

## PLANNING COMMITTEE

**Wednesday, 29 January  
2020**

**5.30 pm**

**Committee Rooms 1-2, City  
Hall**

- Membership: Councillors Naomi Tweddle (Chair), Bob Bushell (Vice-Chair), Biff Bean, Bill Bilton, Alan Briggs, Kathleen Brothwell, Chris Burke, Gary Hewson, Ronald Hills, Rebecca Longbottom and Edmund Strengiel
- Substitute members: Councillors Jackie Kirk and Neil Murray
- Officers attending: Simon Cousins, Democratic Services, Kieron Manning, Louise Simpson and Dave Walker

---

The Planning Committee comprises democratically elected members who will be presented with a recommendation from the professional officers for each application on the agenda. After each application has been presented, those interested parties who have registered to speak will then be given 5 minutes to verbally present their views, and, following this, the committee will debate each proposal and make the decision, having considered all relevant information.

Clearly the process of making a decision will inevitably cause some people to feel aggrieved, but it is hoped that all interested parties will feel that their views have been considered as part of the process.

Please ensure that your mobile phones are switched off or set to silent throughout the meeting and please refrain from attempting to speak from the public gallery unless you have formally registered to speak on an application, in which case the Chair will call you to the table at the relevant time.

---

## A G E N D A

---

<b>SECTION A</b>	<b>Page(s)</b>
1. Confirmation of Minutes - 4 December 2019	<b>5 - 10</b>
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Work to Trees in City Council Ownership	<b>11 - 14</b>

4. Applications for Development

5. Council Central Depot, Waterside South, Lincoln

**15 - 22**

## THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

### LIST OF BACKGROUND PAPERS FOR PLANNING, LISTED BUILDING, CONSERVATION AREA AND ADVERTISEMENT APPLICATIONS ON THE AGENDA OF THE PLANNING COMMITTEE

The Background Papers for the Planning, Listed Building, Conservation Area and Advertisement Applications are:

1. The Planning Application File. This is a file with the same reference number as that shown on the Agenda for the Application. Information from the planning application file is available online at <https://development.lincoln.gov.uk/online-applications/>

The application files contain the following documents:

- a. the application forms;
  - b. plans of the proposed development;
  - c. site plans;
  - d. certificate relating to ownership of the site;
  - e. consultation letters and replies to and from statutory consultees and bodies;
  - f. letters and documents from interested parties;
  - g. memoranda of consultation and replies to and from Departments of the Council.
2. Any previous Planning Applications referred to in the Reports on the Agenda for the particular application or in the Planning Application specified above.
  3. Central Lincolnshire Local Plan – Adopted April 2017
  4. National Planning Policy Framework - March 2012
  5. Applications which have Background Papers additional to those specified in 1 to 5 above set out in the following table. These documents may be inspected at the Planning Reception, City Hall, Beaumont Fee, Lincoln.

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

## **CRITERIA FOR PLANNING COMMITTEE SITE VISITS (AGREED BY DC COMMITTEE ON 21 JUNE 2006 AND APPROVED BY FULL COUNCIL ON 15 AUGUST 2006)**

### **Criteria:**

- Applications which raise issues which are likely to require detailed first hand knowledge of the site and its surroundings to enable a well-informed decision to be taken **and** the presentational material at Committee would not provide the necessary detail or level of information.
- Major proposals which are contrary to Local Plan policies and proposals but which have significant potential benefit such as job creation or retention, environmental enhancement, removal of non-confirming uses, etc.
- Proposals which could significantly affect the city centre or a neighbourhood by reason of economic or environmental impact.
- Proposals which would significantly affect the volume or characteristics of road traffic in the area of a site.
- Significant proposals outside the urban area.
- Proposals which relate to new or novel forms of development.
- Developments which have been undertaken and which, if refused permission, would normally require enforcement action to remedy the breach of planning control.
- Development which could create significant hazards or pollution.

So that the targets for determining planning applications are not adversely affected by the carrying out of site visits by the Committee, the request for a site visit needs to be made as early as possible and site visits should be restricted to those matters where it appears essential.

A proforma is available for all Members. This will need to be completed to request a site visit and will require details of the application reference and the reason for the request for the site visit. It is intended that Members would use the proforma well in advance of the consideration of a planning application at Committee. It should also be used to request further or additional information to be presented to Committee to assist in considering the application.

