

Present: Councillor Jim Hanrahan (*in the Chair*),
Councillor Naomi Twedde, Councillor Biff Bean,
Councillor Bill Bilton, Councillor Alan Briggs, Councillor
Kathleen Brothwell, Councillor Chris Burke, Councillor
Bob Bushell, Councillor Gary Hewson, Councillor
Ronald Hills and Councillor Edmund Strengiel

Apologies for Absence: None.

55. Confirmation of Minutes - 5 December 2018

RESOLVED that the minutes of the meeting held on 5 December 2018 be confirmed.

56. Declarations of Interest

Councillor Ronald Hills declared a Personal Interest with regard to the agenda item titled 'Work to Trees in City Council Ownership'.

Reason: Some of the scheduled works involved trees outside of his property on Hartsholme Drive located on Council owned land. He had requested maintenance work to be carried out several times, however, the trees were not on his property and he was not affected by the works proposed.

Councillor Ronald Hills declared a Personal Interest with regard to the agenda item titled 'Application for Development: Monson Arms, Skellingthorpe Road, Lincoln'.

Reason: He had held a discussion with the applicant for the development, however, he had only listened to their proposals and had in no way predetermined his view on the matter to be determined.

57. 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:

- Whether the works to trees in Hartsholme Drive formed part of routine maintenance work as there seemed to be an unusual amount involved and a lack of maintenance over the years.

- Why the three pear trees to be felled in Abbey Ward would be replaced by cherry trees instead?

The Arboricultural Officer offered the following points of clarification:

- Trees on the public highway were the responsibility of Lincolnshire County Council as the Highways Authority. Maintenance work was prioritised, mainly on more mature trees. The City of Lincoln Council held a service level agreement with the County Council to maintain the trees on its behalf and inspected them if alerted of any issues. Members tonight were notified of impending work as a matter of courtesy as it fell within a Conservation area.
- Cherry trees were considered a more appropriate species to be replanted in the Abbey Ward location.

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

58. Hartsholme Country Park Lake/Reservoir-Tree Removals on the Dam Wall

Steve Bird, Assistant Director, Communities and Street Scene:

- a. presented a report outlining the Council's obligations with regards to maintenance of the reservoir in Hartsholme Country Park, and the need to remove trees from the reservoir embankment, some of which fell within a Tree Preservation Order (TPO) which required formal consent for the necessary works
- b. identified the dam located to the northern end of Hartsholme Country Park
- c. reported that the lake was covered by the terms of the Reservoirs Act 1975 and considered to be 'high risk', requiring both annual reports and more detailed 10 yearly reports from suitably qualified approved engineers
- d. highlighted that the engineer's report had asked for the removal of trees and other vegetation from the north bank of the dam wall, so that a clearer picture could be obtained of its condition, and, should a problem arise, that this would be seen as early as possible
- e. reported on the ownership of the north face of the dam wall not within Hartsholme Park, one part with a clear registered owner and the other with unclear ownership, as detailed at paragraph 2.6 of his report
- f. highlighted the land as detailed at Appendix 1 of his report requiring substantive clearance; it was possible to leave some trees with greater amenity value as agreed with the engineer however overall the removal of some 168 trees and shrubs of varying sizes was required
- g. reported that full consultation and communication lines had been followed
- h. requested approval for the removal of the 53 trees/shrubs to the north-west end of the embankment covered by the TPO for which there was no registered owner, requiring formal consent to proceed.

Members discussed the content of the report in further detail.

Comments/queries from members of Planning Committee were responded to by officers as follows:

- Question: What was the position with regards to replanting?
- Response: Had this been Council land the trees would have been replaced as near as possible, probably in the adjacent woodland. Should the Environment Agency request the Council to carry out the work, the Council would still seek to replant as appropriate and recharge for this if possible.
- Question: Was clearing work of land on the other side of the road part of the same scheme?
- Response: There had been some removals of self-sets and shrubs as part of routine maintenance, and any trees removed were as previously reported to Committee. Clearance from the reservoir embankment was now a requirement.
- Question: Had the water not been classed as a reservoir, would inspection of the wall still take place?
- Response: The presence of the wall/barrier designated the water as a reservoir and the City Council were bound by the Reservoirs Act 1975 in this respect. It was not possible to change the status of the lake away from being a reservoir to avoid the duty.

RESOLVED that the proposed works to trees as set out in the officer's report be approved.

