

PLANNING COMMITTEE

Wednesday, 18 July 2018

5.30 pm

Committee Rooms 1-2, City Hall

- Membership: Councillors Jim Hanrahan (Chair), Naomi Tweddle (Vice-Chair), Biff Bean, Bill Bilton, Alan Briggs, Kathleen Brothwell, Chris Burke, Bob Bushell, Gary Hewson, Ronald Hills and Edmund Strengiel
- Substitute members: Councillors Jackie Kirk and Neil Murray
- Officers attending: Mick Albans, Emma Brownless, Simon Cousins, Democratic Services, Kieron Manning and Becky Scott
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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.

AGENDA

SECTION A	Page(s)
1. Confirmation of Minutes - 20 June 2018	5 - 26
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	27 - 32

4. Applications for Development

- | | |
|---|----------------|
| (a) 30 Portland Street, Lincoln | 33 - 40 |
| (b) Yarborough Leisure Centre, Riseholme Road, Lincoln | 41 - 66 |
| (c) Birchwood Leisure Centre, Birchwood Avenue, Lincoln | 67 - 78 |

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 Bob Bushell (*in the Chair*),
Councillor Biff Bean, Councillor Alan Briggs, Councillor
Kathleen Brothwell, Councillor Chris Burke, Councillor
Gary Hewson, Councillor Ronald Hills, Councillor
Lucinda Preston and Councillor Edmund Strengiel

Apologies for Absence: Councillor Jim Hanrahan, Councillor Naomi Tweddle and
Councillor Bill Bilton

14. Appointment of Chair

RESOLVED that in the absence of the Chair and Vice Chair, Councillor Bushell be appointed as Chair for the duration of tonight's meeting.

Councillor Bushell took his seat as the Chair.

15. Confirmation of Minutes - 23 May 2018

RESOLVED that the minutes of the meeting held on 23 May 2018 be confirmed.

16. Declarations of Interest

Councillor Edmund Strengiel declared a Personal Interest with regard to the agenda item titled 'Application for Development: Land at Westbrooke Road, Lincoln. (Phase 4)'.

Reason: He had met a member of staff from Chestnut Homes present in tonight's audience at another meeting in relation to a totally different matter. This staff member was not speaking at Planning Committee this evening.

Councillor Gary Hewson declared a Personal Interest with regard to the agenda item titled 'Application for Development: 129 Yarborough Road, Lincoln.'

Reason: He knew one of the objectors to the planning application, but not as a close associate.

Councillor Lucinda Preston declared a Personal Interest with regard to the agenda item titled 'Application for Development: 129 Yarborough Road, Lincoln.'

Reason: She knew one of the objectors to the planning application, but not as a close acquaintance.

17. Change to Order of Business

RESOLVED that the order of business be amended to allow the following reports to be considered before the remaining agenda items.

- Land Adjacent to A46 Ring Road and North of Queen Elizabeth Road, Lincoln.
- 35 Newark Road, Lincoln.
- 61 St Catherines, Lincoln.

18. **Application for Development: Land Adjacent to A46 Ring Road and North of Queen Elizabeth Road , Lincoln**

The Planning Manager:

- a. advised that planning permission was sought for:
 - The erection of 325 dwellinghouses, including 8 flats, facilitated by the demolition of existing flats known as Garfield View and Woodburn View.
 - Associated infrastructure and external works including new footpath link to Clarendon Gardens, the provision of new parking bays to Garfield Close and Woodburn Close and hard and soft landscaping and children's play area (*revised plans*).
- b. advised that the planning application brought together two parcels of land in separate ownership as detailed within associated plans shown in the officers report
- c. described the location of the site situated within Ermine West to the north of the city, adjoining development to the south within the residential streets which ran perpendicular to Queen Elizabeth Road and between the main north-south routes of Burton Road and Riseholme Road
- d. stated that the site shown as being allocated for housing in the Central Lincolnshire Local Plan
- e. reported that as outlined in the Lincoln Townscape Assessment, “the majority of the current townscape of the Ermine West Character Area dated from the building of the Ermine West Estate by the City of Lincoln Council in the Post-War Period [1946-1966 AD]”
- f. 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 LP3: Level and Distribution of Growth
 - Policy LP9: Health and Wellbeing
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP11: Affordable Housing
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land affected by Contamination
 - Policy LP17: Landscape, Townscape and Views
 - Policy LP18: Climate Change and Low Carbon Living
 - Policy LP20: Green Infrastructure Network
 - Policy LP21: Biodiversity and Geodiversity
 - Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
 - Policy LP26: Design and Amenity
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP49: Residential Allocations - Lincoln
 - National Planning Policy Framework

- g. outlined the responses made to the consultation exercise
- h. referred to the update sheet which contained revised site layout plans, together with a response received from the Highways Authority
- i. advised members of the main issues to be considered as part of the application as follows:
 - The Principle of the Development;
 - Provision of Affordable Housing and Contributions to Services;
 - The Design of the Proposals and their Visual Impact;
 - Implications of the Proposals upon Amenity;
 - Sustainable Access, Highway Safety and Air Quality;
 - Other Matters; and
 - Planning Balance.
- j. concluded that:
 - The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with any of the three strands of sustainability that would apply to development as set out in the planning balance.
 - There would not be harm caused by approving the development so it was considered that the application should benefit from planning permission for the reasons identified in the report and subject to the planning conditions outlined below.

Michael Foster, local resident, addressed Planning Committee in opposition to the proposed development, covering the following main points:

- He lived at 35 Garfield Close.
- The proposals would impact on his property.
- His property shared a boundary with Garfield View which was to be demolished.
- He had submitted a planning application in relation to adjacent land to Garfield View which had been acknowledged and accepted by the Planning Department.
- He discussed his concerns at a meeting at Sudbrooke Community Centre on 18 September 2017.
- He was asked whether he was for or against the planning application by council staff.
- He was not for or against the proposals.
- He had not received any consultation documents in accordance with planning regulations.

Members sought clarification as to whether Mr Foster had been consulted regarding the planning application before us this evening.

Kieron Manning, Planning Manager confirmed that a full consultation process had been conducted in accordance with planning regulations including the positioning of site notices.

Members discussed the content of the report in further detail, raising the following main points:

- Widening of the cul-de-sac or a new entrance in/out of the development would be required.
- Whether the development would cause sufficient impact on traffic to warrant refusal or whether it wouldn't was a matter of perception.
- Members were being asked to agree to a development with more than normally acceptable noise levels to avoid re-drawing of the scheme.
- Concerns were raised regarding pollution levels with the proposed development being close to the by-pass.
- The County Council was seeking funding to monitor a travel plan, which members had not had sight of in order to make a judgement regarding its content.
- There was only one objection received from Garfield Close regarding the flats to be demolished.
- Concerns were raised regarding traffic flow, parking, and access for emergency vehicles.
- There was a lack of cycle routes
- Poor bus services.

The Planning Team Leader offered the following points of clarification to members in response to queries raised:

- Revised drawings had been requested to facilitate cul-de-sac widening to service the development.
- A Noise Impact Assessment conducted by the Pollution Control Officer had concluded that internal noise levels to the worst affected homes were approximately 5 decibels above that recommended by him. Planning officers were of the opinion that this could be dealt with by further mitigation measures to the properties concerned.
- There was a solid barrier of buildings at the northern edge of the development.
- British standard noise levels were a guide to recommended ideals only. The noise levels in relation to this scheme must be balanced against the benefits of this critical number of new houses allocated as residential development in the Local Plan. It was the remit of members to determine whether they agreed with this balance.
- A Travel Plan could only be afforded limited weight as it would be difficult to enforce and reliant on the good will of any applicant. It would not be possible to get every resident sign up to the Travel Plan.
- Connectivity to and from the development would be 'car born' bearing in mind its location and the type of homes being built here. The Highways Authority had given its opinion that there would not be a severe impact on safety. It was accepted that there would be impact on traffic, however, not so harmful as to warrant refusal of planning permission.
- In respect of air pollution, the city had achieved great strides in achieving improvements to air quality in the worst areas. The Pollution Control Officer had not raised any grave concerns and was satisfied pollution levels in the area were acceptable. Cars on the A46 were passing through an open space which resulted in less impact on pollution levels compared to urban areas.

RESOLVED that planning permission be delegated to the Planning Manager to

grant planning permission subject to the satisfactory signing of S106 agreements to secure financial contributions in relation to affordable housing, development of primary education, playing fields/play space and health provision, receipt of revised drawings for cul-de-sac widening and subject to the following conditions:

- Timeframe of Permission (3 Years);
- Approved Plans;
- Schemes to provide Affordable Housing and deal with Impact upon NHS Services and Playing Fields/Play Space;
- Materials of Construction (including surfacing);
- Scheme of Landscaping and Boundary Treatments;
- Scheme of Foul Drainage;
- Contaminated Land Remediation;
- Controls over Scheme for Site Surface Water Drainage;
- Highway Access and Parking;
- Revised Travel Plan before Implementation of the Development (if not amended);
- Strategy for Site Lighting;
- Finished Site Levels;
- Scheme of Noise Mitigation;
- Scheme for Ecological Enhancement and Mitigation including tree protection;
- Scheme for Electric Vehicle Recharging Points
- Hours of Construction Working and Deliveries; and Construction Management

19. Application for Development: 35 Newark Road, Lincoln

The Planning Team Leader:

- a. advised that the application proposed the conversion of an existing dwellinghouse into a ground floor flat and first/second floor maisonette (part retrospective) at 35 Newark Road, Lincoln a three storey mid-terrace property
- b. reported that the application property had been occupied as two flats for at least 7 years without the benefit of planning approval, this application sought to regularise this use with changes to the existing floor plans
- c. provided details of the policies pertaining to the application as follows:
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP26: Design and Amenity
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings within Lincoln 86
 - National Planning Policy Framework
- d. outlined the responses made to the consultation exercise
- e. advised members of the main issues to be considered as part of the application as follows
 - National and local planning policy

- Principle of the use
- Effect on residential amenity
- Effect on highway safety and parking

f. concluded that:

- It was considered that the applicants had addressed the constraints of the site and the proposal was appropriate in this location.
- The proposal was therefore in accordance with national and local planning policy.

Mr Robert Dickinson, local resident, addressed Planning Committee in objection to the proposals, covering the following main points:

- He thanked members of Planning Committee for allowing him the opportunity to speak.
- This development and that of 61 St Catherines, to be considered next on this agenda, were connected in relation to environmental impact on the area.
- There would be increased pressure on parking on St Catherines Grove as there were no available car parking spaces on Newark Road.
- National Planning Policy Framework, March 2012, highlighted the opportunity for HMO's to share off-street parking, although there was currently none provided for this development.
- Issues existed with vehicles parking on double yellow lines/pavements causing problems for disabled access.
- There had been accidents on the street.
- Problems of access to street by waste disposal lorries.
- This was a retrospective planning application which should be taken into consideration.

Mr Philip Rhyder addressed Planning Committee in support of the proposals on behalf of the agent, covering the following main areas:

- The premises had operated as two flats for at least 12 years and probably more than 20 years.
- The scheme would not be a HMO, it would operate as a maisonette and first floor flat.

Members discussed the content of the report in further detail, raising the following main points:

- Parking issues were endemic to the area.
- Parking on the pavements was a police matter, which Ward Councillors could investigate if requested.
- The proposals would not make a significant difference to the number of vehicles in the area.
- Retrospective planning applications were frustrating, however, the proposals were not that different to what was there already.

