

Present: Councillor Naomi Tweddle (*in the Chair*),
Councillor Bob Bushell, Councillor Bill Bilton, Councillor Alan Briggs, Councillor Chris Burke, Councillor Liz Bushell, Councillor Gary Hewson, Councillor Jackie Kirk, Councillor Rebecca Longbottom, Councillor Bill Mara and Councillor Edmund Strengiel

Apologies for Absence: Councillor Biff Bean and Councillor Kathleen Brothwell

97. Connectivity Issues

1. Councillors C Burke and G Hewson joined the virtual meeting after it had started due to connectivity issues.

They joined at the end of the discussion on Works to Trees in City Council Ownership and therefore did not take part in the vote on this matter nor the confirmation of the minutes from the last meeting held on 12 October 2020.

2. Councillor N Tweddle, Chair, lost connectivity during the consideration of Works to Trees in City Council Ownership and did not take part in the vote on this matter. Councillor B Bushell chaired this item in his capacity as Vice Chair.

Councillor Tweddle was able to re-join Committee for the rest of the meeting at the end of this item.

98. Confirmation of Minutes - 7 October 2020

RESOLVED that the minutes of the meeting held on 7 October 2020 be confirmed.

99. Member Statement

In the interest of transparency Councillor Longbottom requested it be noted in relation to Item No 3(a) South Common Ponds, that she was a member of Lincolnshire Wildlife Trust.

100. Declarations of Interest

No declarations of interest were received.

101. Work to Trees in City Council Ownership

(Councillor B Bushell, chaired this agenda item in his capacity as Vice Chair.)

Dave Walker, Arboricultural Officer:

- a. advised members of the reasons for proposed works to trees in City Council 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.

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

102. **South Common Ponds**

(Councillor Tweddle re-joined the meeting as Chair at this stage in the proceedings.)

(Councillors C Burke and G Hewson joined the meeting late at this stage in the proceedings)

Kieron Manning, Assistant Director, Housing;

- a. presented a report to advise members of the reasons for proposed pond dredging and works to trees adjacent to the ornamental ponds in the care of the City Council on Lincoln South Common
- b. reported that the Council was responsible for the management and care of common land in the city and in accordance with the adopted Management Plan it was necessary to carry out works to the ponds on South Common for the benefit of wildlife and biodiversity
- c. advised that although the grounds of the pond area were managed periodically in the form of grass cutting, the ponds themselves had not received any form of management for some years which had resulted in them becoming silted-up with leaves and other debris from the trees surrounding them, and were fast becoming overgrown with reed growth
- d. highlighted that there were approximately 150 trees of both indigenous and non-indigenous species growing within the confines of the pond areas varying in maturity from young saplings to mature specimens, none of which were subject to a Tree Preservation Order or located within a Conservation Area
- e. reported that with the help of external agencies such as Lincolnshire Wildlife Trust and Commons Advisory Panel a need for both the dredging of the ponds and a reduction in the tree cover had been identified; the reduction in tree cover being not just to reduce further silting problems but also to improve water quality and thereby enhance the biodiversity value of the ponds
- f. referred to Appendix 3 of the report from the Director of Communities and Environment which included a site survey and recommendations from Lincolnshire Wildlife Trust
- g. outlined in further detail the proposed works at paragraph 4 of the report which included the proposed felling of 22 trees to increase the amount of sunlight afforded to the pond area as detailed at Appendix 4

- h. added that to offset the loss of these trees replanting of 22 indigenous tree species was proposed at more suitable locations around the site but away from the ponds to avoid any effect to light levels on the water in the future management of the area
- i. requested that the works set out within his report be approved.

Councillor Tweddle, Chair asked Dave Walker, Arboricultural Officer to for the duration of this item in the event that his advice was required on the works outlined for the site.

The Arboricultural Officer advised that he had not been involved in the project, however, he was happy to offer general technical knowledge to assist as required.

Members of Planning Committee discussed the content of the officer's report in further detail. The dredging of the ponds/removal of trees was broadly supported. Members raised the following questions:

- Were there any works required to the pond at the top of the South Common near Canwick Road?
- When the ponds were last dredged?
- Why had they been left until just recently?
- The site survey conducted by Lincolnshire Wildlife Trust referred to the need to stop planting trees, especially non-native trees on the South Common. Where would the replacement trees be located?

Kieron Manning, Assistant Director of Planning advised that he was not aware of the reason why the ponds had not been dredged earlier or when they was last dredged. Tree replacement would be carried out to fall in line with the council's corporate policy when trees were removed. He would feed these queries back to the Community Services Section in order for a more detailed response to be provided.

