

**Present:** Councillor Naomi Twedde (*in the Chair*),  
Councillor Bob Bushell, Councillor Biff Bean, Councillor  
Bill Bilton, Councillor Alan Briggs, Councillor  
Kathleen Brothwell, Councillor Thomas Dyer, Councillor  
Gary Hewson, Councillor Jackie Kirk, Councillor  
Rebecca Longbottom and Councillor Christopher Reid

**Apologies for Absence:** Councillor Chris Burke, Councillor Ronald Hills and  
Councillor Edmund Strengiel

**20. Confirmation of Minutes - 14 August 2019**

RESOLVED that the minutes of the meeting held on 14 August 2019 be confirmed.

**21. Declarations of Interest**

Councillor Bob Bushell declared a Declaration of Predetermination with regard to the agenda item titled 'Markham House, 73-75 Swift Gardens, Lincoln'.

Reason: He had already voted in support of this proposal in his capacity as portfolio holder at Executive.

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

**22. 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 works at Boutham Park Cathedral Plantation and queried the age of the trees that were proposed to be felled. It may be that an additional 2/3 trees needed to be replanted in the vicinity to achieve the same benefit. It would be preferable to carry out works on well-established trees to alleviate problems rather than resort to felling them.

The Arboricultural Officer advised that the trees concerned here were small juvenile specimens of poor form, with potential to suppress the canopies of other trees close by capable of developing better form. Maintenance of trees was managed sympathetically with care. Trees were only felled where absolutely necessary.

The Chair referred to an earlier conversation she had held with the Arboricultural Officer regarding instances in Minster Ward where replanted trees had become damaged and died off. There was a balance to be made with the use of adequate sized specimens for replanting purposes to achieve maximum aesthetic effect.

The Arboricultural Officer responded that young trees unfortunately often suffered from drought stress and competition from weeds. The use of larger specimens may benefit their overall longevity with less likelihood of getting damaged.

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

*(Councillor J Kirk arrived late to the meeting during the consideration of this item. She sat in the public gallery and took no part in the discussion or vote on the matter to be determined. She took her seat as a member of Planning Committee once the decision on this item had been made.)*

### **23. Application for Development: 8 The Avenue, Lincoln**

The Planning Manager:

- a. described the application property, 8 The Avenue, currently vacant, a large three storey Victorian/Edwardian building located on the west side of The Avenue set back from the road, with 10 The Avenue to the north, Ridgeway Nursing Home 2-6 The Avenue to the south and to the rear of the site the rear yards and aspects of a terrace located on Whitehall Grove
- b. reported that planning permission was sought for the erection of a single storey rear extension, to be occupied as an annex, a detached garage to the rear and 1.2m high railings and gates to the front boundary
- c. advised that planning permission had been granted in 2014 to change the use of the property to an eight bedroom HMO and a self-contained flat, although this permission was not implemented and had now expired; the applicant intended to occupy the property as a family dwelling and was currently undertaking extensive internal and external restoration works, including the removal of a later single storey rear off-shoot which the proposed extension was intended to replace
- d. highlighted that the design of the rear extension had been subject to a number of amendments during the process of the application, initially in response to officer's concerns regarding the design with further revisions to attempt to address the concerns of neighbours relating to the impact on residential amenity
- e. confirmed that all neighbours had been re-consulted on the revised plans
- f. reported on the location of the property within the West Parade and Brayford Conservation Area
- g. advised that the application had been called in to be determined by Members of the Committee at the request of Councillor Preston
- h. 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

- i. outlined the responses made to the consultation exercise
- j. referred to the update sheet which included a further response received from the occupiers of 19 Whitehall Grove and a photograph of the original annex submitted by the applicant in response to the neighbour's additional comments
- k. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
  - Visual amenity and character and appearance of the conservation area
  - Residential amenity
- l. concluded that:
  - The scale and design of the proposed extension and garage located to the rear of the property was considered to be acceptable and would complement the architectural style of the existing property.
  - These proposals would accordingly preserve the character and appearance of the conservation area, with works to reinstate traditional features, such as the railings, enhancing this.
  - The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy and the application would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP25 and LP26 and guidance within the National Planning Policy Framework.

Marianne Langley, Applicant, addressed Planning Committee in support of the proposed development, covering the following main points:

- The scheme involved restoration of a large period property.
- This would be a family home with a self-contained annex for an elderly parent.
- An existing single-storey off-shoot would be removed to create space for this self-contained annex.
- The current owners had entered into consultations with planning officers during 2017 regarding their ideas for the property prior to putting in an offer for 8 The Avenue.
- The only other offer received for the premises at the time had been from a housing group, waiting to submit a lower offer if there was no interest in the property.
- Their family purchased the house in March 2019.
- The plans for the annex had been subject to amendment to keep it as modest as possible and limit any potential impact on the owners of 19 Whitehall Grove.
- The annex would be accessed from the main body of the house.
- Wheelchair friendly access would be retained.
- Car parking spaces would be available at the rear of the property, together with the addition of a garden and landscaping to create an aesthetically pleasing look.
- The plans for the scheme were in keeping with the scale of the existing house and environment.

