

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor
Alan Briggs, Councillor Kathleen Brothwell, Councillor
Chris Burke, Councillor Gary Hewson, Councillor
Rebecca Longbottom and Councillor Edmund Strengiel

Apologies for Absence: Councillor Bill Bilton and Councillor Ronald Hills

9. Confirmation of Minutes - 29 May 2019

RESOLVED that the minutes of the meeting held on 29 May 2019 be confirmed.

10. Declarations of Interest

Councillor Bob Bushell, for transparency, requested it be recorded in relation to minute numbers 12(a) and 12(b) that the Crematorium Service came under his responsibility from the perspective of his Portfolio as a member of the Council's Executive, although he had not been involved in discussions relating to this proposal.

Councillor Rebecca Longbottom, for transparency, requested it be recorded in relation to minute number 12(c) that she lived relatively close to the property to which the application related.

11. Work to Trees in City Council Ownership

The Arboricultural Officer:

- a. advised members of the reasons for proposed works to trees in the City Council's ownership and sought to consent to progress the works identified, as detailed in Appendix A of the report.
- b. Explained that Ward Councillors had been notified of the proposed works.

RESOLVED that the works set out in the schedules appended to the report be approved.

It was noted that this would be Mr Mick Albans' final meeting of the Planning Committee before his retirement as the Council's Arboricultural Officer. He was praised for being a true professional and excellent officer who would be missed, with the Committee wishing him well for the future.

12. Applications for Development

(a) Crematorium Building, City Crematorium, Washingborough Road, Lincoln

The Planning Team Leader:

- a. described the application property as Lincoln Crematorium, located on the south-east edge of the City of Lincoln, to the north side of Washingborough Road, outlining that the City Crematorium occupied an area of approximately 4.7 hectares.

- b. advised that the application was to be considered by the Planning Committee on the basis that the service was owned and run by the City of Lincoln Council.
- c. reported that planning permission was sought for a proposed renovation and extension of the existing chapel and book of remembrance building, including over cladding the existing building and replacement of existing windows and doors with associated additional 81 car parking and landscaping, as part of phase one.
- d. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework;
 - Policy LP1 – A Presumption in Favour of Sustainable Development;
 - Policy LP12 – Infrastructure to Support Growth;
 - Policy LP15 – Community Facilities;
 - Policy LP17 – Landscape, Townscape and Views;
 - Policy LP22 – Green Wedges;
 - Policy LP23 – Local Green Space and other Important Open Space;
 - Policy LP26 – Design and Amenity.
- e. outlined the responses made to the consultation exercise.
- f. referred to the update sheet, which provided updated consultee responses.
- g. advised members of the main issues to be considered as part of the application to assess the proposed with regard to:
 - accordance with National and Local Planning Policy;
 - impact on amenity of neighbouring uses;
 - impact on visual amenity;
 - highway safety, access, parking and surface water drainage;
 - impact on trees, landscaping and ecology.
- h. concluded that this was a good proposal that allowed for significant internal upgrading of the Crematorium and did so in a manner that also significantly improved the exterior of the building and the grounds, with there being no adverse effects.

Mr Andy McDowell addressed the Planning Committee in support of the application, covering the following main points:

- the primary focus of the design of the scheme was to reorganise spaces, aesthetics and landscape, enhancing the user experience;
- the design and proposed materials as part of the application sought to connect with the heritage of the city, taking into account common features of iconic buildings such as the Castle and Cathedral. Locally sourced Lincolnshire limestone was therefore proposed as a prominent feature as part of the design, with oak providing softer and warmer tones;
- the application included provision of a new cremator and updated staffing facilities, with the extension required by way of accommodating new equipment associated with this. The chimney would remain in the same

position on the existing building, but would be significantly reduced in height;

- the car park was currently not fit for purpose with the application seeking to address existing under provision of adequate car parking;
- existing trees would be retained as landscape features;
- the proposal included a system that was designed to make use of energy generated from cremators, harnessing the heat which could then be used to heat the rest of the site;
- the scheme had been designed as long-lasting and of high quality in acknowledgement of the City Crematorium as the premium offering in the county.