RESOLVED that planning permission be granted subject to the following conditions:

Conditions

- Development to be carried out within 3 years
- Development to be carried out in accordance with the plans

20. Application for Development: 61 St Catherines, Lincoln.

The Planning Team Leader:

- a. described the location of the site at 61 St Catherines, a semi-detached property located on the western side of a primarily residential street within the Conservation Area (No. 4) of the same name, having a gravelled area to the rear for parking
- b. advised that the application proposed to change the use of the property from a 9 bedroom house in multiple occupation to 5 self-contained flats; planning permission was granted in 2015 (2015/0735/F) to change the use of the property to a 9 bedroom HMO
- c. reported that the proposal was for 4no. one bedroom flats and 1no. two bedroom flats requiring minor internal and external alterations to the property
- d. highlighted that prior to its use as a HMO the property had been used as a care home for the elderly from 1988 until 2015
- e. provided details of the policies pertaining to the application as follows:
 - National Planning Policy Framework
 - Central Lincolnshire Local Plan
 - Policy LP25 The Historic Environment
 - Policy LP26 Design and Amenity
- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained a landscaping plan showing the layout of five off-street parking spaces associated with the application property
- h. advised members of the main issues to be considered as part of the application as follows
 - Residential amenity
 - Visual amenity
 - Highways
- i. concluded that
 - Having taken into account the current permitted use of the property it was not considered that the proposed subdivision would cause any additional harm to neighbouring residents or the surrounding area.
 - The proposal would therefore be in accordance with local plan policies LP25 and LP26 which sought to protect the impact on residential and visual amenity.

Mr Robert Dickinson, local resident, addressed Planning Committee in objection to the proposals, covering the following main points:

- He wished to modify his objection to this scheme in the light of changes to the provision of off-street car parking to 5 spaces instead of 3 as this was a positive contribution to ease car parking arrangements in the street.
- There were very serious parking infringements on St Catherines.
- Notices relating to the planning application had not been posted in the street.
- On behalf of the Residents Association he requested greater transparency and consultation with residents in respect of future planning applications.

Mr Browne addressed Planning Committee in support of the proposals on behalf of the agent, covering the following main areas:

- The off-street car parking spaces were shown on the update sheet.
- He had owned the property for 37 years.
- The change of use from a 9 bedroom house in multiple occupation to 5 self-contained flats would result in less impact on the area due to a reduction in the number of residents.
- This was a high quality development offering a high standard of accommodation for its residents.

The Planning Manager offered the following points of clarification to members:

- The planning authority had a legal requirement to consult with anyone living next to the boundary of an application site, although it did always try to consult more widely.
- He was happy to include the residents association as a consultee on local planning applications if the relevant representative contacted him.

Members discussed the content of the report in further detail, welcoming the provision of 5 off-street car parking spaces and the change of use of the property to flats to help relieve the concentration of HMO's in the area

RESOLVED that planning permission be granted subject to the following conditions:

Conditions

- Development to be carried out within 3 years
- Development to be carried out in accordance with the plans

21. Application for Development: Land At Westbrooke Road, Lincoln. (Phase 4)

The Planning Team Leader:

- a. advised that full planning permission was sought by Chestnut Homes for the erection of 23 dwellings as Phase 4 of the Westbrooke Road development known as 'LN6', with access to the site taken through the existing access created for Phases 1, 2 and 3 off the western end of Westbrooke Road, and as submitted the application originally also proposed a separate pedestrian access created off Skellingthorpe Road to the South

- b. described the site located immediately adjacent to Phase 3 of LN6, forming part of the former Usher school site on part of the former playing field, to the rear of a number of properties on St. Helen's Avenue
- c. advised that the site was currently under the ownership of Lincolnshire County Council; although the whole of the former school site was allocated for residential in the Local Plan, it was understood that the County Council wished to retain the balance of the land at this time
- d. described the relevant planning history to the application site as detailed within the officer's report
- e. provided details of the policies pertaining to the application as follows:
 - National Planning Policy Framework
 - Policy LP9: Health and Wellbeing
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP11: Affordable Housing
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP26: Design and Amenity
- f. outlined the responses made to the consultation exercise
- g. advised members of the main issues to be considered as part of the application as follows:
 - Local and National Planning Policy
 - Effect on visual amenity
 - Effect on residential amenity
 - Highway safety
 - Ecology
 - Flood risk
 - Land levels
 - Land contamination
 - Affordable housing
 - CIL and other contributions
- h. concluded that:
 - The site had an allocation in the CLLP and was located in a sustainable location close to existing services and amenities, with good transport links.
 - Negotiations had secured revisions to the proposal including the removal of the proposed footpath link to Skellingthorpe Road and revisions to proposed land levels and boundary treatment heights in response to concerns regarding residential amenity.
 - The development would contribute to the housing supply within the City and provide affordable housing in accordance with national and local planning policy.

Rebecca Archer, representing Chestnut Homes, addressed Planning Committee in support of the proposed development, covering the following main points:

- She was employed by Chestnut Homes as Land Development Manager.
- Phase 4 was a continuation of the LN6 development.
- An additional 23 dwellings were proposed.
- A unilateral agreement had been made for phase 3 of LN6 and work would be commenced shortly.
- The last dwelling in phase 2 would be occupied by July 2018.
- The six affordable houses for phase 4 would be secured through a section 106 legal agreement, together with a financial contribution towards playing fields and children's play space.
- The site formed part of the former Usher School site currently under the ownership of Lincolnshire County Council.
- Although the whole of the former school site was allocated for residential use in the Local Plan, the County Council wish to retain the balance of the land for their own needs.
- The Highways Authority had raised no objections to the proposals.
- The offer of funding by the developer for a stop sign at the junction with Westbrooke Road/Western Crescent/Western Avenue had failed to receive support from the Highways Authority.
- Not a great deal of soil would be brought into the construction area for infill, as most would be re-used across the existing site.
- A planning condition would be imposed on the grant of planning permission to protect trees.
- In terms of drainage, a SWALES and attenuation feature would be added to the scheme.
- There was a strong need for additional housing in the area.
- Phase 1 of the build had recently won another building award.
- The company was proud of the scheme.
- She hoped members of Planning Committee would offer their support.

Members discussed the content of the report in further detail, raising individual points as follows:

- This was an excellent spacious/scenic development from an experienced housing provider.
- It was a shame the Highways Authority wouldn't allow the addition of a stop sign to prevent accidents if the developer was willing to pay for it.
- It was not surprising that the Skellingthorpe Road footpath access had never materialised although promised.
- The scheme caused too much traffic.
- It was not lack of signage that caused accidents, it was bad driving skills.
- Were the four trees on site to be lost?

The Planning Team Leader offered the following points of clarification to members in response to queries raised:

- Following consultation with residents, two of the four trees on the eastern boundary with St Helen's Avenue were to be retained.
- Cycle paths linked the development to Tritton Road.
- There were also pedestrian footpaths within phases 2 and 3 of the development to Western Crescent and Tritton Road pedestrian crossing.

Councillor Strengeiel agreed to raise the matter of the request for a stop sign within the development with the Highways Authority in his capacity as a County

Councillor.

RESOLVED that planning permission be delegated to the Planning Manager to grant planning permission subject to the satisfactory signing of S106 agreements to secure financial contributions in respect of affordable housing, playing fields/play space and amenity space and subject to the following conditions:

Conditions

- 1) 3 years
- 2) Drawing numbers
- 3) Materials
- 4) Landscaping scheme
- 5) Tree protection measures during construction.
- 6) Any removal of scrub, hedgerows or trees between March to late August to be supervised by an ecologist and mitigation measures applied if required.
- 7) Archaeology- development to proceed in accordance with the submitted WSI. Fieldwork report to be submitted within 6 months of completion
- 8) Electric charging points to be installed in accordance with drawing no WLR4 01 Rev F
- 9) Land contamination-1) Implementation of approved remediation scheme, 2) Reporting of unexpected contamination
- 10) Removal of pd for plots 64 and 65 adjacent to existing residential development

Fencing to plots 64, 65 and the northern boundary to the parking court not to be altered without the prior consent of the Council.

(Councillor Hills requested that his vote against this planning application be recorded.)

22. Application for Development: Land At 94 And 96 Newland (Taste Of Marrakesh) And No. 100, 102 And 104 Newland, Lincoln

The Planning Manager:

- a. advised that full planning permission was sought for:
 - Erection of a four storey building to the south of Nos. 100, 102 and 104 Newland to provide student accommodation
 - Demolition of rear extension to Nos. 100, 102 and 104 Newland
 - Demolition of Nos. 94 and 96 Newland (Taste of Marrakesh)
 - Erection of a partial subterranean four and five storey building to provide student accommodation
 - Erection of a partial subterranean building to provide four storeys of student accommodation between Nos. 96 and 100 Newland, including glazed link to No. 100 Newland (*revised description, revised plans*)
- b. described the location of the application site from east to west occupied by a mix of buildings and parking, as detailed within the officers report
- c. advised that access to the buildings was currently a mixture of pedestrian access from Newland and vehicular access from Carholme Road

- d. described the relevant planning history to the application site as detailed within the officer's report
- 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 LP3: Level and Distribution of Growth
 - Policy LP5: Delivering Prosperity and Jobs
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land affected by Contamination
 - Policy LP17: Landscape, Townscape and Views
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP29: Protecting Lincoln's Setting and Character
 - Policy LP31: Lincoln's Economy
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP37: Sub-division and multi-occupation of dwellings within Lincoln
 - National Planning Policy Framework
- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained plans of proposed elevations in relation to the proposals and additional responses received from Lincolnshire Fire and Rescue, Lincoln Civic Trust and local residents
- h. advised members of the main issues to be considered as part of the application as follows:
- The Principle of the Development;
 - The Impact of the Design of the Proposals;
 - The Implications of the Proposals upon Amenity;
 - Sustainable Access, Highway Safety and Air Quality
 - Other Matters; and
 - The Planning Balance.
- i. concluded that:
- The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with the Framework in respect of sustainability that would apply to development as set out in the planning balance.
 - It was the conclusion of officers and therefore the recommendation to Members that there would not be harm caused by approving the development so the application should benefit from planning permission for the reasons identified in the report and be subject to the conditions outlined below.
 - However, in the event that any new material planning considerations were to be raised within correspondence received

following the writing of this report which would lead to a different conclusion being reached or which would require further consideration and/or planning conditions, officers would provide members with a detailed response on the Update Sheet. This would have regard to any further consultation responses received in the timeframe from the agenda being published and the date of Planning Committee, or these would be reported directly at Planning Committee if appropriate.

Chris Spendlove representing the University of Lincoln, addressed Planning Committee in support of the proposed development, covering the following main points:

- He worked as Registrar at the University of Lincoln.
- He wished to speak in support of the planning application.
- The development proposed represented the second phase of a gateway site into the City.
- The scheme would help satisfy demand for student accommodation in the city.
- The University had received several awards in recognition of its high standards of education.
- There was a demand for an additional 2,800 bed spaces over future years.
- There would be an additional 3,300 students coming into the city from 2017/18 to 2024/25.
- There was a deficit of 200 bed spaces forecast for the year 2019/20.
- The proposals would not have a negative impact on local residents.
- CCTV screens would monitor the unit from the main University campus.
- As part of the development proposals, all residents of No1 The Brayford had been written to with a positive response.
- 75% of construction staff would live within 5 miles of the site.
- The scheme allowed the townscape to be 'set down' to the addition of a modern building.
- The proposals included the demolition and replacement of the Marrakesh building as approved by the City of Lincoln Council Conservation Officer.
- The developer had tried to submit the planning application in tandem with phase 1 of the scheme, however, timescales had not permitted this.
- He hoped members of Planning Committee would offer their support to the proposals.

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

- Custom built accommodation for students freed up private housing for families.
- Some concerns were raised regarding the design of buildings around the Brayford area,
- This was further exasperation of the balance between residents and students in the area.
- Other members welcomed the design of the building.
- Praise was offered for the way the Brayford area had been transformed from its derelict state in 1994.
- The units needed to be sustainable and lived in by students. They would not attract Council tax or business rate tax. It would be useful to source

proof that students were moving out of HMO's to occupy purpose built student accommodation

- The design may not be to everyone's taste, however it was an improvement to what was there before.