**Present:** Councillor Naomi Twedde (*in the Chair*),  
Councillor Bob Bushell, Councillor Bill Bilton, Councillor Alan Briggs, Councillor Kathleen Brothwell, Councillor Gary Hewson, Councillor Ronald Hills, Councillor Rebecca Longbottom, Councillor Hilton Spratt, Councillor Jackie Kirk and Councillor Pat Vaughan

**Apologies for Absence:** Councillor Biff Bean, Councillor Chris Burke and Councillor Edmund Strengiel

**46. Confirmation of Minutes - 6 November 2019**

RESOLVED that the minutes of the meeting held on 6 November 2019 be confirmed.

**47. Declarations of Interest**

Councillor Pat Vaughan declared a Disclosable Pecuniary Interest with regard to the agenda item titled 'Application for Development: Land at Poplar Avenue/Beevor Street, Lincoln'.

Reason: He sat as Vice Chair on the Internal Drainage Board. He left the room during the consideration of this item and took no part in the vote on the matter to be determined.

**48. 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 consent to progress the works identified, as detailed at Appendix A of his report
- b. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required
- c. explained that Ward Councillors had been notified of the proposed works.

Members queried whether the saturated land in Boultham Park due to recent heavy rain had a negative impact on the health of the trees.

The Arboricultural Officer advised that trees could cope being submerged in water for several weeks. They would become stressed but tended to build up a resilience and would hopefully adapt.

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

**49. Application for Development: Land At Poplar Avenue/Beevor Street, Lincoln**

*(Councillor Vaughan declared a Disclosable Pecuniary Interest in the matter to be discussed. He left the room during the consideration of this item and took no part in the vote on the matter to be determined).*

The Planning Manager:

- a) advised that outline planning permission was granted conditionally in 2017 (2017/0586/OUT) for the principle of development to erect two and three storey buildings to accommodate a mix of office, laboratory and higher end workshops as part of Phase 2 of Lincoln Science and Innovation Park (LSIP), with all matters reserved
- b) advised that the reserved matters application before Planning Committee tonight proposed a 3 storey building to accommodate offices located to the west of Poplar Avenue and north of Beevor Street adjacent to the existing Science and Innovation Park buildings, to provide accommodation for new start-up businesses as well as "grow on space" for companies expanding and moving from the Boole Technology Centre
- c) reported further on the location of the application site with the Boole Technology Centre to the east of the site and the Charlotte Scott building to the north
- d) highlighted that Lincoln Science and Innovation Park was founded in 2012 as a joint venture between the University of Lincoln and the Lincolnshire Co-op, allocated as a strategic employment site within the Central Lincolnshire Local Plan; the presumption would be for the Strategic Employment Sites to meet the needs for large scale investment that required significant land take, small scale and/or piecemeal development that prevented the delivery of large scale investment would be refused
- e) outlined the history relevant to the application site as detailed within the officer's report
- f) requested that a further additional condition be imposed on the grant of planning permission requiring a detailed landscaping scheme to be implemented on site
- g) provided details of the policies pertaining to the application as follows:
  - Policy LP1: A Presumption in Favour of Sustainable Development
  - Policy LP5: Delivering Prosperity and Jobs
  - Policy LP26: Design and Amenity
  - Policy LP31: Lincoln's Economy
- 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:
  - National and Local Planning Policy
  - Design
  - Flood Risk and Surface Water Drainage
  - Contaminated Land
  - Air Quality and Sustainable Transport

- External Plant Noise
- External Lighting
- Construction/Demolition Impacts
- Highways
- Archaeology

j) concluded that:

- The proposed development would be in accordance with the perimeters set out in the Outline planning application and would be in accordance with the Local Plan allocation.
- The proposed building would be of an appropriate design and would be a beneficial addition to the next phase of the LSIP development.

Members discussed the content of the officer's report in further detail, raising the following main points:

- It was hoped that further measures would have been included within the proposed scheme to reduce the impact of the building on carbon footprint in line with concerns regarding climate change.
- It would be credible for City of Lincoln Council's own planning applications to include environmentally friendly measures to support reduction in carbon footprint.
- The comments made by Lincoln Civic Trust regarding issues of traffic congestion/access to the site in the area and reliance on private transport were noted. It was hoped that the Lincoln Transport Plan for the city would come forward soon.
- The proposed development was unlikely to win any architectural awards, however, the building was fit for purpose.
- Why wasn't the Drainage Board consulted on this planning application?