Mr McDowell described how the different elements of the proposal would work from the perspective of people using the facility, explaining how the various spaces would be used and how they complemented each other.

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

- improvements to car parking and the refurbishment of the site in general were welcomed. Consideration should be given, however, to the increased use of electric vehicles and the facilities such vehicles may require in the future;
- harnessing the heat generated from cremators was a very good use of the energy;
- the plans were good, particularly the consideration that had been given to use of the space before and after ceremonies occurred;
- the use of local materials was welcomed.

In response to the points raised by members, it was noted that electric vehicle charging points had been looked into as part of developing the application, however, the average length of stay on site for service users was approximately 40 minutes which, based on current technology, would not be a sufficient amount of time by way of charging electric vehicles. It was acknowledged, however, that technology was constantly improving but at this time officers did not consider it reasonable to insist on the inclusion of such provision as part of the application.

A question was raised as to when works would commence and how they would take place alongside the services of the Crematorium. It was noted that this was not something that could be taken into due consideration through the planning process.

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

- development to commence within three years;
- development in strict accordance with the approved drawings;
- new landscaping undertaken during next available planting season.

(b) Proposed Second Chapel: Crematorium Building, City Crematorium, Washingborough Road, Lincoln

The Planning Team Leader:

- a. described the application property as Lincoln Crematorium, located on the south-east edge of the City of Lincoln, to the north side of Washingborough Road, outlining that the City Crematorium occupied an area of approximately 4.7 hectares.
- b. advised that the application was to be considered by the Planning Committee on the basis that the service was owned and run by the City of Lincoln Council.
- c. reported that planning permission was sought for a proposed second, new, chapel, to the east side of the existing building with capacity for up to 50 people and with its own dedicated cremator, including associated infrastructure and landscaping (phase two).
- d. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework;
 - Policy LP1 – A Presumption in Favour of Sustainable Development;
 - Policy LP12 Infrastructure to Support Growth;
 - Policy LP15 – Community Facilities;
 - Policy LP17 – Landscape, Townscape and Views;
 - Policy LP22 – Green Wedges;
 - Policy LP23 – Local Green Space and other Important Open Space;
 - 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 to assess the proposal with regard to:
 - accordance with National and Local Planning Policy;
 - impact on amenity of neighbouring issues;
 - impact on visual amenity;
 - highway safety, access, parking and surface water drainage;
 - impact on trees, landscaping and ecology.
- g. concluded that the proposal was of the same high quality as the proposal for the refurbishment of the existing building and was capable of being undertaken without causing harm to amenity, neighbours or other material planning considerations.

Mr Andy McDowell addressed the Planning Committee in support of the application, covering the following main points:

- the proposal sought to offer smaller services to compliment the main chapel of the Crematorium and future-proof the facilities on-site;
- the design built on the approach of the phase one application and was harmonious in its composition using a common, locally sourced material pallet, but retaining its own identity;

- there were suitable transport links to the site, with a pedestrian footway connecting the site to the city;
- the proposal encompassed the same principle of energy regeneration from cremators as that of the phase one application;
- the transport statement associated with the application was in support of the proposal and confirmed it would have a minimal impact;
- the designs for the second chapel represented a high quality, sustainable development which complimented a service already offered in a peaceful landscape and was in keeping with the phase one application.

Mr McDowell described how the different elements of the proposal would work from the perspective of people using the facility, explaining how the various spaces would be used and how they complemented each other.

In discussing the content of the report in further detail a comment was made that the intimate setting of the second chapel, as per the application, was welcomed.

A question was raised as to why this second phase included a small second chapel rather than a larger facility, given anticipated increased use of the facility. It was noted that a smaller facility would be more intimate and the application recognised this and the fact that not all services consisted of a large number of mourners. The applicant had chosen the scale of the chapel and the recommendation contained within the report was based on the content of the application as submitted. It was noted that the small chapel would be able to cater for up to 50 mourners.

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

- development to commence within three years;
- development in strict accordance with the approved drawings;
- new landscaping undertaken during next available planting season.

