

**Present:** Councillor Jim Hanrahan (*in the Chair*),  
Councillor Biff Bean, Councillor Bill Bilton, Councillor Alan Briggs, Councillor Kathleen Brothwell, Councillor Bob Bushell, Councillor Gary Hewson, Councillor Ronald Hills, Councillor Jackie Kirk, Councillor Hilton Spratt and Councillor Pat Vaughan

**Apologies for Absence:** Councillor Naomi Twedde, Councillor Chris Burke and Councillor Edmund Strengiel

**48. Confirmation of Minutes -7 November 2018**

RESOLVED that the minutes of the meeting held on 7 November 2018 be confirmed.

**49. Declarations of Interest**

Councillor Gary Hewson declared a Personal Interest with regard to the agenda item titled 'Application for Development: De Wint Court, Bowden Drive, Lincoln'.

Reason: He knew one of the residents having submitted a consultee response, however not as a close associate, and he had in no way predetermined his interest on the application to be considered.

Councillor Pat Vaughan declared a Personal Interest with regard to the agenda item titled 'Application for Development: Homebase, Lidl Outlet, Topps Tiles and Part of BHS (Units C, D, E), St Marks Retail Park, Lincoln'.

Reason: He sat as a member on the Internal Drainage Board, one of the statutory consultee's to the planning application.

**50. Work to Trees in City Council Ownership**

,The Arboricultural Officer:

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

Members asked:

- Was the extensive tree clearance being carried out this year adjacent to the dam wall classed as planned or a reactive scheme of works?
- What were Turkey Oaks as referred to within the officer's report to be felled at Hartsholme Country Park? Would they be replaced with a similar species?

The Arboricultural Officer offered the following points of clarification:

- He would provide his scheduled annual report on the location of replacement trees to Planning Committee in the New Year.
- The works down the south side of the dam facing the lake at Hartsholme Park were required to provide clear accessibility for regular engineer inspections of the dam.
- Turkey Oaks were another species of oak. They were not native trees and would be replaced with English Oaks.

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

**51. Application for Development: Homebase, Lidl Outlet, Topps Tiles and Part of BHS (Units C, D, E), St Marks Retail Park, Lincoln**

The Planning Manager:

- a) advised that planning permission was sought for the demolition of existing buildings and development of the site for purpose built student accommodation with commercial floor space, car parking, cycle storage and associated landscaping
- b) described the location of the application site within the south western corner of the wider redevelopment area encompassing the St. Marks Retail Park and Shopping Centre
- c) reported that the site was formerly occupied by the Homebase, Lidl Outlet and Topps Tiles units and part of the BHS unit having a surface parking area in the foreground
- d) highlighted that prior approval had already been granted for the demolition of the units which was now underway
- e) referred to application number 2018/0655/FUL for 1, 372 bed spaces of student accommodation which was considered at Planning Committee on 12 September 2018, with planning permission refused due to the following reason:
  - “the design of the proposal is contrary to Lincoln’s setting and character, and therefore contrary to Policies LP25, LP26, and LP29 of the Central Lincolnshire Local Plan”
- f) reported that this application again was for the erection of ten blocks of student accommodation, varying in height from four to ten storeys, for a total of 1,372 bed spaces in clusters with shared living spaces
- g) stated that the main vehicular access for the site would be from the current service yard access at Firth Road, which joined Tritton Road at the traffic light controlled intersection with Beever Street
- h) reported that access lead into the site for servicing purposes although it was primarily for the collection of refuse from storage areas adjacent and the drop off point for students

- i) highlighted that between the student accommodation blocks would be a series of spaces with seating, landscaping and cycle stores, which would ultimately permit public access from outside the site through to the remainder of the St Marks development
- j) 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 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.
- k) outlined the responses made to the consultation exercise
- l) referred to the update sheet which contained an additional neighbour response received in respect of the proposed development
- m) advised members of the main issues to be considered as part of the application as follows:
- The Outline Planning Application and Consideration of Central Lincolnshire Local Plan Policy;
  - Environmental Impact Assessment;
  - The Principle of the Development;
  - Sustainable Access, Highway Safety and Traffic Capacity;
  - The Impact of the Design of the Proposals;
  - The Implications of the Proposals upon Amenity;
  - Other Matters;
  - The Planning Balance.
- n) 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 and it was considered that the application should benefit from planning permission for the reasons identified in the report and subject to the conditions included within it.

