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Heritage, Design, Access, Energy and Biodiversity Statement

**906 Proposed Retrospective Planning submissions in respect of
365-366 High Street Lincoln LN5 7RN for Mr J. Mohammed.**

Premises #3

**Ground Floor Retail premises off Portland Street to rear of 365 High Street
Lincoln LN5 7RN occupied by Top Cut Hair.**

**Application for Retrospective Full Planning permission for Class E use of
premises and alterations to form separate unit from 365 High Street.**

Issue 1 02nd December 2023



Background,

This application forms the third of a suite of applications to regularise the Planning status of the applicant's ownership of the premises 365-366 High Street Lincoln LN5 7RN.

Applications will be made as follows,

#1 – Certificate of Lawful Development application for ground floor retail areas at 365 High Street currently occupied by Lincoln Foodstore. (Application Lodged 2nd December 2023)

#2 – Certificate of Lawful Development for use of 366 High Street from as Tattoo parlour (Sui Generis) currently occupied by Eternal Angel. (Application Lodged 2nd December 2023)

#3 – This Application Retrospective Planning applications for separation of rear part of 365 High Street to form separate Unit occupied by Top Cut Hair, Portland Street Lincoln LN5 5JZ

#4 – Certificate of Lawful Development application for three self-contained flats above 365 High Street Lincoln

#5 – Certificate of Lawful Development application for two self-contained flats above 366 High Street Lincoln

#6 – Certificate of Lawful Development application for one self-contained flat at ground floor level flat to rear of 366 High Street Lincoln

This document is in support of application #3 for Top Cut hair Portland Street formed from the rear area of 365 High Street Lincoln

The Applicant is the building owner as is landlord only and has no involvement in the business of Top Cut Hair who are the tenants of the ground floor space the subject of this application.

The tenants are responsible for seeking any other planning approvals necessary for alterations or signage present on the building installed as part of their tenancy.

Context and evidence of use,

365-366 High Street Lincoln is situated on Lincoln High Street at its junction with Portland Street approximately 500m south of the main City Centre shopping area.

The properties are within the southern edge of City of Lincoln Conservation Area No 6 "West Parade and Brayford" and although not listed are mentioned in the local list of buildings of importance taken from the local plan (amended in 2007) which can be found on the link below at the City of Lincoln Councils website

<https://www.lincoln.gov.uk/downloads/file/504/buildings-and-structures-of-local-importance>

The entry for the property reads –

14) 365 / 366 / 367 High Street – 1875. Important in terms of unique design of buildings enhancing the local townscape

Marchmont House 363-364 High Street on the opposite side of Portland Street from the application premises is Listed Grade II but unaffected by the current proposals which seek to ratify current uses.

The application site is within the overall Lincoln Strategy Area policy S2 it is also within the identified Regeneration Zone and Opportunity Area ROA5 identified in the current Central Lincolnshire Local Plan adopted 2023 (Policy NS72) and just outside the City and Town Centre and primary shopping area covered by policies S35, S36, & NS41.

Policy S2 anticipates that both commercial and housing provision for Lincoln will be within the Lincoln Strategy Area – the application proposals fall within and support this policy

Policy NS72 in respect of Regenerations Zone and opportunity Area ROA5 states -
ROA5 – High Street South Mixed Use Area

Within the area identified on the Polices Map as ROA5 development proposals for the following uses will be supported in principle:

- Shops, financial and professional services, cafes and restaurants, offices, clinics, health centres and leisure uses falling under E Use Class;
- Residential uses including dwellings, residential institutions and student accommodation;
- Hotels or other visitor accommodation; and
- Other community, leisure or recreation uses.

The above in principle support on ROA5 is subject to:

- a) The development not resulting in the area in which it is located losing its mixed use character;
- b) Major developments including, or contributing to, a mixture of uses sufficient to add to the overall vitality of the area and to create a purpose and presence extending beyond normal shopping hours;
- c) The development not harming the local environment or the amenities which occupiers of nearby properties may reasonably expect to enjoy, such as causing unacceptable levels of disturbance, noise, smell, fumes, dust, grit or other pollution, or reducing daylight, outlook or privacy to an unacceptable degree;
- d) The development not resulting in levels of traffic or on-street parking which would cause either road safety or amenity problems; and
- e) Dwelling houses or other homes not being lost to non-residential uses unless:
 - i. The level of amenity available in any particular instance is already so poor that continued residential use is not desirable and there is no realistic prospect of the problem(s) being remedied; or
 - ii. The overall development will maintain or produce a net numerical gain in the number of dwellings on the site

The application proposals fall within and support this policy

Policy S21 cover flood risk reference to the Gov.uk Flood map for Planning show the site to be in flood zone 1 with a low probability of flooding and the Gov.uk Long term flood risk site confirms very low flood risk from both rivers and the sea and surface water.

