

PLANNING COMMITTEE

**Wednesday, 31 January
2018**

5.30 pm

**Committee Rooms 1-2, City
Hall**

- Membership: Councillors Jim Hanrahan (Chair), Peter West (Vice-Chair), Biff Bean, Kathleen Brothwell, Bob Bushell, Paul Gowen, Gary Hewson, Ronald Hills, Tony Speakman, Edmund Strengiel and Naomi Tweddle
- Substitute members: Councillors Jackie Kirk and Neil Murray
- Officers attending: Mick Albans, Emma Brownless, Simon Cousins, Democratic Services and Kieron Manning

The Planning Committee comprises democratically elected members who will be presented with a recommendation from the professional officers for each application on the agenda. After each application has been presented, those interested parties who have registered to speak will then be given 5 minutes to verbally present their views, and, following this, the committee will debate each proposal and make the decision, having considered all relevant information.

Clearly the process of making a decision will inevitably cause some people to feel aggrieved, but it is hoped that all interested parties will feel that their views have been considered as part of the process.

Please ensure that your mobile phones are switched off or set to silent throughout the meeting and please refrain from attempting to speak from the public gallery unless you have formally registered to speak on an application, in which case the Chair will call you to the table at the relevant time.

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes - 3 January 2018	5 - 22
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Work to Trees in City Council Ownership	23 - 28

4. Applications for Development

(a) 74A Winn Street, Lincoln

29 - 66

(b) The Lawn, Union Road, Lincoln

67 - 76

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

LIST OF BACKGROUND PAPERS FOR PLANNING, LISTED BUILDING, CONSERVATION AREA AND ADVERTISEMENT APPLICATIONS ON THE AGENDA OF THE PLANNING COMMITTEE

The Background Papers for the Planning, Listed Building, Conservation Area and Advertisement Applications are:

1. The appropriate Planning Information Folder: This is a file with the same reference number as that shown on the Agenda for the Application. It contains the following documents:
 - (a) the application forms;
 - (b) plans of the proposed development;
 - (c) site plans;
 - (d) certificate relating to ownership of the site;
 - (e) consultation letters and replies to and from statutory consultees and bodies;
 - (f) letters and documents from interested parties;
 - (g) memoranda of consultation and replies to and from Departments of the Council.
2. Any previous Planning Information Folders referred to in the Reports on the Agenda for the particular application or in the Planning Information Folder specified above.
3. City of Lincoln Local Plan: Adopted 26 August 1998.
4. The emerging draft Local Development Framework is now a material consideration.
5. Lincolnshire Structure Plan – Final Modifications 3 January 2006
6. Regional Spatial Strategy – 17 March 2005
7. Applications which have Background Papers additional to those specified in 1 to 6 above set out in the following table. These documents may be inspected at the Planning Reception, City Hall, Beaumont Fee, Lincoln.

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 7 above.)

Application No.: Additional Background Papers

CRITERIA FOR PLANNING COMMITTEE SITE VISITS (AGREED BY DC COMMITTEE ON 21 JUNE 2006 AND APPROVED BY FULL COUNCIL ON 15 AUGUST 2006)

Criteria:

- Applications which raise issues which are likely to require detailed first hand knowledge of the site and its surroundings to enable a well-informed decision to be taken **and** the presentational material at Committee would not provide the necessary detail or level of information.
- Major proposals which are contrary to Local Plan policies and proposals but which have significant potential benefit such as job creation or retention, environmental enhancement, removal of non-confirming uses, etc.
- Proposals which could significantly affect the city centre or a neighbourhood by reason of economic or environmental impact.
- Proposals which would significantly affect the volume or characteristics of road traffic in the area of a site.
- Significant proposals outside the urban area.
- Proposals which relate to new or novel forms of development.
- Developments which have been undertaken and which, if refused permission, would normally require enforcement action to remedy the breach of planning control.
- Development which could create significant hazards or pollution.

So that the targets for determining planning applications are not adversely affected by the carrying out of site visits by the Committee, the request for a site visit needs to be made as early as possible and site visits should be restricted to those matters where it appears essential.

A proforma is available for all Members. This will need to be completed to request a site visit and will require details of the application reference and the reason for the request for the site visit. It is intended that Members would use the proforma well in advance of the consideration of a planning application at Committee. It should also be used to request further or additional information to be presented to Committee to assist in considering the application.

Present: Councillor Peter West (*in the Chair*),
Councillor Biff Bean, Councillor Kathleen Brothwell,
Councillor Bob Bushell, Councillor Paul Gowen,
Councillor Gary Hewson, Councillor Ronald Hills,
Councillor Tony Speakman, Councillor Edmund Strengiel
and Councillor Naomi Twedde

Apologies for Absence: Councillor Jim Hanrahan

63. Confirmation of Minutes - 08 November 2017

RESOLVED that the minutes of the meeting held on 8 November 2017 be confirmed.

64. Declarations of Interest

No declarations of interest were received.

65. Work to Trees in City Council Ownership

The Arboricultural Officer:

- a. advised Members of the reasons for proposed works to tree's in City Council ownership and sought consent to progress the works identified at Appendix A of his report
- b. explained that Ward Councillors had been notified of the proposed works
- c. stated that in some cases it was not possible to plant a tree in the exact location and in these cases a replacement would be replanted in the vicinity.

RESOLVED that the works set out in the schedule at Appendix A attached to the report be approved.

66. Allotment Capital Development Programme - Removal of Trees (Phase Two)

Bruce Kelsey, Allotment Strategy Officer:

- a. provided a report to advise elected members of the proposed removal of trees required as phase 2 of the allotment capital improvement programme, none being the subject of a Tree Preservation Order or located within a conservation area
- b. identified those trees in the opinion of the Arboricultural Officer and the Allotment Strategy Officer that needed to be removed, including a further four trees at Clarence Street A allotment identified as requiring removal and/or maintenance work during phase 1 of the programme, as detailed within the schedule attached as Appendix 1 to the report
- c. gave further information regarding the improvement programme as detailed at Appendix 2 of the report

- d. outlined the background to consultation carried out with all allotment tenants as detailed at paragraph 4 of the report
- e. gave details of the main thrust of the works to make improvements to site security to reduce incidents of break-ins and theft of property from allotment sites, and make improvements to site drainage to reduce incidents of flooding and increase light to many plots, which would markedly enhance growing opportunities
- f. advised that throughout the programme the council would aim to retain and subsequently maintain as many mature and well established native species as possible to retain the overall amenity value, feel and look of each site
- g. requested that members approve the list of trees to be removed as detailed at Appendix 1 of the report.

Members discussed the content of the report in further detail

RESOLVED that the removal of trees identified at Appendix 1 to the report be approved.

67. Confirmation of Tree Preservation Order 155

The Planning Manager:

- a. advised members of the reasons why a tree preservation order (temporary) should be confirmed at the following site:
 - Tree Preservation Order 155: 14 Oaks, 6 Birch, 2 Copper beech, 2 Field Maple, 1 Cherry, a group of trees comprising 12 No. Limes and a group comprising mixed woodland of mainly Birch, Oak, Maple and Sycamore located at Tritton Road/Moorland Avenue, Lincoln as shown on attached schedule
- b. provided details of the individual trees to be covered by the order and the contribution they made to the area
- c. advised that following the statutory 28 day consultation period, no objections had been received to the making of the order
- d. stated that confirmation of the tree preservation order here would ensure that the trees could not be removed or worked on without the express permission of the council.

Members thanked officers for their work in progressing this matter.

RESOLVED that tree preservation order no 155 be confirmed without modification and that delegated authority be granted to the Planning Manager to carry out the requisite procedures for confirmation.

68. Change to Order of Business

RESOLVED that the order of business be amended to allow the reports on the Site of Former Superbowl, Valentine Road, Lincoln, and 1 Shearwater Road, Lincoln to be considered before the remaining agenda items.

69. Application for Development: Site of Former Superbowl, Valentine Road, Lincoln

The Planning Manager:

- a. advised that planning permission was sought for the erection of 77 no 6 bedroom townhouses to provide a total of 462 en suite bedrooms to be occupied as Houses in Multiple Occupation (HMOs), sited to the south west of the city centre on land formerly occupied by Lincoln Superbowl, which closed in 2015
- b. described the design of the townhouses arranged in a series of four storey linear blocks overlooking private and secure landscaped courtyards, with controlled access to the development at the entrance to the new access road, which served a 90 space car park
- c. highlighted that the submitted Design and Access Statement predicted a shortfall in student accommodation for September 2018 together with an increasing demand for student accommodation; this application aimed to meet this demand with a joint venture between the applicant and the University of Lincoln
- d. reported that the site was owned by the City Council and therefore the application was being presented to members of Planning Committee for consideration and determination
- e. provided details of the policies pertaining to the application as follows:-
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP13: Accessibility and Transport
 - Policy LP16: Development on Land Affected by Contamination
 - Policy LP18: Climate Change and Low Carbon Living
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained a letter of support for the application from the University of Lincoln and the following statement from officers regarding flood risk and drainage:

'The committee report identified that the agent was still in discussions with the Environment Agency (EA) regarding the proposal. Since writing the report further discussions and a meeting have taken place, as well as the consideration of a revised Flood Risk Assessment (FRA) and additional technical information. The EA has raised no objection in principle although require a further revision to the FRA before submitting a final response with conditions. Officers therefore request that this matter be delegated to

officers to finalise to the satisfaction of the EA, as well as the Lincolnshire County Council as Lead Local Flood Authority’.

h. highlighted the main issues relating to the proposals as follows:-

- The Principle of Use
- Visual Amenity
- Residential Amenity
- Access and Highways
- Flood Risk and Drainage
- Contaminated Land
- Trees and Landscaping
- Network Rail

i. concluded that:

- The principle of the use of this unallocated site for residential purposes was considered to be acceptable and the development would contribute towards the continued growth of the University.
- The design of the development had been well thought out, improving on the architectural style of the local surroundings.
- There were no residential properties in the vicinity that would be impacted upon by the proposal and the amenities for future occupants had been carefully considered through noise and light assessments.
- The site was in an accessible location, also providing cycle and car parking to meet an identified need.
- The Highway Authority had raised no objection in principle to the access or parking arrangements.
- Matters relating to contamination, archaeology, the railway/level crossing and refuse could be dealt with appropriately by condition.
- Subject to further details of flood risk and drainage being to the satisfaction of the relevant consultees it was considered that the proposal would be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP10, LP13, LP16, LP18, LP25 and LP26, as well as guidance within the National Planning Policy Framework.

Mr Simon Parkes, Deputy Vice-Chancellor, University of Lincoln, addressed Planning Committee in support of the proposed development, covering the following main points:

- The University of Lincoln offered its support to this planning application.
- HMO style accommodation was in demand and somewhat constrained in the city.
- This type of accommodation was suitable for students. It incorporated limited car parking spaces.
- The University of Lincoln continued to grow requiring additional accommodation.
- The proposed development met the needs of the University in ways that others did not.
- He looked forward to hearing the members’ recommendation.

Members discussed the content of the report in further detail, raising individual concerns in relation to:

- The lack of recognisable benefits to the local community in respect of this type of scheme who had to cope with extra traffic/people on the streets in their local area. It was hoped that monies gained would be used to solve problems of limited car parking space for local communities.
- Whether the student accommodation was ideally placed within a predominantly trading estate area.
- Whether the design of the building was suitable in terms of scale/massing/having a flat roof.
- The disappearance of trees/hedging within the scheme and its effect on wildlife in the area.
- Issues in respect of the ratio of car parking spaces to residents at the development.
- The lack of traffic infrastructure to cope with these types of development especially having to compete with commercial traffic in the area.

Members offered support to the scheme raising the following comments:

- The need for additional student accommodation in the city was recognised.
- Cosmopolitan change would come along as the city expanded which was not a bad thing.
- The development was beneficial in that it provided purpose built accommodation suitable for students which took away the pressure from family homes therefore improving community life.
- The Highways Authority had raised no issues in relation to the proposed development. The city enjoyed the benefits of a thriving University. Asking students to commute from the perimeter of the city would only cause a problem there. However, it was important to involve the community in matters that affected them.
- The accommodation would not be seen from the main road similar to the previous use of the land as a Superbowl.
- The size/massing of the building was acceptable amongst other existing warehouse buildings.

The Planning Manager offered the following points of clarification:

- The concerns raised regarding highway impact centred on the level of parking provision for the development and impact on the highway network.
- During its previous use of the land as the Superbowl, its car park had a 200 vehicle capacity. Other use could create a similar amount of cars, whereas this proposal offered an improved position.
- The proposed accommodation was close to the University and was serviced by a cycle track/footpath into the city close by.
- The design of the building was subjective. It was important for members to filter out their own personal preferences to focus on whether it was appropriate in the context of the large retail units in the area.

RESOLVED that planning permission be delegated to the Planning Manager to grant subject to finalised arrangements for the consideration of a revised Flood Risk Assessment (FRA) and additional technical information to the satisfaction of the Environment Agency, as well as Lincolnshire County Council as Lead Local Flood Authority, and subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials
- Site levels and finished floor levels
- Noise mitigation strategy
- Off-site lighting assessment
- Highways- reinstatement of footpath, adjustment of double yellow lines and tactile crossing point
- Contamination
- Surface water drainage and management strategy
- Foul sewerage strategy
- Refuse management plan
- Archaeology
- Implementation and maintenance of access gate to turning head
- Landscaping- including Network Rail requirements
- Network Rail- construction safety, drainage and lighting
- Use restriction and requirement for management by higher/further education body
- Electric Vehicle Charging points before occupation

70. Application for Development: 1 Shearwater Road, Lincoln.

(Councillor Hills requested it be recorded that he knew several of the objectors to the planning application, but not as close acquaintances, he had not pre-determined his views in any way or given an opinion on the matter to be discussed.)