Brian Kelly, representing the applicant, addressed Planning Committee in support of the proposed development, covering the following main points:

- The applicant was disappointed that planning permission had been refused previously.
- The applicant had listened to the points made by members at that time in relation to the design of the proposed development given its prominent position.
- This revised planning application addressed the issues raised.
- This proposal was the start of a long term investment scheme in the city.
- It involved transformation of the area into vibrant/sustainable developments including affordable housing, retail, and restaurant facilities.
- It was the first step to the regeneration of St Marks.
- The next phase would go ahead from the year 2020 once relevant leases had expired.
- New purpose built student accommodation was required in the city to provide for significant growth of the University.
- Purpose built student accommodation reduced the impact from houses in multiple occupation.
- Since the refusal of the last planning application, a great deal of time had been spent liaising with planning officers/giving a presentation to members in order to arrive at this modified scheme.
- Student accommodation was welcomed as close to the University complex as possible.
- This scheme would provide local employment.
- Local contractors/suppliers would be used.
- There would be a total of £150m worth of investment in this scheme.
- It provided economic benefits for students and offered further development in terms of affordable housing, restaurants and retail outlets in future phases.
- He hoped the revised planning application would be supported.

Members discussed the content of the report in further detail, during which the following comments and points were noted:

- The design of the revised proposal was more acceptable reflecting its prominent location.
- Although the design of a building was subjective and would be judged by personal opinion, considerable effort had been made to amend the design of this planning application to meet the needs of Planning Committee and the standards the area deserved.
- Planning Committee wanted to see more high class planning applications in future reflective of their position in the city.

RESOLVED, that authority be delegated to the Planning Manager to grant planning permission subject to the receipt of the final response from the Highway Authority and any relevant planning conditions, as well as the issues covered by the planning conditions listed below:

- Time Limit;
- Approved Plans and Documents (including phasing);
- Contaminated Land;
- Archaeology;
- Construction Management (including delivery times and working hours, construction access and the location of site compounds);
- Provision of Fire Hydrants and Access for firefighting appliances;
- Future Development Wide and Building Management (security and safety of occupants);
- Temporary Fencing and Enclosures (during construction);
- Surface Water Drainage;
- Foul Water Drainage;
- Building Materials (including hard surfaces and boundary treatments);
- Large Scale Details of Shopfront Façades;
- Ecological Enhancement;
- Noise and Air Quality Mitigation to Buildings;
- Hard and Soft Landscaping;
- Travel Plan;
- Flood risk mitigation, including floor levels;
- Street Furniture and Signage;
- Cycle Storage;
- Plant and Machinery;
- Kitchen Extraction; and
- Temporary Uses / Structures.

**52. Application for Development: De Wint Court, Bowden Drive, Lincoln**

The Planning Team Leader:

- a. advised that planning permission was sought for the demolition of De Wint Court, Bowden Drive and the erection of a replacement three and two storey extra care facility comprising 50 one bed apartments and 20 two bed apartments, also supported accommodation facilities; a restaurant, hair salon and lounge, with a new car park layout and areas of hard and soft landscaping
- b. highlighted that the extra care use was intended to bridge the gap between ordinary/sheltered housing and residential care
- c. described the location of the application site organised in a U-Shape with the principal elevation to the north, opposite the access to the rear of properties on De Wint Avenue, the communal facilities positioned centrally within the front portion of the building with the residential accommodation within the wings to the south
- d. reported that prior to the application being submitted the agent had held extensive pre-application discussions with officers and also engaged with the local community through public consultation exercises in June and August this year; some of the key changes made to the scheme as a result

of this involved an increase in the number of parking spaces from 24 to 35, a reduction in the ridge height of the building by 1m, dropping the height at the end of the wing fronting Bowden Drive to two storey and moving the building further away from Bowden Drive and the southern boundary