The Planning Manager offered the following points of clarification to members:

- With regards to the issue of student occupation in private houses, Article 4 was an effective tool to help control this problem. There was a significant move to private landlords seeking flexibility of C3 use properties.
- There were more families in the West End. The shift was happening slowly.
- Loss of council tax/business rates - there was no means to identify students coming out of private accommodation apart from council tax records.
- Expansion of the University required extra accommodation for additional students coming in. It was strategically important to meet this provision through purpose built student accommodation to retain residential accommodation for family use.
- Planning officers considered that the proposed development offered a good use, good provision and good location.

RESOLVED that

- As the overall public consultation period for the application did not expire until 23 June 2018, authority be delegated to the Planning Manager to issue planning permission subject to the planning conditions listed below.
- However, should there be any further material planning considerations raised (within correspondence received following the Planning Committee agenda being published) that had not already been considered in this report or that could not be addressed by existing or additional planning conditions, the application would be referred back to the next available Planning Committee for the consideration of Members.

Standard Conditions

Timeframe of the Planning Permission
Approved Plans

Conditions to be discharged before commencement of works

Materials Schedule and Detailed Plans (Windows etc.)
Contaminated Land Remediation
Archaeology
Site Drainage
Air Quality and Noise Mitigation (including design of plant and machinery)

Conditions to be discharged before use is implemented

Closing of Accesses to Newland and Carholme Road
Building-wide Management Plan
Scheme of Landscaping
Refuse Storage and Servicing

Conditions to be adhered to at all times

23. Application for Development: Grantham Street Car Park, Grantham Street, Lincoln

The Planning Manager:

- a. advised that the planning application related to Submission of Reserved Matters including access, appearance, landscaping, layout and scale for the erection of a six-storey building incorporating student accommodation and car parking as required by outline planning permission 2017/0721/OUT
- b. described the application site situated in general terms, to the east of the High Street, at the south-western corner of the junction of Grantham Street with Flaxengate also adjoining Swan Street to the west
- c. advised that the application site was irregular but roughly square in shape, currently utilised as a surface car park adjacent to commercial uses
- d. described the relevant planning history to the application site as detailed within the officer's report
- 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 LP3: Level and Distribution of Growth
 - Policy LP5: Delivering Prosperity and Jobs
 - Policy LP6: Retail and Town Centres in Central Lincolnshire
 - Policy LP7: A Sustainable Visitor Economy
 - Policy LP9: Health and Wellbeing
 - Policy LP11: Affordable Housing
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land Affected by Contamination
 - Policy LP17: Landscape, Townscape and Views
 - Policy LP21: Biodiversity and Geodiversity
 - Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP29: Protecting Lincoln's Setting and Character
 - Policy LP31: Lincoln's Economy
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP37: Sub-division and multi-occupation of dwellings within Lincoln
 - National Planning Policy Framework

- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained photographs of the proposed development
- h. advised members in respect of matters to be considered as follows:
 - As alluded to above, the principle of the erection of development encompassing student accommodation was agreed through the approval of outline planning permission for the site. In light of this, it would not be possible to revisit the principle of this form of development.
 - Furthermore, the maximum scale parameters of the building were also agreed at this point, including the overall footprint and height of the development.
 - However, the details of the access, appearance of the building, landscaping and layout were for consideration. The main issues referred to below therefore needed to be considered as part of this application:
 - The Impact of the Design of the Proposals;
 - The Implications of the Proposals upon Amenity
 - Sustainable Access and Highway Safety;
 - Archaeology;
 - Matters Controlled by Planning Conditions on the Outline Planning Permission;
 - Other Matters; and
 - The Planning Balance.
- i. concluded that:
 - The presumption in favour of sustainable development required by the National Planning Policy Framework would apply to the proposals as there would not be conflict with the three strands of sustainability that would apply to development as set out in the planning balance.
 - Therefore, there would not be harm caused by approving the development. As such, it was considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions outlined below.

Dominik Jackson of Jackson & Jackson Developments Limited addressed Planning Committee on behalf of the Applicant in support of the development, covering the following main points:

- The height of the building had been further reduced from the maximum parameters referred to in the outline planning permission reducing its impact on the Conservation Area.
- There was an urgent need for purpose built student accommodation in the city over the next 2/3 years.
- His company had been approached by the University of Lincoln already having outline planning permission for the site.
- The developer had worked closely with officers and the City Archaeologist to arrive at this result.

- He understood that the indicative visuals raised concerns at the original outline permission and the look had been redesigned.
- The design would consist of a buff brick building with bronze metal window frames and solid recessed elements to the windows of a different buff brick colour.
- The relationship with the building on Swan Street had been reduced in height by 1.5 metres.
- The car park would be served by a single access, not two as per the indicative planning application.
- The development fitted in with adjacent buildings.
- The developer had listened carefully to officers and the City Archaeologist to produce an appropriate building in terms of design.
- Secure cycle parking was provided.
- The building complemented the hotel recently granted planning permission.
- The council's own CCTV camera would be added to the façade of the building.
- This was a significant improvement to an under utilised site.
- Thank you for listening to him.

Members discussed the content of the report in further detail, offering general support to the proposed scheme.

Concerns were raised regarding removal of trees resulting in the urban area losing foliage and the need to think about this important element as the city developed.

Clarification was sought as to how the boutique style frontage to the hotel granted planning permission on Clasketgate at the previous meeting would fit in to the design of this development.

The Planning Manager advised that the scale of the proposed development in relation to the hotel building was considered equivalent in terms of external mass and appropriate in context.

RESOLVED that planning permission be granted, with authority delegated to the Planning Manager to formulate Planning Conditions covering the matters referred to below:-

- Schedule of materials;
- Scheme for the inclusion of bird boxes on or as part of the fabric of the building;
- Scheme for future management of the building; and
- Scheme for CCTV cameras to replace the existing provision.

24. Application for Development: 129 Yarborough Road, Lincoln.

The Planning Team Leader:

- a. advised that planning permission was sought to erect a dwelling to the rear of 129 Yarborough Road with access taken from Carline Road; the property would provide 4 bedrooms split over three floors and have off-street parking and private external amenity space

- b. described the application site on the east side of Yarborough Road close to its junction with Carline Road, located to the rear of the host property which formed part of the rear garden, currently occupied by a single storey garage
- c. described the location of the proposed development within Conservation Area No.8 - Carline
- d. provided details of the policies pertaining to the application as follows:
 - National Planning Policy Framework
 - Central Lincolnshire Local Plan
 - Policy LP1 A Presumption in Favour of Sustainable Development
 - Policy LP25 The Historic Environment
 - Policy LP26 Design and Amenity
- e. outlined the responses made to the consultation exercise
- f. advised members of the main issues to be considered as part of the application as follows
 - National and Local Planning Policy
 - The principle of the development
 - Impact on the character and appearance of the conservation area
 - Residential amenity
 - Highways
 - Loss of trees
- g. concluded that it was considered that the applicants had addressed the constraints of the site and the proposal was appropriate in this location, the proposal was therefore in accordance with national and local planning policy.

Mr Chris Appleton, Applicant, addressed Planning Committee in support of the proposals, covering the following main points:

- He thanked the City of Lincoln Council for their support through the design process.
- He had worked closely with planning officers over a period of time since April 2017.
- The design of the building had evolved following numerous meetings.
- The design of the building had a modern feel internally, however, retaining traditional red brick and slate materials to fit in with Carline Road.
- The boundary wall to the property would be retained as part of the character of the surrounding area.
- The development was of correct height/size/ mass and materials.
- He intended to live in this modern detached house himself, he was not a developer.
- There was 35 metres of frontage onto Carline Road, however, his house would be only 12 metres wide.
- There had been no objections from immediate neighbours.
- He thanked Planning Committee for giving him the opportunity to speak.

Members discussed the content of the report in further detail.

Reservations were made by the Ward Councillor for the area in terms of stability of the area, traffic issues and the design and build of the property in a Conservation area.

The Planning Team Leader offered the following points of clarification:

- Planning officers were satisfied that any problems with slope stability could be dealt with through appropriate conditions and the structural engineer would deal with this in the same manner.
- The design of the building was indeed a material planning consideration. Planning officers had worked with the applicant throughout the planning process and considered the end proposals to be an appropriate development.

RESOLVED that planning permission be granted subject to the following conditions:

- Development to commence within 3 years
- Development to be carried out in accordance with the plans
- Land stability and foundation design details
- Surface water details
- Contaminated land
- Hours of working

25. Application for Development: 40 - 42 Michaelgate, Lincoln.

(Councillor Brothwell left the meeting at this point to attend a further engagement.)

The Principal Planning Officer:

- a. described the location of the site at 40-42 Michaelgate, which was two conjoined Grade II listed buildings within the City Council's ownership
- b. advised that the two storey, brick built property was constructed in the mid to late 18th Century with a late 18th century shop window to the left, located on the east side of Michaelgate close to the junction with Steep Hill and Bailgate, and also within the Cathedral and City Centre Conservation Area
- c. advised that planning permission was sought for works to repair structural damage caused by a vehicular impact, including taking down and reinstating a section of the north wall, reinstating meters and services, repairing damaged plasterwork and other finishes and redecoration to certain rooms
- d. referred to the relevant site history to the planning application as detailed within the planning officer's report
- e. provided details of the policies pertaining to the application as follows:
 - Policy LP25: The Historic Environment
 - National Planning Policy Framework

- f. outlined the responses made to the consultation exercise
- g. advised members of the main issue to be considered as part of the application as follows
 - Impact on the building as a designated heritage asset
- h. concluded that:
 - The proposed works would address structural issues caused by a vehicular impact which currently threatened the integrity of the building.
 - The proposals had been carefully considered to achieve the desired outcome with minimal intervention, ensuring an authentic reinstatement of materials and returning the building to its former appearance.
 - The works would therefore preserve the building and would not be prejudicial to its special architectural or historic interest, in accordance with CLLP Policy LP25 and guidance within the NPPF.

Members discussed the content of the report in further detail.

RESOLVED that planning permission be granted subject to the following conditions:

Conditions

- Time limit of the permission
- Development in accordance with approved plans
- Brick sample panel including lime mortar and bonding to match existing
- Sample of replacement bricks
- Sample of lintels
- Specification and sample of lime plaster
- Samples and surface treatment of timber for replacement of timber frame
- Methodology for refurbishment of windows
- Methodology for repair to timber framing

26. Application for Development: 69 Greetwell Road, Lincoln.

The Planning Team Leader:

- a. advised that the application proposed the erection of a single storey rear and side extension at 69 Greetwell Road to this two storey semi-detached dwelling
- b. highlighted that the application was brought before Planning Committee, the applicant being an employee of the City of Lincoln Council
- c. provided details of the policies pertaining to the application as follows:
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- d. outlined the responses made to the consultation exercise

e. advised members of the main issues to be considered as part of the application as follows

- National and local planning policy
- Effect on residential amenity
- Effect on visual amenity
- Effect on highway safety

f. concluded that:

- It was considered that the proposed development would be in accordance with local plan policy LP26.
- The height and scale of the extension was in keeping with the existing and neighbouring properties and would be constructed of materials to match.
- The amenities which all existing and future occupants of neighbouring properties may reasonably expect to enjoy would not be unduly harmed by the proposed development and as such it was considered acceptable subject to the conditions set out below.

RESOLVED that planning permission be granted subject to the following conditions:

Conditions

- Development to commence within 3 years
- Development to be carried out in accordance with the plans

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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 5 / SCHEDULE DATE: 18/07/18**

Item No	Status e.g. CAC	Specific Location	Tree Species and description / reasons for work / Ward.	Recommendation
1	N/A	Land adjacent to Cherry Blossom Court.	<u>Birchwood Ward</u> 3 small-set willows. Fell, to prevent damage to property.	Approve and replant with 3 Rowans in a suitable location.
2	N/A	Rear garden of 12 Alness Close	<u>Birchwood Ward</u> 1 Cypress. Fell to prevent damage to property.	Approve and replant with a Birch in a suitable location.
3	N/A	Rear communal drying area to rear of Larchwood Crescent flats 1-3.	<u>Birchwood Ward</u> Fell numerous self-set ash, willow, oak sycamore, holly and elder located in overgrown drying area to allow access and use by residents.	Approve and replant with 6 Cherry trees in a suitable location.
4	N/A	Front garden of 9 Prestwick Close	<u>Birchwood Ward</u> 1 Birch. Fell, to prevent damage to property.	Approve and replant with a Birch in a suitable location.
5	N/A	Rear garden of 30 St Andrews Gardens.	<u>Boultham Ward</u> 1 Sycamore. Fell to prevent damage to property.	Approve and replant with Field Maple in a suitable location.
6	N/A	Rear garden of 157 Browning Drive.	<u>Glebe Ward</u> 1 Cypress. Fell to prevent damage to property.	Approve and replant with a Field Maple in a suitable location.