The Planning Manager:

- a) advised that the application sought a change of use from a dwellinghouse to a flexible C4/C3 use to enable the property to be used as a House In Multiple Occupation for up to 6 unrelated occupants
- b) reported that the property had originally operated as a 3 bed detached dwelling although a former living area downstairs had been converted to create a fourth bedroom, two of the bedrooms within the property were large enough to be occupied by more than one occupant and whilst the applicant had suggested that he may only occupy the property with 3 people to begin with, he would look to occupy it with the maximum allowed under C4 in the future (6 occupants)
- c) referred to a previous application granted conditionally by Planning Committee on 31st August 2016 for a first floor, front, side and rear extension (2016/0638/HOU), advising as follows:
 - The applicant had been made aware that should the application currently before us be granted and implemented, the previously granted extension could not be added to the C4 property as the extension was granted to the C3 dwellinghouse.
 - Should the applicant wish to extend the property and change the use, then he would need to withdraw the current application and make a resubmission for a change of use and extension under one application.

- The applicant had decided to continue with the current application for a flexible C3/C4 use without extending the property.
- d) highlighted that the applicant had confirmed that he was currently living in the property with his partner and two lodgers, which would fall within the definition of a C3 use, however, in contrast to this, the same applicant had submitted a Certificate of Lawful Use, in an attempt to prove that the property had been operating as a C4 use during the time of the implementation of the Article 4 Direction and continued as such after this time. (considered separately under application 2017/1380/CLE)
- e) provided details of the policies pertaining to the application as follows:-
- Policy LP37: Sub-division and Multi-Occupation of Dwellings within Lincoln 86
 - Supplementary Planning Guidance: Houses in Multiple Occupation
 - Policy LP26 Design and Amenity
- f) outlined the responses made to the consultation exercise
- g) referred to the update sheet which contained photographs provided by the applicant, also confirming that the application for a Certificate of Lawful (CLE) use at 1 Shearwater Road had now been refused on grounds of insufficient evidence being provided to prove that, on the balance of probability the property had been used as a House in Multiple Occupation for 3-6 unrelated people during the introduction of the Article 4 Direction and after this time,
- h) reported on the issues raised by the application principally relating to those raised in the 'Houses in Multiple Occupation Supplementary Planning Document' and Policies LP26 and LP37 of the Central Lincolnshire Local Plan 2017, being:
- Impact on amenity of surrounding properties and character of the area
 - Loss of single family home
 - Concentration of HMOs in area
 - External communal space and cycle storage
 - Highway safety
- i) concluded that the proposal was contrary to the SPD for Houses in Multiple Occupation and to Policies LP26 and 37 of the Central Lincolnshire Local Plan.

Mr Quyen Truong, Applicant, addressed Planning Committee in support of the proposed development, covering the following main points:

- He had been a long standing resident of 1 Shearwater Road for 16 years and intended to continue living there indefinitely.
- The proposed changes to his property would enhance the neighbourhood.
- The property would always retain its status as a family dwelling with an element of flexibility for C4 use occupied by professional people.
- The development would add value to the wider community.

- Premium quality affordable accommodation would be offered to professionals and not students.
- There was a reliable bus and cycle route close by to commute to work.
- He had demonstrated within the application that he could add six car parking spaces within the site.
- He referred to the photographs on the update sheet.
- Traffic safety would be improved by removing the hedge/wall to the front of his property.
- There were no objections from the Highways Authority or Lincolnshire Police.
- There had been no anti-social behaviour complaints.
- Objections were in the minority.
- He urged members not to let narrow minded objectors in the minority to affect their judgement.

Members discussed the content of the report in further detail, making the following comments:

- It was heartening to see Supplementary Planning Documents applied to this type of residential area.
- The development would cause traffic/parking issues being close to the main road on the corner of the street. Removing the hedge would not alleviate this issue.
- This was a beautiful area which should be retained as accommodation for families.
- Changes in character should be reflected across the whole of the city.
- The law stipulated that the property should be sold on as a family house if it could be to protect community areas such as this.
- Other properties parked their vehicles on the roadside.

The Planning Manager offered the following points of clarification:

- There was nothing essentially to prevent residents parking their cars on the street under C3 use.
- In relation to impact on other residents/road users, it was unlikely for families to have 6 cars parked at any one time.
- Noise disturbance was likely to be greater with 6 unrelated residents carrying out independent living.

RESOLVED that the application be refused

Refusal Reasons:

- 01) The application failed to demonstrate there was an established lack of demand for the single family use of the application property thereby discouraging owner occupation by families and resulted in a loss of a family home, contrary to Policy LP37 of the Central Lincolnshire Local Plan and the Supplementary Planning Document.
- 02) The paving of the front garden to create the amount of parking spaces required for the proposed change of use would be harmful to visual amenity and would negatively change the character of the area to an unacceptable degree. This was particularly harmful given the prominent position of the property, on the entrance to the estate and on the corner of

Shearwater Road and Skellingthorpe Road, a major route within the City. These parking arrangements would not respect the character and identity of the area and would therefore be contrary to Policy LP26 of the Central Lincolnshire Local Plan.

71. Application for Development: Land Adjoining Boultham Medical Practice, Boultham Park Road, Lincoln.

(Councillor Strengiel requested it be recorded that he knew the applicant for the planning application, but not as a close acquaintance, he had not pre-determined his views in any way or given an opinion on the matter to be discussed.)

The Planning Team Leader:

- a. described the application site situated in the north-west corner of Boultham Park, between the Boultham Health Centre to the west and the Park Tennis Courts, Bowling Green and Pavilion to the east, with the rear gardens of residential properties on Western Avenue to the north, and to the south the Park footpath accessed by way of an existing access road which served the adjacent Library and Health Centre, running parallel with the Park footpath
- b. advised that the site was being sold by City of Lincoln Council for development, the application having been submitted by Gusto Developments, the developers of the adjacent Home Grange retirement scheme by Longhurst and Havelock Homes.
- c. provided details of the policies pertaining to the application as follows:-
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP18: Climate Change and Low Carbon Living
 - Policy LP22: Green Wedges
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP29: Protecting Lincoln's Setting and Character
- d. outlined the responses made to the consultation exercise
- e. highlighted the main issues relating to the proposals as follows:-
 - National and local planning policy
 - Impact on visual amenity
 - Impact on residential amenity
 - Impact on designated and non-designated heritage assets
 - Highway safety, access and parking
 - Foul and surface water drainage
 - Potential land contamination and other environmental impacts
- f. concluded that the proposed development would provide much needed accommodation for older people within the city, and had been sympathetically designed taking account of its location within the park boundary close to the bowling green pavilion and neighbouring residential

properties; it would not cause undue harm to the amenities of adjoining residents, the wider residential area, or the environment in accordance with relevant policies and guidance contained within the Central Lincolnshire Local Plan (2017) and National Planning Policy Framework (2012).

Members discussed the content of the report in further detail, offering general support to the proposed development. Questions were asked as follows:

- Would the access road be adopted by the Highway Authority?
- Would the homes be sold on to the over 55's only?

The Planning Team Leader offered the following points of clarification to members:

- The access road would be adopted by the Highway Authority up to the point past the library and public car parking spaces. The remainder would be the responsibility of the residents/developer.
- The grant of planning permission would be conditioned by the requirement for the use of the bungalows as retirement dwellings in perpetuity.

RESOLVED that the application be granted subject to the following conditions:

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 the report at Table A. 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

- 03) Ecological assessment
- 04) Details of materials
- 05) Foul water strategy
- 06) Surface water strategy

Conditions to be Discharged before Use is Implemented

- 07) Details of numbers and types of electric vehicle recharge points

08) External lighting scheme and assessment of off-site impact

Conditions to be Adhered to at all Times

09) Restriction on use of bungalows as retirement dwellings

10) Archaeology

11) Reporting of unexpected contamination

72. Application for Development: 39 Foster Street, Lincoln.

The Principal Planning Officer:

- a. described the application site situated on the northern side of Foster Street, within the Boultham Ward of the city and within Flood Zone 2, a mid-terrace 3-bedroom dwelling accessed by a shared passageway incorporating a bay window at street level, with a lounge, dining room, kitchen and bathroom at ground level and three bedrooms at first floor level
- b. advised that this application for planning permission proposed to change the use of the house from a single dwelling, which fell within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended), to a House in Multiple Occupation (HMO), which fell within Class C4, stating that this had been a permitted change of use until the introduction of the City-wide Article 4 direction as of March 1st 2016, after which time the change of use came under the control of the Local Planning Authority, requiring an application for planning permission
- c. stated that there were no changes proposed to the use of the rooms within the house
- d. referred to the planning history to the application site as detailed within the officer's report
- e. highlighted that this planning application had been brought to committee as the applicant was a relative of an employee of the City of Lincoln Council
- f. provided details of the policies pertaining to the application as follows:-
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings within Lincoln
 - National Planning Policy Framework
 - Supplementary Planning Guidance (Houses in Multiple Occupation)
- g. outlined the responses made to the consultation exercise
- h. reported that the issues raised by the application related to the Houses in Multiple Occupation Supplementary Planning Document Approved Draft, firstly in relation to the principle of the development and then the impacts of the use itself in terms of amenity and flood risk

- i. highlighted the purpose of the Article 4 direction, as explained within the draft document, *“is not to restrict the supply of HMOs, rather [it is] intended to manage the future development of HMOs to ensure such developments will not lead to or increase existing over-concentrations of HMOs that are considered harmful to local communities.”*
- j. concluded that:
 - Although the use of the property as a HMO would technically result in a new HMO, the property had been utilised in the past on a multiple-occupancy basis so there would not be harm caused to the physical and social character of the residential area in relation to the nature and composition of the local community.
 - Similarly, due to the previous occupation of the property, there would not be a need for marketing in relation to the demand for the property as a family home, as it had not been used as such in the recent past.
 - In addition, the proposals would not cause harm to the amenities that the occupants of nearby properties would expect to enjoy as a result of noise and disturbance or car parking; and control over the number of residents would ensure that the occupants of the property would not be harmed.
 - Finally, given the previous use, it would not be reasonable to impose controls over the use of rooms at ground floor within the property in terms of the risk of flooding to sleeping accommodation.

Members discussed the content of the report in further detail, raising concerns in relation to:

- Current legislation which allowed non profitable organisations to run as HIMO's although not classified as such.
- The need for local people to be made aware of this legislation to avoid the planning authority being unfairly criticised.
- The need for more accurate figures on the number of HIMO's in the area as a vast majority of properties operated as such.
- A huge problem with car parking congestion in the area.

The Principal Planning Officer advised that the property had been leased to a charitable organisation by the applicant, however the lease had now expired and the premises no longer came under legislation as a charity.

The Planning Manager offered the following advice:

- This application was a complex case. The consideration was not about use by a charity but the need to pull out these types of usage as a C3 dwelling.
- Each application had to be considered robustly on individual merits.
- There were significant and material differences between this application and others taking out a family home, as this property had already been taken out of family use.
- It was not known how many other properties operated by non-profitable organisations although it was not thought this number would be significant.
- This planning application had been brought to committee as the applicant was a relative of an employee of the City of Lincoln Council in the same directorate as the Planning Section.

RESOLVED that the change of use for 39 Foster Street to a House in Multiple Occupation (HMO), be granted subject to the following conditions:

Planning Conditions

The following Planning Conditions are recommended:-

Standard Timeframe for Implementation (3 years)
Approved Plans

Flexible Use Condition

The use hereby approved is permitted to change from C4 to C3 and back again to C4 without the need for a further application for planning permission for an unlimited number of times for a period limited to ten years hence from the date of this permission. The use of the premises at the expiry of ten years shall then be the use of the premises from that point forwards.

Reason: In order to enable the applicant/owner of the property to respond to market conditions, without the need for multiple planning applications.

Restriction on Occupants when a HMO

Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 (SI 2010/653) or any Order amending, revoking or re-enacting that Order, no more than 4 residents shall at any time occupy the property whilst it is in use as a C4 dwelling house (house in multiple occupancy whereby the premises is occupied by unrelated individuals who share basic amenities).

Reason: The occupancy of the property by more than four residents could be harmful to amenity.

73. Application for Development: 97 Vernon Street, Lincoln.

The Principal Planning Officer:

- a. described the application site situated on the southern side of Vernon Street, within the Boutham Ward of the city and within Flood Zone 2, the property being a mid-terrace 3-bedroom dwelling accessed by a shared passageway incorporating a bay window at street level, occupied by a lounge, dining room, kitchen, utility and bathroom at ground floor level and three bedrooms at the first floor level
- b. advised that this application for planning permission proposed to change the use of the house from a single dwelling, which fell within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended), to a House in Multiple Occupation (HMO), which fell within Class C4, stating that this was a permitted change of use until the introduction of the City-wide Article 4 direction as of March 1st 2016, after which time the change of use came under the control of the Local Planning Authority, requiring an application for planning permission

- c. stated that there were no changes proposed to the use of the rooms within the house
- d. referred to the planning history to the application site as detailed within the officer's report
- e. highlighted that this planning application had been brought to committee as the applicant was a relative of an employee of the City of Lincoln Council
- f. provided details of the policies pertaining to the application as follows:-
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings within Lincoln
 - National Planning Policy Framework
 - Supplementary Planning Guidance (Houses in Multiple Occupation)
- g. outlined the responses made to the consultation exercise
- h. reported that the issues raised by the application related to the Houses in Multiple Occupation Supplementary Planning Document Approved Draft, firstly in relation to the principle of the development and then the impacts of the use itself in terms of amenity and flood risk
- i. highlighted the purpose of the Article 4 direction, as explained within the draft document, *"is not to restrict the supply of HMOs, rather [it is] intended to manage the future development of HMOs to ensure such developments will not lead to or increase existing over-concentrations of HMOs that are considered harmful to local communities."*
- j. concluded that:
 - Although the use of the property as a HMO would technically result in a new HMO, the property had been utilised in the past on a multiple-occupancy basis so there would not be harm caused to the physical and social character of the residential area in relation to the nature and composition of the local community.
 - Similarly, due to the previous occupation of the property, there would not be a need for marketing in relation to the demand for the property as a family home, as it had not been used as such in the recent past.
 - In addition, the proposals would not cause harm to the amenities that the occupants of nearby properties would expect to enjoy as a result of noise and disturbance or car parking; and control over the number of residents would ensure that the occupants of the property would not be harmed.
 - Finally, given the previous use, it would not be reasonable to impose controls over the use of rooms at ground floor within the property in terms of the risk of flooding to sleeping accommodation.