- Full use would be made of planting/screening to minimise any impact on the residential amenity of neighbouring properties.
- The garden designer would work on a scheme to minimise any impact/overlook in respect of the relationship between the annex and the first floor bedroom of the neighbouring property.
- Large period properties such as this one were only saved when they met the needs of buyers for family use.

Members made comments on the proposed scheme as follows:

- The proposals would benefit the area.
- Had the property not been located in a Conservation Area, planning permission would not have been required.
- It was good to see that the property would be looked after in the manner it deserved.
- Mitigating measures had been agreed involving the reconfiguration of the rear elevation of the extension and the rear window facing to minimise potential overlook/inconvenience.

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

- Development to commence within three years
- Development in accordance with approved plans
- Annex not to be occupied, sub-let or sold as an independent residential unit
- Garage for domestic use only

**24. Application for Development: Markham House, 73-75 Swift Gardens, Lincoln**

*(Councillor Bushell left the room for the discussion of this item, having made a Declaration of Predetermination with regard to the agenda item to be discussed. He took no part in the vote on the matter to be determined.)*

The Planning Team Leader:

- a. described the application property, Markham House, 73-75 Swift Gardens, a two storey building formerly occupied by St. Giles Matters as community use, although currently vacant
- b. reported that an existing vehicular access from Swift Gardens to the south side of the building provided access to a car park at the rear
- c. added that 71 Swift Gardens was adjacent to this access accommodating flats, with 77A, B, C and D Swift Gardens beyond the opposite side boundary to the north and the car park of the Myle Cross Centre directly to the rear of the site
- d. highlighted that the wider area was predominantly characterised by a mix of two storey semis and terraces, with parking both on and off street
- e. reported that planning permission was sought for demolition of the existing building and the erection of a terrace of five, two storey dwellings with the benefit of an off-street parking space to the front and gardens to the rear

- f. confirmed that the City of Lincoln Council was the applicant for this scheme which proposed to provide affordable housing
- 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 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 included a response from the City Council's Arboricultural Officer identifying that:
- The submitted tree report was comprehensive with controls to mitigate possible damage to retained trees, conditioned as part of any consent.
  - Proposed pruning to T5, the tree to the front of the site within the highway would require consent from Lincolnshire County Council
- 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
  - Visual amenity
  - Residential amenity
  - Access and highways
  - Trees
- k. concluded that:
- The applicant had provided an appropriate case to sufficiently justify the loss of the community use and the principle of the use of the site for residential purposes was considered to be acceptable in this location.
  - The development would relate well to the site and surroundings, particularly 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.
  - Matters relating to highways and contamination were to the satisfaction of the relevant consultees and could be dealt with appropriately by condition.
  - The application would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP15 and LP26, as well as guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail, asking why the plans for the proposed building height had been altered from the original height of 3 storey to two.

The Planning Team Leader confirmed that the change to the height of the buildings had been made by the applicant and not suggested by planning officers, although the change had been accepted.

RESOLVED that subject to the Tree Report being to the satisfaction of the City and County Council Arboricultural Officers, the application be granted subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Contamination
- Land levels
- Material samples
- Boundary details
- Landscaping scheme
- Electric vehicle recharge points
- Construction of the development (delivery times and working hours)
- Tree protection measures.

**25. Application for Development: Pepi's Pizza, 283 Newark Road, Lincoln**

*(Councillor Bushell returned to the room and re-took his seat as a member of Planning Committee for the remainder of the meeting.)*

The Planning Team Leader:

- a. described the application property, Pepi's Pizzeria, located at 283 Newark Road, Lincoln
- b. advised that the application proposed the replacement of 4 existing windows and the main door to the front elevation of the premises
- c. reported that the application was brought to Planning Committee due to the property being in the ownership of the City of Lincoln Council
- d. corrected a small typographical error at paragraph 4, page 69 of the report to read as follows:
  - *The replacement windows and main door to the front elevation would not result in any material changes to access or parking arrangements, as such Highways and Planning have no objection to the proposal*
- e. provided details of the policies pertaining to the application as follows:
  - National Planning Policy Framework
  - Policy LP26: Design and Amenity
- f. outlined the responses made to the consultation exercise
- g. 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 the amenity of nearby properties
- Impact on visual amenity
- Highway safety, access and parking

h. concluded that the replacement windows would not have a detrimental impact on the amenity of neighbouring properties, enhancing the appearance of the existing property and wider area in accordance with policy LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

**Standard Conditions**

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

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

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

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

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

**Conditions to be discharged before commencement of works**

None.

**Conditions to be discharged before use is implemented**

None.

**Conditions to be adhered to at all times**

None.

**Table A**

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

Drawing No.	Version	Drawing Type	Date Received
existing and proposed windows		Other	11th July 2019