7	N/A	Hartsholme Country Park.	<p><u>Hartsholme Ward</u> 4 self-set Sycamores and 1 Elm. Fell to in order to allow access and develop memorial picnic garden 1 Beech Fell the tree has decay in the main stem 1 Horse Chestnut. Fell the tree has split and is in decline.</p>	Approve and replant with 6 Beech and 1 Horse Chestnut in a suitable location.
8	N/A	Land to rear of 19 Bourne Close	<p><u>Moorland Ward</u> 1 Hawthorn Fell, to prevent damage to property.</p>	Approve and replant with a Hawthorn in a suitable location

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Application Number:	2018/0810/RG3
Site Address:	30 Portland Street, Lincoln, Lincolnshire
Target Date:	17th August 2018
Agent Name:	Halsall Lloyd Partnership
Applicant Name:	Mr Richard Baudains (City of Lincoln Council)
Proposal:	Change of use from Retail (Class A1) to Community Hub space (Class D1)

Background - Site Location and Description

The application is for the change of use of 30 Portland Street from retail (Use Class A1) to a community hub space (Use Class D1). The use will accommodate a community space along with meeting rooms and offices.

The premises is a two storey mid-terrace property located on the north side of the street, within 400m of the High Street to the west. The building is currently vacant and is flanked by no. 26-28 to the west, formerly occupied by Flames, and no. 32 to the east, a coffee shop. The property is located within the West Parade and Brayford Conservation Area.

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 29th June 2018

Policies Referred to

- Policy LP15 Community Facilities
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP33 Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
- National Planning Policy Framework

Issues

- Principle and policy context
- Visual amenity and the character of the conservation area
- Residential amenity

Consultations

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

Statutory Consultation Responses

Consultee	Comment
Paul Carrick	No Response Received
Principal Conservation Officer	No Response Received
Highways & Planning	No Objections
Environmental Health	No Response Received
Shane Harrison	No Response Received
Lee George	No Response Received

Public Consultation Responses

No Responses Received

Consideration

Principle and policy context

The property is located within the Central Mixed Use Area. Central Lincolnshire Local Plan (CLLP) Policy LP33 advises that community facilities within the D1 use class will be supported in principle subject to the development not detracting from the vitality and viability of the Primary Shopping Area, or the area in which it is located losing its mixed use character.

Officers are satisfied that the principle of the proposed use would be appropriate to the building and the location. Uses in the immediate vicinity comprise shops, a cafe, a dentist and offices. It is not therefore considered that the change of use to a community hub space, or the loss of the retail use, would cause harm to the mix of uses in the area. It is also not considered that the use would detract from the vitality or viability of the Primary Shopping Area.

CLLP Policy LP15 also advises that proposals for new community facilities will be supported in principle and should prioritise and promote access by walking, cycling and public transport; be accessible for all members of the community; and be adaptable to respond to future demands. The premises would meet the requirements of this policy as is in a highly accessible location for residents in the local area and also has good access to public transport facilities.

Accordingly it is considered that the use is appropriate in this location and the community facility would be a welcome addition to the area, in accordance with CLLP Policies LP15 and LP33.

Visual amenity and the character of the conservation area

No external alterations are proposed to the building and it is considered that bringing a vacant premises back in to use would be of benefit to the area, in accordance with CLLP Policy LP26.

Accordingly, it is also considered that the proposal would preserve the character of the conservation area, in accordance with CLLP Policy LP25.

Residential amenity

CLLP Policies LP15, LP26 and LP33 require that proposals should not cause harm to the local environment and should be operated without detriment to local residents, especially to facilities which open in the evening.

The application indicates that the use will operate between the hours of 9:00am to 5:00pm, Monday to Saturday. Given these hours, and the nature of the use, it is not considered that there would be a negative impact on the amenities of nearby residential properties or the local environment. Indeed, it is considered that the use has the potential to be of benefit to the local area and wider community.

Conclusion

The principle of the use is appropriate in this location and would be of benefit to the wider community. The use would not have a harmful impact on the visual amenity of the area or the amenities that local residents may reasonably expect to enjoy. The proposal would also preserve the character and appearance of the conservation area. The application is therefore in accordance with the requirements of Central Lincolnshire Local Plan Policies LP15, LP25, LP26 and LP33, 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.

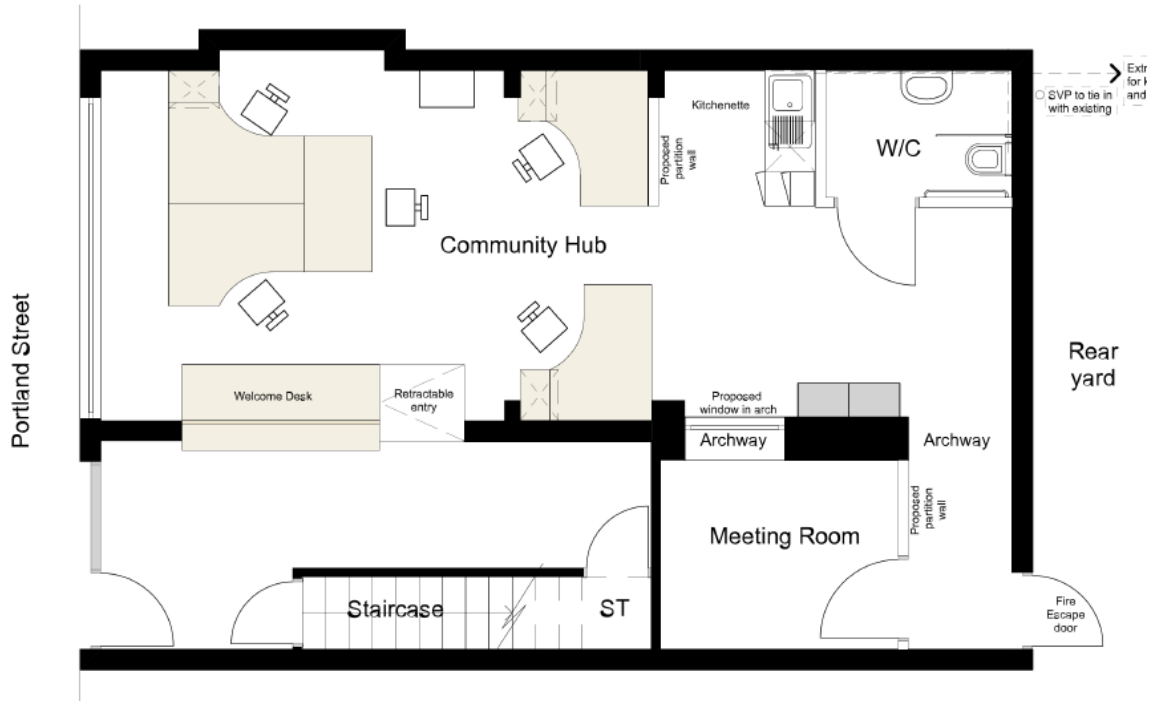
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2018/0810/RG3:30 Portland Street

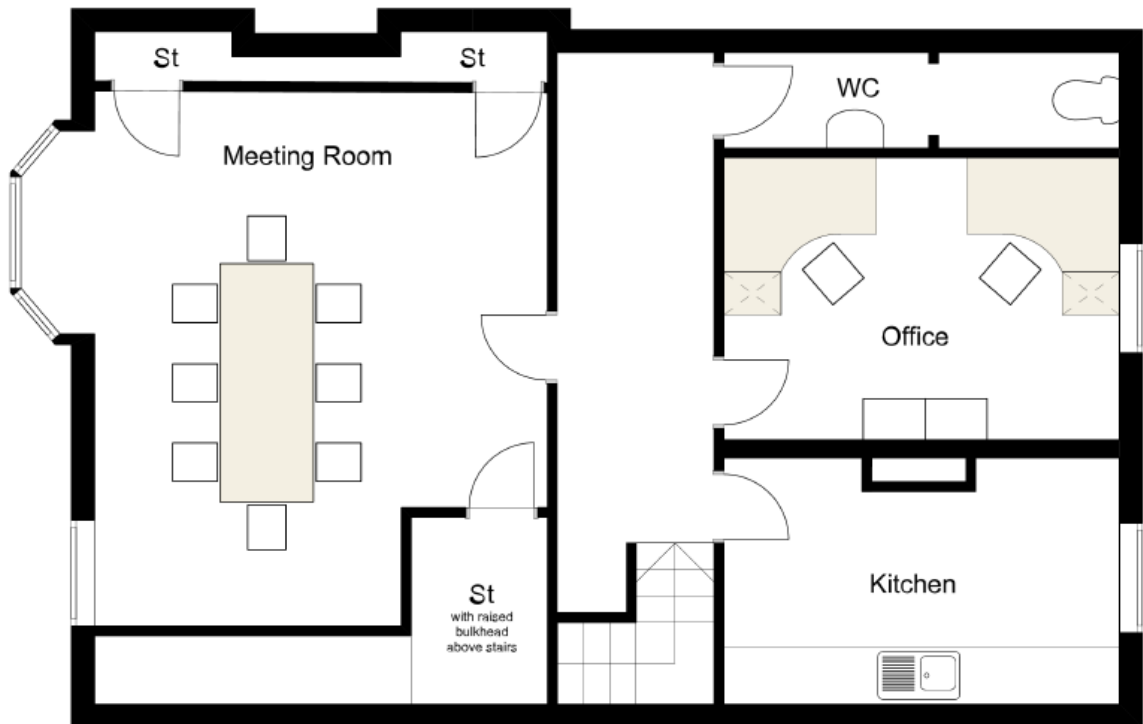
Plans, photos and consultation responses



Site location plan



Proposed ground floor plan



Proposed first floor plan



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: 2018/0810/RG3

With reference to this application dated 29 June 2018 relating to the following proposed development:

Address or location

30 Portland Street, Lincoln, LN5 7JX

Date application referred by the LPA
26 June 2018

Type of application: Outline/Full/RM:
FUL

Description of development

Change of use from Retail (Class A1) to Community Hub space (Class D1)

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:
Becky Melhuish
for Warren Peppard
Flood Risk & Development Manager

Date: 4 July 2018

Application Number:	2018/0809/RG3
Site Address:	Yarborough Leisure Centre, Riseholme Road, Lincoln
Target Date:	17th August 2018
Agent Name:	Surfacing Standards
Applicant Name:	Mr Lockwood
Proposal:	Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Background - Site Location and Description

Permission is sought for an Artificial Grass Pitch (AGP) to accommodate an 11 aside football pitch. It would measure 106metres in length and 70metres in width. The pitch would also be capable of accommodating a combination of youth football pitches, mini soccer pitches and training areas. The proposal also seeks the installation of associated fencing to include a 4.5metre high ball stop fencing to the AGP perimeter and a 3.5 metre acoustic fence.

The site is located on the existing grass sports pitches to the rear of Yarborough Leisure Centre. Residential developments adjoin the site to the north, east and west. The existing running track separates the site from the properties on Anzio Crescent. Lincoln Castle Academy and Yarborough Leisure Centre are located to the south east. Properties on Spire Close are some 65metres from the proposed pitch with properties to the east on Stainton gardens being 40metres from the site boundary and properties to the west approx. 35metres.