59. Application for Development: 239-241 Skellingthorpe Road, Lincoln

The Planning Team Leader:

- a. advised that outline planning permission was sought for the principle of a residential development with all matters reserved to be considered in depth at a later date
- b. described the application site allocated as a local centre in the Central Lincolnshire Local Plan occupied by two 2-storey buildings, the ground floor of the buildings currently occupied by two convenience stores and a hot food takeaway
- c. reported that the proposal would involve demolition of both of the existing buildings to accommodate a residential development in the form of flats
- d. described the location of the site as detailed within the officer's report on the south side of Skellingthorpe Road within the Hartsholme Ward of the city
- e. reported that the application was submitted concurrently with a full application for a mixed use development at the Monson Arms site on the opposite side of Skellingthorpe Road (2018/1007/FUL), which would be demolished in order to accommodate the scheme
- f. advised that whilst no neighbouring objections had been received to the application, Councillor Hills had requested that the application be brought before Planning Committee
- 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 LP6: Retail and Town Centres in Central Lincolnshire
 - Policy LP13: Accessibility and Transport
 - Policy LP26: Design and Amenity
 - Policy LP34: Lincoln's District and Local Shopping Centres
 - National Planning Policy Framework
- h. outlined the responses made to the consultation exercise
- i. referred to the update sheet which contained details of revised design elevations and plans
- j. advised members of the main issues to be considered as part of the application as follows:
- The Principle of the Development in Terms of Planning Policy
 - Impact on Visual Amenity
 - Impact on Residential Amenity
 - Other Matters
- k. concluded that the principle of the proposal for a residential development on the application site would be in keeping with the principles set out in both national and local planning policies with all matters reserved for future determination.

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

- It was difficult to look at this application in isolation as it would only go ahead should the proposals for the former Monson Arms Public House be approved.
- It would be interesting to see how the flats in the roof would be facilitated.
- A former application to fell a tree in the back garden of the former Mills Newsagent at the same address had previously been refused.
- The current area above the Co-op was used as office space.
- The revised design was more suitable.
- This was an attractive development in a very highly sort after area close to schools, bus services and new shops should these be given planning permission.
- Additional housing was desperately needed in the city.

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

- Time limit of the permission
- Details of affordable housing
- Details of play/playing field
- Details of electric vehicle charging points
- Contaminated land
- Lighting scheme to be submitted
- Time restrictions on construction and deliveries

60. Application for Development: Monson Arms, Skellingthorpe Road, Lincoln

The Planning Team Leader:

- a. described the application site located on the north side of Skellingthorpe Road within Hartsholme Ward of the city, currently occupied by the former Monson Arms Public House, situated in the north-western side of the site, having two existing accesses from Skellingthorpe Road
- b. advised that planning permission was sought to demolish the public house and close up the south-west vehicular access point, to facilitate the erection of a 3-storey mixed use development comprising of 1no. convenience store, 2no. retail units of flexible use class A1, A2 and A5, and residential apartments above including 1no. studio apartment, 3no. one-bedroom apartments, 6no. two-bedroom apartments, associated external works including hard and soft landscaping works, 43no. car parking spaces, a service yard and a bin store
- c. described a number of trees located along the boundary with Skellingthorpe Road that were protected by virtue of a Tree Preservation Order, whilst the north eastern boundaries of the site abutted the adjacent school
- d. reported that the application had been submitted concurrently with an Outline application for a residential scheme at 239-241 Skellingthorpe Road (2018/1008/OUT), where an existing Co-op and other shop units would be demolished in order to accommodate the proposed residential scheme
- e. advised that Councillor Hills had requested the application be brought before Planning Committee
- f. reported that the buildings status on the Register of Assets of Community Value since 27 March 2015 had expired, which allowed an initial period of 6 weeks for the community to come forward with a bid for the Public House
- 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 LP6: Retail and Town Centres in Central Lincolnshire
 - Policy LP9: Health and Wellbeing
 - Policy LP10: Meeting Accommodation Needs
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP15: Community Facilities
 - 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 a further comment received in respect of the proposed development
- j. advised members of the main issues to be considered as part of the

application as follows:

- The Principle of the Development in Terms of Planning Policy
- Status of the Site as an Asset of Community Value
- Impact on Visual Amenity
- Impact on Residential Amenity
- Impact on Protected Trees
- Other Matters

k. concluded that:

- The principle of the use of the site was considered to be acceptable. 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.
- Tree protection measures were considered acceptable and 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, LP6, LP9, LP10, LP12, LP13, LP15 and LP26, as well as guidance within the National Planning Policy Framework.