The Planning Manager offered the following points of clarification:

- In terms of climate change/sustainability measures, the planning application did incorporate environmentally friendly elements such as living walls, landscaping and an additional tree planting scheme. Building Control measures incorporated a 'fabric first' approach to conserving energy. Planning officers would ask the applicant to do as much as it could to support environmental sustainability.
- In terms of public transport implications, the Transport Strategy from the Highways Authority was awaited. There would always be a requirement for an element of car parking in these types of development due to the use of the building. Walking and cycling links were better here than in some locations.
- The Internal Drainage Board had been consulted on the scheme before us. Only respondents having submitted comments were summarised within the report to keep it manageable in terms of length. A process was agreed with Lincolnshire County Council as lead Flood Authority to pull together comments from each Drainage Board and issue a single response to planning applications. Comments were often received from individual Internal Drainage Board's and these were also taken into account. The Environment Agency was satisfied due to flood risk measures to be employed incorporating use of a drainage channel that

there were no technical concerns with regard to the management of flood risk.

Members questioned why there was no reference to the living wall element of the planning application within the report.

The Planning Manager confirmed that there was an issue with the wording on the applicant's plans being too small to read, although the living wall was listed. The green wall had value in promoting cleaner air quality in terms of environment and biodiversity. There would also be a wildlife meadow and grassed area incorporated into the second phase of the scheme.

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

- Development to commence within 3 years
- Development to be in accordance with the plans
- Materials
- Remediation scheme
- Detailed landscaping scheme

**50. Application for Development: 311 Burton Road, Lincoln**

*(Councillor Vaughan re-joined his seat for the remainder of the meeting).*

The Planning Manager:

- a) advised that planning permission was sought for a single storey timber clad rear extension, rear dormer window and three roof lights to the front elevation of 311 Burton Road, a two storey, detached property located on the north side of Burton Road, set within extensive front and rear gardens with residential properties on either side
- b) reported that this application was brought before Planning Committee, the applicant being related to an employee of the City Council
- c) outlined the site history relevant to the application site as detailed within the officer's report
- d) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Central Lincolnshire Local Plan – Policy LP26
- 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:
  - Visual Amenity and Design
  - Impact on Neighbours
  - Technical Matters
- g) concluded that:



- The extensions were of an appropriate design and would be in keeping with the scale of the host property and the adjacent neighbours.
- There would be no impact on the amenity of the adjacent neighbours and as such it was considered that the proposed development would be in accordance with local plan policy LP26.

RESOLVED that authority be delegated to the Planning Services Manager to grant planning permission subject to no further comments being received within the consultation period, and also subject to the following conditions:

- Development to be carried out in accordance with the plans
- Development to commence within 3 years

**51. Exclusion of Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) 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 to the Local Government Act 1972.

**52. Section 215 Town and Country Planning Act 1990**

The Heritage and Planning Enforcement Team Leader:

- a. presented a report to bring to Committee's attention a breach of planning regulations and to recommend a course of action for dealing with the breach
- b. gave further details within the report covering the background and options available
- c. recommended a suggested course of action as detailed within the report.

Members discussed the content of the report in further detail, asked questions and received relevant responses from officers thereon.

RESOLVED that the course of action recommended at paragraph 7.1 of the report be approved.

This page is intentionally blank.

<b>SUBJECT:</b>	<b>WORK TO TREES IN CITY COUNCIL OWNERSHIP</b>
<b>DIRECTORATE:</b>	<b>COMMUNITIES AND ENVIRONMENT</b>
<b>REPORT AUTHOR</b>	<b>STEVE BIRD – ASSISTANT DIRECTOR (COMMUNITIES &amp; STREET SCENE)</b>

### **1. Purpose of Report**

- 1.1 To advise Members of the reasons for proposed works to trees in City Council ownership, and to seek consent to progress the works identified.
- 1.2 This list does not represent all the work undertaken to Council trees. It is all the instances where a tree is either identified for removal, or where a tree enjoys some element of protection under planning legislation, and thus formal consent is required.