- e. reported that the site currently accommodated the vacant, two storey building to be demolished which provided 37 sheltered accommodation bedsits, common rooms, a hair salon and laundrette
- f. confirmed that in addition to the application receiving more than four objections, the site was in the ownership of the City of Lincoln Council and therefore was being presented to Members of the Planning Committee for consideration and determination
- g. 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 LP9 Health and Wellbeing
  - Policy LP10 Meeting Accommodation Needs
  - Policy LP12 Infrastructure to Support Growth
  - Policy LP13 Accessibility and Transport
  - Policy LP26 Design and Amenity
  - National Planning Policy Framework
- h. outlined the responses made to the consultation exercise
- i. referred to the update sheet which contained an additional recommended condition from the City Council's Arboricultural Officer requiring the submission of an Arboricultural Method Statement relating to the retained trees to include exact details of construction and tree protection measures
- j. advised that a request had been made by NHS England facilitating the need for the signing of an S106 agreement for a financial contribution towards demands on existing doctors facilities, which was the subject of negotiation
- k. advised members of the main issues to be considered as part of the application as follows:
  - Principle of Use
  - Visual Amenity
  - Residential Amenity
  - Access, Parking and Highways
  - Drainage and Flood Risk
  - Trees and Landscaping
- l. concluded that:
  - The principle of the use of the site was considered to be acceptable and the development would relate well to the site and surroundings in relation to siting, height, scale, massing and design.

- The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
- Confirming the Arboricultural Officer being satisfied with the tree protection measures, the landscaping and tree retention proposals were acceptable and would be a benefit to the local environment.
- Technical matters relating to highways, contamination and drainage were to the satisfaction of relevant consultees. The proposals would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP9, LP10, LP12, LP13 and LP26, as well as guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail:

- Support was offered in general to the proposed development in its revised form following two public consultations.
- De Wint Court had been an excellent facility in its time, however, it was now outdated. The proposed development represented a good quality replacement/sustainable building.
- The new scheme would help to relieve pressure on hospital bed spaces. Patients would be able to return home more quickly to the supported accommodation facilities on site.
- It was pleasing to see additional care facilities being made available within the council's own portfolio.
- Funding to enhance and relieve pressure on local facilities such as doctors/ dentists was important to the provision of new housing developments.

Concerns were raised in relation to:

- Previously members had been worried about the position/height of the building in relation to Bowden Drive, therefore mitigation measures planned for the scheme in the form of trees/landscaping, were pleasing to note.
- The need for wider doors to accommodate disability scooters.

The Planning Team Leader offered the following points of clarification:

- The internal layout of the building incorporated a central pound for 26 mobility scooters.
- In association with the Central Lincolnshire Local Plan, actions were in place to approach what was needed to deal with the potential impact of developments across Central Lincolnshire. NHS England realised the benefits of engaging with the planning process.

RESOLVED, that planning permission be granted subject to the following conditions, with delegated authority granted to the Planning Manager to secure the financial contribution as requested by NHS England:

- Time limit of the permission;
- Development in accordance with approved plans;
- Samples of materials;
- Access improvement works in accordance with submitted plan;

- Electric vehicle recharge points;
- Tree protection measures;
- Fume extraction details;
- Noise impact assessment;
- Noise assessment for external plant or machinery;
- Assessment of off-site impact from external lighting;
- Implementation of landscaping;
- Erection of bat boxes;
- Reporting unexpected contamination; and
- Construction of the development (delivery times and working hours).

**53. Application for Development: Land At Broomhill, Clematis Approach And Sorrel Court, Lincoln**

The Planning Team Leader:

- a. advised that planning permission was sought for the installation of 6 storage units to house a total of 18 mobility scooters for residents within City Council sheltered accommodation, within Broomhill and Sorrel Court
- b. highlighted that residents were currently storing their mobility scooters in communal areas within the building which was inadequate
- c. reported that as the sheltered accommodation was within City Council ownership with the City Council as the applicant, the application was required to be decided by Planning Committee.
- d. provided details of the policies pertaining to the application, as follows:
  - Policy LP26 Design and Amenity
  - National Planning Policy Framework
- e. outlined the responses made to the consultation exercise
- f. referred to the update sheet which contained photographs and plans relating to the proposed development
- g. advised members of the main issues to be considered as part of the application as follows:
  - Relevant Planning Policy
  - Impact on Residential Amenity
  - Impact on Visual Amenity
  - Highway Safety
- h. concluded that the proposal to install mobile scooter stores would not have a detrimental impact on residential or visual amenity, in accordance with Policy LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Members discussed the content of the report in further detail:

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

## Standard Conditions

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

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

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

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

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

## Conditions to be discharged before commencement of works

None.