Mr Matthew Wilkinson addressed Planning Committee in support of the planning application on behalf of the applicant, Lincolnshire Co-operative Society, covering the following main points:

- He thanked members of Planning Committee for allowing him the opportunity to speak.
- He was employed by Lincolnshire Co-operative Society as Development Manager.
- Lincolnshire Co-operative Society was a successful trader in Lincoln and the surrounding area.
- Its ethos was to bring target ideas, resources and energies together working with local charities.
- The Co-op were proactive in looking after their community environment.
- This planning application for a new Co-op store replaced the current one at 239-2421 Skellingthorpe Road which would then be used for residential development.
- The proposed scheme accorded with Central Lincolnshire Local Planning Policies and the National Planning Policy Framework.
- There would be provision made for ten apartments above the shop units.
- Forty three car parking spaces would be provided.
- This would be a modern build.
- The new Co-op would provide 'on the go' food, fresh meat, fish and prepared meals together with all the usual saleable goods expected in a convenience store.
- Eight new employment positions would be created.
- Local contractors would be used for the build.
- This development proposed a larger store than the existing Co-op

- providing a sustainable neighbourhood centre.
- The development would include two additional commercial units, one of which would be a fast food outlet.
- He urged Planning Committee to grant planning permission for this development. It would be an asset to the local community.

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

- The proposed development represented an improvement to the existing store/asset to the community.
- Investment to this area of the city was welcomed.
- The proposed development resulted in the loss of another public house, however, its entry on the register as an Asset of Community Value had received no interest from local people.
- It was a shame that the Co-op were reluctant to provide a post office in the new store. This would add support to their values of looking after the local community.
- Hopefully existing staff losing their jobs at the One Stop store would be employed at the new Co-op store.
- The existing public house had become an eye sore.
- The provision of residential accommodation above the new store was welcomed.
- A new pedestrian crossing to assist access to the new store for the residents of Hartsholme Estate on the south side of Skellingthorpe Road would be preferred.
- There had always been a wish that existing services would be replicated in the new store.
- There would be no additional traffic in the area as a result of the proposed development.

Members noted that the Monson Arms Public House would remain on the register as an Asset of Community Value until 2020 and queried whether the site would also remain undeveloped until after this time?

The Planning Team Leader advised that the property had been advertised for 6 weeks as an Asset of Community Value to allow the community to come forward with a bid for the Public House prior to its purchase by the current applicant. It had remained on the register for 5 years. It was the remit of the Planning Authority to determine the degree of weight to be apportioned to the public house being on the register, however, it was considered that this was out-weighed by the benefits of the proposal.

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

- Time limit of the permission
- Development in accordance with the approved plans
- Samples of materials to be submitted
- Details of electric vehicle charging points
- Noise impact assessment in relation to the external plant
- Lighting scheme to be submitted
- Fume extraction for any A5 use
- Details of stopping up of access

- Construction to proceed in accordance with Arboricultural recommendations in terms of tree protection
- Development to proceed in accordance with the surface water calculations
- Reporting of unexpected contamination
- Time restrictions on commercial deliveries, waste collection and construction

61. Application for Development: Land At Woodstock Street, Lincoln

The Planning Manager:

- a. described the application site currently occupied by a number of garage buildings of differing heights and sizes located to the south of Woodstock Street with St Faiths Infant School located to the west and Moor Street running in a north/south direction to the east
- b. advised that planning permission was sought for demolition of existing buildings to facilitate the erection of 8no. three-storey dwellinghouses having three bedrooms with kitchen and living facilities on the ground floor and associated external works including car parking
- c. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Central Lincolnshire Local Plan Policy LP26: Design and Amenity
- 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:
 - Policy Context
 - Visual Amenity and Design
 - Residential Amenity and Impact on Neighbours
 - Highways
 - Bins
- f. concluded that:
 - It was considered that the development of this site for residential properties would be appropriate and in keeping with neighbouring uses.
 - The proposed height of the dwellings had been reduced to address neighbours concerns.
 - As such it was considered that the proposed design was also appropriate and would have no adverse impact on neighbours to the site in accordance with local plan policy LP26.

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

- There had been numerous objections from local residents regarding parking issues. Additional vehicles would add to problems in a highly

condensed area, although private housing was desperately needed in the city

- There would be overlook from the bedrooms in the roof as the other properties close by did not have accommodation at third floor level.
- An assurance was requested that the proposed development would not become a house in multiple occupation (HIMO).

The Planning Manager offered the following points of clarification:

- One for one off-street parking was provided as part of the proposed scheme. The street was included within the West End Parking Zone. New residents would not be able to enter into that scheme.
- With respect to overlooking, the bedrooms of the new properties would be at first floor level.
- In relation to multi-occupancy, and Article 4 regulations, the majority of the West End was already way in excess of the 10% threshold permitted for HIMO's in the area and for this reason it was unlikely to come about.
- An s106 agreement had been signed by the applicant to prevent accommodation by students.

