

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

Apologies for Absence: Councillor Chris Burke

65. Confirmation of Minutes - 16 January 2019

RESOLVED that the minutes of the meeting held on 16 January 2019 be confirmed.

66. Declarations of Interest

Councillor Biff Bean declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Bob Bushell declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Gary Hewson declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'.

Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Jim Hanrahan declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: He was associated with one of the objectors to the proposed development.

He left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Kathleen Brothwell declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West

Parade, Lincoln'. Reason: She was associated with one of the objectors to the proposed development.

She left the room during the discussions on this item and took no part in the vote on the matter to be determined.

Councillor Naomi Tweddle declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Application for Development: 49-51 West Parade, Lincoln'. Reason: She was associated with one of the objectors to the proposed development.

She left the room during the discussions on this item and took no part in the vote on the matter to be determined.

67. Member Statement

Councillor A Briggs requested that it be noted in the interest of transparency that his son worked for a local demolition firm.

68. 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 to his report
- b. provided details of the planting schedule for 2019 attached at Appendix B to his report
- c. explained that Ward Councillors had been notified of the proposed works
- d. 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 request for retrospective consent to fell three Horse Chestnut trees in Boutham Park adjacent to the footpath to the south of St Helen's Church included the tree blown over in the wind.

The Arboricultural Officer confirmed that the three trees to be felled included the one uprooted by the wind and two additional specimens adjacent to it which were in poor condition and in similar danger of falling.

The Chair thanked the Arboricultural Officer for the additional information provided regarding the schedule of replacement trees to be replanted.

RESOLVED that:

1. The works set out in the schedule at Appendix A attached to the report be approved.
2. Details of the planting schedule 2019 attached at Appendix B to the report be noted.

69. Application for Development: Land East Of Riseholme Road, Lincoln

The Planning Team Leader:

- a. described the 2.22 acre application site located on the eastern side of Riseholme Road, currently vacant land used previously as an allotment
- b. defined the location of neighbouring properties in relation to the site as detailed within the officer's report
- c. advised that planning permission was sought for 35 affordable two storey dwellings with a mixture of 2 and 3 bedrooms, 20 of the units to be shared ownership and 15 for affordable rent
- d. reported that the City Council currently still owned the site although the land would be transferred to Waterloo Housing Group should planning permission be granted for the current proposal
- e. stated that the site had been granted outline planning consent including access details although all other matters reserved on 3 February 2017 (Ref: 2016/0987/OUT)
- 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 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 LP21 Biodiversity and Geodiversity
 - Policy LP23 Local Green Space and other Important Open Space
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework
- g. outlined the responses made to the consultation exercise
- h. 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
- i. 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 also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.

- Technical matters relating to highways, contamination and drainage were to the satisfaction of relevant consultees or could be controlled through relevant conditions.
- The proposals would therefore be in accordance with the requirements of the relevant policies within the Central Lincolnshire Local Plan, as well as guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail, offering support in general to the proposed scheme. The following comments/questions were raised:

- There seemed to be a landlocked piece of land coming off the application site as detailed on the site layout.
- Officer Response: The whole site was owned by the City of Lincoln Council, including the piece of land to the side which was not landlocked. It was to be retained by the council at the current time.
- The report inferred that the land would be transferred to Waterloo Housing Group. Was this as a gift?
- Officer Response: The land would be transferred as a commercial sale. It was not to be gifted.
- How fast was the broadband speed to new estates such as this site?
- Officer Response: The provision of broadband was a matter for the developers, like all other utilities. The speed was likely to be the same as what was already available along Riseholme Road.
- Was there any provision within the development for solar panels?
- Officer Response: Solar panels did not form part of the proposals. The new build homes included high energy efficient conservation measures. The high level thermal values of these properties would make energy bills affordable.
- The link into the adjacent development included a cul-de sac. Would this be used as a through route?
- Officer Response: There was no through-route. This area would be used for parking spaces only.