Dave Walker, Arboricultural Officer highlighted that he had spoken to the Community Contracts Officer that morning and was able to offer the following points of clarification:

- The pond referred to at the top of the South Common near Canwick Road had been cleared a few years ago and biodiversity in the area had increased as a result.
- Minimal clearing of the trees would take place to allow excavators the opportunity to access the pond area to dredge from silt.
- The work to trees would be carried out gradually over a three year period and not all at once.
- As the trees were removed the effect on wildlife from the clearance would be monitored and works adjusted if necessary.

Councillor Hewson expressed disappointment that there had been a lack of consultation with the Arboricultural Officer and he hoped there would be better collaboration with him in the future.

RESOLVED that:

1. Officers from the Community Services Section be asked to offer feedback to Planning Committee on the questions raised by members as detailed above.
2. Detailed consultation be carried out in future with council officers having relevant expertise in relation to matters to be determined at Planning Committee
3. The works set out in the report be approved.

103. Applications for Development

104. 18-20 Kingsway, Lincoln

The Assistant Director for Planning:

- a. described the location of the application site at 18-20 Kingsway as follows:
 - It was situated to the north west of the road.
 - The frontage of the site viewed from Kingsway contained a two storey brick warehouse to the left with extensions to the side and rear.
 - A single storey steel clad building was located centrally on the site with a fenced enclosure to the right housing shipping containers operated by Cathedral Self Storage Ltd.
 - The rear boundary was defined by a 1.8m approx. high fence.
 - The rear gable of the brick warehouse formed the side boundaries of 15 St Andrews Close and 38 Hope Street to the north west.
 - A narrow strip of land was situated to the side north east boundary which appeared to be used for the storage of materials with the side boundary of 12 Kingsway beyond.
 - Allotments were located adjacent to the opposite side on the south west boundary.
 - It was located within Flood Zone 2.
 - The wider area was predominantly characterised by a mix of two storey semis and terraces with the rear of the Ducati Showroom directly opposite the site.
 - Kingsway provided access to Bishop King Primary School located to the west at the end of the street.
- b. advised that planning permission was sought as a resubmission for the erection of 9 three bedroom dwellinghouses, to provide 19 car parking spaces located within a parking area to the rear of the site
- c. reported that the application had been revised during the planning process altering the design of the roof and rear elevation; reconfiguring the car parking layout with all neighbours having been re-consulted on these changes
- d. reported on the site history to the resubmitted application as detailed within the officer's report which included an appeal against refusal of planning permission which was dismissed by the Inspector on the grounds of lack of affordable housing although not in terms of any issue in respect of the level of parking
- e. 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 LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land Affected by Contamination
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Supplementary Planning Document Central Lincolnshire Developer Contributions
 - National Planning Policy Framework
- f. 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
 - Residential Amenity
 - Access and Highways
 - Flood Risk and Drainage
- g. outlined the responses made to the consultation exercise
- h. concluded that :
- The principle of the use of the site for residential purposes was considered to be acceptable and 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.
 - Technical matters relating to access and parking, contamination, flood risk, trees and archaeology were to the satisfaction of the relevant consultees and could be dealt with appropriately by condition.
 - The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP14, LP16, LP25 and LP26 and the National Planning Policy Framework.

Members discussed the content of the report in further detail. The following comments/questions emerged:

- Was there to be a ban to building on adjacent allotments in the area of the development?
- Could officers give a reassurance that issues of increased traffic accessing and egressing the proposed development had been addressed?
- This application offered improved car parking spaces compared to the previous one. Had this been communicated to local residents?
- The Highways Authority had no objections regarding increased traffic in the area.
- The proposal for a row of terraced houses on the street would fit in well with the area.

- This proposal was much improved compared to the previous planning application for the site refused recently.
- Could officers give an assurance that there would be no clashes or obstructions caused by deliveries to the site during the construction process?

Kieron Manning, Assistant Director for Planning offered the following points of clarification to members:

- There were currently no proposals for building on the adjacent allotments as part of this planning application and he had not been party to any discussions regarding the future of the allotment site.
- The provision of two car parking spaces per dwelling plus one left over was considered more than adequate for a scheme of this nature in such a location.
- In terms of access the Highways Authority as statutory consultee considered the proposal to be acceptable and not harmful enough to warrant refusal.
- A reduction in the number of proposed dwellings for this scheme would reduce the amount of comings/goings in terms of access and egress.
- A condition was attached to the grant of planning permission pertaining to construction management to minimise disruption to neighbours close by although the development was inevitable to cause some unavoidable disruption.
- Local residents had been re-consulted on the number of additional car parking spaces provided by the scheme in order to make them aware and give some comfort in the changes made to the original proposals to address objections raised in this respect.

Councillor Tweddle, Chair, asked whether many complaints were received generally in terms of construction traffic in respect of developments in progress.