## Conditions to be discharged before use is implemented

None.

## Conditions to be adhered to at all times

None.

## Table A

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

Drawing No.	Version	Drawing Type	Date Received
Design and Access Statement		Other	9th October 2018
15338-CLC-BSC-P-LP-P		Location Plan	9th October 2018
PSM-2 Scooter Store		Other	9th October 2018
PSMX-4 Scooter Store		Other	9th October 2018
15338-CLC-BSC-P-SP1-P		Site plans	9th October 2018
15338-CLC-BSC-P-SP2-P		Plans Proposed	9th October 2018

## 54. Lincoln High Street Character Appraisal

The Planning Manager:

- a. presented the Lincoln High Street Character Appraisal to seek Planning Committee's endorsement to adopt this document as formal supplementary planning guidance, prior to referral to Executive for approval

- b. advised that in order to achieve the successful management of the 11 conservation areas within the City Council's administrative boundary, they should be periodically appraised in terms of their special character and appearance
- c. stated that in considering how to approach the first appraisal, it was felt that the High Street was an appropriate place to start because of its significance and importance as the principal commercial zone within the City
- d. advised that the area appraised commenced at the bottom of The Strait and terminated at Monson Street. incorporating parts of 3 current conservation areas; Cathedral and City Centre No1, West Parade and Brayford No6 and St Peter-at-Gowts No2
- e. emphasised that the appraisal provided valuable information which could be taken into account when submitting and considering planning applications to inform what proposals and development should come forward in the interests of the proper planning of the area
- f. advised that the document did not replace the current conservation area designations or create a new conservation area; it was intended as a supplementary document to provide valuable context to the reason why those areas had been designated conservation areas in the first place and provide an important character assessment of Lincoln's High Street
- g. requested Members support to the adoption of the attached 'Lincoln High Street Character Appraisal' document as formal guidance, commissioned by the City of Lincoln Council and carried out by a planning and conservation consultant, prior to referral to the City Council's Executive for approval.

Members considered the content of the report in further detail. The following questions emerged from discussions held:

- Who decided where the area appraisal commenced and ended? Were members' points of view taken into account?
- Had members of Historic Environment Advisory Panel been consulted?

Councillor Hewson moved that the appraisal area be extended to the lower High Street.

The Planning Manager offered the following points of clarification to assist members in their deliberations:

- The extent of the appraisal area was determined to make it manageable in order to apply for funding streams.
- In due course the review may form the basis of the formal conservation area renewal process.
- All other areas including the lower High Street would also be appraised.
- The process would be rolled out reviewing conservation areas across the whole city.
- The footprint chosen made sense as a character area.

- The area had been chosen by officers as it was manageable. It was within the gift of members to make changes to this decision if they were so minded.
- A view had been taken that Monson Street was at the far limit to which the appraisal area could stretch and there had to be a cut off at some point.
- Larger areas were more expensive to review.
- The area was chosen using the expertise of the Principal Conservation Officer and the City Archaeologist and had been discussed at Historic Environment Advisory Panel.
- It was possible if required to pull together an indicative list of future areas to be appraised as part of the formal review of conservation areas, to be included within the report submitted to Executive.

Councillor Hewson was satisfied with the Planning Manager's further explanation and did not wish to further pursue the motion he raised earlier.

RESOLVED that:

1. The adoption of the Lincoln High Street Character Appraisal document be supported by Planning Committee as formal guidance and be referred to the City of Lincoln Council's Executive for approval.
2. An indicative list of future areas to be appraised as part of the formal review of conservation areas be included within the referral documents submitted to Executive.