RESOLVED, that authority be delegated to the Planning Manager to grant planning permission subject to the signing of a legal agreement to secure the contributions for health care, play space and playing field space, education and the details of the affordable housing and subject to the conditions set out below.

- 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 mitigation measures implemented
- Landscaping implemented
- Highway conditions
- Details of maintenance of surface water drainage
- Construction to proceed in accordance with Arboricultural recommendations in terms of tree protection
- Contaminated land remediation if required

- Time restrictions on commercial deliveries, waste collection and construction

70. Appointment of Temporary Chair

It was moved, seconded, put to the vote and:

RESOLVED that Councillor Strengeil be appointed as temporary chair for the next agenda item.

71. Application for Development: 49-51 West Parade, Lincoln

(Councillors Bean, Brothwell, Bushell, Hanrahan, Hewson, and Tweddle left the room during the discussion of this item, having declared a personal and pecuniary interest in the matter to be decided. They took no part in voting on the matter to be determined.)

The Planning Manager:

- a. described the proposed application site located on the south side of West Parade at the corner with Rudgard Lane, currently occupied by a three storey residential property to be demolished as part of the scheme
- b. highlighted that permission was already granted to erect a part 4 and part 3 storey building to accommodate 22no. two bed apartments including cycle and refuse storage, together with 20no. on site car parking spaces and other associated external work
- c. reported that planning permission was now sought for 1 additional apartment, revised access arrangements and 5 new additional car parking spaces
- d. confirmed the location of the development site on the boundary with the West Parade and Brayford No. 6 Conservation Area
- e. noted that this application had originally been submitted for 3 additional apartments, however this has now been reduced to 1
- f. 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
- g. outlined the responses made to the consultation exercise
- h. 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
 - Visual Amenity and the Character and Appearance of the Conservation Area
 - Residential Amenity
 - Highways

i. concluded that:

- It was considered that the proposed changes to the original scheme would still be in keeping with the principle set by the previous approval.
- It was considered that the changes would visually improve the scheme as well as provide additional off street parking.
- The additional apartment would have no adverse impact on residential amenity in terms of noise and disturbance and therefore it was considered that the proposal was in accordance with national and local planning policy.

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

- The proposal to increase the number of car parking spaces compared to the original application was of benefit to the site and future residents.
- Were the conditions on the grant of the original planning permission still valid? Would there be provision for electrical charging points within the proposed scheme?

The Planning Manager advised that electrical charging points had not been a requirement of the original planning consent although officers could hold a dialogue with the applicant regarding this matter.

RESOLVED, that planning permission be granted subject to the signing of an S106 agreement, and subject to the following conditions:

- The development must be begun not later than the expiration of three years
- The development hereby approved shall be carried out in accordance with the drawings submitted with the application

72. Application for Development: Land To Rear Of 9 Saxon Street, Lincoln

(Councillors Bean, Brothwell, Bushell, Hanrahan, Hewson and Tweddle returned to the meeting. Councillor Hanrahan re-took his seat as Chair)

The Planning Manager:

- a. advised that planning permission was sought for the erection of a single storey dwelling house to provide two bedrooms at the rear of No 9 Saxon Street; a mid-Victorian, three-storey end-of-terrace residential property with (formerly) a shopfront on the ground floor façade
- b. highlighted that the houses on Saxon Street typically had small rear yards with small outbuildings, however, the yard at the rear of the application site was different as it widened out at the end away from the house to span the width of the neighbouring two gardens; giving the piece of land an 'L' shape, on which it was proposed to erect a new building; leaving the application property with a remaining yard space similar to the other houses on the street
- c. confirmed that the site did not lie within a Conservation Area, but was

close to the northern edge of the City of Lincoln Cathedral and City Centre Conservation Area No.1