In terms of historic use a general history of the site can be found on the website below

<https://www.flickr.com/photos/benbobjr/24722368109>

and the text is reproduced below (uploaded to website in 2016)

365-367 High Street on the corner with Portland Street, in the St Peter at Gowts district of Lincoln, Lincolnshire.

365-366 High Street were two houses built for Messrs Axtell and Usher, by architect W Watkins.

365 extended for Stanley Udale, tailor in 1889, by architect W Watkins; as a new warehouse for Udale in 1891; internal alterations carried out in 1896. 1913 Labour Exchange; alterations to 365 proposed in 1929/30 by W H Smith; 1961 - 1975 Binks Cycles; 1990s-2014 One Stop convenience grocery store.

366 1878-1892, Alice Seely grocer; alterations in 1897 for Mr Bycroft, furniture dealer, builder H Allman; pre 1961-1975 Bycrofts Emporium; 2000s BSM & then Eternal Angel Tatoos.

367 High Street was built as a house built for James Usher, architect W Watkins, as a matching design to 365 and 366. Later shop. 1961 Woodheads radio and TV shop; 1975 Lincoln Photo Centre; 1985, Roger Lownsborough Designs; 1986 Bella Pizza; 1990 Dial a Pizza; 1997 Prontaprint, 2000s Chameleon Print.

Proposals specific to Top Cut Hair Portland Street to rear of 365 High Street to support the Retrospective Full planning application,

The Top Cut Hair unit has been formed by the applicant since his purchase of the properties at 365-366 High Street in 2014 this work was carried out within the minimum required period of 10 years which would have allowed for the application for a Certificate of Lawful Development to be made therefore a retrospective full planning approval is sought for the splitting of the ground floor area of the property 365 High Street into two commercial Class E uses the front larger unit currently occupied by Lincoln Foodstore and the rear unit the subject of this application occupied by Top Cut Hair.

The following comments are made in support of the application,

- The History of the building listed above shows retail / commercial use of the site dating back to the late 1800's
- The proposed uses accord with the current planning policy for the location as outlined above.
- Two valuation reports on the property are available giving some chronological dates for the work to separate the unit, these reports are commercially sensitive and not for the public element of the application but copies can be provided for use of the planning officer if required.
- The initial Valuation report dated 18th August 2014 makes no reference to this unit and records 365 High Street as a single unit confirming it was not in existence at that date.
- The second valuation report dated 25th October 2018 acknowledges that the work in forming the new Unit was underway but not complete.

Page 6 of the report has the following entries relevant to this application

“The premises have been substantially altered since their original construction and now provide a large retail shop to the ground floor at the junction of High Street and Portland Street, a further retail shop fronting onto High Street, both of which are occupied together with an additional area undergoing development to create a retail unit fronting onto Portland Street”

and later on page 6

“Premises to Rear

Fronting onto Portland Street with potential to provide a small retail area currently undergoing development works having the benefit of a concrete floor with plastered walls with a suspended ceiling, timber framed single glazed windows and upvc entrance doors. The accommodation has the benefit of a small WC with plastered and painted walls in the main but with a timber wall separating this unit from the adjoining retail store with fluorescent lighting and a suspended ceiling.”

- Based on the above we have assumed a date of the 1st October 2018 as the commencement date for the works on the application form.
- Pre application advice was sought prior to this application and the officer reported that “To the rear it would appear advice was sought from the previous owner and an in principle agreement given that the subdivision would be acceptable however no formal application was submitted for the barbers shop. If the use has been there less than 10 year, which it would appear it has, this will need regularising with a planning application for the creation of a new unit”

In addition to following comments were made

“The fee for the change of use and external alterations would be £462 this can be completed on one application for full planning permission. Photographs would be acceptable for the elevations, provided the application is clearly marked retrospective.

A separate application for advertisement consent would be required the fee would be £132. Photographs would be acceptable for the elevations, provided the application is clearly marked retrospective”.

The photographs are provided in the Google Images below.