Mr David Allen, Applicant, addressed Planning Committee in support of the proposed development, covering the following main points:

- His properties were not owned by a charitable organisation.
- This property had been owned by his company since 2004.

- The charitable organisation had taken over the property on the assumption that it was already a HIMO.
- Prior to this time the property had been a HIMO and let as C4 since 2004.

Members discussed the content of the report in further detail, raising concerns in relation to this application being in an area well over the 10% threshold for concentration of HIMO's.

The Planning Manager offered advice as follows:

- The HIMO status ran with the property.
- The confusion here was created by national legislation in that occupation of homes by specific charitable organisations were not considered as multiple use properties.
- When the charitable organisation took on this property before 2010, C4 classification did not exist. It was taken over as C3 use but then changed to multiple occupation before planning permission was required. Now the former use by the charitable organisation had been vacated, the property required planning permission to continue as a HIMO.

RESOLVED that permission for change of use for 97 Vernon Street to a House in Multiple Occupation (HMO) be refused.

Reason:

Due to the breach in the threshold for Houses in Multiple Occupation in the area which exasperated the social imbalance in the area.

74. Application for Development: Lincoln Transport Hub Development, Bus Station, Pelham Street, Lincoln.

The Planning Manager:

- a. advised that the application sought permission to fix additional plant to the external façade of the new bus station in the city along with an enclosure to the rear for the storage of bins
- b. described the development site at the recently approved bus station which formed part of the Transport Hub development
- c. provided details of the policies pertaining to the application as follows:-
 - National Planning Policy Framework
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP29: Protecting Lincoln's Setting and Character
- d. confirmed that there were no responses made to the consultation exercise
- e. reported on the following issues to be considered by members in relation to the planning application:
 - Visual Impact
 - Neighbour Amenity

- f. concluded that the proposed bin store and the mechanical plant did not cause harm to either visual or neighbour amenity.

Members discussed the content of the report in further detail.

RESOLVED that the application be granted subject to the following conditions:

- Carried out within 3 years
- Carried out in accordance with the submitted plans.

75. Application for Development: 64 Broadway, Lincoln.

(Councillor Strengiel requested it be recorded that he knew the applicant for the planning application, but not as a close acquaintance, he had not pre-determined his views in any way or given an opinion on the matter to be discussed.)

The Planning Team Leader:

- a. described the application premises as a two storey, detached, 3 bedroom residential property located on the north side of Broadway
- b. advised that permission was sought for a first floor extension which would provide two bedrooms, enable the conversion of an existing bedroom to an ensuite, as well as the conversion of the garage for living accommodation
- c. highlighted that this planning application was being considered by members, the applicant being an employee of the City of Lincoln Council
- d. provided details of the policies pertaining to the application as follows:-
 - National Planning Policy Framework
 - Policy LP26: Design and Amenity
- e. confirmed that there were no responses made to the consultation exercise
- f. reported on the following issues to be considered by members in relation to the planning application:
 - Policy Context
 - Impact on Residential Amenity
 - Design and Visual Amenity
- g. concluded that
 - Policy LP26 of the Central Lincolnshire Local Plan required applications for extensions to existing buildings to take into account design principles and amenity considerations.
 - It was considered that the proposal was in accordance with the policy because the extension used appropriate materials and was of a scale and mass in keeping with the property.
 - Similarly the amenities of occupants of neighbouring buildings would not be unduly harmed by or as a result of development.

Members discussed the content of the report in further detail.

RESOLVED that the application be granted subject to the following conditions:

- Development to commence within 3 years.
- Development to accord with the plans.
- Samples of materials to be submitted.

This page is intentionally blank.

SUBJECT:	WORK TO TREES IN CITY COUNCIL OWNERSHIP
DIRECTORATE:	COMMUNITIES AND ENVIRONMENT
LEAD OFFICER	STEVE BIRD – ASSISTANT DIRECTOR (COMMUNITIES & STREET SCENE)

1. Purpose of Report

- 1.1 To advise Members of the reasons for proposed works to trees in City Council ownership, and to seek consent to progress the works identified.
- 1.2 This list does not represent all the work undertaken to Council trees. It is all the instances where a tree is either identified for removal, or where a tree enjoys some element of protection under planning legislation, and thus formal consent is required.

2. Background

- 2.1 In accordance with the accepted policy, Committee's views are sought in respect of proposed works to trees in City Council ownership, see Appendix A.
- 2.2 The responsibility for the management of any given tree is determined by the ownership responsibilities of the land on which it stands. Trees within this schedule are therefore on land owned by the Council, with management responsibilities distributed according to the purpose of the land.

3. Tree Assessment

- 3.1 All tree cases are brought to this committee only after careful consideration and assessment by the Council's Arboricultural Officer (together with independent advice where considered appropriate).
- 3.2 All relevant Ward Councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.3 Although the Council strives to replace any tree that has to be removed, in some instances it is not possible or desirable to replant a tree in either the exact location or of the same species. In these cases a replacement of an appropriate species is scheduled to be planted in an appropriate location within the vicinity. Tree planting is normally scheduled for the winter months following the removal.

4. Resource Implications

4.1 i) Finance

The costs of any tree works arising from this report will be borne by the existing budgets. There are no other financial implications, capital or revenue.

4.2 ii) Staffing N/A

4.3 iii) Property/Land/ Accommodation Implications N/A

4.4 iv) Procurement

All works arising from this report are undertaken by the Council's grounds maintenance contractor. The contractor was appointed after an extensive competitive tendering exercise, ensuring that staff are all suitably trained, qualified, and experienced. The contract for this work was let in April 2006.

5. Policy Implications

5.1 (i) Strategic Priority N/A

5.2 (ii) S.17 Crime and Disorder N/A

5.3 (iii) Equality and Diversity N/A

5.4 (iv) Environmental Sustainability

The Council acknowledges the importance of trees and tree planting to the environment and its biodiversity objectives. Replacement trees are routinely scheduled wherever a tree has to be removed, in-line with Council policy.

5.5 (v) Community Engagement/Communication N/A

6. Consultation and Communication

6.1 All ward Councillors are informed of proposed works on this schedule, which are within their respective ward boundaries.

6.2 The relevant portfolio holders are advised in advance in all instances where, in the judgement of officers, the matters arising within the report are likely to be sensitive or contentious.

7. Legal Implications

7.1 (i) Legal

The City Council has a legal obligation to ensure that trees in Council ownership are maintained in a safe condition. Trees may be protected by the law in certain instances. Situations where this applies are normally in relation to planning legislation covering Conservation Areas, and Tree Preservation Orders. Where there is legal protection for a tree or trees, this is identified clearly in the

appendices.

7.2 (ii) Contractual

See 4.4 above.

8. Assessment of Options

8.1 (i) Key Issues

The work identified on the attached schedule represents the Arboricultural Officers advice to the Council relevant to the specific situation identified. This is a balance of assessment pertaining to the health of the tree, its environment, and any legal or health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications. These can be outlined by the Arboricultural Officer pertinent to any specific case.

8.2 (ii) Risk Assessment

Where appropriate, the recommended actions within the schedule have been subject to a formal risk assessment. Failure to act on the recommendations of the Arboricultural Officer could leave the Council open to allegations that it has not acted responsibly in the discharge of its legal responsibilities.

9. Recommendation

9.1 That the works set out in the attached schedules be approved.

Access to Information:

Does the report contain exempt information, which would prejudice the public interest requirement if it was publicised?

No

Key Decision

No

Key Decision Reference No.

N/A

Do the Exempt Information Categories Apply

No

Call In and Urgency: Is the decision one to which Rule 15 of the Scrutiny Procedure Rules apply?

No

List of Background Papers:

Section file

Te 623

Lead Officer:

Mr S. Bird,
Assistant Director (Communities & Street Scene)
Telephone 873421

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 2 / SCHEDULE DATE: 31/01/18**

Item No	Status e.g. CAC	Specific Location	Tree Species and description / reasons for work / Ward.	Recommendation
1	N/A	Communal area adjacent to 64 Stamp End.	<u>Abbey Ward</u> 1 Semi-mature Maple and several self-set Maple saplings. Fell to prevent damage to property.	Approve and replant with a Field Maple in a suitable location.
2	N/A	Halton Close communal car parking area.	<u>Birchwood Ward</u> 1 Cherry and 3 Sorbus. Fell to facilitate the reconfiguration of car park and increase parking spaces.	Approve and replant with a 1 Cherry and 3 Rowans in a suitable location.
3	TPO N/A	Skellingthorpe Moor Plantation adjacent to the A46. Hospital Plantation, situated between the A46 bypass and Birchwood Nature Park.	<u>Birchwood Ward</u> To implement the agreed woodland management plan and associated thinning programme by the selective removal of some rhododendrons, birch, pine and oak. To encourage biodiversity, improve retained stock, increase aesthetic value, public access and decrease liabilities.	Approve.
4	N/A	West Common, Carholme Golf Course.	<u>Carholme Ward</u> 2 multiple stemmed willows, 1 suppressed oak and 1 suppressed birch adjacent to 6 th tee.	Approve and replant with 1 Birch, 1 Oak and 3 Field Maples in a suitable location.

			<p>Fell to allow increased access for drainage channel maintenance.</p> <p>2 poplars adjacent to 13th fairway. Fell to reduce root related damage to adjacent green and increase fairway width.</p>	
5	N/A	Rear garden of 17 Blankney Crescent	<p><u>Minster Ward</u> 1 Birch and 1 small self-set Sycamore Fell, to prevent damage to property.</p>	Approve and replant with a Silver Birch and a Maple in a suitable location.

This page is intentionally blank.

Application Number:	2017/1207/FUL
Site Address:	74A Winn Street, Lincoln, Lincolnshire
Target Date:	2nd January 2018
Agent Name:	LK2 Architects Ltd
Applicant Name:	Ms Alison Mitchell
Proposal:	Demolition of existing bungalow and erection of a three storey building to accommodate 7 flats.

Background - Site Location and Description

The application site is located on Winn Street, to the south of Monks Road and borders the Monks Abbey recreation ground to the west. To the east are the rear elevations of terraced houses on Spa Street and to the north is a more modern development of three houses, nos. 74B, C and D Winn Street, which face west towards the recreation ground and have a vehicular access from Winn Street along the eastern boundary of the application site.

The application site is currently occupied by a single bungalow, no. 74A Winn Street, which is vacant with windows boarded up and is in a state of disrepair. The scale and design of this contrasts with the two storey terraced housing, which characterises this part of the City. The general topography of the area is a slope from north to south, the fall in level being approximately 2m; this fall in level occurs to a similar extent on Spa Street.

The application is for the demolition of the bungalow and in its place erect a two/three storey building accommodating a total of seven apartments. An application (2006/0437/F) for a similar development was refused and later dismissed at appeal by the Planning Inspectorate. A resubmission (2007/0676/F) attempted to address the reasons for refusal and was granted by Planning Committee, with a subsequent renewal application (2010/0980/RN) also being granted. These applications have both since expired and the development being proposed under this latest application is essentially identical to the 2007 approval and 2010 renewal, with a slight revision to the internal layout, which will be detailed later within the report.

The two/three storey building, with the third storey being contained within the roofspace, is traditionally proportioned, stepping down the slope in common with the existing development in the area. Some contemporary elements of design are introduced to door and window openings. The development would be constructed with red brick and slate and a new brick and railing boundary wall would be constructed on the south and west boundaries of the site.

The application is being presented to Members of the Planning Committee as four objections have been received, one of which being a petition with 33 signatures. Comments and photographs have also been received from Cllr. Fay Smith in respect of parking and bin storage.

Site History

Reference:	Description	Status	Decision Date:
2010/0980/RN	Erection of a three storey building to accommodate 7 flats. (RENEWAL OF PREVIOUS APPLICATION 2007/0676/F).	Granted Conditionally	14th February 2011
2007/0676/F	Erection of a three storey building to accommodate 7 flats. (RESUBMISSION).	Granted Conditionally	10th January 2008
2006/0437/F	Erection of a three storey building to accommodate 7 flats.	Refused	9th March 2007

Case Officer Site Visit

Undertaken on 8th January 2018.

Policies Referred to

- Policy LP1: A Presumption in Favour of Sustainable Development
- Policy LP2: The Spatial Strategy and Settlement Hierarchy
- Policy LP13: Accessibility and Transport
- Policy LP25: The Historic Environment
- Policy LP26: Design and Amenity
- National Planning Policy Framework

Issues

- Principle of Use
- Visual Amenity
- Residential Amenity
- Parking
- Archaeology
- Drainage
- Bin Storage

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

Statutory Consultation Responses

Consultee	Comment
Monks Road Neighbourhood Initiative	Comments Received
Highways & Planning	Comments Received
Environmental Health	Comments Received
Shane Harrison	Comments Received
Lee George	No Response Received
Lincolnshire Police	Comments Received
Dave Charysz	No Response Received

Public Consultation Responses

Name	Address
Maria Davalos-Scoins	74B Winn Street Lincoln Lincolnshire LN2 5NH
Matthew Jones	74D Winn Street Lincoln LN2 5NH
Councillor Fay Smith	
Su Hui	74C Winn Street Lincoln Lincolnshire LN2 5NH

Consideration

Principle of Use

Central Lincolnshire Local Plan (CLLP) Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. Officers are therefore satisfied that, in accordance with the previous approval and renewal, the principle of the residential use in this location is acceptable.

