

Application Number:	2024/0719/RG3
Site Address:	120 Larchwood Crescent, Lincoln
Target Date:	12th February 2025
Agent Name:	City Of Lincoln Council
Applicant Name:	Mr Steven Bird
Proposal:	Change of use of public amenity land to use as a garden.

Background - Site Location and Description

The application property is 120 Larchwood Crescent, a 2-storey brick dwellinghouse in the City Council's Ownership.

The application is for the change of use of a patch of land to the side of the property which is currently subject to anti-social behaviour risk. The land is currently residential amenity land owned by the City Council and they wish to use this as garden land.

The application is brought before Planning Committee because the land is Council owned and is therefore a regulation 3 application.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 6 February 2025.

Policies Referred to

- National Planning Policy Framework
- Policy S53 Design and Amenity

Issues

The proposals have been assessed with regard to:

- Accordance with National and Local Planning Policy
- Design and the Impact on Visual Amenity, Character and Appearance
- Impact on Residential Amenity
- Highways Safety, Access and Parking

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

Public Consultation Responses

No responses received.

Consideration

Accordance with National and Local 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.

Paragraph 130 states that planning decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The application is for alterations to a residential dwelling and therefore Policy S53 - Design and Amenity is relevant.

Policy S53 'Design and Amenity' covers all new development. The policy permissive of alterations to existing buildings providing they achieve a high-quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Alterations should reflect or improve on the original architectural style of the local surroundings or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style and should not result in harm to people's amenity either within the proposed development or neighbouring through overlooking, overshadowing, loss of light or increase in artificial light or glare.

Design and the Impact on Visual Amenity, Character and Appearance

The amenity land currently comprises a grassed area with some shrubs and is adjacent to a public pathway.

Officers are satisfied that the use of the land as domestic garden in association with 120

Larchwood Crescent would not be detrimental to the visual amenity of the wider area.

The design outlined in the proposal would be characteristic to the wider area and relate well to the existing dwelling, given the area of land proposed and Officers consider that the proposal would not result in any significant impact to the appearance or design of the dwelling or wider area in accordance with Policy S53 of the CLLP.

Impact on Residential Amenity

The dwelling is on an end plot with a boundary adjacent to the amenity space and a pathway.

The use of the area as a garden will offer improved privacy to the area in so far as eliminating people walking across this patch of grassland and as an anti-social behaviour risk. Given the residential location of the property and other dwellings nearby will be consistent with the wider area.

The grassland is to the side of the property which faces out onto a public pathway and therefore it is not considered there would be any neighbouring properties unduly impacted upon by the proposal.

It is considered the change of use to a garden would not cause undue harm to the amenities which neighbouring occupiers may reasonably expect to enjoy, in accordance with CLLP Policy S53.

Highways Safety, Access and Parking

The Highways Authority have raised no objection to the application, and Officers do not consider Highway Safety or Traffic Capacity would be harmed by the proposal.

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

No.

Financial Implications

None.

Legal Implications

None

Equality Implications

None.

Conclusion

The proposals would not have a detrimental impact on the residential and visual amenity of neighbouring properties in accordance with policies 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.

Standard Conditions

- 01) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
		Location Plan	17th December 2024