### **2. Background**

- 2.1 In accordance with policy, Committee's views are sought in respect of proposed works to trees in City Council ownership, see Appendix A.
- 2.2 The responsibility for the management of any given tree is determined by the ownership responsibilities of the land on which it stands. Trees within this schedule are therefore on land owned by the Council, with management responsibilities distributed according to the purpose of the land. However, it may also include trees that stand on land for which the council has management responsibilities under a formal agreement but is not the owner.

### **3. Tree Assessment**

- 3.1 All cases are brought to this committee only after careful consideration and assessment by the Council's Arboricultural Officer (together with independent advice where considered appropriate).
- 3.2 All relevant Ward Councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.3 Although the Council strives to replace any tree that has to be removed, in some instances it is not possible or desirable to replant a tree in either the exact location or of the same species. In these cases a replacement of an appropriate species is scheduled to be planted in an alternative appropriate location. This is usually in the general locality where this is practical, but where this is not practical, an alternative location elsewhere in the city may be selected. Tree planting is normally scheduled for the winter months following the removal.

#### **4. Consultation and Communication**

- 4.1 All ward Councillors are informed of proposed works on this schedule, which are within their respective ward boundaries.
- 4.2 The relevant portfolio holders are advised in advance in all instances where, in the judgement of officers, the matters arising within the report are likely to be sensitive or contentious.

#### **5. Strategic Priorities**

##### 5.1 Let's enhance our remarkable place

The Council acknowledges the importance of trees and tree planting to the environment. Replacement trees are routinely scheduled wherever a tree has to be removed, in-line with City Council policy.

#### **6. Organisational Impacts**

Finance (including whole life costs where applicable)

##### i) Finance

The costs of any tree works arising from this report will be borne by the existing budgets. There are no other financial implications, capital or revenue, unless stated otherwise in the works schedule.

##### ii) Staffing N/A

##### iii) Property/Land/ Accommodation Implications N/A

##### iv) Procurement

All works arising from this report are undertaken by the City Council's grounds maintenance contractor. The Street Cleansing and Grounds Maintenance contract ends August 2020. The staff are all suitably trained, qualified, and experienced.

##### 6.2 Legal Implications including Procurement Rules

All works arising from this report are undertaken by the Council's grounds maintenance contractor. The contractor was appointed after an extensive competitive tendering exercise. The contract for this work was let in April 2006. The Council is compliant with all TPO and Conservation area legislative requirements.

##### 6.3 Equality, Diversity and Human Rights

There are no negative implications.

#### **7. Risk Implications**

- 7.1 The work identified on the attached schedule represents the Arboricultural Officer's advice to the Council relevant to the specific situation identified. This is a balance of assessment pertaining to the health of the tree, its environment, and any legal or

health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications. These can be outlined by the Arboricultural Officer pertinent to any specific case.

7.2 Where appropriate, the recommended actions within the schedule have been subject to a formal risk assessment. Failure to act on the recommendations of the Arboricultural Officer could leave the City Council open to allegations that it has not acted responsibly in the discharge of its responsibilities.

## **8. Recommendation**

8.1 That the works set out in the attached schedules be approved.

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?** 1

**List of Background Papers:** None

**Lead Officer:** Mr S. Bird,  
Assistant Director (Communities & Street Scene)  
Telephone 873421

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES  
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.  
SCHEDULE No1 / SCHEDULE DATE: 29/02/2020**

<b>Item No</b>	<b>Status e.g. CAC</b>	<b>Specific Location</b>	<b>Tree Species and description / reasons for work / Ward.</b>	<b>Recommendation</b>
1	N/A	Birchwood Nature Park – adjacent to the drain running to the rear of housing located on Muirfield Close	<b><u>Birchwood Ward</u></b> 160 metres of mixed hedgerow <u>Manage via laying</u> The proposed work will create opportunities for volunteers to create a traditionally managed boundary which will enhance the biodiversity potential offered by the currently informal hedge line – Work will be programmed to correspond with the dormant periods of November to March and is anticipated to be completed by March 2023.	Approve works.
2	TPO	O/S 1 Jacobean Road	<b><u>Hartsholme Ward</u></b> 2 x Willow 2 x Silver Birch <u>Fell</u> All trees have significant features which identify them as potentially hazardous specimens.	Approve works and replant with native species, to be located at a suitable location.