Supporting the application would also be in accordance with CLLP Policy LP1 which states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the National

Planning Policy Framework (NPPF).

Visual Amenity

The previous 2007 approval identified that the existing bungalow on the site, built in the immediate post war period contrasts with the two storey Victorian terraced housing in the area. It has no particular merit and once demolished would provide a site area of approximately 320m²; an equivalent area on Spa Street accommodates between four and five dwellings.

The design of the new buildings takes its scale and proportions from the Victorian terraces in the vicinity, the height of the building, the pitch of the roof and the proportions of the openings are all sympathetic to the context. The site developed to the north, 74B, 74C and 74D Winn Street has been built with an asymmetric roof and stands out as a discordant feature in the local area. The design of the building which is the subject of the application, sits, in contrast, much more comfortably with its neighbours and complements the visual amenity of the area.

The site is viewed from across the recreation ground to the west and the manner in which it steps down the slope and also the manner in which it provides a sympathetic visual and physical enclosure to the recreation ground results in a development, which will visually enhance the local area.

Objections from local residents have raised concerns regarding the scale, layout and density of the development. However, officers would concur with the consideration of the previous application and note that there has been no changes either on site or within the wider area that would alter this position. It is therefore considered that the proposal would relate well to the surrounding properties in terms of its height, scale and mass, and would sympathetically complement the local architectural style, in accordance with Policy LP26. The proposal would also meet the requirements of paragraph 131 of the NPPF, which requires that developments should make a positive contribution to local character and distinctiveness.

Residential Amenity

Objections have been received from local residents raising concerns regarding overlooking, loss of privacy, overshadowing and the resulting noise and disturbance.

The previous 2007 approval identified that the development of the site for a two/three storey building is clearly going to represent a quite different physical environment for adjacent residents when compared with the bungalow which currently occupies the site. There are residents to the north of the site, located uphill, with the closest being the side gable of no. 74B Winn Street. The new building has only a gable as its north elevation within which are two small windows; one at the ground floor serving a bathroom and a secondary window to a bedroom to the second floor (this arrangement is a slight revision from the previous approval where there was a living room in this position on the second floor). This bedroom window can be conditioned to be obscure glazed to ensure that there is no overlooking towards the properties to the north. Equally, the building is sufficiently separated from the existing houses to the north, a distance of 12 metres, to ensure that there is no effect on them in terms of overshadowing or an overbearing effect.

To the east are the houses on Spa Street, which back onto the application site. There is a distance of over 18 metres between the main rear elevation of the proposal and the main rear elevation of the houses on Spa Street with the rear yards/gardens of the houses and then the access to the development and 74B, C and D Winn Street between the buildings. The houses on Spa Street have windows in their rear, west facing elevations which look over the application site and the introduction of a two/three storey building in place of the bungalow will clearly change that outlook. The application includes an elevation to the south which shows the relationship and relative heights between the proposed development and these neighbouring dwellings. The new building at its northern, uphill end will have a slightly lower eaves height than the opposite property, and would also sit slightly further away than the existing bungalow. The development follows the slope of the hill towards the south, and therefore at this end of the site the eaves of the development again sit slightly lower than the existing eaves height of the opposite property. Overall therefore, whilst it will change the outlook from the west facing windows of the houses on Spa Street it is not considered that this change is, in itself harmful. Furthermore it is also not considered that the proposal will appear overbearing or result in an unacceptable degree of overshadowing.

The windows at ground floor facing towards these properties serve either bedrooms or entrances/stairwells and any overlooking from these would be mitigated by the existing brick boundary treatment to the neighbouring gardens. At first floor there are only high level windows with only one window to the second floor, serving the stairwell, which can be conditioned to be obscure glazed.

Officers are therefore satisfied that the proposal would not result in an unacceptable degree of overlooking, loss of light or the creation of an overbearing structure. It is therefore considered that the amenities which neighbouring occupants may reasonably expect to enjoy would not be unduly harmed by or as a result of the development. The proposal would therefore be in accordance with the requirements of CLLP Policy LP26.

In terms of the amenities of future occupants the City Council's Pollution Control (PC) Officer has advised that the development would be located within a few metres of a railway line, which could have significant impact on the proposed development due to noise and vibration. It is therefore recommended that the applicant be required to undertake an appropriate assessment to establish what the existing noise and vibration levels are at the site and to identify what, if any, mitigation measures are needed to ensure future residents are not subject to unreasonable noise and vibration levels. The PC officer is satisfied that this matter can be conditioned.

Parking

The site has good access to the town centre, local facilities and also public transport. It is therefore in a location where travel can be minimised and the use of sustainable transport modes maximised, in accordance with CLLP Policy LP13.

The development does not provide any off street parking, which is characteristic with the surrounding terraced properties where residents park on the street. Cllr. Smith and local residents have raised concerns regarding the increase in parking on the currently busy streets, obstruction of access and highway safety. Cllr. Smith has also submitted photographs to show the congested parking on the streets. In response to these concerns the applicant has submitted photographs that were taken on several days in the months up

to and including September of last year, where it can be seen that there are spaces on the street for additional cars.

Notwithstanding these or the concerns raised the Lincolnshire County Council as Highway Authority has assessed the application and concluded that the proposed development is acceptable. The Authority therefore do not wish to restrict the grant of planning permission.

Archaeology

The site is adjacent to the Monks Abbey Scheduled Ancient Monument and as such may contain archaeology. Paragraph 128 of the NPPF requires that “where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’. An assessment has accordingly been requested and once received will be considered by the City Council’s Archaeologist. This assessment will inform what further investigations are be required, which can be appropriately conditioned, in accordance with the requirements of CLLP Policy LP25.

Drainage

The Monks Road Neighbourhood Initiative have raised no objection to the application but have requested that drainage be considered as they have identified an existing drainage problem. Objectors have also raised the issue of drainage and water supplies which run through and around the site.

Considering that the Lincolnshire County Council as Lead Local Flood Authority has raised no objection, and in accordance with the previous approval, officers are satisfied that the development can connect to the appropriate public networks. In addition any water supplies or private sewers which run through the site are the responsibility of the developer to deal with in conjunction with the relevant neighbours.

Bin Storage

Objectors and Cllr. Smith have raised concern regarding the bin storage arrangements for the site.

The City Council’s Community Contract Officer has also advised that the site would be better suited to communal bins within a bin storage area. Officers have passed these comments and concerns onto the applicant and requested that the bin storage is re-considered. At the time of writing this committee report officers were still awaiting this additional information and this matter will therefore be reported on the update sheet.

Lincoln Townscape Assessment

The boundaries of the Monks Abbey Character Area are formed by Monks Road to the north and Winn Street to the south. To the west the boundary is the most northerly section of Tempest Street and the rear of 1-17 Tempest Street. To the east the boundary is the western boundary of 253 Monks Road and the rear of the properties which face the Abbey ruins as far as 74a Winn Street. The area includes Tempest Street, the north side of Winn Street and the south side of Monks Road.

Monks Abbey Character Area forms a significant green space within the Monks Road neighbourhood with a variety of recreational uses. The historic ruins of Monks Abbey are a key characteristic of the area and are centrally placed and visible from all around, including from Monks Road and the railway to the south.

The recreation ground is attractive and well used. Recreational facilities for both private and public use are provided including a bowling club, children's play area and ball court.

The residential houses which face on to the recreation ground form part of the overall character. On the eastern side there are a group of semi-detached and detached houses of one to two storeys built in the Modern Period. On the western side are Edwardian two storey houses along Tempest Street which have higher levels of decoration than other terraces running south off Monks Road. The terraced houses on Monks Road also face the park and help provide a good sense of enclosure to the north.

The residential buildings to the east consist of one detached and two semi-detached bungalows and a two-storey apartment block, all of brown and red brick with pitched, pantile roofs. The bungalows are separated from the street by high walls and fencing while the apartments have no setback from the street. Pedestrian pathways give access across the site. There is little unity in terms of the buildings to the east; they represent different phases of development, uses and styles of architecture.

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

Yes, bin storage area revised and additional information submitted relating to parking and archaeology.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the re-development of the site is acceptable and the proposal can be successfully accommodated here, relating well to the surroundings, particularly in relation to siting, height, scale, massing and design. The proposal would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Matters relating to parking, archaeology, drainage and potential noise for future occupants have been appropriately considered and can be dealt with by condition where necessary. The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP13, LP25 and LP26, as well as guidance within the National Planning Policy Framework.

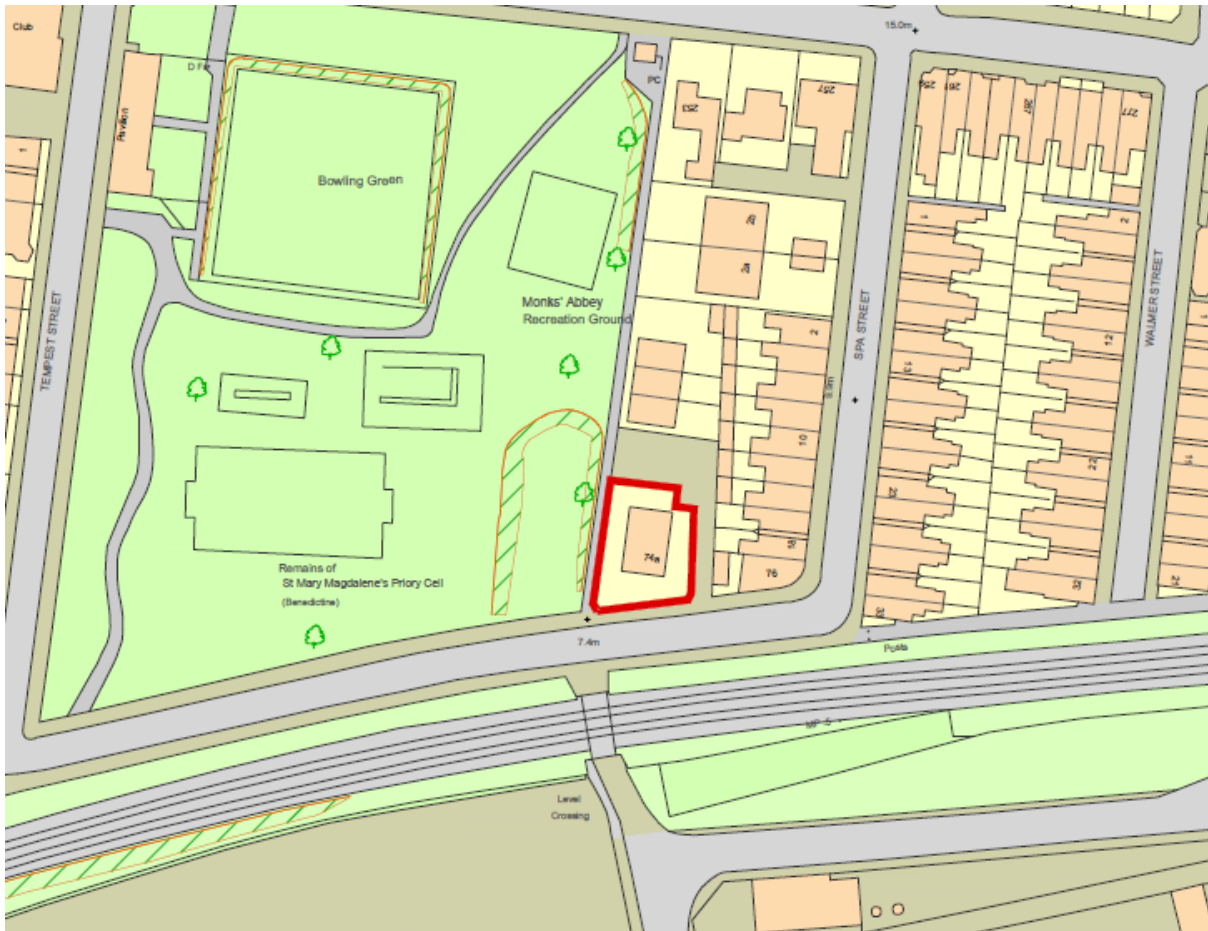
Application Determined within Target Date

Yes.

