

<b>Application Number:</b>	2022/0404/FUL
<b>Site Address:</b>	Land To The Rear Of 10 Steep Hill, Lincoln, Lincolnshire
<b>Target Date:</b>	19th July 2022
<b>Agent Name:</b>	Core Architects
<b>Applicant Name:</b>	John O'Donohue
<b>Proposal:</b>	Erection of one detached dwelling and detached garage and demolition of two garage buildings (resubmission 2021/0002/FUL)

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

This application proposes to build a single house on this site to the rear of 10 Steep Hill facing onto Michaelgate. The application is a resubmission following the refusal of planning permission in 2022 for two houses.

The site is located in the Cathedral and City Centre Conservation Area and within what is a predominantly residential part of that conservation area. The application site, whilst belonging to 10 Steep Hill has a stronger relationship to Michaelgate and has an appearance of being disused, being taken up with two derelict single storey brick garages.

The application proposal for a two-storey house would involve the L shaped structure being built up to the back of pavement on Michaelgate, and along the northern boundary of the site adjacent to the garden of 11 Steep Hill, which also runs through to Michaelgate. Access for vehicles would be provided to the south side of the site and give off road parking for two cars in a newly rebuilt garage to the rear of the proposed house.

### **Site History**

Reference:	Description	Status	Decision Date:
2021/0002/FUL	Erection of two detached Dwellings and demolition of two garage buildings. (Revised Plans)	Refused	19th October 2021

The reasons for refusal of the two dwellings are as follows:

- The design of the houses as proposed is not in keeping with the character and appearance of the conservation area and is therefore contrary to the provisions of Policy LP26 and Policy LP29 of the Central Lincolnshire Local Plan and paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- The development as proposed does not provide a level of garden space to either new dwelling of a level that would be appropriate to the character and appearance of the surrounding area and the conservation area. This is contrary to the provisions of Policy LP26 and paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The new application for one dwelling seeks to address these reasons for refusal.

### **Case Officer Site Visit**

Undertaken on 16<sup>th</sup> November 2023.

## **Policies Referred to**

- Planning (Listed Buildings and Conservation Areas) Act 1990 – sections 16, 66 and 72.
- National Planning Policy Framework (NPPF) – particularly: para 11 – presumption in favour of sustainable development; para 130 – achieving well designed places; para 183 and 184 – ground conditions and pollution; Chapter 16 – Conserving and enhancing the historic environment, particularly paras 199, 201, 202, 203.
- Central Lincolnshire Local Plan – particularly: Policy S57 The Historic Environment and Policy 53 Design and Amenity.
- Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Issues**

The application site is a prominent location in the heart of the City. It sits on the historic hillside, within the conservation area and consequently the proposals raise a number of issues:

- Compliance with National and Local planning policies;
- Impact on the character and appearance of the conservation area and wider views of the hillside;
- Impact on the amenity of neighbouring properties
- Impact on slope stability
- Impact on the Scheduled Monument and archaeology.

## **Consultations**

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

## **Statutory Consultation Responses**

Consultee	Comment
Anglian Water	No comments
Lincoln Civic Trust	Objection
John Lincolnshire Police	No objections
West End Residents Association	No Response Received
Highways & Planning	No Objections

## **Public Consultation Responses**

Name	Address
Mr James T Russell	32 Hungate Lincoln Lincolnshire LN1 1ET

It is notable that only one objection has been received to this revised proposal despite the application being publicised in the same way as the previous application.

## **Consideration**

### **Planning Policy and the Principle of Development**

The National Planning Policy Framework (NPPF) sets out three overarching objectives (social, economic, and environmental) to be pursued in mutually supportive ways. The overall planning balance must look across all three strands (paragraph 8), it states that development should be pursued in a positive way therefore at the heart of the framework is a presumption in favour of sustainable development.

Supporting the application would also be in accordance with Central Lincoln Local Plan (CLLP) Policy S3 which supports housing development within the Lincoln Urban Area in principle. The development is within an existing residential area and so in principle a new dwelling in this location is acceptable.

### **Impact on the Character and Appearance of the Conservation Area and Wider Views of the Hillside**

The applicant has responded to the previous refusal of planning permission by both amending the design for the house that fronts Michaelgate and by removing the second house that was previously proposed within the centre of the site. This has resulted in the new house and also the house at 10 Steep Hill retaining gardens that are much more appropriate in size to the established pattern of development in the immediate area. This is apparent from the layout drawings and would, it is advised, overcome the second reason for refusal of the previous application.

In terms of the design and appearance of the new dwelling it is important to consider the context within which this new house will sit. Michaelgate to the north of the application site is characterised by strong enclosure to the street; there is a high brick wall on the west side with buildings and walls built up to the back of footway on the east side. The buildings are not continuous on the east side but there is that strong sense of enclosure. To the south of the application site, the house known as Strelizia opens up the street, losing the enclosure that is characteristic further up the street.