Site History

No Relevant Site History

Case Officer Site Visit

Undertaken on 28th June 2018

Policies Referred to

National Planning Policy Framework
 Central Lincolnshire Local Plan
 LP26 – Design and Amenity

Issues

Impact on Neighbours
 Visual Amenity

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 – No objections
Sport England, East Midlands	No response received at the time of writing this report.

Public Consultation Responses

Name	Address
Mr Michael Collins	21 Stainton Gardens Lincoln LN1 3TH
Emily Bramford	
Mr Thomas Nekrews	34 Spire Close Lincoln LN1 3QE
Mrs Katie Willey	5 Spire Close Lincoln LN1 3QE
Dr Galina Atkin	2 Tobruk Close Lincoln
Mrs Lynn McEwan	302A Burton Road Lincoln
Mr Paul Atkin	2 Tobruk Close Lincoln
Mrs Kirsty Quibell	10 Bishopsgate Lincoln
Miss Mary Rogers	23 Bishops Gate Lincoln
Jinny Niven	37 Spire Close Lincoln

Consideration

Impact on neighbouring residents

Policy LP26 of the Central Lincolnshire Local Plan states that “the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development”.

A number of objections have been received which have cited concerns regarding the use of the proposed sports pitch and the potential noise and disturbance it would have on adjacent neighbours.

Noise

A noise impact assessment report has been submitted in support of the application. Yarborough Leisure Centre would implement a noise management plan with procedures in place to minimise the potential noise impact on adjacent neighbours. The plan would ensure that the noise levels are regularly monitored to ensure that mitigation measures are working. As well as this the maximum user capacity of the facility would not be exceeded and only pre booked letting would be permitted.

The assessment identifies that the proposed use would not cause unreasonable levels of noise at the surrounding residential properties provided that mitigation measures outlined in the noise assessment are put in place.

External Lighting

The scheme would include 6 floodlights around the perimeter of the pitch. The posts would be 15metres in height.

The applicant has submitted a lighting impact assessment in support of the application. The assessment methodology and criteria used in the report appear to be reasonable, having regard to acceptable recognised standards. The assessment confirms that the proposed lighting scheme would not cause unreasonable levels of light at the surrounding residential properties provided that the floodlighting is installed as proposed in the applicant’s submission.

The impacts from noise and lighting would also be mitigated by the use of a planning condition to restrict the use during the sensitive night-time and early morning hours. Therefore the facility should only be operated between 8am and 10pm.

Other issues

A neighbour has also raised concerns about the use and the potential for balls to enter neighbouring gardens. The scheme includes perimeter 'ball stop' fencing to a height of 4.5metres. It would be of steel open mesh design, finished in Dark Green.

A number of objections have been received from residents on Spire Close. It should be noted that the boundary of the proposed artificial pitch is some 65metres from the closest properties on Spire Close and 40metres from the boundary with Stainton Gardens. Between the pitch and the adjacent properties the existing playing field would remain would retain the green space outlook.

Visual Amenity

One of the most visually prominent aspects of the proposed development would be the fencing around the perimeter of the pitch. This fencing is of a colour and design which makes it as visually recessive as possible so as not to be intrusive on the landscape. The floodlights would be 15metres in height so would be visible from the surrounding area. However it is not considered that they would be intrusive given their slim profile and the distance from the adjacent residential properties.

Conclusion

The proposed Artificial Grass Pitch would be located on an area of grass which is currently used for informal playspace. The proposal formalises the space with an all-weather pitch and associated infrastructure which means it can be used all year round. Appropriate measures have been taken to mitigate the impact on adjacent neighbours and it is considered that the use is appropriate given the surrounding context of existing sports uses.

Application Determined within Target Date

Yes

Recommendation

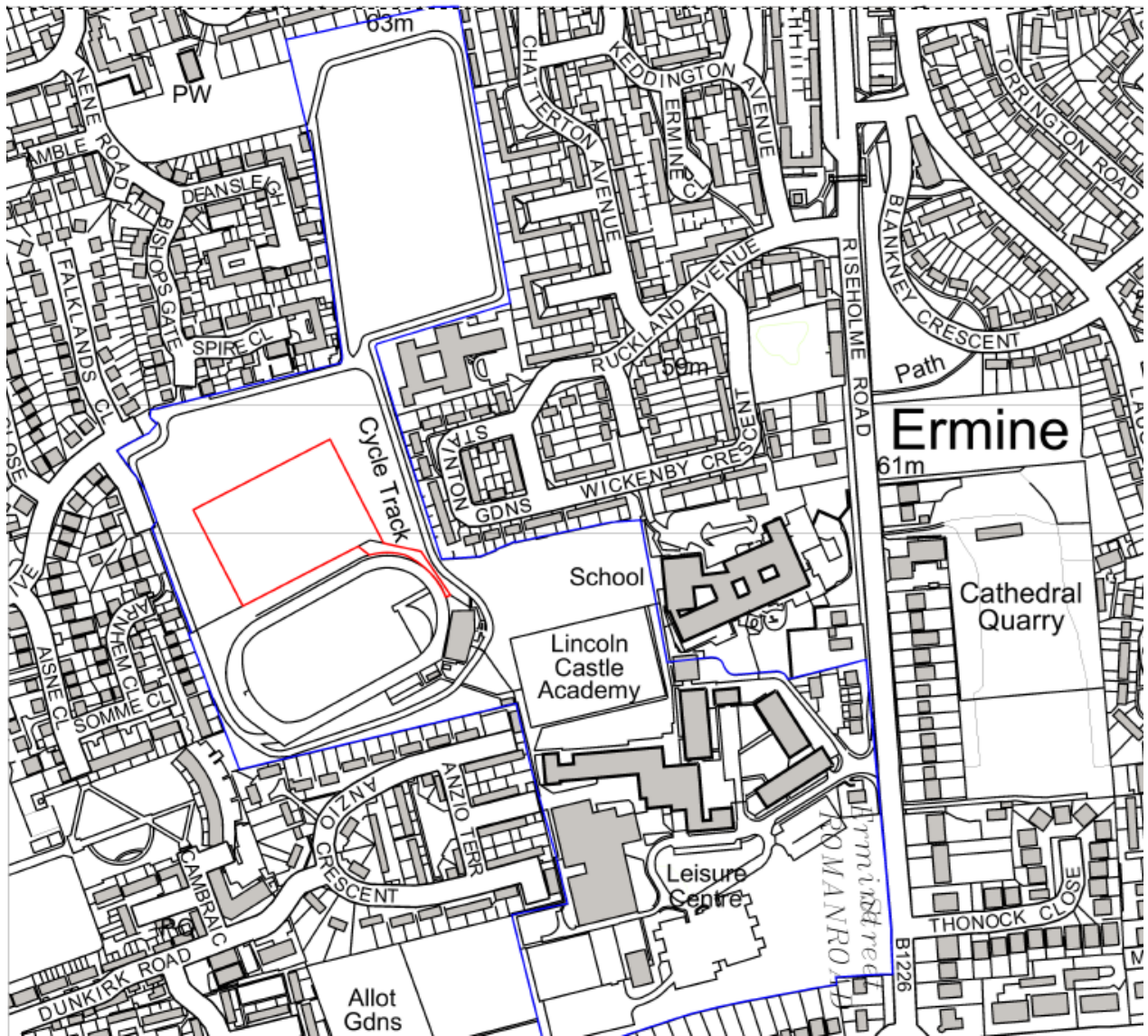
That the decision to Grant Conditionally is delegated to the Planning Services Manager once the consultation period has expired.

Conditions

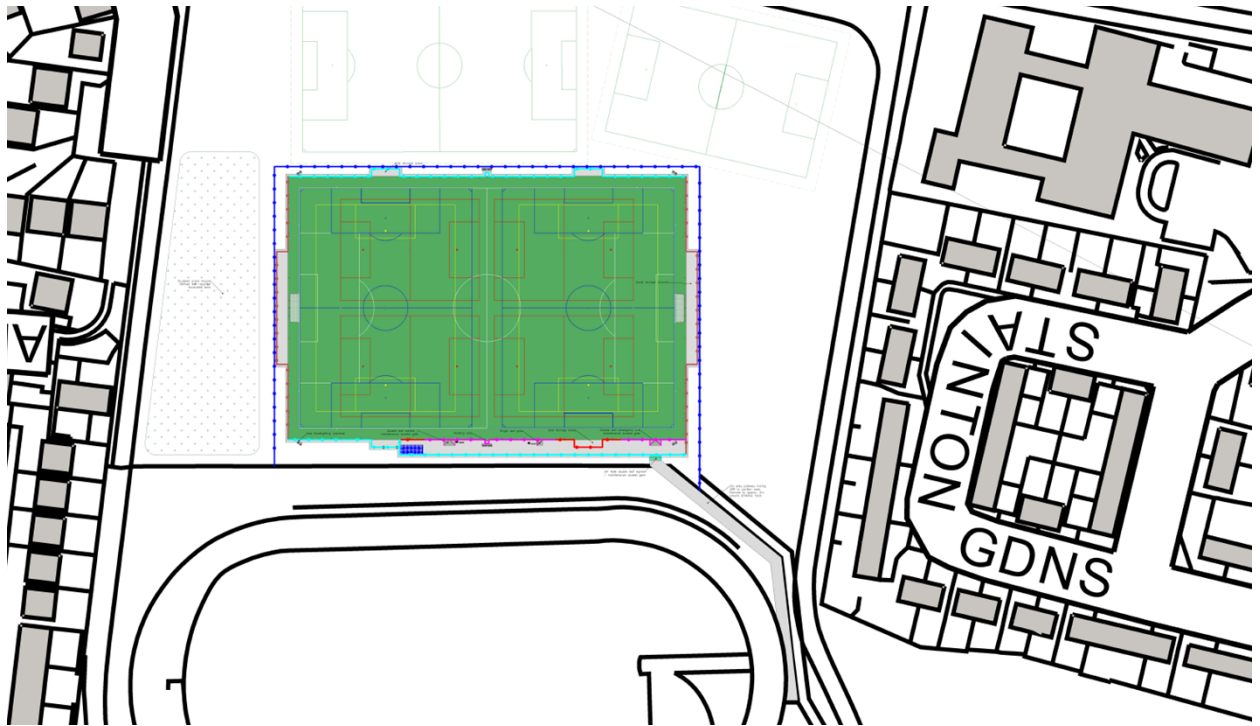
Development to commence within 3 years
Development to be carried out in accordance with the plans
Contaminated land – unexpected contamination
Carried out in accordance with noise assessment
Carried out in accordance with lighting details
Hours of construction
Hours of operation

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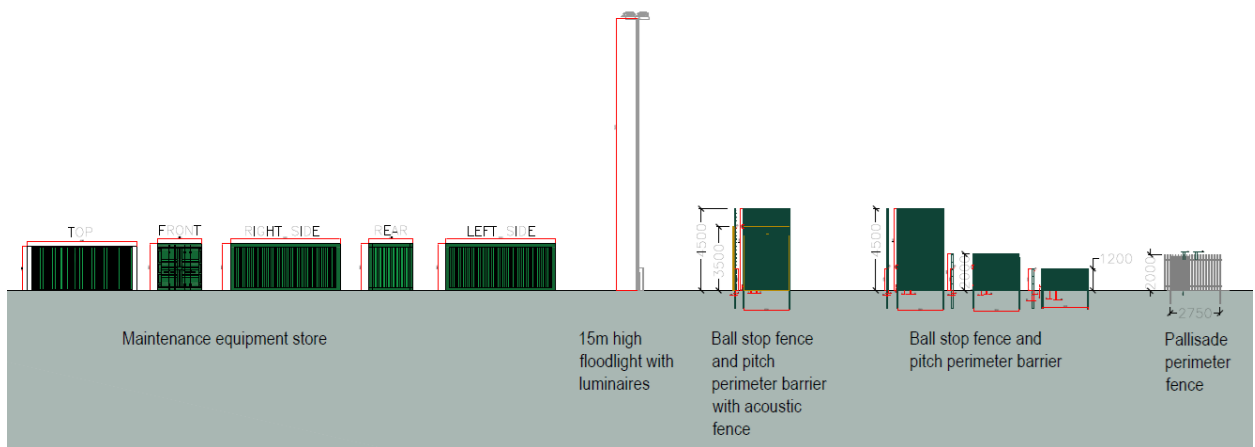
Site Location Plan



Proposed Layout



Elevations



Site Photos



Consultee Comments

Environment & Economy

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



To: Lincoln City Council

Application Ref: 2018/0809/RG3

With reference to this application dated 21 June 2018 relating to the following proposed development:

Address or location

Yarborough Leisure Centre, Riseholme Road, Lincoln, Lincolnshire, LN1 3SP

Date application referred by the LPA
26 June 2018

Type of application: Outline/Full/RM/
FUL

Description of development

Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access

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:

Becky Melhuish
for Warren Peppard
Flood Risk & Development Manager

Date: 4 July 2018

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Mr Michael Collins

Address: 21 Stainton Gardens Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Can the developers of this proposal, give any assurance, that high protection fences or screens would be installed and erected, at the ends of the playing area, both of which are close to residential properties, to prevent high balls entering gardens, and that the teams and associates would not enter such gardens to retrieve the football. The properties at both ends of the proposed playing field have elderly and infirm residents with planted and nurtured gardens.

