

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor
Bill Bilton, Councillor Alan Briggs, Councillor
Kathleen Brothwell, Councillor Gary Hewson, Councillor
Ronald Hills, Councillor Rebecca Longbottom, Councillor
Edmund Strengiel and Councillor Pat Vaughan

Apologies for Absence: Councillor Chris Burke

15. Confirmation of Minutes - 17 July 2019

RESOLVED that the minutes of the meeting held on 17 July 2019 be confirmed.

16. Declarations of Interest

Councillor Bill Bilton declared a Disclosable Pecuniary Interest with regard to the agenda item titled 'Application for Development: Site of Former Windmill Pine, Beevor Street, Lincoln'. Reason: His wife worked at Morrison's supermarket, Lincoln, joint applicants for the proposed development.

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

17. Member Statement

In the interest of transparency, Councillor Vaughan requested it be noted that he sat as Vice-Chair on the Upper Witham Drainage Board.

18. 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.

Members referred to overgrowth on the Riverside cycle path in the city which had now been cut back. It was suggested that it would be useful for the Council to consider joint working with the County Council to put bark at the side of the track to help alleviate future problems, at the same time as saving money and further complaints from cyclists.

The Arboricultural Officer reported that he understood the bark accumulated from contractor's works became their property as part of their agreement with the council. He would however speak to his manager about this proposal.

Members also referred to a letter written to the Arboricultural Officer asking whether timber felled in St Helen's Church Yard could be left there in suitable places as habitat for insect life.

The Arboricultural Officer advised that there was potential for scrub left on burial land to be considered controversial by the church authorities. As a compromise it had been agreed that a section of the bale of the trees would be left for natural habitat to enjoy.

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

19. Application for Development: Site Of Former Windmill Pine, Beevor Street, Lincoln

(Councillor Bill Bilton left the room for the remainder of the meeting having declared a disclosable pecuniary interest in the matter to be considered. He took no part in the discussion or vote on the matter to be determined).

The Planning Manager:

- a. reported that planning permission was sought for the erection of 51 town houses on the former Windmill Pine site, Beevor Street, Lincoln to comprise 42, 6 bed Houses in Multiple Occupation (HMO's) falling within C4 Use Class, as well as two nine bed and seven 13 bed HMO's falling within the Sui Generis Use Class, a total of 361 en-suite bed spaces including seven accessible ground floor en-suite bedrooms
- b. advised that the development would also involve the creation of 99 parking spaces with vehicular access from Beevor Street and a new pedestrian link to Tritton Road
- c. reported that the town houses would be arranged in a series of seven, four storey linear blocks overlooking private and secure landscaped courtyards, with controlled access to the development at the entrance and a single storey reception/plant building adjacent, which would both police the site and provide an information point for visitors
- d. added that a new pedestrian link to Tritton Road would be created between Morrisons' car park and the Coulson drain, Morrisons PLC being joint applicants for the proposed development
- e. reported that the site was located within Flood Zone 3
- f. provided details of the history to the application site as detailed within the officer's report
- 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 LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development of Land affected by Contamination
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity;

- Policy LP32: Lincoln's Universities and Colleges
 - National Planning Policy Framework;
- h. outlined the responses made to the consultation exercise
- i. referred to the update sheet which included a final response from Lincolnshire County Council acting in their capacity as Local Highway and Lead Local Flood Authority, together with comments from Morrison's Planning Consultant and a revised proposed officer recommendation in respect of the planning application
- j. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
- Principle of Use
 - Developer Contributions
 - Visual Amenity
 - Impact on Residential Amenity and Neighbouring Uses
 - Access and Highways
 - Flood Risk and Drainage
 - Contaminated Land
 - Trees
- k. concluded that:
- The principle of the use of this unallocated site for student accommodation was considered to be acceptable.
 - The layout, scale and design of the development was acceptable, improving on the architectural style of the local surroundings.
 - It was not considered that the impact on the residential amenities of the occupants of Valentine Court or the amenities of neighbouring uses would be unduly harmed by the proposal.
 - The amenities for future occupants had also been carefully considered through noise and light assessments.
 - The site was in an accessible location, also providing cycle and car parking to meet an identified need.
 - The LCC had advised they had no objection in principle in respect of highways, and officers had now received a formal response to confirm this subject to conditions as detailed within the update sheet.
 - Matters relating to contamination, archaeology, fire and rescue and refuse had been appropriately considered and could be dealt with as necessary by condition.
 - According to the response from the LCC confirming no objection subject to suggested conditions in respect of surface water drainage there was no issue with this, nor from the relevant consultees to flood risk and foul drainage.
 - The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP9, LP10, LP12, LP13, LP14, LP16, LP25, LP26 and LP32, as well as guidance within the National Planning Policy Framework.