- The use has been present for less than 10 years hence this retrospective full planning application.
- The dates noted above have been cross checked against images on Google Street view which allows you to view their previous image history complete with the date the image was taken, Appendix A below shows images from October 2012 as a base reference, September 2017 prior to the above report showing no changes, May 2019 post separation works showing the security shutters required by insurers and November 2020 and December 2021 showing the tenants occupation and fit out of the property.
- Approval is sought under this application for the external changes and alterations to effect the separation and formation of the new unit (effectively the security shutters and revised shop display window). The tenant will be responsible for any retrospective signage applications required to cover their fit out works.

The applicant apologises for the omission of seeking formal approval for the works but trusts this submission demonstrates that the works are in accordance with current policy and resulted in minimum change to the fabric of the building and may be approved.

Design

Internally the works have involved forming the division wall between the main unit 365 High Street and the new unit, Top Cut hair Portland Street, along with internal finishes and the formation of a small toilet.

Externally as demonstrated by the attached Google Street View images no changes have been required to the building structure save the addition of security shutters required by the building insurers and the revised shop display window.

The signage is a matter for the tenant.

Access

Access and egress to the new unit utilise existing door openings with no work required, no parking provision exists or is proposed and the site is within the tertiary shopping area of Lincoln well served with footpaths and public transport.

Energy policy S13

The work to this property was carried out before policy S13 was adopted and no changes to or within the property are proposed as part of this application but the applicant is minded to maximise energy efficiency as far as possible and will encourage his tenants to do so as far as he is able.

Biodiversity Policy S60

Again the works for this retrospective application were carried out prior to the adoption of policy S60. No changes are proposed as part of this application and the site is within the city centre of Lincoln and occupies the whole of its site footprint with limited opportunity for change or damage.

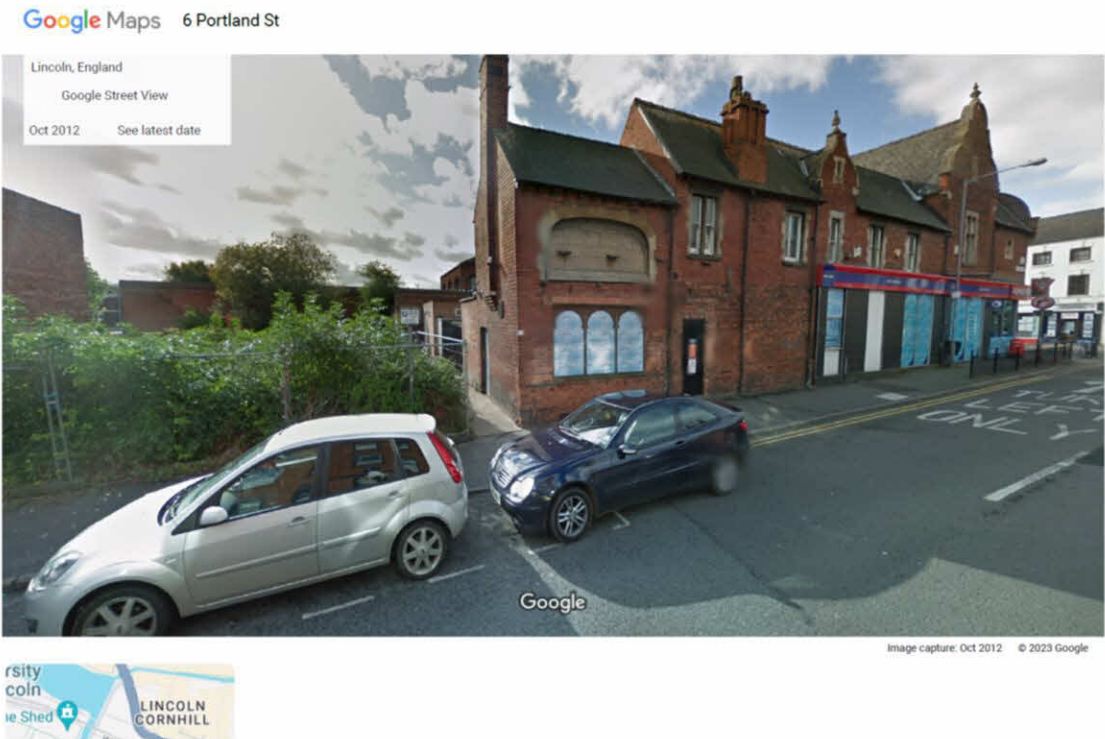
Other documents

See also with this application,
 Application for Retrospective Full Planning permission
 Site Location and Block Plan 906-A3-011
 CIL additional information Form