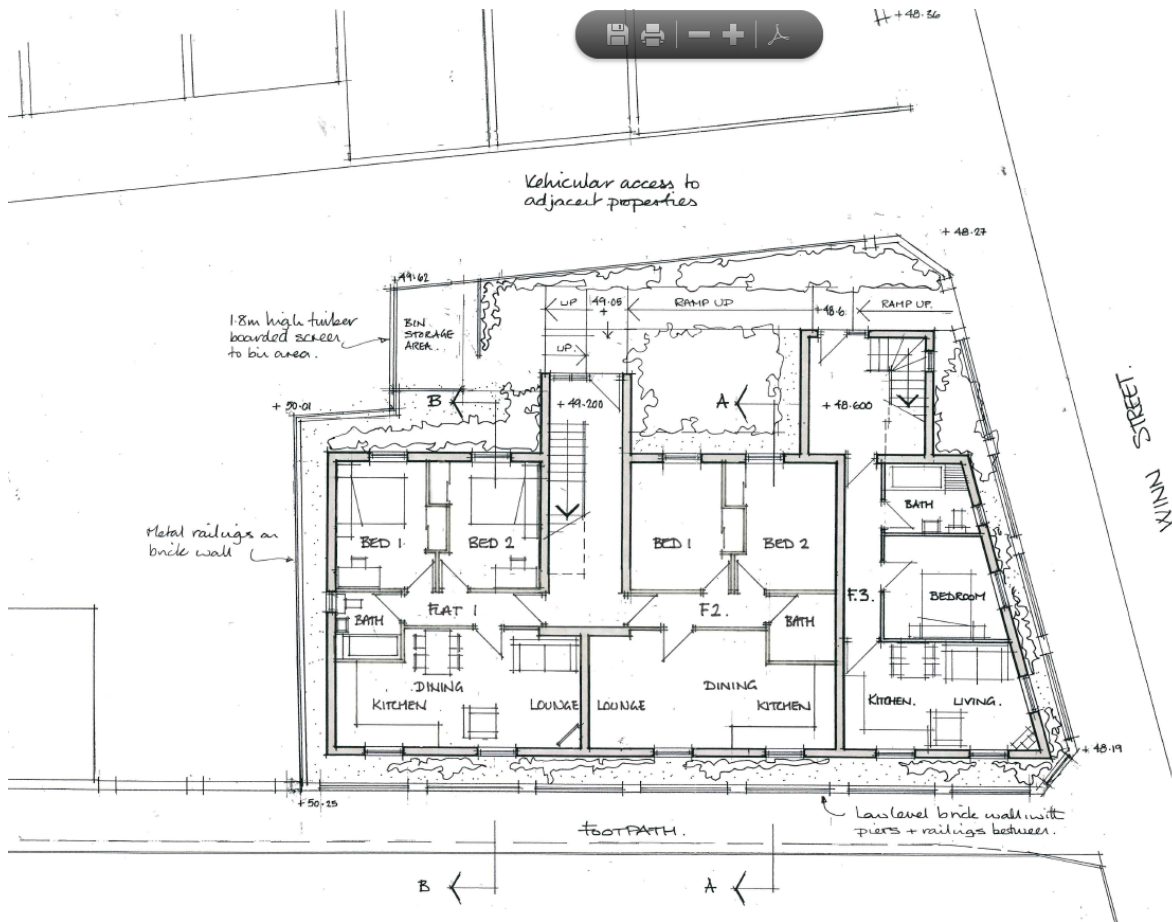
Recommendation

1. That the petition submitted be received by members of Planning Committee.
2. That the application is Granted Conditionally subject to the following conditions:
 - Time limit of the permission;
 - Development in accordance with approved plans;
 - Samples of materials;
 - Contamination;
 - Archaeology;
 - Landscaping;
 - Refuse storage areas made available prior to occupation;
 - Construction of the development (delivery times and working hours); and
 - Obscure glazing to bedroom and landing windows

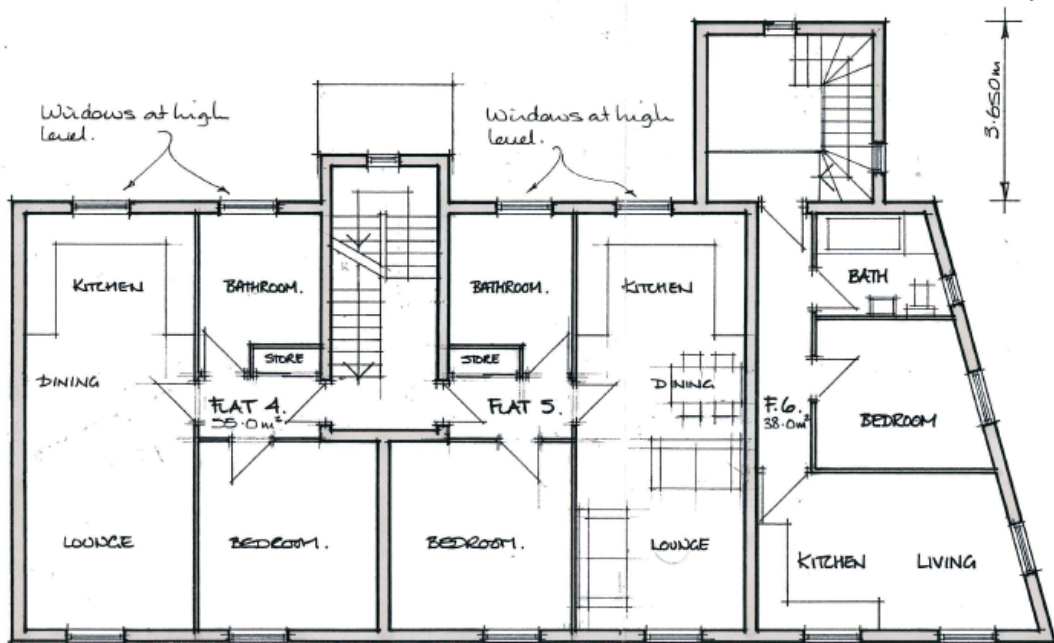
74A Winn Street- Plans and Photos



Site location plan

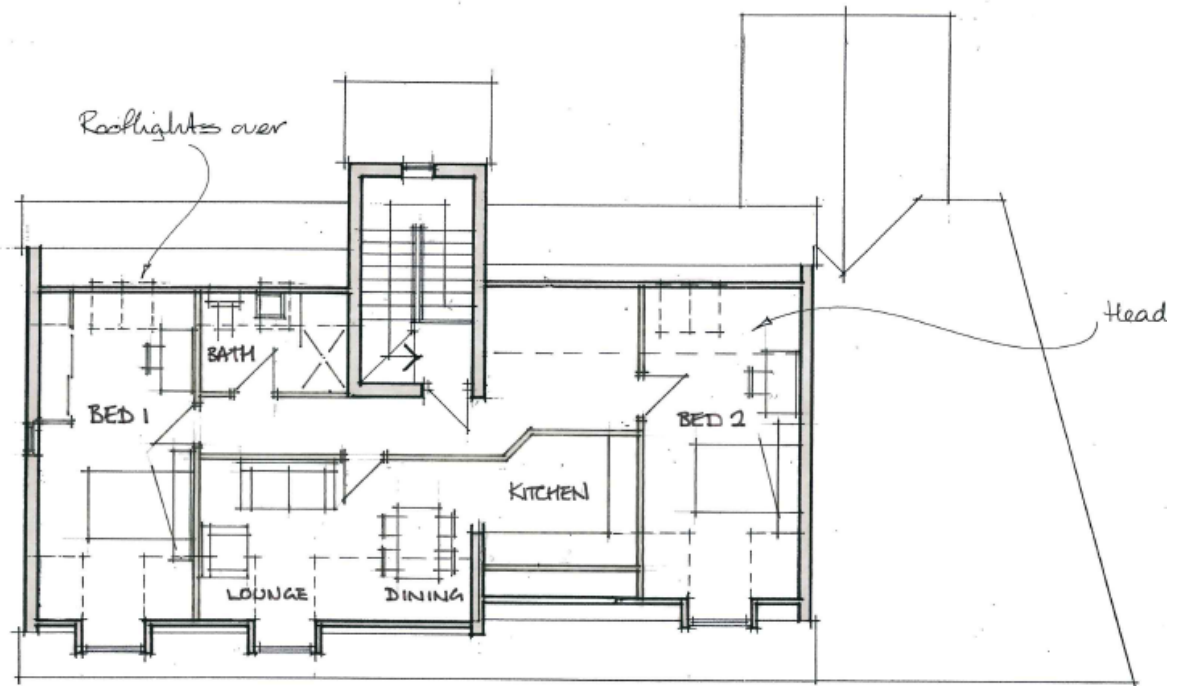


Site layout



First floor plan

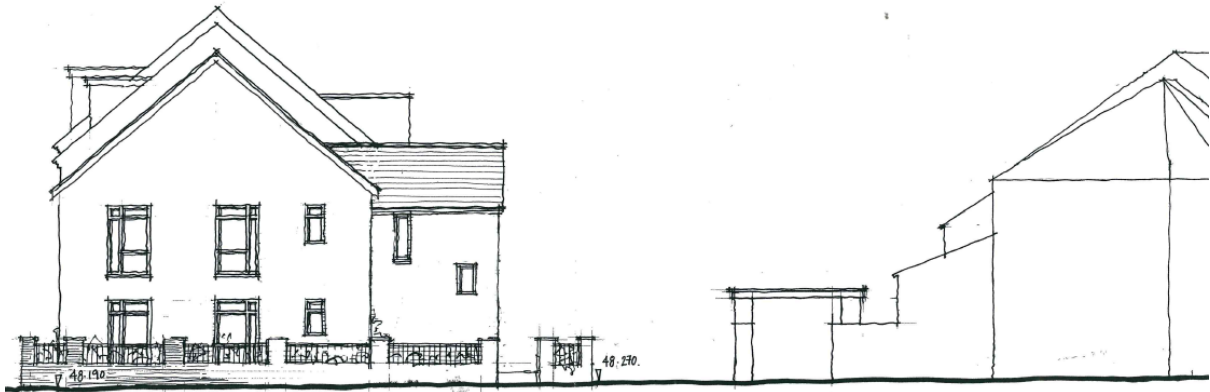
Second floor/roofspace plan



Outline of terraced houses behind.



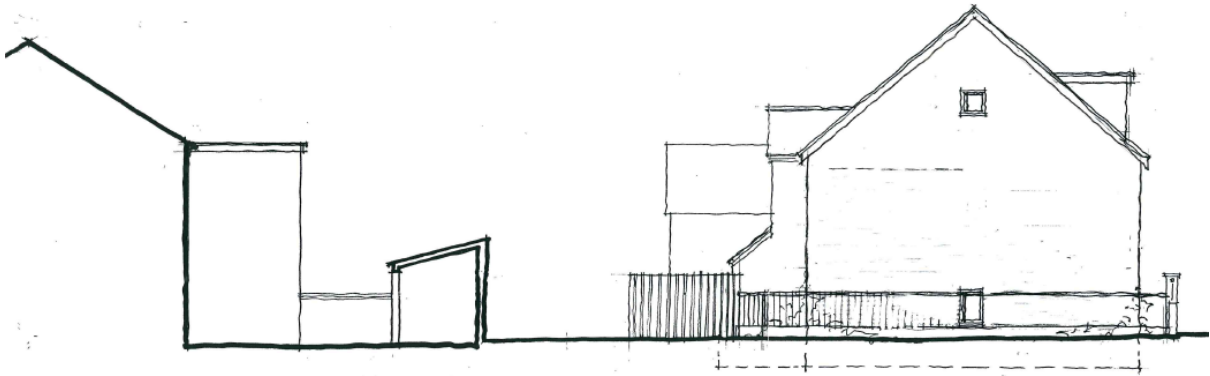
Front, west elevation to Monks Abbey Recreation Ground



Side, south elevation to Winn Street



Rear, east elevation



Side, north elevation



View from Winn Street



Rear of properties on Spa Street



Rear of site and access towards 74B, C and D Winn Street

This page is intentionally blank.

74A Winn Street- consultation responses

I have been contacted by local residents expressing concerns about this application. I believe they will be submitting their own comments but I agreed to support them by submitting the following comments myself.

I understand this development was last approved in February 2010 and this approval has now expired hence this resubmission. As there have been no changes to the actual design of the building in this resubmission I assume that it will more than likely be approved again.

However I wish to comment on some changes in relation to car parking which have occurred since this plan was last approved in 2010.

In the Design and Access statement supporting this application there are two references to car parking. Paragraph 3 states: "the area of the site will most probably restrict any possibility of providing off street parking. Alternatives will therefore need to be considered."

Paragraph 4 states: " There is no parking provided on site as there is unrestricted on street parking available on Winn St from Spa St to Tempest st.(a distance of approx 130 metres) due to the fact that there are very few houses fronting onto this section of road and it is unattractive to shoppers/commuters because of the distance from the City Centre. There are generally few cars parked there.

I would agree that this statement would have been correct in 2010 but is not so any longer. The last two years has seen a huge increase in parking along that part of Winn st on both sides of the road as it is a 'one way' part of Winn st. as a continuation on from Spa St. I have no way of knowing if these vehicles belong to local residents or commuters. I have on occasion, over many years, parked my own car in that area when carrying out my councillor duties but increasingly over the last year I have been unable to do so due to the number of vehicles parked there most days.

This development consists of 7 flats with a total of 10 bedrooms. There is no way of calculating how many of the occupiers will have vehicles. If they all do then it will create severe problems in the area.

I am also concerned about the waste disposal system that will operate from this block of flats. I hope that the developers will take the advice offered from City Council officers and adopt a communal bin storage system.

I took the attached photo today, Monday December 4th at about 2.30 as I was in the area. One of the cars parked there is mine.

Regards
Fay Smith
Councillor Fay Smith

74C Winn Street
Lincoln
LN2 5NH
02/12/2017

REF: 2017/1207/FUL
Planning for 7 flats 74A Winn Street.

Dear Sir/Madam,

I am writing to you as the owner/occupier of 74C Winn Street about my concerns for the proposed planning to build 7 Flats on the site of 74A (currently one bungalow). My objections fall under the material planning considerations of Highway safety and congestion plus noise and disturbance.

Firstly I would like to say that I do welcome some proposed development building and planning for that site as currently it is a sight for soar eyes. Also the sewers and drains at the site must be an environmental health risk as during the summer months the smell is unbearable with waste spilling all over the footpath and road. I would like to add that rumours have gone round that the replacing of the sewers and drains necessary for development to take place is going to be a shared responsibility with the owners of no's 74 B,C and D Winn Street, which I strongly disagree with as there are no problems with our drains and sewers.

My main concern and objection to the plans for the site is the overall size of the dwelling and the number of new occupants 7 flats could produce on such a small site.

At the moment I often struggle to get my car up the access drive to the private parking spaces for 74 B,C and D Winn Street. Cars often park and obstruct access at the end of the drive as the whole of Winn Street becomes congested with parked cars. So you can imagine the effect of what 7 new flats and an extra 7-14 cars could have in an already congested area. I could imagine bumps, scrapes, disputes and arguments taking place causing a Health and safety issue.