<b>Application Number:</b>	2019/0964/FUL
<b>Site Address:</b>	Council Central Depot, Waterside South, Lincoln
<b>Target Date:</b>	25th January 2020
<b>Agent Name:</b>	Lindum BMS
<b>Applicant Name:</b>	Mr Simon Cann
<b>Proposal:</b>	Demolition of existing buildings and installation of permanent raking shores and external rain-screen cladding.

### **Background - Site Location and Description**

The application proposes the demolition of an existing range building and installation of permanent raking shores and external rain-screen cladding. The application site is within the Council Central Depot at Stamp End, Waterside South.

The application site lies to the east of Lincoln City Centre fronting Waterside South and is sited to the south of the River Witham and to the north of the Sincil Dyke. To the east is Siemens the local area is characterised by industrial uses.

### **Site History**

No relevant site history.

### **Case Officer Site Visit**

Undertaken on 14th January 2020.

### **Policies Referred to**

- Policy LP5 Delivering Prosperity and Jobs
- Policy LP26 Design and Amenity
- National Planning Policy Framework

### **Issues**

To assess the proposal with regards to:

- Effect on national and local planning policy
- Effect on local amenity
- Effect on highway safety
- Other matters

### **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted May 2014.

## **Statutory Consultation Responses**

Consultee	Comment
National Grid Plant Protection	Comments Received
Environment Agency	Comments Received

## **Public Consultation Responses**

No responses received.

## **Consideration**

### **National and Local Planning Policy**

Paragraph 80 of the National Planning Policy Framework states that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Within the Central Lincolnshire Local Plan Policy LP5 identified the site as an Important Established Employment Area (EAA), the policy states that the expansion of existing businesses within EAA's will be supported provided that the proposed development is of a scale that respects the character of the area and/or neighbouring land uses. The proposal is a continuation of the existing use and is therefore in accordance with the relevant Local Plan Policy.

Central Lincolnshire Local Plan Policy LP26 requires that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

### **Effect on Visual Amenity**

The range proposed for demolition is located within the wider Siemens and Council Depot site and therefore not open to public views. The range is in a poor state of repair and has not been operational for a substantial period of time. The range shares a party wall with Siemens Main Works building which has recently been refurbished. The range is affecting the operations within the building and the applicant advises that the only solution to avoid this is to demolish the range. The range is not listed and not located within a conservation area and it has no beneficial use and so it is therefore considered that its demolition would not have a harmful impact on the local area in accordance with the Central Lincolnshire Local Plan Policies LP5 and LP26.

Remedial works involving the installation of permanent raking shores and rain-screen



cladding is also proposed. The proposal would only be open to limited public views and it is therefore considered that the visual amenity of the wider area and the character and appearance of the area would not be harmed in accordance with the Central Lincolnshire Local Plan Policies LP5 and LP26.

#### Effect on Local Amenity

Policy LP26 refers to the impacts upon amenity. Given the location of the proposed structure it is considered that there would not be any harmful impacts from the development upon adjacent land users. There are no surrounding residential properties that will be harmed by these proposals, no objections have been received from neighbouring properties and the Council's Pollution Control Officer does not object.

#### Effect on Highway Safety

Lincolnshire County Council as Highway Authority has assessed the application and has raised no objections to the proposal. Therefore based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

The Environment Agency have raised no objections to the proposal.

#### **Application Negotiated either at Pre-Application or during Process of Application**

Yes.

#### **Conclusion**

The proposed development is appropriate in terms of its use and provides a solution to an ongoing operational issue at the nearby works site, it will not be detrimental to the residential or the visual amenity of the locality in line with the National Planning Policy Framework and Policy LP5 and Policy LP26 of the Central Lincolnshire Local Plan.

#### **Application Determined within Target Date**

Yes.

#### **Recommendation**

That the application is Granted Conditionally.