Appendices

Appendix 1 - Google Street View images

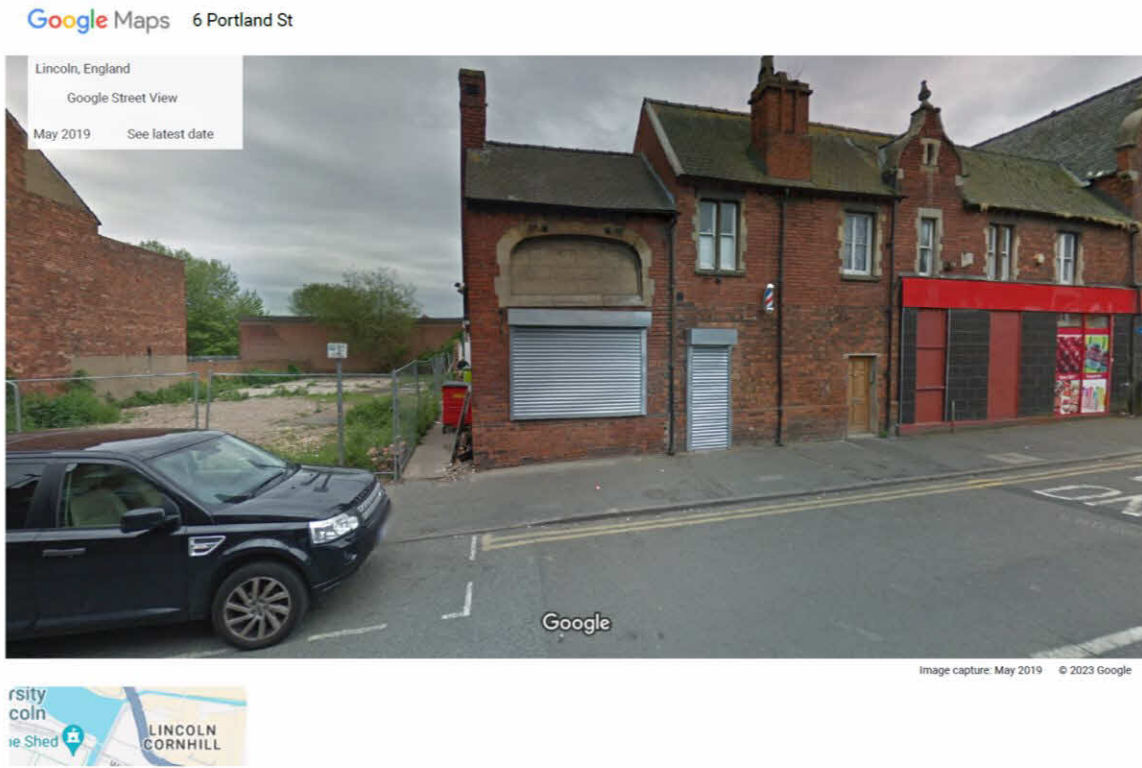
Google Streetview Oct 2012



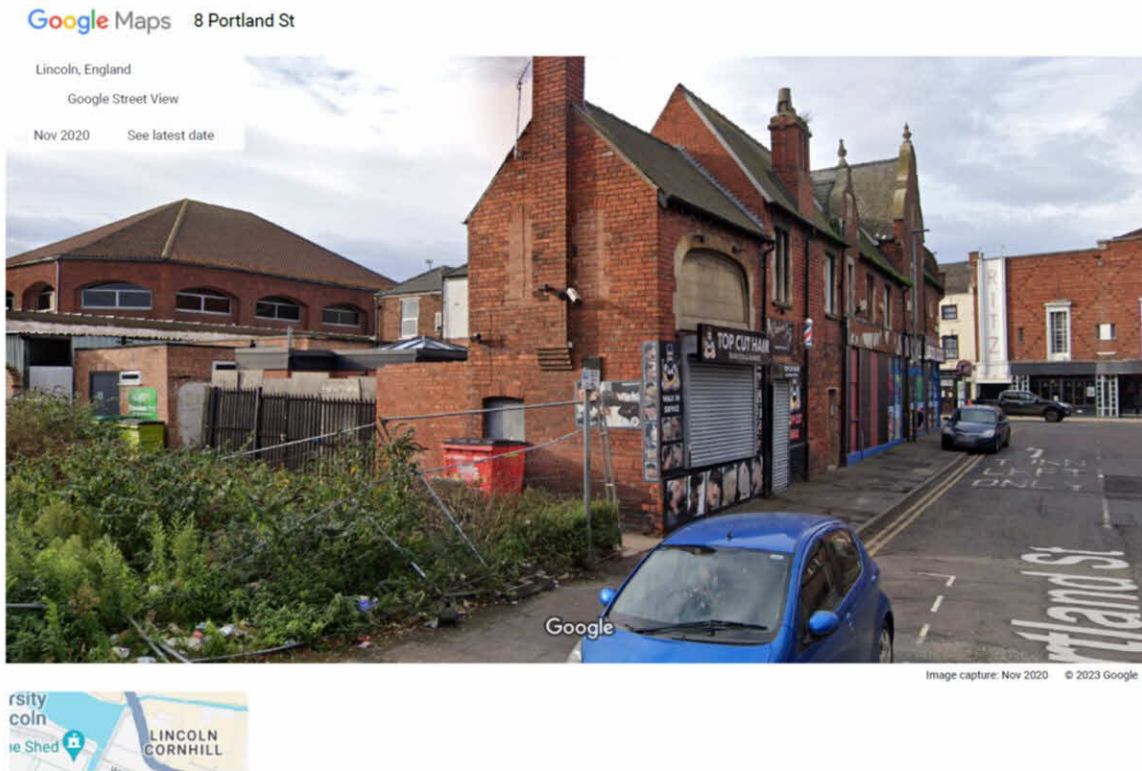
Google Streetview Sep 2017