Great thank you

I will soon be moving into a property on spire close which borders the proposed playing field. My concerns are that I have purchased the property because of the large amount of green space next to it. I do not want to loose this as a result of a large fenced in Astro turf area. I believe this area will attract more youths to hang around at unwanted times, creating noise and leaving rubbish behind as the area will be flood lit.

Thank you

Miss Bramford

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Mrs Katie Willey

Address: 5 Spire Close Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We overlook the field and most certainly do not like the thought of what could happen if it is accepted. I've talked to my neighbour and others that are on my close and we all feel the same way about it.

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Mr Thomas Nekrews

Address: 34 Spire Close Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I recently purchased a house on Spire Close, and one of the attractions to the area was the green space nearby. The proposed changes would mean floodlights beaming through my window, noise pollution and litter in an otherwise peaceful area. I feel this development would decrease the value of my property and decrease the quality of life for those living in the area. I play football a few times a week and there are so many artificial pitches already available in Lincoln, there is no need or demand for more.

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Dr Galina Atkin

Address: 2 Tobruk Close Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Me and my family, including my son and granddaughter, regularly use this field to exercise ourselves and our dogs. It is also an excellent opportunity to socialise with other people in the neighbourhood. This greatly enhances our health and wellbeing. Open fields, green grass and sun within a quiet residential area are under threat from this application.

As a doctor I feel it is important that people in the area should have a space to relax, to exercise and to socialise. The impact of floodlights, excessive noise, likely more traffic and parking congestion will all have a negative effect on my family and my neighbours and friends in the area.

It is very disappointing that such short notice was given, the statutory notices were not prominently displayed and only a very few people in the area were contacted despite this having a major impact on the whole estate.

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Miss Lynn McEwan

Address: 302A Burton Road Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I frequently use the playing fields as a safe place to walk my dog. I chose to live in this area given its freely available green space. The construction of the artificial football pitch will significantly impact quality and safety of dog walking and reduce this area's appeal as a residential area.

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Mr Paul Atkin

Address: 2 Tobruk Close Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I do not feel it is reasonable for the area to be floodlit after 6pm, nor have the noise from shouting and kicking balls at this time. I can hear this from my bedroom window two streets away when there are games on the field on a Sunday morning. I start work very early in the morning and go to sleep early each evening. This pitch if installed would seriously affect my sleep pattern and my health as a result of it.

I can also hear the bad language while games are in progress, and to have to deal with this from 8.00am to 10.00pm is entirely unreasonable.

I am also very disappointed that local residents received no letter regarding this and we found out quite by chance.

I feel the local residents will be seriously impacted, particularly the people living in the bungalows on Verdun Close and the old people in the care home on the far side of the field. It is quite unfair to disrupt their lives and our lives in this way.

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Mrs Kirsty Quibell

Address: 10 Bishopsgate Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have three young children who regularly use the area to play football, ride their bikes etc and it's not fair that we should lose the use of the facility.

I bought my house because of access to lots of open grassed space which wouldn't be there if this application goes ahead.

I and my family avoid the field on Sunday mornings in the football season because of the shouting and bad language which my young children would be exposed to. The artificial pitch operating hours would mean I would need to avoid the field altogether.

There are health scares over artificial pitches made from old tyres being cancer causing, has this been investigated?

The government recommends exercise for all ages and types of people, not just those who want to play team games on artificial pitches. Please leave us with access to the playing field so everyone can enjoy it.

Comments for Planning Application 2018/0809/RG3

Application Summary

Application Number: 2018/0809/RG3

Address: Yarborough Leisure Centre Riseholme Road Lincoln Lincolnshire

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Miss Mary Rogers

Address: 23 Bishops Gate Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It would cause great distress

1 The Character of the Area

This development would completely change the nature of the area.

Heritage Connect Lincoln, a joint project by Lincoln City Council and English Heritage, undertook a series of heritage and characterisation projects with the intention of ensuring that the City's unique heritage and character is positively managed, particularly in the planning of new developments. The site of the proposed Artificial Grass Pitch (AGP) is situated within the St Francis Yarborough designated Character Area of which Heritage Connect Lincoln includes comments such as (see Appendix A):

- The sense of open space throughout the area given by the large areas of playing field and open grassed areas ... is a strong characteristic of this Character Area
- The large areas of grass ... are another strong characteristic of the area
- The area sees a lot of pedestrian activity, particularly on the playing fields

Appendix B shows a map of the St Francis Yarborough Character Area. The area marked A on this map has already recently been enclosed by Lincoln City Council and removed from open use by the local community, in addition to the construction of the Deansleigh housing development within this designated Character Area. The intended site of the AGP is shown in red on the map in Section 3 of the Design and Access Statement and would clearly engulf another huge part of the remaining open area. Indeed one could easily get the impression that these open areas are being whittled away until there will

be none left. I feel it is important to maintain what is left of these open spaces in order to preserve the character of the area.

The erection of an enclosure fence of up to 4.5 metres high would be out of keeping with this Character Area of open grassed spaces, as would the intrusive proposed 18 metre high floodlights.

The enclosure of this additional area would also mean it would no longer be available for the pedestrian activity which is currently a characteristic of the area.

There is no indication that Lincoln City Council has taken any account of the findings of the Heritage Lincoln project regarding this Character Area, in which it itself collaborated.

Whilst this AGP facility may be in keeping with a sporting facility environment, the proposed site is flanked on three sides by quiet residential areas. Verdun Close to the west is a development of bungalows largely occupied by more mature residents. To the east there is a care home for the elderly, whilst to the north is a new development of residential housing. All of these will be affected by both visual and noise impact if this development goes ahead, no longer having an open outlook and quiet enjoyment of their properties. Of particular concern are the elderly residents of the care home who go to bed long before the proposed closure time of 2.00.

2 The Noise Impact Assessment (NIA)

The proposed hours of operation of the new AGP included in the application are from 0800 to 2200, seven days a week (total 98 hours) though I note that the Noise Impact Assessment (NIA) suggests slightly different hours. Given that currently the only regular team sports fixtures on the site are the football matches on a Sunday morning (maximum three hours) this is an anticipated increase of time subjected to noise impact of 95 hours or over 3000%.

Regardless of the findings of the NIA, the practical experience of residents is such that when the field is in use for football loud shouting and swearing can be heard in the gardens of the surrounding properties. This makes those gardens unusable during this time due both to the level of noise and nature of the language used. However, this is tolerated due to the minimal time this happens for, knowing that the rest of the time this is a quiet, peaceful area to live. Approval of this application would change that situation, meaning that potentially residents would have to tolerate this noise intrusion from 0800 to 2200 seven days a week, severely affecting their health and wellbeing.

The NIA Table 3 shows that the anticipated noise level of the activities for which this area would be used are between 50 and 60 db.

I would contend that the NIA is fundamentally flawed. It is largely based on work carried out at another site which has only limited relevance to this application. It compares the noise level of various sporting activities on grass and on artificial grass. However, in reality the site for the proposed AGP is currently only used for team sports

on a very limited basis, indeed the only regular use is on a Sunday morning during the football season. The majority of the remainder of the time there is no noise generated from team games, therefore the comparison should be between a zero base noise level from team sports activities and the noise level on artificial grass. I feel completely sure this would far exceed the predicted increase of 1db, in fact according to NIA figure 8 it would seem apparent that the increase in noise levels would be far higher than the 5db level impact classed as major which should be avoided.

Point A shown on figure 7 of the NIA at which readings were taken to measure existing noise levels is within earshot of existing pitches where team sports regularly take place (marked A and B on Appendix B). Verdun Close, some parts of Spire Close and Bishopsgate are some further 150m away, shielded by landscaping and there is currently no noise impact from team sports on these areas as they are not within earshot. Therefore to suggest that readings taken at Point A are relevant to the impact on homes on Spire Close, Bishopsgate and Verdun Close is incorrect. Rather, readings should at the same time have been taken at the Bishopsgate or Verdun Close end of the field to have any relevance to these areas. The figures within the report show that there is an expected noise level for all surrounding properties of 45 db (NIA Section 8). This is classed as having 'moderate annoyance, daytime and evening' (NIA 4.1). I do not believe it is acceptable for residents of quiet residential areas to now be expected to tolerate 'moderate annoyance' for 98 hours per week. This 'moderate annoyance' on a continual basis including virtually all daylight hours and every evening, seven days a week would represent a major problem for the residents who currently enjoy peaceful enjoyment of their homes and gardens.

There is no mention of the maximum noise levels recorded at Point A (NIA table 11) other than to simply show them within the table. Clearly these maximum noise levels are the ones which residents would find most intrusive and yet there is no attempt to address them within the report.

The relocated positions of the grass football pitches shown on the Proposed Site Plan (Figure 3.2 of the Proposed Site Plan) means that sidelines will run close to the line of the footpath next to the fence separating the pitch from Spire Close, just a matter of a few yards from the gardens of Spire Close. The halfway line is currently some 60 to 70 meters from the gardens. Additionally, there will be a goal positioned only yards from the care home for the elderly. There will therefore be greatly increased noise levels from the football games on these grass pitches which have not been taken into account within the NIA. The additional noise will also provoke a barking reaction from homes with dogs, again this has not been taken into account in the NIA.

It is disappointing that the Environmental Health Comments do not raise any of the above issues, simply describing the methodology as 'sound'.

The NIA acknowledges that there will be noise and abusive language which will give rise to complaints (Section 11), indeed in anticipation of these it is recommended that a complaint handling system should be put in place in readiness. I do not feel it is reasonable to press ahead with this facility, knowing that it will have this impact on residents and expect them to have to deal with the bad behaviour which the applicants themselves acknowledge is inevitable. Many of the residents affected are vulnerable

and should not be forced to deal with such issues. My own experience where I have tried to telephone Yarborough Leisure Centre over issues is that it can take many attempts to even get through to them. It is a busy centre and staff are dealing with users in person rather than answering the telephone. By the time an issue has been reported and any action taken, the offending AGP users are likely to have finished their games. Even if a system could be put in place which quickly addressed bad language and behaviour, initially residents would still be upset by encountering and dealing with such incidents. I am sure it would not be long before residents would come to the conclusion that it is not worthwhile complaining, poor language and behaviour would have to be tolerated and residents would therefore avoid the area. Also, families who wished to use the remaining grassed area would be deterred from doing so rather than expose their children to such language and behaviour.

3 Visual impact

Appendix C shows a photograph taken from my bedroom window, Appendix D shows the view from the end of Bishopsgate. Instead of the wide open grassed area there will be a view of fences up to 4.5 metres high and 18 metre high floodlights which cannot fail to dominate the site and impede views of the cathedral which currently enhance the area. This would be intrusive and a much less attractive view than is currently the case.