I understand that development of some kind and the sewer problem to be resolved is a must, but during the work schedule which no doubt will last for months, my neighbours and I worry that our parking access is going to be denied from us on occasions. A satisfactory solution for all parties would have to be reached.

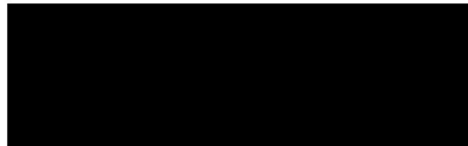
More welcoming would be a plan for a smaller building with less occupancy potential and a plan to install some kind of parking restrictions on Winn Street. I.e at the side of proposed new build at the end of the private access to 74 B,C and D Winn Street.

I strongly believe that the proposed plans for the site would cause Highway safety and congestion to a intolerant level and the noise/ disturbance concerning the access/parking issue is not acceptable with out a plan for parking restrictions to be enforced in the for said area.

I hope you find my comments useful and constructive as they are the shared views of my neighbours.

Yours sincerely

Su Hui



02.12.2017

RE: Proposed development of block of flats at 74A Winn Street

I am writing this letter to register my objections to this project.

The proposed block of flats will drastically reduce the amount of light coming into my property, as it is so large.

There will be a major problem for parking. If all flats are occupied there will be the potential for an additional 21 cars down Spa Street/Winn Street. As you will see from the photos that my neighbour has taken the current situation is terrible. Emergency vehicles and bin lorries already struggle to get down there. If there are any more vehicles the situation will become unworkable.

Another problem I have is with the rubbish that will be generated by this new development. The bin area is in such a place that would make it impossible for the bin lorry to manoeuvre into a spot that would be appropriate for refuse collection. I already have it on good authority that the bin men will not be walking up the driveway to collect the bins. Hence there will be a build of refuse creating a major health and safety issue.

I also understand from Anglian Water that in order for said development to be built the main sewer, that runs under the property, will have to be redirected. This is something that no other neighbour will agree to as that will involve digging up our car park.

In addition, the current opinion against this development can be evidenced by the amount of signatures collected in our petition.

Many thanks

Maria Davalos-scoins

Planning Objection Ref.2017/1207/FUL (74A Winn Street, Lincoln)

7th December 2017

To City of Lincoln Planning Department.

OBJECTIONS

To whom it concerns,

My name is Matthew Jones. I live at 74D Winn Street with my partner Laura and our 7 children. I have lived here for the last 20 years.

We are objecting to the recent planning proposal of 7 flats from a bungalow.

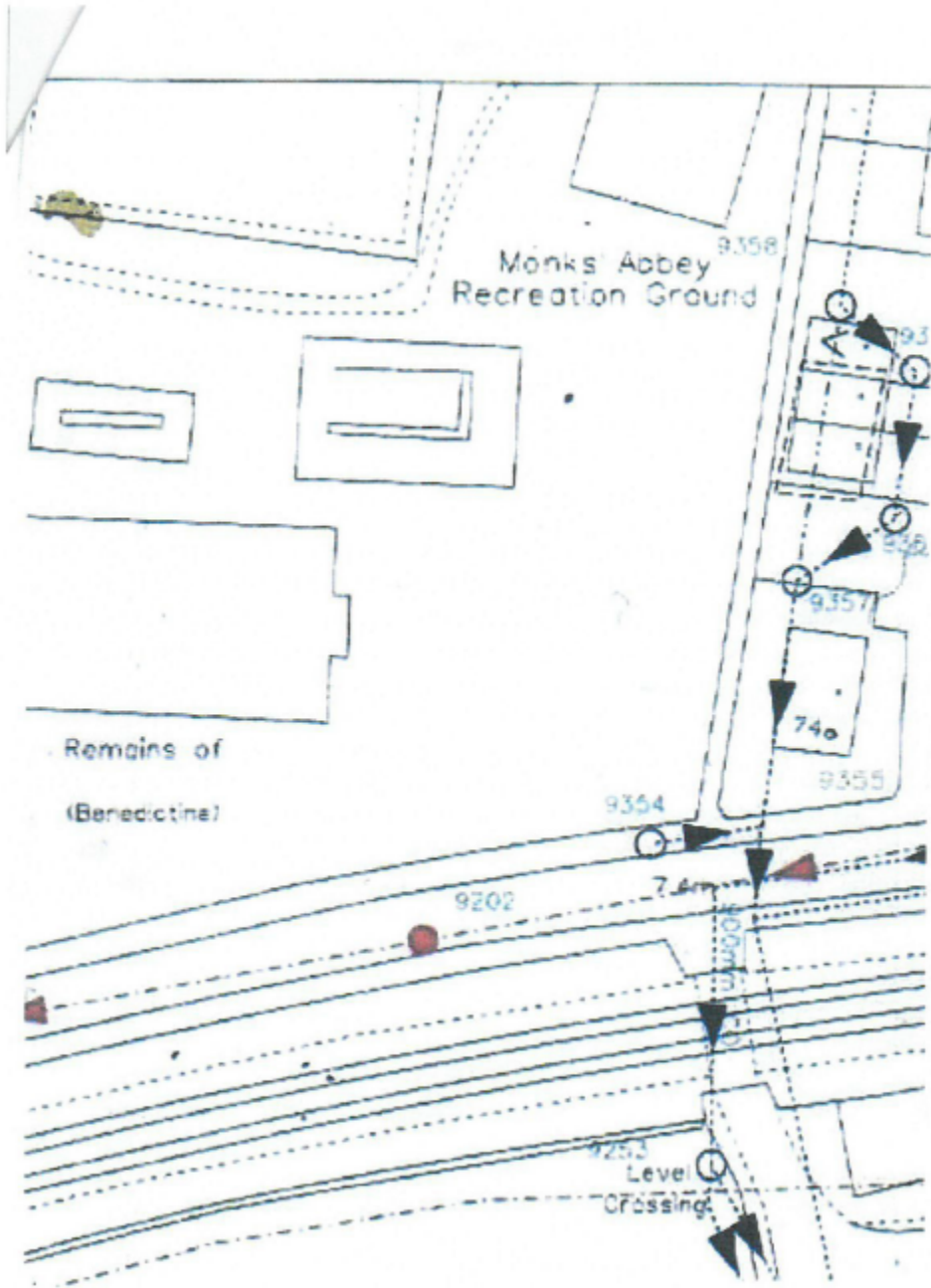
We DON'T want this planning development for the following reasons. What kind of people will want to buy the flats, we have a block of flats at the top of Winn Street, We have them now at night playing loud music and at weekends its parties, people hanging around. Is this going to follow suite so we then have similar problems at the bottom of Winn Street with another 7 flats.

With parking at present a real issue we fear that our drive will be taken advantage of and used by the flat occupiers. We don't want this happening. Please find the enclosed photos of Winn Street and Spa Street showing on how serious parking already is. We have also enclosed a petition that is from residents down Winn Street and Spa Street. I do hope that our concerns and views are heard as we feel that this is a really concerning matter to this inadequate development of seven flats, why don't you put two new starter homes there? All we can see is an indulgent developer.

Sewer diversion:

I have spoken to Anglian water and they do not know anything about this diversion. What's happening regarding sewer water diversion? At present Anglian water are responsible. 74D, 74C, 74B use our drive all times. [REDACTED] certainly do not want the inconvenience of up evil and DO NOT want my drive dug up for a sewer diversion.

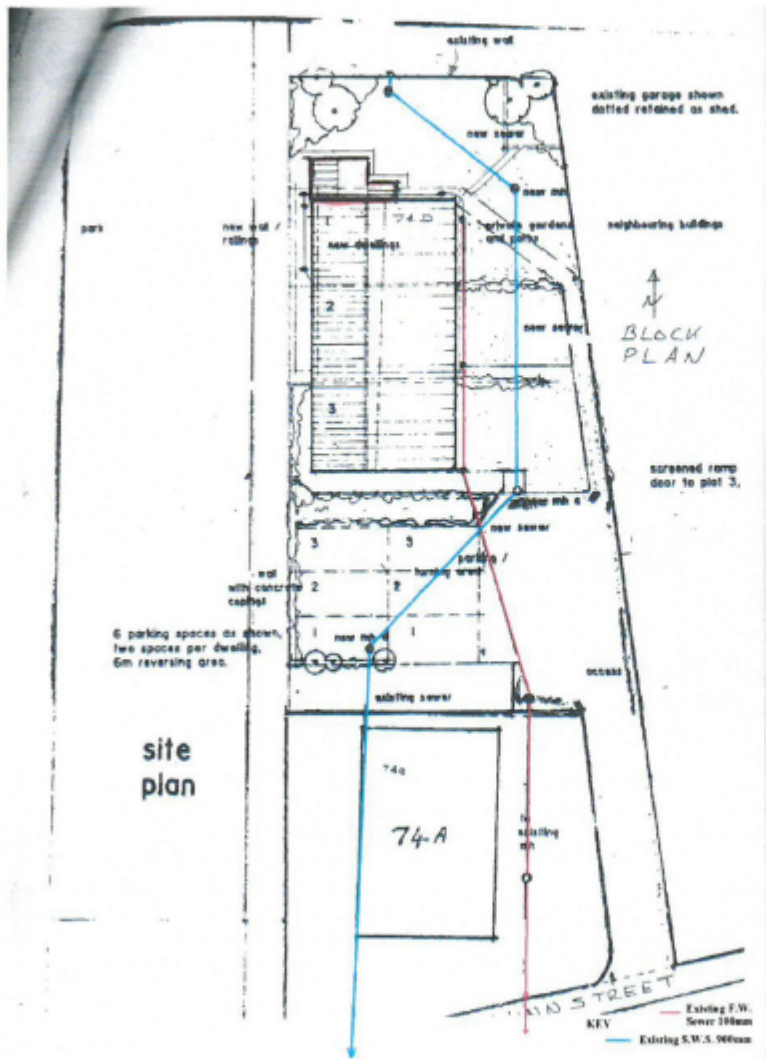
Are the Planning Committee aware that a large Surface Water Sewer passes through the Site at 74A Winn Street, directly under the existing bungalow and therefore under the proposed block of 7 flats – see Anglian Water Sewer Plan layout below: -



Anglian Water – Surface Water Main Sewers – Plan 1 of 2

section 104 this will put the responsibility from private to Anglian water hence the responsibility lies with the new flats.

I do not see any proposals for my Foul Water Sewer that runs from my house at 74D Winn Street, combining 74C, 74B and 74A and connecting to the Main sewer in Winn Street. See Plan attached: - The Foul Sewer referred to is marked in RED. The Surface Water (approx. 24inch diameter is marked in BLUE and runs from Monks Road to Winn Street carrying the water from the street gullies in Monks Road). Any diversion to the storm drain needs a 6M wide access strip to the diverted pipe – that's 3M either side of the centre line of the pipe.



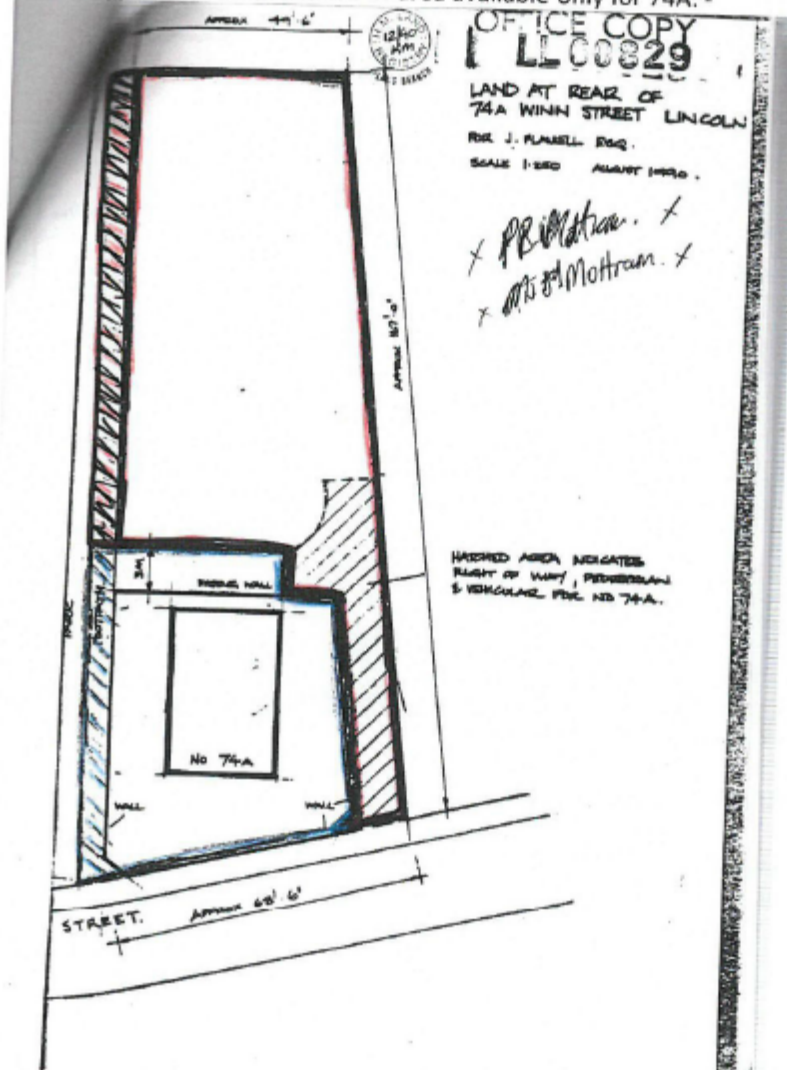
The Foul Sewer referred to is marked in RED. The Surface Water (approx. 24inch diameter is marked in BLUE and runs from Monks Road to Winn Street carrying the water from the street gullies in Monks Road)

Do you think you can use our drive? We are responsible for maintaining the drive

Waste bins

In the report they say about using a Cory 26 ton lorry to back up OUR drive to empty the skip bins. If they go down the routes of seven waste bins and seven recycle bins then that would mean an extra fourteen bins plus the two bins from 74D, the two bins from 74C and the two bins from 74B which is a total amount of 20 bins at the bottom of the Winn street which is objectionable. Where will they go? This area would be very congested if the bins were to go there.