The new house is proposed to be built up to the back of the footway which reflects the built form of the existing parts of the conservation area to the north of the site. The building would be two storeys high which would be an appropriate scale relative to its context and would be faced in brickwork as is common across the hillside.

The design of the house - the architecture, the form and proportions – was the reason why

the previous proposal was refused. The architect has modified the design and recognises that the building form is contemporary but utilises traditional brickwork and a restrained scale that would allow it to be accommodated within the existing context. The building would perform highly in terms of its energy usage, having air source heat pumps for space and water heating, photovoltaics on the flat roof, rainwater harvesting and sustainable surface water drainage.

The contemporary design is a challenging approach to the development of a new house in this location. There is a clear and necessary justification for the building of a house on this piece of land and the enclosure that it would provide to this part of Michaelgate is characteristic of much of the rest of the street and repairs a gap in the developed frontage which has existed for many years. The flat roof and the cantilevering of elements of the first floor over the ground floor result in a building that is clearly of the 21<sup>st</sup> century but the scale and the brickwork and the location on the site means that it fits into the local context. It is a well-mannered building that does recognise the quality of the historic hillside on which it would sit without being unduly assertive and dominant.

### Impact on the Amenity of Neighbouring Properties

The position of the proposed building on the site, at the back of footway on Michaelgate, means that any impact on neighbouring residential properties is very limited.

To the north is the garden of 11 Steep Hill and then the gable of the next house uphill on Michaelgate which has one very small window within it. The proposal will not cause harm to these properties to the north. To the south is Strelizia and the application proposal has a large first floor window within it that faces south but this is positioned in such a way that it does not create direct overlooking to the south. Equally, there has been no objection from this property following the consultation.

There is no significant impact on residential amenity to the east back towards 10 Steep Hill or to the west across Michaelgate to the flats opposite, where the front of the proposed dwelling faces the gable wall of those flats.

### Impact on Slope Stability and Impact on the Scheduled Monument and Archaeology

Roman Lincoln, as we understand it covered a significant part of uphill Lincoln, the hillside and some areas downhill and much of that area is identified as a Scheduled Ancient Monument because of the (mostly) below ground roman remains and potential roman remains. The application site falls partly within the area of the scheduled monument, so the local planning authority, must have regard to the impact of development on heritage assets; we have considered the impact on the conservation area above and we must also consider the impact on the heritage asset that is the Scheduled Monument. We consulted Historic England on the proposals; permission from Historic England is also required where works will affect a scheduled monument and whilst this permission is entirely separate from planning permission we do endeavour to work together in cases such as this to ensure a co-ordinated response.

The Heritage Impact Assessment, submitted with the application, sets out how the effect of the development on the scheduled monument will be mitigated. The design of the foundations for the houses is critical to the understanding of this impact. Foundations for new developments on the hillside have tended to be piled foundations in recent years because these piles can lock into the underlying bedrock and prevent problems that we have

previously experienced in relation to land slip. However, a piled foundation, by its very nature, can be harmful to the archaeology of a site and where the sites are scheduled because of that archaeology a more considered approach is needed. In this case the architect has designed a raft foundation for that sits above the known archaeology. Your officers subsequently requested that the design for the raft foundation was then further assessed to ensure that it would not lead to problems of slope stability. A qualified structural engineer has undertaken this assessment and has advised that, subject to the particular design of the raft being undertaken on site, then there will not be an issue with slope stability.

Historic England has granted consent in part for works to be undertaken within the area of the scheduled monument but has advised that further detail will be needed before the development of the two houses could go ahead. Your City Archaeologist is in agreement with that advice but both parties are satisfied that the development of the site will be possible. We will recommend conditions that deal with these matters before work commences.

Overall, the impact on the scheduled monument can be controlled and mitigated and Historic England considers the effect of the proposed works upon the monument to be works which would materially alter the present condition and appearance of this part of the monument, but potentially without damage to the significance of its buried archaeological deposits or terraced character.

### **Conclusion**

The application has sought to address the previous reasons for refusal, reducing down the development to one dwelling and modifying the design to assimilate it more appropriately into its context. The design is still contemporary but the use of brickwork and the limited scale of the proposals means that your officers are confident that the proposal is acceptable.

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

Yes with extension of time.

### **Recommendation**

That the application is GRANTED with the following conditions:

### **Standard Conditions**

1. Development to commence within three years
2. Development to be carried out in accordance with the approved drawings
3. Details of the facing materials to be submitted and approved before commencement
4. Details of the methodology for the installation of the foundation for both properties and for the retention and strengthening of the retaining wall along the northern boundary of the site
5. Works to be undertaken in accordance with archaeological watching brief
6. Detail of boundary treatments
7. Details of surfacing materials
8. Details of surface water drainage
9. Hours of work.