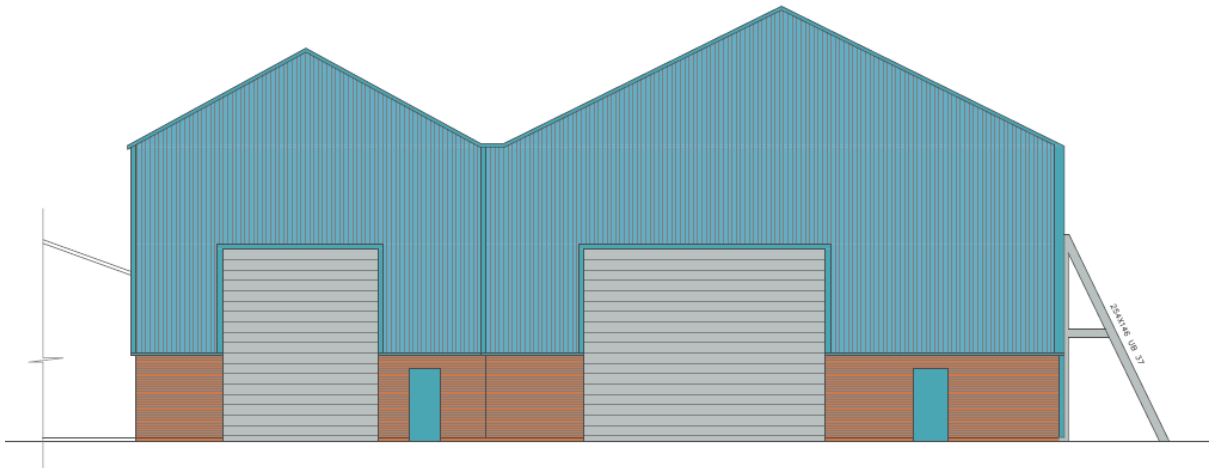
#### **Conditions**

- Development to be carried out in accordance with the plans
- Development to commence within 3 years
- Reporting of any unexpected contamination found during the demolition

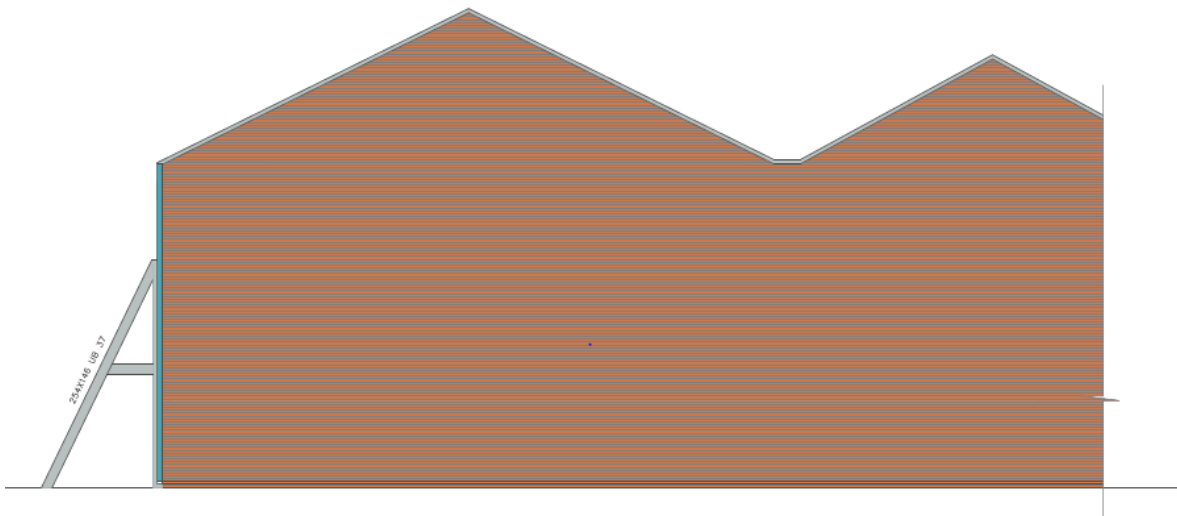
This page is intentionally blank.

Site Location Plan

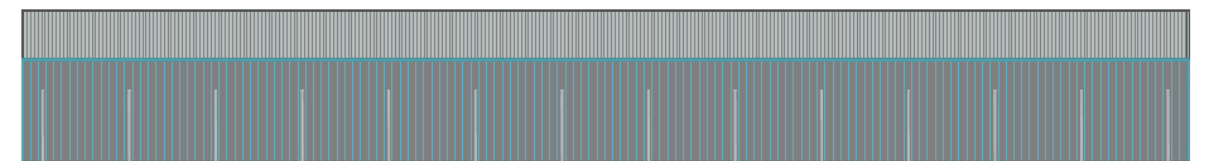




○ Proposed South Elevation  
1:100



○ Proposed North Elevation  
1:100



Proposed East Elevation



This page is intentionally blank.