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

- He wished to speak against this planning application.
- The University's growth plans necessitated planning for student accommodation over the coming years.
- He thanked Planning Committee for their help with this vision.
- Numbers of students at the University would increase by 700 each year.
- There would be 1400 extra students over the next three years with accommodation for 12,000 students.
- With projected growth plans underway by the University including the St Mark's development there would be 2,400 surplus beds by 2021.
- An excess of 500 beds had been considered to be high in the past.
- A further 361 bed places proposed by this scheme would take the surplus to over 1700.
- University managed accommodation proved popular with students.
- The University's primary concern was the destabilisation of the private rented sector.
- The University was strongly in support of Article 4 but on a managed basis without an undermining of the property market.
- It was unconceivable that a planning application for speculative student accommodation should be approved this evening.

David Worsley, representing the developer, addressed Planning Committee in support of the proposed scheme, covering the following main points:

- He thanked members of Planning Committee for allowing him the opportunity to speak.
- A previous application for this site comprising commercial/retail facilities had been rejected.
- The site was ideal for student accommodation.
- The development was supported by Morrison's supermarket, located close by.
- The land in question was not allocated for commercial/retail use.
- The Local Plan identified the land for housing purposes.
- The location of the site was right for student accommodation.
- The wider community would also benefit from the development.
- This project supported the living experiences of students, together with helping address wider issues such as car parking and allowing residential houses to be freed up for family homes.
- Once finished their first year fresher's had to look after themselves rather than living in University accommodation.
- Many students tended to move to the West End, Monks Road or the High Street.
- Some social houses in the West End were occupied by students for six years.
- The proposed housing was a viable alternative.
- It would encourage 2nd, third and post graduate students back into the city.
- The development would act as a secure gated village and would be operated/managed as such.
- It would offer the same duty of care to 2nd, 3rd and fourth year students as that offered to freshers'.
- The scheme provided more dedicated parking spaces than any built or under construction by the University.

- This development was suitable for the city to help address HIMO and car parking issues, providing brownfield site use in the local community.

Members discussed the content of the report in further detail, raising concerns in relation to the application as follows:

- It was curious to see an objection from the University of Lincoln considering they were an accommodation provider themselves.
- Members could not recall the University saying demand for accommodation would be met by the St Mark's development. It was always thought that more was needed.
- This was another box of student flats.
- It could be said that 50 HIMO's were being proposed here in one place to replace the stress on existing ones.
- The city was reaching saturation point in respect of student accommodation. Local people were concerned about this and there may be a need for public consultation on this matter.
- It would be interesting to see if the University came forward with any plans for additional accommodation.

Members offered support to the scheme making comments as follows:

- Commercial concerns expressed by the University were understood.
- The scheme may relieve the pressure on residential housing as students moved out of University accommodation as freshers.
- Car parking provision was welcomed.
- There was no objection to the design of the scheme.
- Demand for accommodation was not a material planning consideration.
- Competition had never been a rationale for refusal of a planning application.
- The University was only obliged to find rooms for first year students. The developer had recognised a niche for this type of accommodation.
- It was surprising that other developers had not taken up this opportunity. Student accommodation did not qualify for business rates.
- This area was in need of development.

Members questioned:

- Whether the financial contribution requested by NHS England to support health provision in the area was sufficient taking into account the number of additional dwellings proposed. This affected existing residents with more pressure on local health providers and vital services. It was requested that the NHS be re-consulted on this matter.
- Whether the revised proposed officer recommendation detailed on the supplementary update sheet required further conditions to be transferred from the original recommendation within the officer's report.

One member suggested that provision of student accommodation based on the rationale of demand, must be a logical basis for its issue, whether it was a planning consideration or not.

The Chair advised that demand was not a planning consideration. There was no planning policy to cover this.

The Planning Manager offered members the following points of clarification:

- The Planning Authority was reliant on information given to it by the NHS as statutory consultee regarding the amount of Section 106 contributions required, based on need. There was no mechanism to go back to ask them to apply for more. However, officers would check again with the NHS to make sure the assessment already submitted was accurate as part of delegated authority given to the Planning Manager to proceed forward should the planning application be granted.
- The additional conditions listed in the officers report did need to be included within the officer's recommendation.
- In terms of Article 4, the key difference was the concentration of HIMO's. Article 4 was brought in to redress the imbalance of HIMO's in Urban City communities. This development had to be designed in blocks from a management of services prospective.
- There was no local or national planning policy based on demand. There had been representations made in the past by the University and others to the effect there was a demand for a particular development, however, this had not been used as a reason to grant or refuse a planning application.

RESOLVED that the application be granted conditionally:

1. With delegated authority given to the Planning Manager to secure, through a S106 agreement, the financial contribution as requested by NHS England (subject to re-confirmation) and to restrict the use (with no occupation by 1st year students) and
2. Subject to the following conditions:
 - Time limit of the permission
 - Development in accordance with approved plans
 - Samples of materials
 - Construction Management Plan
 - Implementation of footway to Tritton Road
 - Site levels and finished floor levels
 - Surface water drainage scheme and management strategy
 - Foul sewerage strategy
 - Development in accordance with FRA and mitigation measures
 - Contamination
 - Removal of permitted development
 - Boundary treatment
 - Details of trickle vents and glazing
 - Blackout blinds as per recommendations within lighting assessment report
 - Landscaping
 - Tree protection measures
 - Details of an electric vehicle charging scheme.
 - Details of any flue/extraction to plant room prior to installation
 - Hours of construction/delivery.