4 Loss of Amenity for the local community

This area of the football pitches is extensively used by children, young people and their parents to play, by people walking and playing with their dogs, by joggers, by people flying kites as it is a wide open area, as well as pedestrians, cyclists etc. The development of the AGP will mean the area is no longer available for any of these purposes.

5 Personal Impact

I live on Spire Close and currently run a business providing home boarding and day care for dogs, licensed by Lincoln City Council. When football matches are taking place on Sunday mornings and when there are one off events, the dogs will bark when they hear shouting on the field. Therefore in order to avoid undue impact on my neighbours and to avoid complaints I keep the dogs indoors with the windows closed until the football matches are over. Regardless of the Noise Impact Assessment, this is the reality when there are sports matches on the playing field and other neighbours with dogs encounter the same issues as well as having to listen to the shouting and unacceptable language. The anticipated hours of use are much longer than the current two or three hours per week, and potentially the use of the AGP could make my garden unusable by the dogs in my care for 98 hours per week, which will include virtually all daylight hours. This will cause me undue stress of trying to keep the dogs quiet during these extended hours whilst being continuously provoked by noise from the AGP, and the dogs will have very limited access to outside space. This means the impact will be noticeable and disruptive (NIA 3.3 Table 1) meaning the noise causes a material change in behaviour and/or attitude eg avoiding certain activities during periods of intrusion, where there is no alternative ventilation, having to keep windows closed most of the time because of the noise). The recommendation in such circumstances is to avoid action which could cause such noise levels.

I specialise in taking care of particularly needy dogs who could not cope with kennels and are often very sensitive to noise. Due to the nature of the business there is a continual turnover of dogs in residence every week, it is not the same as having a resident dog which may become accustomed to the noise. At best approval of this development will impact on my ability to generate an income and affect my stress levels and therefore health, at worst it is likely to force me to close my business.

6 Spire Close

The NIA states that Spire Close will be particularly affected by the noise from the AGP. The plans include walls to protect the residents at the east and west ends of the proposed site from the noise generated, there is nothing included to mitigate the noise impact on Spire Close.

7 Local resident views

It feels as though local resident views are not wanted or encouraged:

- Of our three ward Lincoln City Councillors
 - Councillor Jim Hanrahan is on the Planning Committee and therefore unable to help
 - Councillor Donald Nannested supports this development apparently without any attempt to establish the views of his constituents who are resident in the area and will be affected by it.
 - On visiting the Councillor surgery on 7 July Councillor Loraine Woolley said she had not been briefed on the matter but would need to arrange to visit the site with an officer of Lincoln City Council before deciding whether she could support residents' objections, declining an invitation from me to meet her on site

We have therefore so far been unable to elicit any support from our elected representatives.

- Despite the application stating that those most affected are in Stainton Gardens, Verdun Close and Spire Close, Lincoln City Council chose to consult only a very small proportion of the residents of these areas.
- I understand a meeting was held to explain the application to users of the Leisure Centre, however nothing has been done to keep the residents similarly informed.
- When trying to access documents relating to the application online, the error message 'this document is unavailable for viewing at this time' frequently appears, clearly limiting availability of information relating to the application.
- Whilst trying to register objections online many problems have been encountered, meaning what should be an easy process becomes much more complicated and discourages residents from making objections, indeed I was myself unable to do so. Therefore we have organised a petition so those people unable to do so through the website are still able to register their views.
- The general consensus amongst people in the area is that Lincoln City Council will do what it likes regardless of the views of the residents.

8 General comments

The current pitches are not heavily used for team sports, but are well used by the community. The argument that the withdrawal of this area for use by the community is necessary to allow use for football etc seems rather strange given that the existing grass football pitches are available yet barely used for this purpose.

There is already pressure on the car parking at Yarborough Leisure Centre. On Sunday mornings during the football season, at peak times and when there are special events on the site of the proposed AGP, users of the Leisure Centre park on roads near the Verdun Close/Breedon Drive/Bishopsgate entrance to the field causing congestion for residents. This development can only worsen that situation.

In conclusion, I would like to say that this development has serious implications for the quality of life of those living around the area as well as the wider community who make use of the existing grassed field. Whilst I appreciate that Lincoln City Council wishes to develop sporting facilities, I hope it would not prioritise this aim to the detriment of the many residents who would be adversely affected by this development.

Appendix A

HERITAGE

CONNECT

LINCOLN

St. Francis Yarborough

Overview

St. Francis-Yarborough Character Area ([view detailed map](#)) has a mix of recreational and educational uses. The sense of open space throughout the area given by the large areas of playing field and open grassed areas, buildings set back from the street in large plots and varied building line is a strong characteristic of this Character Area. The large areas of grass with some mature trees are another strong characteristic of the area. There is a townscape of large, mainly single-storey buildings set well back from the footway within large plots.

Many areas are not overlooked, some areas are in poor condition and there are long stretches of security fencing. Yarborough Leisure Centre acts as a focal point for the area although the large urban block limits vehicle and pedestrian movement across the area. There is heavy traffic along Riseholme Road while the rest of the roads in the area are access roads. The area sees a lot of pedestrian activity, particularly on the playing fields and is connected to the wider city by its recreational uses.

The Character Area was formerly part of the city's common fields, which may have been laid out as early as the 10th century and were enclosed following an Act of Parliament in 1803. Following enclosure new farms were established with the farmers as tenants of the City Council. Field boundaries of these farms can still be seen in the current townscape e.g. the northern plot boundary of St. Francis School and the eastern boundary of the open space to the north of the Character Area. There is also a kink in the northern plot boundary of St. Francis School, to the rear of 5 to 11 Stainton Gardens, which can be traced back to the perimeter of the yard of the Lincoln Field farm itself.

Character Area



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Scale: 1:3500 at A4



Appendix C



Appendix D



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Application Number:	2018/0808/RG3
Site Address:	Birchwood Leisure Centre, Birchwood Avenue, Lincoln
Target Date:	17th August 2018
Agent Name:	Surfacing Standards
Applicant Name:	Mr Lockwood (City of Lincoln Council)
Proposal:	Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Background - Site Location and Description

Permission is sought for an Artificial Grass Pitch (AGP) to accommodate an 11 aside football pitch. It would measure 106metres in length and 70metres in width. The pitch would also be capable of accommodating a combination of youth football pitches, mini soccer pitches and training areas. The proposal also seeks the installation of associated fencing to include a 4.5metre high ball stop fencing to the AGP perimeter and a 3.5 metre acoustic fence.

The site is located to the east of Birchwood Leisure Centre on an area of grassed playing field. Residential properties adjoin the site to the north, south and east. A former airstrip runs along the north western boundary of the site.

Site History

No Relevant Site History

Case Officer Site Visit

Undertaken on 29th June 2018

Policies Referred to

National Planning Policy Framework
 Central Lincolnshire Local Plan
 LP26 – Design and Amenity

Issues

Impact on Neighbours
 Visual Amenity

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 – No objections
Sport England, East Midlands	No response received at the time of writing this report

Public Consultation Responses

Name	Address
Mrs Nicola Shaw	29 Ridgewell Close Doddington Park Lincoln
Mrs Lynne Mott	31 Ridgewell Close Doddington Park Lincoln

Consideration

Impact on neighbouring residents

Policy LP26 of the Central Lincolnshire Local Plan states that “the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development”.

At the time of writing this report objections had been received from residents on Ridgewell Close. Those properties with an immediate boundary with the playfield have been consulted. This issues raised are discussed below.

Noise

The applicant has submitted a noise impact assessment report in support of their application. The assessment identifies that the proposed use would not cause unreasonable levels of noise at the surrounding residential properties provided that appropriate mitigation measures are put in place. The Noise Assessment recommends a 3.5metre high solid acoustic barrier around parts of the pitch and this has been included as part of the application.

External Lighting

The applicant has submitted a lighting impact assessment in support of their application. The assessment confirms that the proposed lighting scheme would not cause unreasonable levels of light at the surrounding residential properties provided that the floodlighting is installed as proposed in the applicant’s submission. It would therefore be conditioned that the lighting is installed as per the submitted plans and that any changes to this would have to be approved by the Local Planning Authority.

Operating Hours

Due to the proposed use having the potential to cause disturbance due to noise and excess light, particularly during the sensitive night-time and early morning hours, it is recommended that a condition be attached to the consent, if granted, to restrict the hours of operation to between 8.00am and 10.00pm on any day.

Visual Amenity

The most visually prominent aspect of the proposed development would be the fencing around the perimeter of the pitch. This fencing is of a colour and design which makes it as visually recessive as possible so as not to be intrusive on the landscape. The scheme would also include a store which would be green in colour so as to be less noticeable.

Conclusion

The proposed Artificial Grass Pitch would be located on an area of grass which is currently used for informal playspace. The proposal formalises the space with an all-weather pitch and associated infrastructure which means it can be used all year round. Appropriate measures have been taken to mitigate the impact on adjacent neighbours and it is considered that the use is appropriate given the surrounding context of exiting sports uses.

Application Determined within Target Date

Yes

Recommendation

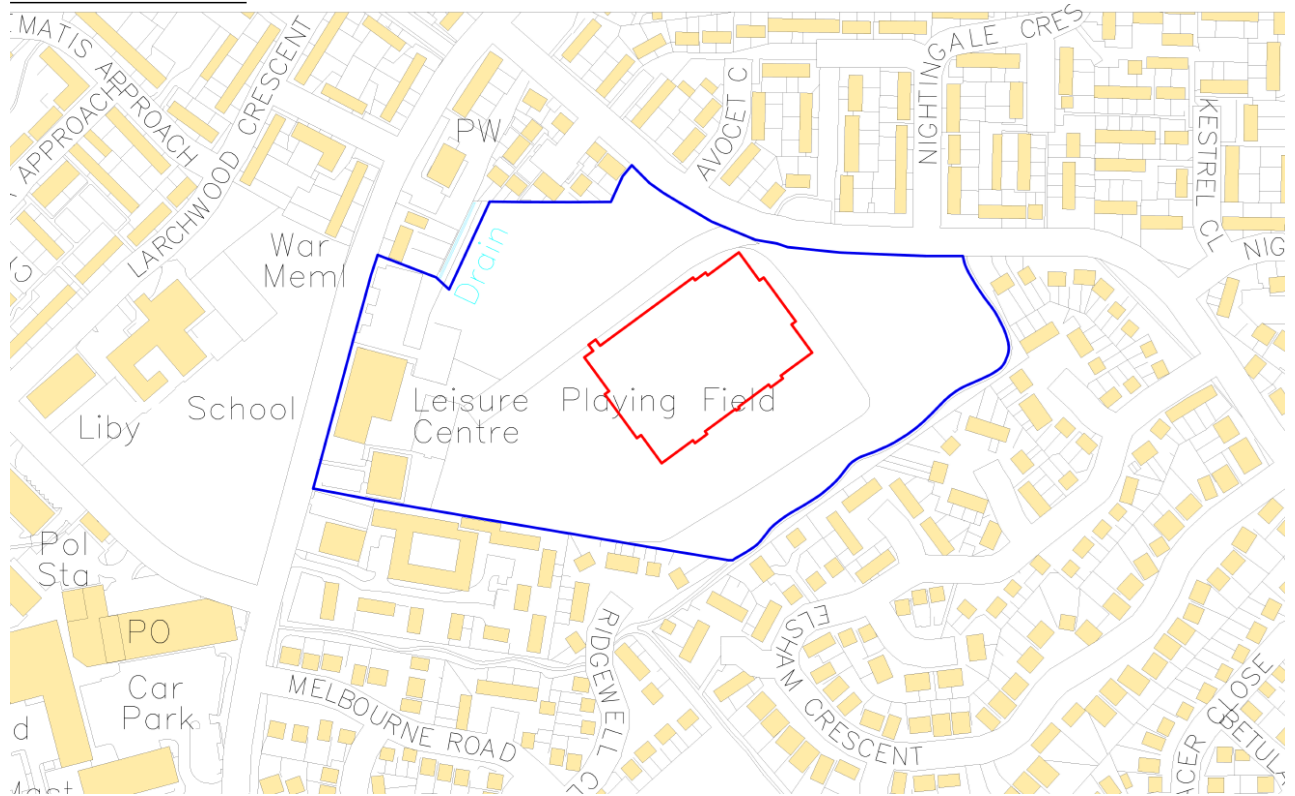
That the decision to Grant Conditionally is delegated to the Planning Services Manager once the consultation period of the site notices has expired.