Access to the rear of the proposed 7 flats is limited under covenants. There is no turning area for vehicles that the occupants of these properties own or indeed service vehicles. The parking areas for 74B, 74C and 74D allow for turning manoeuvres for these properties ONLY. Plan below shows area hatched of area available only for 74A: -



Access to the rear of the proposed 7 flats is limited under covenants and as plan shows area hatched

Storage

Where will machinery and plant be stored? The whole site will be taken up with this development.

Parking

There will definitely not be any parking for the flat residents on the site. The report quotes "plenty of off street parking" which is completely wrong. Winn street and Spa Street are always full 24/7. I have enclosed some photos that I have taken myself for proof.

I have 3 sets of Photographs of the existing parking problems in Winn Street. I attach 3 PDF files containing these. I show below one typical photo of the parking position below: -



Winn Street Photograph of parking

[Redacted] who use the parking area designated to me at various times on a regular basis. Access is important.



Spa Street Photograph of parking

Contamination

Has any tests even been taken? Is the land contaminated?

Demolition of 74A

As 74A is close to a park but also close to a public footpath, there is no access for vehicles on the proposed site. Has there been any risk assessments undertaken and how are you proposing to demolish the bungalow?

In addition, the bungalow at present with it being at the bottom of the hill it will have a continuous flow of water onto spa street.

The access to the flats are a concern as we are responsible of the up keeping of the drive, but with flats who's going to have responsibility and how? How will there be contribution towards the up keep, anyone can walk up our drive. This has left us with a poor and limited security.

Another concern we have is that the builders will have materials delivered because we don't want lorries on our drive as it will be damaged and will be worn away, where will the builder's materials be stored?

Has any risk assessments been carried out? questions like this are very concerning. Also, remember that the land will all be taken up by this development and there is a public foot path right next to it and a park. On the plan I have also shown my views regarding parking and the flats access which is the same view as our drive.

We have not been acknowledged regarding this development by the developers only when we saw a lady and gentlemen who commented that their plans are to tidy this area up.

The issues relevant to a planning decision are: -

1. Privacy
2. Highway Safety and congestion
3. Noise and disturbance
4. Design
5. Appearance
6. Conservation of buildings – the proposed development is adjacent to the conservation area. West of the proposal site are situated 3 No. Grade 2 listings, listed in 1953 and scheduled SAM 24, Ruins of Chancel at Monks Abbey, Ruins of Nave at Monks Abbey and Masonry Fragments 25M East of Chancel at Monks Abbey.
7. Monks Abbey is situated in a large open space comprising recreation facilities, sports facilities (which have been upgraded utilising EU grants along with renewed street lighting, pavements in an Enhanced scheme of the area. Objection on policies related to adjacent to or otherwise impacting upon designated areas – potential impact on open spaces, impact of development in environmentally sensitive areas of landscape value, Impact of development on the quality of views
8. Amenity
9. Overshadowing
10. Overlooking loss of privacy
11. Inadequate parking and servicing
12. Overbearing nature of proposal
13. Layout and density of the building
14. Effect on listed buildings and conservation area – Monks abbey
15. Traffic congestion and parking
16. Access or highway safety
17. Noise and disturbance from the scheme disturbance from smells
18. Public visual amenity
19. Contamination – a report from the environmental section refers the land is potentially contaminated and therefore an assessment and means of disposal is required. Noted in planning application form submitted by the applicants that the proposal site is not contaminated.
20. Services – Foul Water Sewers and Surface Water Sewers
21. Surface water disposal and existing surface water storm drain
22. Foul Water sewers – maintaining existing drains from 74B, 74C and 74D Winn Street

I and my partner oppose the proposed development.

Kind Regards

Matthew Jones and Laura Baker

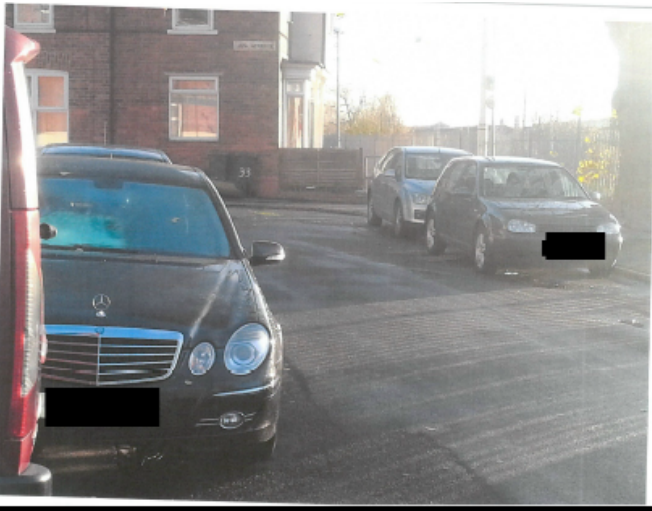
74D Winn Street

Lincoln

LN2 5NH

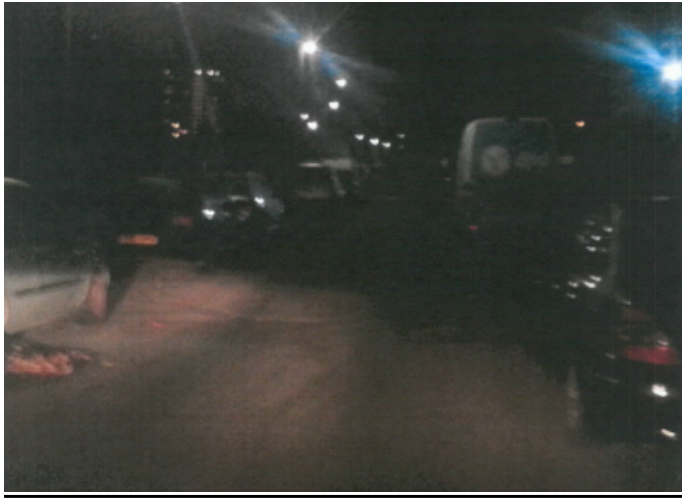
Enc's - 3 Attachment PDF's of Parking in Winn Street and Spa Street



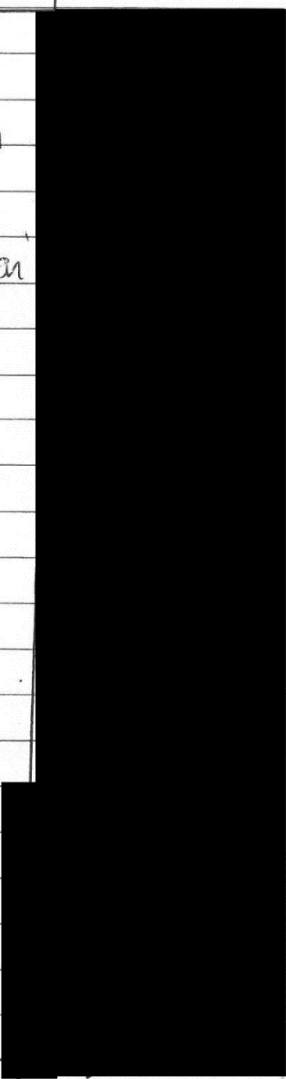









PETITION TO OBJECT DEMOLITION OF
EXISTING BUNGALOW OF 74A WINN STREET
AND ERECT A THREE STOREY BUILDING
TO ACCOMMODATE 7 FLATS

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
MATTHEW JONES	74D WINN STREET, LINCOLN	
LAURA BAKER	74D WINN STREET Lincoln	
Leah Baker	74D Winn Street, Lincoln	
MARIA DASVARGOS-SCOVES	74B Winn street, Lincoln	
J. Robey	11 Spa Street Lincoln	
J Kelly	6 Spa Street Lincoln	
ZITO	2 SPA STREET	
n jayson	2B spa street LINCOLN	
MARIUS BOLVINGS	13 SPA STREET	
Kate Marga	13 SPA STREET	
AIVARAS SUMELIS	259 Monks road	
MULIU MITHA	17 SPA STREET	
Aprilia	17 SPA STREET	
DAN FAY	10 SPA STREET	
Jul Wilson	25 spa street	
Kanna Panka-Lipaton	76 Winn street	
Andrew Lipaton	76 Winn Street	
MR P.J. PLUBBY	15 TEMPEST ST	
Adriana Villa	7 Tempest street.	
Robert Ross	15 Ladbroke Street	
Jordan Goode	6 Tempest Street	
Miroslaw Pollocki	4A Tempest Street	
GORDON GILLIS	31 Tempest St Lincoln	

PAGE ONE

PETITION TO OBJECT DEMOLITION OF
EXISTING BUNGALOW OF 74A WINN STREET
AND ERECT A THREE STOREY BUILDING
TO ACCOMMODATE 7 FLATS

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
MATTHEW JONES	74D WINN STREET, LINCOLN	
LAURA BAKER	74D WINN STREET Lincoln	
Leah Baker	74D Winn Street, Lincoln	
MARIA DASVARGOS-SCOVES	74B Winn street, Lincoln	
J. Robey	11 Spa Street Lincoln	
J Kelly	6 Spa Street Lincoln	
ZITO	2 SPA STREET	
n jayson	2B spa street LINCOLN	
MARIUS BOLVINGS	13 SPA STREET	
Kate Marga	13 SPA STREET	
AIVARAS SUMELIS	259 Monks road	
MULIU MICHAI	17 SPA STREET	
Agucate	17 SPA STREET	
DAN FAY	10 SPA STREET	
Jul Wilson	25 spa street	
Kanna Panka-Lipaton	76 Winn street	
Andrew Lipaton	76 Winn Street	
MR P.J. PLUBBY	15 TEMPEST ST	
Adriana Villa	7 Tempest street.	
Robert Ross	15 Ladbroke Street	
Jordan Goode	6 Tempest Street	
Miroslaw Pollocki	4A Tempest Street	
GORDON GILLIS	31 Tempest St Lincoln	

PAGE ONE

Environment & Economy
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: Highwayssudssupport@lincolnshire.gov.uk



To: Lincoln City Council

Application Ref: 2017/1207/FUL

With reference to this application dated 6 November 2017, relating to the following proposed development:

Address or location

74 Winn Street, Lincoln, Lincolnshire, LN2 5NH

Date application referred by the LPA
15 November 2017

Type of application: Outline/Full/RM/
Full Planning Application

Description of development

Demolition of existing bungalow and erection of a three storey building to accommodate 7 flats

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS - Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Case Officer: *Sarah Heslam*

Date: 8th December 2017

for Warren Peppard
County Manager for Development



LINCOLNSHIRE POLICE

Your Ref: App. 2017/1207/FUL

24th April 2017

Our Ref: PG//

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Re: 74A Winn Street, Lincoln, Lincolnshire, LN2 5NH (7 Apartments)

Thank you for your correspondence and opportunity to comment on the proposed development.

Lincolnshire Police has no formal objections to the planning application in principle but would recommend that the attached recommendations are implemented.

External Doors and Windows

Building Regulations (October 1st 2015) provides that for the first time all new homes will be included within Approved Document Q: Security – Dwellings (ADQ).

Approved document Q applies to all new dwellings including those resulting from change of use, such as commercial premises, warehouse and barns undergoing conversions into dwellings. It also applies within Conservation Areas.

This will include doors at the entrance to dwellings, including all doors to flats or apartments, communal doors to multi-occupancy developments and garage doors where there is a direct access to the premises. **Where bespoke timber doors are proposed, there is a technical specification in Appendix B of the document that must be met.**

Windows: in respect of ground floor, basement and other easily accessible locations.

The secured by design requirement for all dwelling external doors is PAS 24:2016 (doors of an enhanced Security) or WCL 1 (WCL 1 is the reference number for PAS 23/24 and is published by Warrington Certification Laboratories).

All ground floor windows and doors and those that are easily accessible from the ground must conform to improved security standard PAS24:2016. **Window retainers should be provided on all windows that are accessible.**

Access Control should be installed to ensure the security and safety of residents. An air lock style (double access point) communal entrance (help prevent unauthorised follow through access) that allows an access control system, with an electronic door release, and visitor door entry system that provides colour images, and clear audio communications linked to each individual unit. This can be built internally to the main communal entrance.

Under no circumstances should a trade person release button or similar uncontrolled access method be used.

Individual Flat or Unit Doors.

Flat entrance door-sets should meet the same physical requirements as the 'main front door' i.e. PAS24:2016. The locking hardware should be operable from both sides of an unlocked door without the use of the key (utilising a roller latch or latch operable from both sides of the door-set by a handle). If the door-set is certified to either PAS24:2016 or STS 201 Issue 4:2012 then it must be classified as DKT.

Communal Areas & Mail Delivery

Where communal mail delivery facilities are proposed and are to be encouraged with other security and safety measures to reduce the need for access to the premises communal letter boxes should comply to the following criteria.

- Located at the main entrance within an internal area or lobby (vestibule) covered by CCTV or located within an 'airlock style' entrance hall.
- Be of a robust construction (Federation Technical Specification 009 (TS009))
- Have anti-fishing properties where advised and appropriate.
- Installed to the manufacturers specifications.
- Through wall mail delivery can be a suitable and secure method.

Lighting

Lighting should be designed to cover the external doors and be controlled by *photoelectric cell* (dusk to dawn) with a manual override. The use of low consumption lamps with an efficacy of greater than 40 lumens per circuit watt is required; it is recommended that they be positioned to prevent possible attack.