- d. provided details of the policies pertaining to the application, as follows:
- Policy LP1 A Presumption in Favour of Sustainable Development
 - Policy LP2 The Spatial Strategy and Settlement Hierarchy
 - Policy LP10 Meeting Accommodation Needs
 - Policy 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:
- National and Local Planning Policy
 - Impact on Visual Amenity
 - Impact on Residential Amenity
 - Impact on Highway Safety
- g. concluded that:
- The scale, massing and design of the proposed dwelling was considered to be acceptable and would have a satisfactory relationship with the host dwelling and the wider area.
 - The use of high quality materials would make a positive contribution to the appearance of the wider area.
 - The proposal would also not cause undue harm to the residential amenities of neighbouring occupants.
 - The proposal was therefore in accordance with Policies LP1, LP2, LP10 and LP26 of the Central Lincolnshire and with the guidance contained within the National Planning Policy Framework.

Members discussed the content of the report in further detail, referring to the Highways Authority objection to the proposal on the grounds of insufficient parking provision. Individual members responded as follows:

- The Highways Authority had not commented on similar planning applications in this manner.
- There was a contradiction in terms within the report in respect of the Highways Authority objection due to lack of parking, which also stated that the Highways Authority did not request the provision of onsite parking to the host property adjacent to the application site as it had been granted use as a House in Multiple Occupation.
- Nobody had complained to the member concerned in his capacity as local councillor for the area regarding lack of car parking on this street.
- The Highways Authority's view as experts in its field should be heeded in this case. According to the Highways Authority it had a legitimate reason for refusal of planning permission.
- The issues of emergency vehicle access and the letters of objection received in relation to the proposed development supported the Highways Authority objection.

The Planning Manager commented that planning officers did not concur with the Highways Authority opinion.

Members commented further in relation to the proposed development as follows:

- It seemed that the only access to the property was through the side gate or existing house.
- The report inferred the height of the proposed building to be only inches above the set limit requiring planning permission.
- There were no plans detailing internal graphics of the inside of the building in order to make a comparison to the house in multiple occupation next door.
- The street should form part of the Resident's Parking Scheme.

The Planning Manager offered the following points of clarification:

- A mixed message had been provided here in terms of parking provision for the house next door in multiple occupation.
- Access to the property was via the main entrance doorway in Gray Street.
- The 3-4 metre height difference of the building compared to the existing wall was negligible and would not afford any ability to overlook.
- Highways issues raised by neighbours, and picked up by the Highways Authority seemed to relate to problems concerning emergency access on Gray Street, an existing problem which should be dealt with in its own right, not addressed through this planning application. Members remit here was to ascertain whether one additional dwelling would make such a marked difference to parking in the vicinity to warrant refusal of planning permission.

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

- Time limit of the permission
- Development in accordance with the approved plans
- Removal of Permitted Development for new windows and doors (openings)
- Hours of work and associated deliveries
- Unexpected contamination

(Councillors J Kirk and R Hills requested that their vote against this planning application be recorded.)

73. Application for Development: 117 Boultham Park Road, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for the erection of two detached outbuildings to the rear gardens of a recently constructed two storey detached dwelling at 117 Boultham Park Road
- b. reported that the application had been submitted following a complaint surrounding the installation of a concrete base and the start of the erection of an outbuilding, works had since stopped and a planning application had been submitted for consideration

- c. highlighted that the proposals had been subject to significant amendments following officer and neighbour concerns on the overall size and positioning of the original proposal
- d. provided details of the policies pertaining to the application, as follows:
 - Central Lincolnshire Local Plan 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:
 - Accordance with National and Local Planning Policy
 - Principle of the Development
 - Impact on Residential Amenity
 - Impact on Visual Amenity
 - Highway Safety, Access, Parking & Surface Water Drainage
- g. concluded that the outbuildings would not have a detrimental impact on the residential and visual amenity of neighbouring properties 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, making comments/raising questions as follows:

- Was it possible to impose a condition on the grant of planning permission to prevent the outbuildings being used for habitable purposes?
- The proposed outbuildings seemed slightly larger than that normally acceptable without the need for planning permission. It was hoped its construction would be monitored to ensure the building was erected according to the size parameters permitted.
- Could officers give further clarification to the objection received from the resident of the property behind the proposed outbuilding which stated that a solid wall along her boundary line overtopping her 6 foot fence would substantially block light to her garden?
- How could the neighbours fencing be maintained if it was right up to the boundary wall?