Conditions

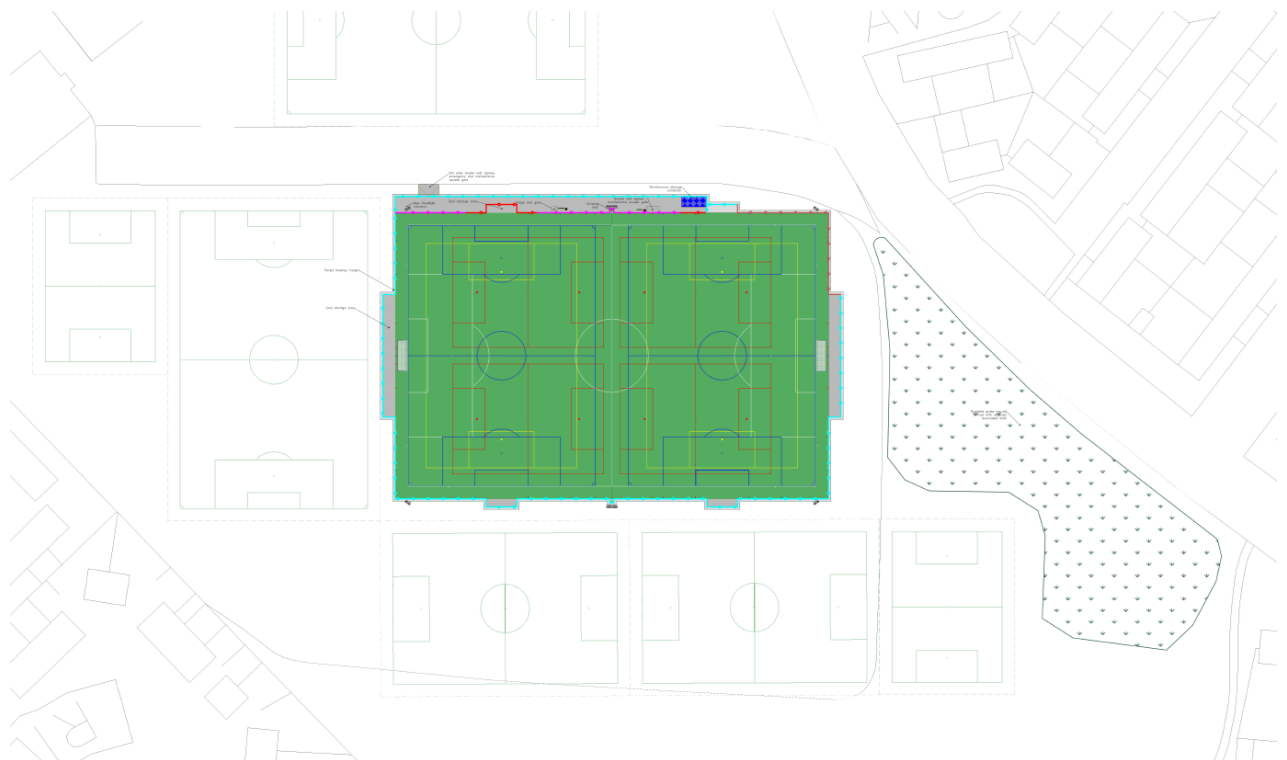
- Development to commence within 3 years
- Development to be carried out in accordance with the plans
- Contaminated land – unexpected contamination
- Carried out in accordance with noise assessment
- Carried out in accordance with lighting details
- Hours of construction
- Hours of operation

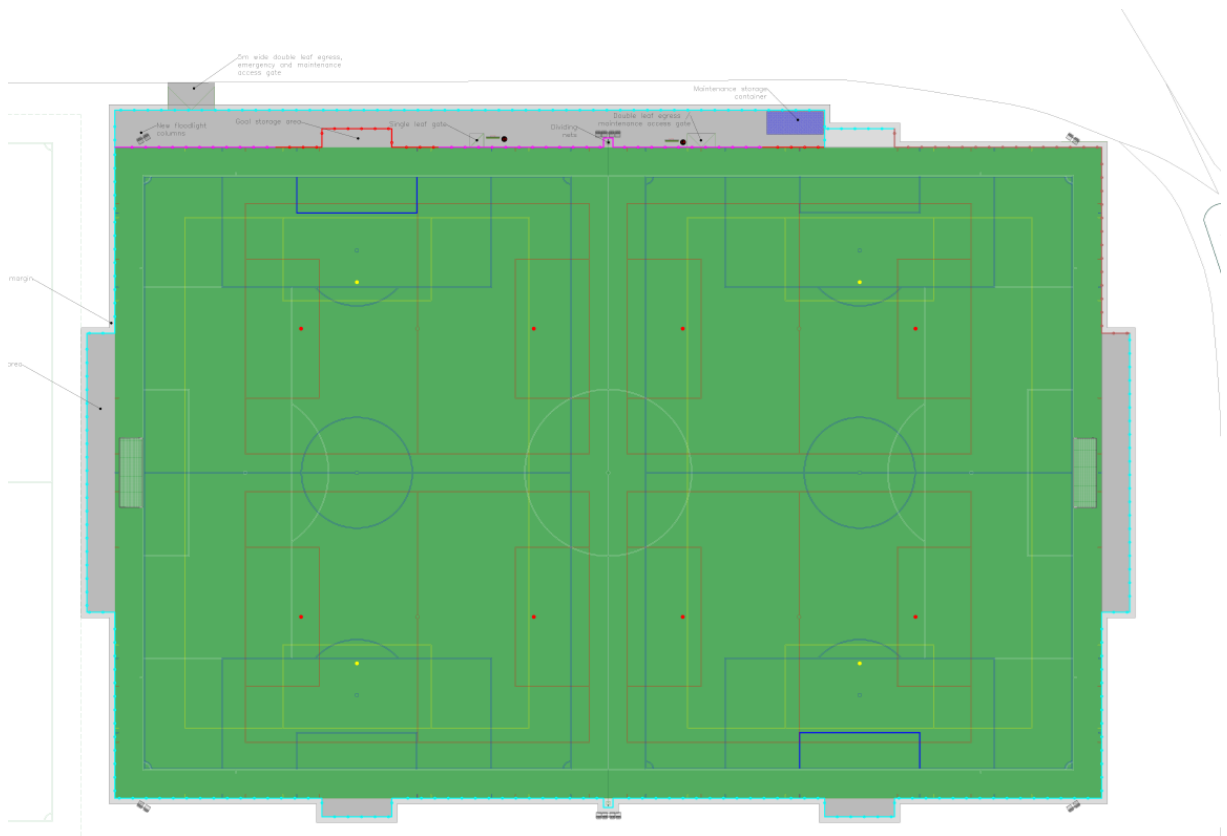
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Site Location Plan

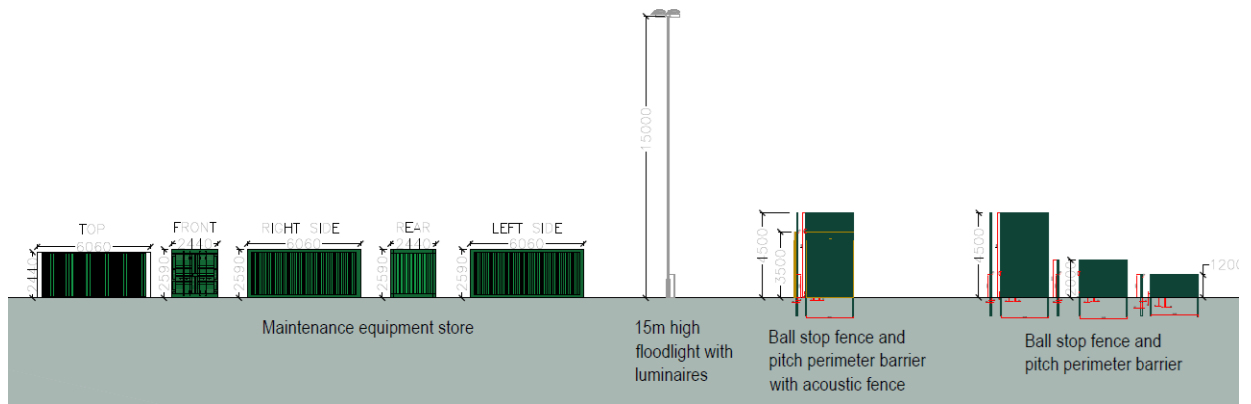


Proposed Layout





Elevations



Site Photos





Consultee Comments

Environment & Economy

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



To: Lincoln City Council

Application Ref: 2018/0808/RG3

With reference to this application dated 21 June 2018 relating to the following proposed development:

Address or location

Birchwood Leisure Centre, Birchwood Avenue, Lincoln, LN6 0JE

Date application referred by the LPA
26 June 2018

Type of application: Outline/Full/RM/
FUL

Description of development

Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access

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:

Becky Melhuish

for Warren Peppard
Flood Risk & Development Manager

Date: 4 July 2018

Neighbour Comments

Address: 29 Ridgewell Close Doddington Park Lincoln

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments: I object this planning decision as it far too close to the neighbouring housing. Not all neighbours have been mentioned who are beside the ones that have been mentioned.

No consideration has been taken into account the close proximity of these houses and the noise level with having late night usage. I have a 4 year old and her bedtime is 8pm and I don't want to be hearing balls echoing and possible crowds after this time.

Also there is no reference to the distribution of the building work.

I don't see any distance been mentioned to where this will be built its all maps and its not clear.

This could also effect house values of our properties. People choose to live in areas for reasons and this goes against all the reasons I choose to live here.

I would like to get more information on the distance from my property to where the edge of this proposed playing field will be.

I am extremely upset by this proposal.

Comments for Planning Application 2018/0808/RG3

Application Summary

Application Number: 2018/0808/RG3

Address: Birchwood Leisure Centre Birchwood Avenue Lincoln Lincolnshire LN6 0JE

Proposal: Installation of an artificial sports pitch with associated fencing, floodlighting, storage container and access.

Case Officer: Lana Meddings

Customer Details

Name: Mrs Lynne Mott

Address: 31 Ridgewell Close Doddington Park Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to object to this proposed development.

Reading through the application I am very concerned that the impact and affect on the residents of Ridgewell Close haven't been taken into account, however, Elsham Crescent, Birchwood Avenue, Fulmar Road and St Claire's Court have, all of which are further from the playing field and mostly screened by trees so the impact would be less.

Over the years we have lived here we have become used to the local leagues playing on the field and groups using the current all weather court but feel that this new proposal would be far more intrusive due to its size, lighting and being used for 14 hours a day. Plus, the distance it will be from our boundary (I understand this to be 45 metres although this is not clear on the plans) will make the sound and light into our property quite intrusive.

Why did the impact statement include everyone else that may be affected but not us who back directly onto the field? Some properties in St Claire's Court do but as they are bungalows the impact will be lessened by the screening around the property. Houses on Elsham Crescent and Birchwood Avenue do not back directly onto the field so will not be impacted by this development as much or at all like we will be.

To our minds, the playing field as it is, is more than fit for purpose, being large enough to accommodate 6 - 7 games at the same time, ample parking and facilities in the leisure centre, doesn't flood even in downpours and is well used by many members of the local community. A large part of this lovely community field would be lost to a facility that might not be well used and not everyone wants to play on an artificial pitch.

In conclusion, we strongly object to this development.

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