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

- Within 3 years
- In accordance with the plans
- Hours of construction
- Electric vehicle charge points
- Highways
- Contaminated land

62. Application for Development: 301 - 303 Monks Road, Lincoln

The Planning Manager:

- a. described the application property, a two storey end of terrace building located on the corner of Monks Road and Hartley Street, currently operating as a shop at ground floor with a basement and loft space
- b. advised that the proposal involved internal alterations to the premises to create 6 flats within the basement, ground floor and existing loft area, a proposed roof extension to the rear, and use of part of the existing ground floor shop to create a flat
- c. reported that the remaining shop unit was to be retained, currently occupied by Monks Food City Shop
- d. described No. 299 Monks Road, a two storey residential property attached to the application property to the west, with No. 2 Hartley Street located to the South, separated by a passage leading the rear yard of the application property
- e. provided details of the policies pertaining to the application as follows:
 - Policy LP3: Level and Distribution of Growth

- Policy LP26: Design and Amenity
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings within Lincoln 86
 - Policy LP13: Accessibility and Transport
- f. outlined the responses made to the consultation exercise
- g. referred to the update sheet which contained a further comment received in relation to the planning application
- h. advised members of the main issues to be considered as part of the application as follows:
- The Principle of the Use
 - Impact of Residential Amenity
 - Impact on Visual Amenity
 - Parking and Highway Safety
- i. concluded that:
- The proposal would not be harmful to general amenities of the area in respect of highway safety/access, residential or visual amenities.
 - The proposals would therefore accord with the relevant planning policies.

Members made comments in relation to:

- Impact on parking.
- Lack of public transport after a certain time of the day
- Over development of the area.
- Accumulation of flats/HIMO's having reached breaking point.
- The need for one bedroomed apartments in the city.
- Residents were more likely to be non-car drivers.

The Planning Manager advised that this area contained numerous self-contained dwellings. There was no restriction on student accommodation in the area.

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

- Time limit of development
- Development in accordance with approved plans
- The windows in the front elevation shall not be altered
- Construction and delivery hours restricted to 8.00 to 18.00 Monday to Friday and 8:00 to 13:00 on Saturdays

63. Application for Development: 5A Weir Street, Lincoln

The Planning Manager:

- a. advised that retrospective planning consent was requested for the erection of a single storey outbuilding within the rear garden of a two storey dwelling at 5A Weir Street, located within the St. Catherine's Conservation Area No.4

- b. reported that this application was presented to members due the applicant being related to an employee of the City of Lincoln Council
- c. provided details of the policies pertaining to the application as follows:
 - Policy LP25: The Historic Environment
 - 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 Visual Amenity
 - Effect on Residential Amenity
 - Effect on Highway Safety
- f. concluded that the proposed development was of an appropriate design that would not materially harm the character and appearance of the conservation area, in accordance with the duty contained within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, policies LP25 'The Historic Environment' and LP26 'Design and Amenity' of the Central Lincolnshire Local Plan (2017) and guidance within the National Planning Policy Framework.

Members queried whether:

- Issues raised by objectors in relation to disposal of run-off water could be taken into consideration.
- There was any rule to prevent the outbuilding being lived in?

The Planning Manager advised as follows:

- The single storey outbuilding did not require building regulation consent. Planning officers could give advice regarding problems of the disposal of run-off water, however that was as much as could be done.
- The recommendation to grant retrospective planning permission required the outbuilding to be used for storage purposes. Any different use would require separate planning permission.

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

- Development to be carried out in accordance with the plans
- Outbuilding for use incidental to dwellinghouse only

64. Application for Development: Garage Site, Asterby Close, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for the demolition of six existing garages within a council owned garage court at Asterby Close and the erection of eight replacement garages, together with the removal and replacement of two existing bin stores and replacement of the existing wall to the south east boundary with a timber close boarded fence, measuring between 1.8m and 2m high
- b. reported on the location of the garage court at the end of Asterby Close as detailed within the officers report
- c. reported that this application was presented to members due to the applicant being the City of Lincoln Council
- 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. advised members of the main issues to be considered as part of the application as follows:
 - Principle and Highways
 - Visual Amenity
 - Residential Amenity
- g. concluded that:
 - The principle of the proposals were acceptable given the existing car park/bin storage uses at the site.
 - It was not considered that the garages, bins stores or fence would have a harmful impact on visual or residential amenity.
 - Lincolnshire County Council as Local Highway and Lead Local Flood Authority had no objection to the proposals.
 - The application was therefore in accordance with the requirements of Central Lincolnshire Local Plan Policy LP26 and guidance within the National Planning Policy Framework.

Members queried whether:

- A charging point for electric vehicles was included in the proposals.
- The new garages could incorporate more lighting to help alleviate problems with anti-social behaviour.

The Planning Team Leader advised as follows:

- He would speak to colleagues in the Housing Department regarding adequate lighting and electric vehicle charging points and request that they liaise with local police on this matter and security of council garage areas in general.

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

- Time limit of the permission;
- Development in accordance with approved plans; and
- Hours of construction/delivery.