Kieron Manning, Assistant Director for Planning highlighted that construction traffic did not normally cause a problem. Complaints were sometimes received, however local residents were quick to respond with any potential issues which were addressed straight away by officers accordingly.

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

- Time limit of the permission
- Development in accordance with approved plans
- Contamination
- Archaeology
- Land levels
- Samples of materials
- Implementation of landscaping
- Tree protection measures
- Implementation of boundary treatments
- Assessment of off-site impact of external lighting
- Electric vehicle recharge points
- Development in accordance with Flood Risk Assessment
- No surface water infiltration without consent
- Reinstatement of full height kerbs

- Construction Management Plan (traffic generation and drainage)
- Construction of the development (delivery times and working hours)
- Windows and doors set in reveal

105. 128-130 Carholme Road, Lincoln

The Planning Team Leader:

- advised that an application had been submitted for reserved matters including access, appearance, landscaping, layout and scale for the erection of a building to accommodate 14 self-contained apartments with 14 associated parking spaces as required by outline planning permission 2017/0236/OUT
- confirmed that the outline planning permission in common with all extant permissions that were yet to be implemented had been extended by the Business and Planning Act 2020 in terms of the time by which reserved matters should be submitted until 1 May 2021
- described the location of the application site at the corner of Carholme Road and Derwent Street, formerly occupied by Machins motorcycles within a large single storey building facing the main road, now demolished and a vacant site
- referred to the surrounding area as overwhelmingly residential in use and character and a well-used approach into the City from the west
- reported that the proposed building would be of an L shape following the road frontage of Carholme Road and Derwent Street, of two storeys adjacent to the existing two storey houses on Carholme Road, stepping up to three storeys on the prominent north west corner of the site, predominantly brick with pitched roofs over the various elements of the structure in common with the prevailing character of the area
- referred to the previous site history for the application as detailed within the officer's report which included outline planning permission granted in August 2017 together with a refused planning application in 2019
- provided details of the policies pertaining to the application, as follows:
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
 - Compliance with National and Local Planning Policy
 - Impact on the Character of the Area in Terms of Visual Amenity
 - Impact on the Amenity of Adjacent Residents
 - Developer Contributions
 - Highway Matters
 - Flood Risk

- i. outlined the responses made to the consultation exercise
- j. concluded that :
 - The application proposal before Planning Committee had been carefully considered and revised taking account of the previous refusal and the input of ward members and comments from neighbours in respect of the design changes.
 - The design was of a high quality and would deliver 14 new apartments in this important location without causing harm to amenity.

Members discussed the content of the report in further detail. The following comments/questions emerged:

- It was pleasing that the original planning application had been refused earlier in the year as this submission was presentable, in keeping with the area with the addition of a pitched roof which was a much improved design.
- It was good to see that the proposed footprint of the development had been taken back from the pavement now encompassing a boundary wall with space in front of the development in between which was in keeping with the rest of the area.
- The circumstances of this improved planning re submission bore weight to resistance of government proposals to change planning laws as the new regulations would have failed to allow the original application to be discussed at Planning Committee. Local people had to live with planning developments given the go ahead for the rest of their lives. The authority employed experienced planning officers to give advice to Planning Committee to enable valuable improvements to be made to schemes which in this case was a far more acceptable scheme.
- How would the green strip behind the wall be maintained without having a gate?
- Access into the parking court was still quite close to adjacent properties.

The Planning Team Leader offered the following points of clarification to members:

- The applicant had revised the point of access to the car parking court at Derwent Street so that it did not directly face 2a Derwent Street opposite, improving the amenity for the residents of that property.
- A management company would be responsible for the maintenance of the car park and communal areas. The land behind the wall facing the pavement was not gated, however, there was ample opportunity for a decent planting scheme which would enhance the look of the adjacent area.

Councillor Twedde, Chair, emphasised that this planning application demonstrated a good example of local democracy involving the input of local councillors which had resulted in a massive improvement to a former proposed scheme for the site. She thanked officers, the applicant and local residents for giving their views.

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

The following conditions are attached to the extant outline planning permission and will need to be complied with as part of the development of the site:

- Finished Floor Levels – as set out on the Flood Risk Assessment
- Archaeology;
- Contaminated Land;
- Delivery times and working hours – 7.00am to 6.00pm and 7.00am to 1.00pm on a Saturday; and
- Electric Vehicle Recharging points

The following condition should be added to the reserved matters approval:

- Sample of facing materials

106. Land To The Rear Of 1C Boultham Park Road, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for five dwellings including a row of three and a pair of semi-detached dwellings, all to be two main storeys each with a bedroom above in the roof space
- b. described the position of the land to the rear of 1A, 1B and 1C Boultham Park Road with access into the site through an existing access road between 1 A and 1C Boultham Park Road
- c. referred to the area of the site surrounded by residential properties having four properties to the north within the site of the Naval Club, Gresley Drive to the east with the eastern end of the site positioned between No 8 and 18 Gresley Drive
- d. reported on a difference in level from the application site to the site to the north, as there was from south and east, meaning that the land sat lower than neighbouring sites in terms of land levels
- e. advised that outline consent was granted in 2018 for three dwellings although the current scheme sought full planning permission for the five proposed dwellings
- f. reported the location of the site within Flood Zone 3
- g. provided details of the policies pertaining to the application, as follows:
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- h. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
 - Planning Policy

- Residential Amenity
 - Visual Amenity
 - Flood Risk
 - Highways, Access and Parking
 - Other Matters
- i. outlined the responses made to the consultation exercise
- j. referred to the Update Sheet circulated to members which contained a block plan showing trees to be retained as part of the planning application
- k. concluded that :
- 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 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 and met the requirements NPPF in terms of Flood Risk.
 - The application was therefore in accordance with the requirements of Central Lincolnshire Local Plan Policies, as well as guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail. The following comments/questions emerged:

- Concerns were raised in respect of the need for residents to present their refuse bins to Boultham Park Road on the day of collection which would require to be moved on the same day to avoid a hazard to pedestrians/push chairs/mobility scooters etc.
- An appeal was made to the applicant for low lighting to be installed to protect residents' safety, particularly as the properties were accessed via a private driveway. Lincolnshire Police may have raised concerns had they realised there was no external lighting proposed for the scheme.
- It was requested that protection measures be installed to the wall either side of the access to the proposed development to protect the properties to the left and right of the entrance and to reduce risk of collisions.
- Members asked whether the private driveway itself would be permeable to prevent flooding in light of the fact it would not be an adopted highway.
- Concerns were raised regarding access of emergency vehicles. Could clarification be given by officers as to what other methods would be used to meet the functional requirements of the regulations in relation to a fire emergency if the access was not wide enough for a fire engine to enter the site?
- It was hoped there would be passing places along the access road to avoid traffic hold-ups.

The Planning Team Leader offered the following points of clarification to members:

- It would be reiterated to the applicant to inform the new residents of the properties not to put their refuse bins out too early and to move them on

the same day according to Public Protection and Anti-Social Behaviour legislation in place for the city.

- Access to the properties by fire vehicles would need to comply with building regulations in this regard. The land had been formerly used as a caravan site and as such accessed by wide vehicles before. Should the road be of insufficient width to accommodate a fire engine Building regulations required that a fire hydrant and dedicated pipe be run into the site at the applicant's expense to offer sufficient water pressure to attend to a fire. Fire Officers were also able to pressurise the water themselves if it was not of sufficient pressure.
- Lighting did not form part of the planning application, however, low level lighting along the access road would be beneficial and he hoped the applicant would take this request on board. It was possible should members be so inclined to formulate a reasonable lighting condition to be imposed on the grant of planning permission before the dwellings were occupied.

Councillor Tweddle, Chair, emphasised in the event that waste bins were left out on the public highway that residents should raise with the Council as an Environmental Health issue.

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

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials to be submitted
- Contamination land standard conditions
- Landscaping to be submitted
- Electric vehicle charging points to be submitted
- Construction and delivery hours to be controlled
- Permitted development to be removed
- Flood mitigation to be incorporated
- Land levels and finished floor levels to be as the drawings
- Provision of external lighting prior to occupation of dwellings.

107. Arboretum Lodge, Arboretum, Monks Road, Lincoln

Kieron Manning, Assistant Director for Planning:

- a. advised that Listed Building Consent was sought to carry out repairs to an internal wall to remediate chronic damp issues at Arboretum Lodge, which sat within Arboretum Park just inside the entrance on Monks Road
- b. described location of the building, a Grade II Listed Building, within the City of Lincoln Lindum and Arboretum Conservation Area No 3
- c. highlighted that this application was brought before Planning Committee for consideration as the property was in City of Lincoln Council ownership
- d. provided details of the policies pertaining to the application, as follows:
 - Policy LP25: The Historic Environment
 - National Planning Policy Framework

- e. advised members of the main issue to be considered as part of the application to assess the proposal with regard to the impact on the building as a designated heritage asset
- f. outlined the responses made to the consultation exercise
- g. concluded that :
 - The proposed works were in the interests of the building's preservation and would not be prejudicial to its special architectural or historic interest, 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', Policy LP25 'Historic Environment' of the Central Lincolnshire Local Plan (2017) and relevant guidance contained within the National Planning Policy Framework.

RESOLVED that Listed Building Consent to carry out repairs to an internal wall at Arboretum Lodge be granted subject to the following conditions:

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