Bin Storage

Internal communal bin and bicycle stores within blocks of flats must have no windows and be fitted with a secure door set that meets the same physical specification as 'front door' and specifically Section 2, paragraphs 21.1 to 21.6 and 21.8 to 21.13.

This will ensure that such stores are only accessible to residents. The locking system must be operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. A bicycle store must also be provided with stands with secure anchor points or secure cycle stands.

External bins stores and home composting containers (supplied to meet 'Code for Sustainable Homes' 'Was 3') should be sited in such a way that they cannot be used as a climbing aid to commit crime.

Utilities

In order to reduce the opportunities for theft by 'bogus officials' the utility meters should, where possible, be located to the outside of the dwelling at a point where they can be overlooked. This will negate the need for an official to enter the building in order to read a meter, which will in turn reduce the opportunity for distraction burglary. Where possible utility meters in multi occupancy developments should be located on the ground floor between access controlled doors (air lock system) so that access can be restricted to the meters

Note 33.1: Where a utility provider refuses to provide external meters, and there is an obvious (historic) risk of distraction burglary within the location, the developer should consider an alternative supplier.

Please do not hesitate to contact me should you need further information or clarification. Please refer to *New Homes 2016* which can be located on www.securedbydesign.com Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE Dip Bus.
Force Crime Prevention Design Advisor

From Derek Gallop. (for Monks Road Neighbourhood Initiative)

Whilst our group raises no objection to this proposed development, we would urge you to consider the following before making a decision.

1. Notifying neighbours in the immediate area and in Spar Street.
2. Ensuring that conditions include works to alleviate the draining problems which have , seemingly, existed for many years.

Regards
Derek Gallop (on behalf of M.R.N.I.

Application Number:	2017/1220/RG3
Site Address:	The Lawn, Union Road, Lincoln
Target Date:	27th January 2018
Agent Name:	None
Applicant Name:	Mr Simon Lawson
Proposal:	Installation of sculpture, comprising 5.5m high carved oak pole with quarry stone base

Background - Site Location and Description

The application is for the installation of a sculpture at the Lawn, Union Road. The proposal will be sited within the grassed area to the rear of the buildings, to the south of the car park. The site is located within the Carline Road No. 8 Conservation Area. The Lawn building is grade II* listed.

The sculpture comprises a 5.5m high carved oak pole supported by a 1.5m circular stone base, measuring 5.85m high in total. It was commissioned as part of the Charter of the Forest celebration, by the Woodland Trust and other organisations, marking the Charter for Trees, Woods and People. Lincoln has been nominated to receive the Champion Pole (the sculpture) which is currently being displayed within the grounds of Lincoln Castle and is intended to be moved to its permanent location at The Lawn in March or April this year.

The application is being presented to Members of the Planning Committee as the City Council is the applicant.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 16th January 2018.

Policies Referred to

- Policy LP7: A Sustainable Visitor Economy
- Policy LP25: The Historic Environment
- Policy LP26: Design and Amenity
- National Planning Policy Framework

Issues

- Visual Amenity
- Character of the Conservation Area

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Environmental Health	Comments Received
West End Residents Association	No Response Received
Principal Conservation Officer	No Response Received

Public Consultation Responses

No responses received.

Consideration

Visual Amenity and the Character of the Conservation Area

The principle of siting a sculpture in this location is considered to be acceptable, particularly as it would support the promotion of an event benefiting the visitor economy, in accordance with Central Lincolnshire Local Plan (CLLP) Policy LP7.

Officers have no objection to the scale, design or materials of the sculpture and it is considered that its location within the green space, an area bounded by trees, would be appropriate. It is therefore considered that the proposal would relate well to the site and surroundings and respect the existing landscape, as required by CLLP Policy LP26.

The Council's Principal Conservation Officer has advised that there is no objection to the proposal in terms of the effect on the adjacent Grade II* listed building and it is considered that the character and appearance of the conservation area would be preserved, in accordance with CLLP Policy LP25.

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

No.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The sculpture would support the promotion of an event, benefiting the visitor economy, and would be in an appropriate location, relating well to the site and surroundings. The proposal would also preserve the character of the Carline Road Conservation Area, in accordance with the requirements of Central Lincolnshire Local Plan Policies LP7, LP25 and LP26 and guidance within the National Planning Policy Framework.

Application Determined within Target Date

Yes.

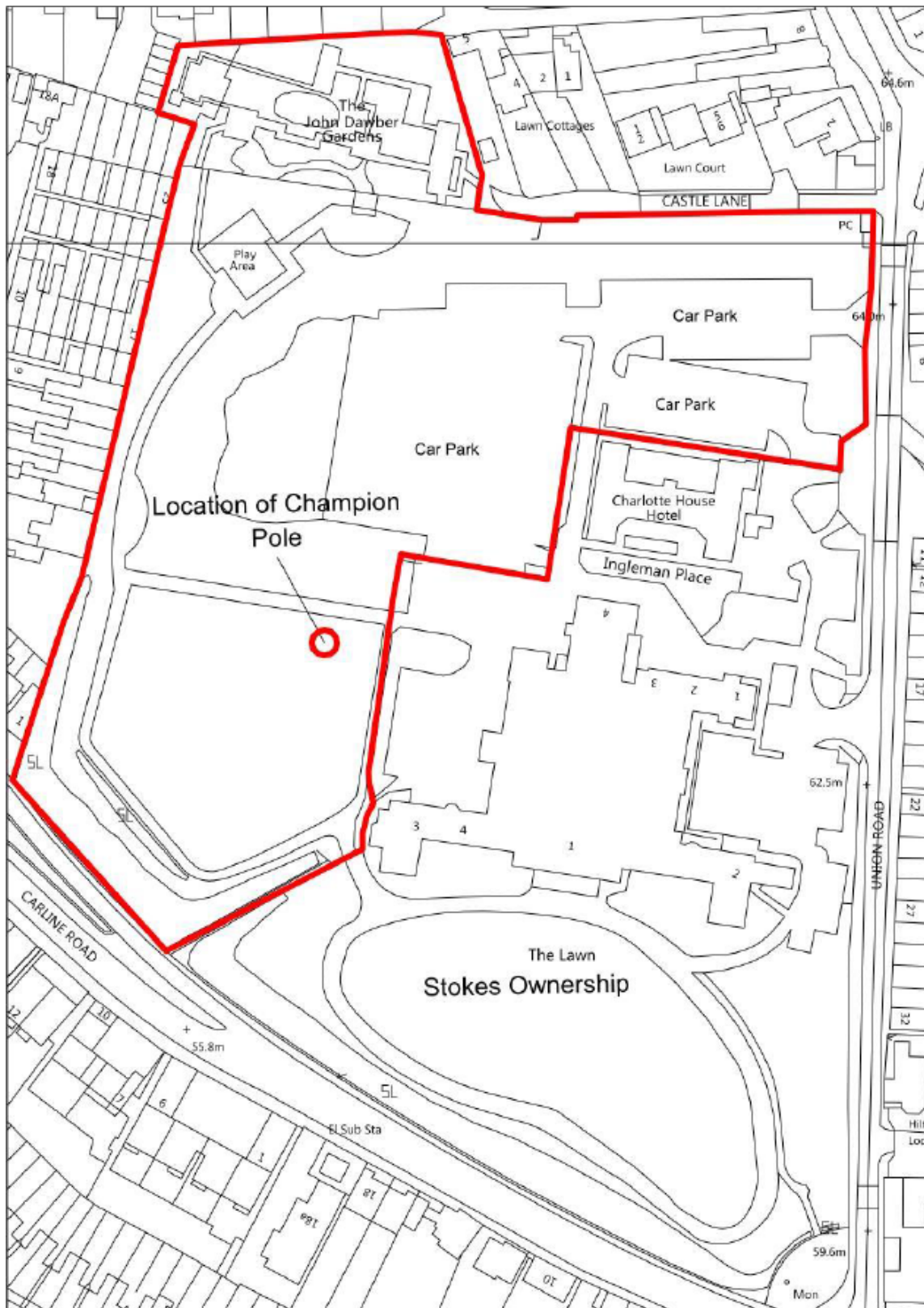
Recommendation

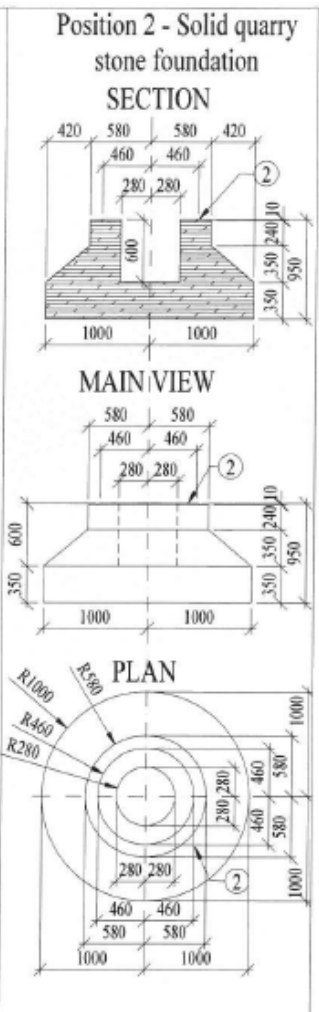
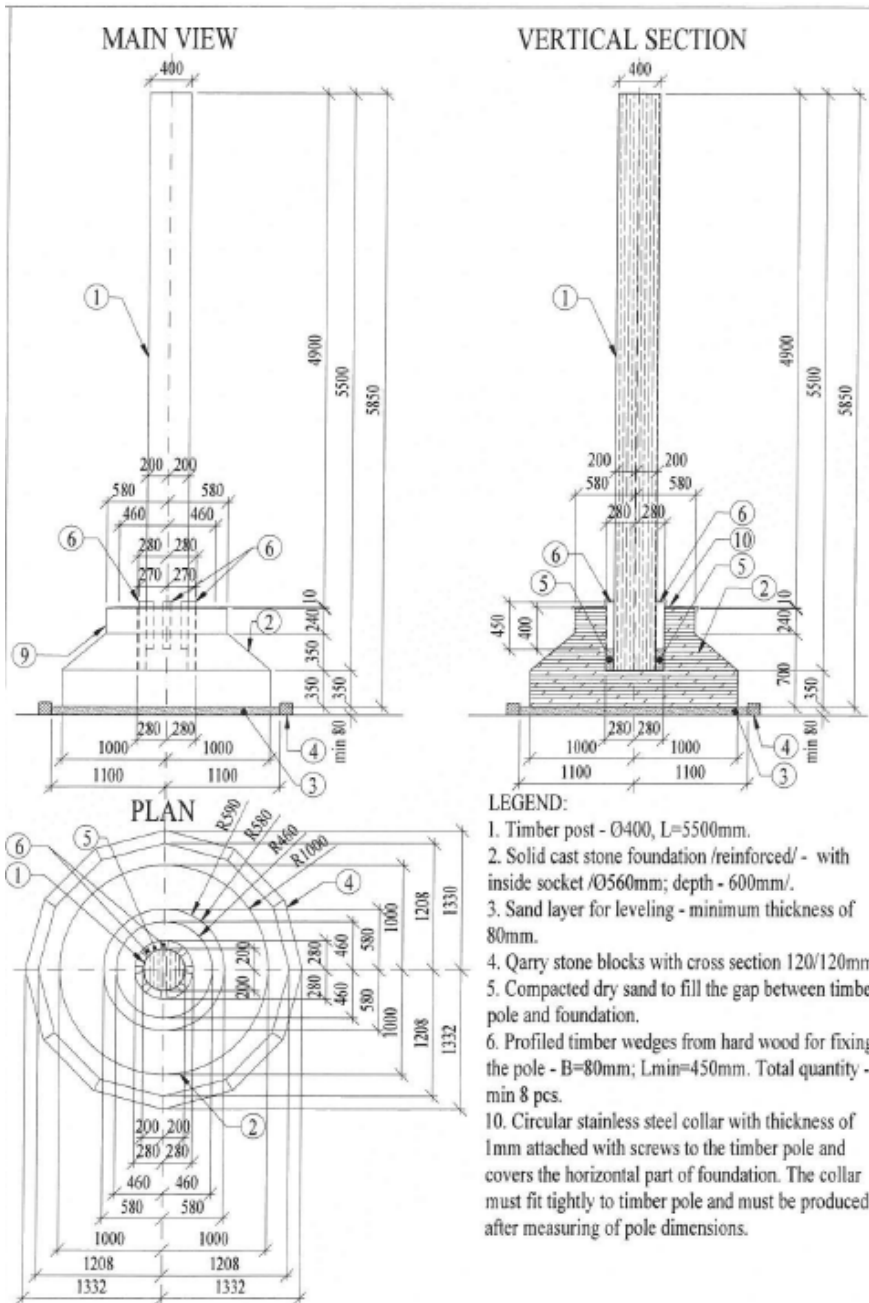
That the application is Granted Conditionally subject to the following conditions:

- Time limit of the permission; and
- Development in accordance with approved plans.

This page is intentionally blank.

The Lawn- Plans, Photos and Consultation Responses









Environment & Economy
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail:Highwayssudssupport@lincolnshire.gov.uk



To: Lincoln City Council

Application Ref: 2017/1220/RG3

With reference to this application dated 1 December 2017 relating to the following proposed development:

Address or location

The Lawn, Union Road, Lincoln, Lincolnshire

Date application referred by the LPA
13 December 2017

Type of application: Outline/Full/RM/
FUL

Description of development

Installation of sculpture, comprising 5.5m high carved oak pole with quarry stone base

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable. Accordingly, Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) does not wish to object to this planning application.

Case Officer:
Sarah Heslam
for Warren Peppard
County Manager for Development

Date: 29 December 2017

This page is intentionally blank.