(c) 16 St Martins Lane, Lincoln

The Planning Manager:

- a. described the application property, a two storey property located on the south side of St Martins Lane.
- b. reported that planning permission was sought for a change of use from Use Class C3 (Dwellinghouse) to a House in Multiple Occupation (Use Class C4) for up to six people, highlighting that the applicant had originally applied for a change of use from a C3 residential property to a House in Multiple Occupation and self-serviced accommodation for up to 14 occupants.
- c. reported that the applicant had defined 'self-serviced accommodation' as rooms which were rented out in a similar manner to a guest house although without a host living at the property. Occupants would have access to use communal facilities within the property during their stay and would be expected to stay from one day up to a few months. The Planning Authority considered this definition of self-serviced accommodation to fall within the same use class as a House in Multiple Occupation (C4) as it would be occupied in the same way, albeit guests may stay for shorter periods of time.

- d. explained that planning permission was required for the proposed development because of a city-wide Article 4 direction that removed permitted development rights to development comprising the change of use from a use falling within Class C3 (dwelling houses) of the Town and County Planning (Use Classes) Order 1987, as amended, to a use falling within Class C4 (Houses in Multiple Occupation) of that Order.
- e. reported that the property was previously used as an office from the 1970s until late 2016 when a prior approval was granted for its use as a C3 residential property.
- f. reported that the property was located within the Cathedral and City Centre Conservation Area No. 1.
- g. provided details of the policies pertaining to the application, as follows:
 - Policy LP26 – Design and Amenity;
 - Policy LP33 – Lincoln’s City Centre Primary Shopping Area and Central Mixed Use Area;
 - Policy LP37 – Sub-division and Multi-Occupation of Dwellings within Lincoln 86;
 - Supplementary Planning Guidance;
 - Houses in Multiple Occupation;
 - National Planning Policy Framework;
- h. outlined the responses made to the consultation exercise.
- i. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
 - accordance with National and Local Planning Policy;
 - impact on residential amenity;
 - impact on visual amenity;
 - parking provision and cycle storage;
 - bin storage and collection;
 - crime.
- j. concluded that the proposed change of use would not cause harm to the amenities of future occupants, neighbours and the wider area nor lead to or increase an existing over-concentration of Houses in Multiple Occupation, in accordance with Policy LP37 of the Central Lincolnshire Local Plan (2017) and relevant guidance within the National Planning Policy Framework.

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

- given the type of property and its prominent position in the city centre, information regarding the conditions imposed, such as waste collection arrangements, should be made available to occupants in order that they had an understanding of the requirements associated with them;
- there was not sufficient time for officers to proactively enforce any potential breaches of the conditions associated with the application, particularly with regard to the number of occupants;

- more of these types of applications would undoubtedly be submitted in the future as commercial units in the city centre potentially sought a change of use to residential given the current climate nationally with regards to retail and the high street;
- the flexibility of reverting the property back to a Class C3 property was more favourable;
- appropriate enforcement would take place should any report of a breach associated with the conditions be received, particularly with regard to the number of occupants exceeding six in this case;
- the number set out in the reason for condition (3), as per the report, should be amended from three to six, confirming that the occupancy of the property by more than six residents could be harmful to the amenity.

The Planning Manager explained that information and awareness to occupants or tenants of the property was not something that could be imposed as a condition as part of a planning consideration. This could, however, be included as an informative.

Regarding enforcement of a breach of the occupancy condition, it was difficult to proactively enforce this as the authority's enforcement powers were usually reactive. Upon receipt of a complaint enforcement action would be taken to rectify the issue.

Given that the property consisted of four double bedrooms, a question was raised as to why officers had negotiated the number of occupants down from fourteen to six rather than seven or eight. This related to the scale of the property and level of amenity that occupants would have. Additionally, six occupants was the upper limit of a Class C4 limitation, with more than six occupants making the property 'sui generis', or a larger House of Multiple Occupation consisting of more than six people sharing.

RESOLVED that the application be granted conditionally, subject to the amendment of a typographical error in the reason associated with condition number (3) in the report, as outlined above.