The Planning Team Leader offered the following points of clarification:

- Following negotiations with the planning team, the size of the out building subject to objections had been significantly reduced from that originally proposed to reduce the impact on the properties backing up to it. Some of the objections had been submitted before this time.
- The maintenance of boundary fencing was not a planning issue, although there were facilities available to allow access to neighbours land for this purpose.
- It was possible to impose a condition on the grant of planning permission to prevent the outbuildings being occupied as residential units.

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

- 01) The buildings shall not be used as residential units at any time.

Reason: To ensure that the units shall not be used as habitable dwellings.

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 |
|-----------------|---------|------------------|-------------------------------|
| 117 B Park Road | Rev D | Plans - Proposed | 11 th January 2019 |

74. Application for Development: The Harlequin, 20-22 Steep Hill, Lincoln

The Planning Team Leader:

- a. described the application premises known as the Harlequin, a Grade II Listed, half-timbered late medieval house with a remarkable amount of original fabric extant, recently diagnosed with both insect and fungal infestation due largely to the failure of the guttering system and subsequent water ingress
- b. advised that planning permission was sought to temporarily install additional guttering to the first floor of the west elevation of the building

between a corridor window and a stairwell, to relieve the existing drainage issue

- c. reported on the location of the property within Conservation Area No 1 – Cathedral and City Centre
- d. reported that the application was brought before Planning Committee due to the City Council being the applicant
- e. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Policy LP25 – The Historic Environment
- 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:
 - National and Local Planning Policy
 - Visual Amenity and the Effect on the Listed Building
- h. concluded that it was considered that the proposed works would be in accordance with the duty contained within section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990 *'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and guidance contained within National Planning Policy Framework. In particular paragraph 132 which requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and that significance can be harmed or lost through alteration or destruction or by development in its setting'*.

Members discussed the content of the report in further detail.

Members questioned how temporary the additional guttering would be and what grade of materials would be used.

The Planning Team Leader/Planning Manager responded as follows:

- The condition of the building required significant work within three years.
- Use of standard guttering as a temporary measure would be replaced by Conservation Grade materials once a long term solution and more comprehensive scheme of works was carried out.

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

Conditions

- 01) The works must be begun not later than the expiration of three years.
- 02) The development hereby approved shall be carried out in accordance with

- the submitted drawings
- 03) The use hereby permitted shall be removed within 3 years of installation
 - 04) The proposed new fixings shall only be accommodated within the mortar joints

75. Application for Development: 30 Portland Street, Lincoln

The Planning Team Leader:

- a. described the application premises, a two storey mid-terrace property located on the north side of Portland Street within 400m of the High Street to the west, and flanked by a property formerly occupied by Flames and a coffee shop to the east
- b. advised that planning permission was sought for the installation of a new shopfront at 30 Portland Street
- c. reported on the location of the property within the West Parade and Brayford Conservation Area
- d. reported that the application was brought before Planning Committee due to the City Council being the owner of the property
- e. provided details of the policies pertaining to the application, as follows:
 - Policy LP25 – The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP27: Main Town Centre Uses- Frontages and Advertisements
 - National Planning Policy
- 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:
 - National and Local Planning Policy
 - Effect on Visual Amenity and the Character and Appearance of the Conservation Area
 - Effect on Local Amenity
 - Effect on Highway Safety
- h. concluded that the proposed development was of an appropriate design that would not materially harm the character and appearance of the building or conservation area, in accordance with Policies LP25, LP26 and LP27 of the Central Lincolnshire Local Plan (2017) and guidance contained within 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:

- Development is carried out within 3 years
- Development be carried out in accordance with the approved plans.