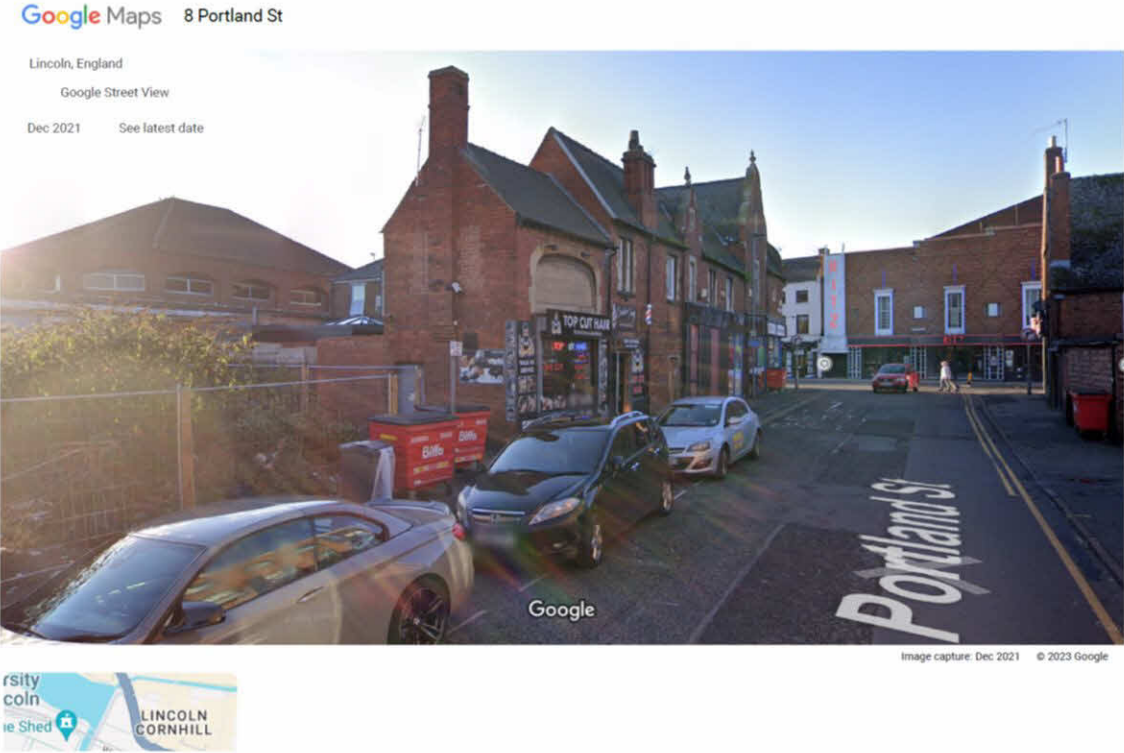
Google Streetview May 2019



Google Streetview Nov 2020



Google Streetview Dec 2021



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