(d) 88 Yarborough Crescent, Lincoln

The Planning Manager:

- a. described the application property, 88 Yarborough Crescent, as a two storey semi-detached dwelling that was flanked by residential properties to the north-east and east, with the Yarborough Crescent allotments to the south.
- b. reported that planning permission was sought for the change of use from an existing Housing in Multiple Occupation (C4) to a flexible use as a dwellinghouse (C3) and/or a House in Multiple Occupation (C4). The property accommodated six bedrooms, a kitchen, living room, dining room, down stairs toilet and bathroom. The application advised that the property had been used as a House in Multiple Occupation prior to the implementation of the Article 4 Direction and was accompanied by evidence to support this.

- c. explained that the property was subject to the city-wide Article 4 Direction, which removed permitted development comprising the change of use from a use falling within Class C3 (dwellinghouses) to a use falling within Class C4.
- d. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework;
 - Policy LP37 – Sub-Division and Multi-Occupation of Dwellings within Lincoln 86.
- e. outlined the responses made to the consultation exercise.
- f. advised members that the main issue to be considered as part of the application was whether the application met the requirements of the Houses in Multiple Occupation Supplementary Planning Document and Local Plan Policy.
- g. concluded that:
 - the evidence provided of the existing use of the property as a House in Multiple Occupation would meet the tests for the granting of a Certificate of Lawful Use and it was therefore considered that the House in Multiple Occupation use of the property was established. Accordingly, a number of the tests of CLLP Policy LP37 and the SPD were not strictly relevant, necessary or reasonable in this case. There was, therefore, no objection in principle to the proposal for a flexible use of the property and the option for the use as a dwellinghouse had the potential to have a positive effect on the area;
 - there would not be a harmful effect on visual amenity and the property provided adequate provision for external communal areas for amenity, cycle storage and bin storage for either the use as a dwelling or a House in Multiple Occupation. It was therefore considered that the flexible use of the property was acceptable and, considering the established use, would be in accordance with the requirements of Local Plan Policy LP37, the SPD and guidance contained within the National Planning Policy Framework.

RESOLVED that the application be granted conditionally.

(e) Kiosk 1, Kiosk 2, Tourist Information Centre, Cornhill, Lincoln

The Planning Manager:

- a. described the buildings effected by the application as being kiosk one and kiosk two at the Tourist Information Centre, Cornhill, Lincoln.
- b. Reported that the existing kiosk buildings were modern, dating from 1999. In terms of the character and appearance of the Cathedral and City Centre Conservation area and the setting of the Corn Exchange, listed grade II, the area in which the kiosk was constructed was originally designed to be an open square, a designed piece which set off to good effect the Corn Exchange, a high status civic building, as the primary focal point.

- c. reported that the application sought to confirm whether prior approval was required for the demolition of kiosks one and two on the Cornhill.
- d. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework.
- e. outlined the responses made to the consultation exercise.
- f. advised members that the main issue to be considered as part of the application was whether prior approval was required and should be granted for the method of demolition and the restoration of the site.
- g. concluded that the method of the proposed demolition of the kiosks and the proposed restoration of the site was considered to be satisfactory. Given the scale of these works it was considered that prior approval was required for the works and recommended that prior approval should be granted conditionally.

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

- the application would seek to return the square to its proper use;
- the application would open up the Cornhill and restore its Victorian appearance, enhancing other changes that had occurred recently in the area.

Taking into consideration that the tree located on site would not be removed, contrary to previous reports, confirmation was sought that no damage would be incurred to the tree as a result of the demolition works. It was reported that there was no intention to remove the tree and that no damage to the tree or its root structure would occur during demolition works.

RESOLVED that prior approval be granted with the following conditions:

- the development must be begun not later than the expiration of five years;
- the development hereby approved shall be carried out in accordance with the details submitted in the application.

13. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A of the Local Government Act 1972.

14. Part B Report: Exempt Information

Consideration was given to a report regarding the lack of progress by the owner in relation to the renovation of a Grade II listed building in the city and recommended the next appropriate course of action.

Discussion ensued on the valuation associated with the property, which was perceived by some members as too low. It was noted that this reflected the significant disrepair of the property and the fact that it was a Grade II listed building, meaning that the cost of its repair and upkeep would be considerably more expensive than normal.

RESOLVED that the recommendations contained within the report be approved.