised NPPF outlines that decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

The application is for alterations to a residential dwelling and therefore Policy S53 - Design and Amenity of the Central Lincolnshire Local Plan are relevant.

Policy S53 states that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Good design will be at the centre of every development proposal and this will be required to be demonstrated through evidence supporting planning applications to a degree proportionate to the proposal.

Impact on Residential Amenity

Objections received also relate to the potential for an increase in the transient population and the resulting effect for the on- street parking, impact from the extension in relation to loss of light, overlooking, loss of privacy, loss of outdoor space, increased noise and rubbish. Also, capacity of the existing sewers and disruption during Building works. Objections are attached in full.

The property has an existing part two storey part single storey rear offshoot, the revised proposal would include a relatively small flat roofed single storey rear/side extension measuring 3m in depth, 1.2m wide with a total height of approximately 2.9m. Officers would highlight to members that this element of the extension would be considered permitted

development in isolation and therefore may be constructed without the need for planning consent.

A flat roofed extension is also proposed to the rear of the existing single storey structure, this extension would measure 4.3m in depth, and have the same width and height of the existing structure 2.28m wide 2.9m high.

The adjoining property is 15 Fleet Street, the property also has a two storey rear off shoot with a single storey mono pitch structure to the rear of that. The proposed side/rear extension would be located on the boundary with No.15 and the rear extension positioned 1.2m away. The boundary is currently partly defined by an approximate 1.8m high brick wall that steps down to approximately 1.1m, trellis from No.15 protrudes above this section of the wall. Officers note the application proposes to install a 1.8m high timber fence along this boundary.

The proposed side/ rear extension would have an enclosing effected on No.15, however given that the structure would be single storey with a flat roof and could technically be constructed under permitted development, on balance, it is not considered this extension would be unduly overbearing or enclosing nor cause loss of light to warrant refusal of this application. The facing elevation of the extension is blank, therefore the extension would not provide the opportunity to overlook.

In terms of the rear extension this would be positioned 1.2m from the boundary with No.15, the proposed extension will be single storey with a flat roof. It is not considered therefore that the extension will appear overbearing or enclosing. Given the orientation to the south and the position of the existing dwelling and off-shoot, it is also not considered that loss of light would be unduly exacerbated, and certainly not to a harmful degree. Any overlooking from the proposed utility window would be mitigated by the proposed 1.8m high boundary fence. A condition will require that this be erected prior to the first use of the extension.

The rear extension would be located a minimum of 7.9m from the opposite side, properties on Drake Street, the boundary is defined by an approximately 1.8m high fence. Given the separation and boundary treatment it is not considered that the proposal would overlook, appear overbearing or result in loss of light.

The closet extension would be located over 6.3m from the rear boundary with properties on Howard Street, which is defined by an approximately 1.1m brick wall with trellis protruding above to a height of 1.8m. Accordingly, there is no concern regarding the relationship of these extensions with the neighbouring occupants.

The extension would offer an enhancement of the existing living space and does not propose to increase the number of bedrooms available; the proposal would not therefore be considered to result in any harmful level of noise or disturbance within an existing residential area. Whilst it is inevitable some level of noise and disturbance will likely be experience when any building works are undertaken, this would only be for a limited period.

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.

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 LP53.

Impact on Visual Amenity

The proposed extension is located at the rear of the property where public views are limited. The extensions would be constructed with a flat roof, this echoes the current flat roofed rear projection on the property and also helps to lessen any impact on neighbours.

While the extensions covers a larger proportion of the existing rear yard, there is no objection to the scale or position and officers consider that it would sit comfortably on the dwelling. The simple design with the use of materials to match would complement the existing property.

The extension would therefore reflect the original architectural style of the local surroundings, relating well to the site and context, in accordance with Central Lincolnshire Local Plan (CLLP) Policy S53.

Highway Safety, Access and Parking

A number of written representations have also raised concerns on the additional impact for on street parking within the locality.

Whilst the extension would enhance the accommodation for the existing property it would not alter its existing permitted lawful C4 use which allows up to 6 unrelated people to live at the property. The Highway Authority has been consulted and confirmed that the proposed development would not be expected to have an unacceptable impact upon highway safety, a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application. Therefore, based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

Flood Risk

The agent has submitted the Environment Agency's standing advice form for householder development which indicates that the floor levels within the proposed development will be set no lower than the existing levels. Lincolnshire County Council as the Lead Local Flood Authority does not wish to object to this planning application. It is therefore considered that flood risk issues have been adequately addressed.

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 more modern construction of the proposed extension, which will be built in accordance with Building Regulations, is likely to improve the energy efficiency of the property.

Other Matters

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.

Trees

In the rear yard of the application site are a number of mature trees, the site is not within a Conservation Area nor are the trees covered by a Tree Preservation Order, therefore the trees are unprotected and could be felled without requiring consent.

Conclusion

The proposals would not have a detrimental impact on the residential amenities of neighbouring properties or the visual amenity of the wider area, in accordance with policy S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

Standard Conditions

- 1) Development commenced within 3 years
- 2) In accordance with the approved plans
- 3) Installation of 1.8m high fence prior to the extension first coming into use