

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Bill Bilton, Councillor
Chris Burke, Councillor Sue Burke, Councillor
Gary Hewson, Councillor Bill Mara, Councillor
Rebecca Longbottom, Councillor Mark Storer, Councillor
Edmund Strengiel and Councillor Calum Watt

Apologies for Absence: Councillor Biff Bean and Councillor Liz Bushell

13. Confirmation of Minutes - 14 July 2021

RESOLVED that the minutes of the meeting held on 14 July 2021 be confirmed.

14. Declarations of Interest

No declarations of interest were received.

15. Work to Trees in City Council Ownership

Lee George, Open Spaces Officer on behalf of Dave Walker, Arboricultural Officer:

- a. advised the Committee of the reasons for the 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.

Councillor Strengiel asked for confirmation on behalf of one of his constituents that the Oak tree at 200 Fulmar Road would be felled and replaced with a suitable specimen.

Lee George advised that the tree would be felled due it having caused direct damage to the property boundary at 200 Fulmar Road being in close proximity to the main residential structure. It would be replaced with another Oak tree, considered to be a good species, in a suitable position along the side of the adjacent pathway.

Councillor Longbottom thanked officers for providing additional information within the tree schedule as to where replacement trees would be located. This was very helpful.

Councillor Longbottom referred to works to fell a Maple tree in Boutham Park near the Grandstand area, which included removal of standing deadwood. She emphasised the importance of deadwood as habitat for insects etc and asked for Council policy on retaining deadwood from felled trees in the interests of biodiversity.

Lee George advised that this particular tree was situated near to the public footpath. The canopy would be taken out in the interest of public safety, and the stem would be retained if possible. The ability to retain standing deadwood depended on the location of the tree, if there was decay present and the roots of the tree were close to the footpath it may be safer to remove. A replacement Maple would be planted in close proximity to the position of the original tree.

The Chair emphasised the importance of giving trees the attention they deserved.

Councillor Hewson commented on a great deal of deadwood lying on the ground in Boutham Park. He stated that the Council worked alongside various partners including Lincolnshire Wildlife Trust to seek advice on suitable habitats for wildlife provided by trees and highly valued the importance of trees in general.

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

16. Tree Planting

Lee George, Open Spaces Officer:

- a. presented a report in response to a request made by Planning Committee to set out the Council's policy on tree replacements, and specifically to consider the planting of more trees, or larger replacement trees
- b. highlighted that as the benefits of trees were well known, the Council sought to find a way to balance the difficulties of growing trees in tight urban situations, and the inherent demands on space
- c. detailed within the report the defence of this policy, highlighting the reasons that larger trees would not bring proportionate benefits, and why to guarantee to plant more than one tree for each tree lost would be problematic
- d. referred to the Council's tree planting policy for many years of planting 'one for one' for each tree removed as stated in the Council's existing Open Space and Tree Management Policy which also gave priority to the planting of native species
- e. reported that in more recent years the Council had been asked to reconsider if 'one for one' was reasonable and if more trees or larger trees should be planted to offset the impacts of carbon footprint
- f. outlined the consideration of the options around whether we could plant more trees and larger trees together with the policy and challenges this presented in urban environments as detailed within paragraph 4 of the report
- g. reported on the Council's practice to plant trees of species and sizes considered to be appropriate for the conditions, based on the judgement of the Arboricultural Officer, drawing on his knowledge and expertise
- h. referred to work on the introduction of a Tree Policy which would give specific mention to tree choice options and planting/aftercare

arrangements with use of processes such as mycorrhizal fungi at planting stage to try to enhance survival rates

- i. summarised the reasons why it was not recommended that the Council moved to a blanket decision to plant larger trees and the real practical difficulties in terms of planting more than one tree each time a tree was lost
- j. requested members feedback on the content of the report.

Members discussed the content of the report in further detail, asked questions and received relevant responses as follows:

- Question: Was it possible to identify suitable locations for additional tree planting schemes in the city, utilising appropriate bids to funding streams promoting reductions in carbon impact?
- Response: Most tree planting was funded out of the Council's own budget using local suppliers which offered best value for money.
- Comment: The report implied there were not sufficient funds for larger trees. An increase in trees was good for the environment, therefore seeking external funding streams would be of benefit to the city.
- Response: Additional funding was always sought as a matter of course as and when it became available. For example, recent collaboration work had taken place with Lincoln Community Trust to achieve funding for renovation work to Boultham Park. It was often the case that third parties were more successful in accessing funding streams and initiatives.

RESOLVED that the content of the report by Planning Committee be noted.

17. Applications for Development
18. Land to The Rear of 116 High Street, Lincoln

The Assistant Director for Planning:

- a. described the application site; land to the rear of 116 High Street currently vacant, comprised of unmade ground and gravel, located to the west of High Street properties
- b. advised that the land in between the rear of these properties and the site formed the service yard to 116 High Street, including a single storey metal clad store and some air conditioning units, to be accessed from Gaunt Street between no's 7 and 11 across the existing service yard
- c. described the rear boundaries to the south of the site with properties on Gaunt Street defined by a substantial 3.2m high wall, to the north the rear boundaries of properties on Anchor Close defined by a 1.8m high fence and to the west of the site a low-level laurel hedge which defined the boundary with Woodburn Place, accommodated by flats accessed via a footpath within the site adjacent to the south boundary
- d. advised that planning permission was sought for the erection of a two-storey building to accommodate four two-bedroomed flats, together with an

acoustic enclosure to the existing air conditioning units to the rear of 116 High Street added to the proposal during the application process

- e. added that in an attempt to address some of the concerns of neighbouring properties, the revised plans also identified the positioning of all neighbouring properties on the elevations, sight lines from neighbouring properties towards the development, the outline of a previously approved development, the position of a new 2m high fence adjacent to the west boundary, together with the provision of a Daylight and Sunlight Report and a Noise Impact Assessment
- f. outlined the relevant site history to the application site as detailed in full 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 LP13: Accessibility and Transport
 - 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
 - National Planning Policy Framework
- h. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Principle of Use
 - Visual Amenity
 - Residential Amenity
 - Noise
 - Access and Highways
 - Archaeology
 - Drainage
 - Land Contamination and Air Pollution
- i. outlined the responses made to the consultation exercise
- j. concluded that:
 - The principle of the use of the site for residential purposes was considered to be acceptable, a use which had also been established by previous permissions.
 - 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 noise, access and parking, contamination, archaeology, and drainage were to the satisfaction of the relevant consultees and could be dealt with as necessary by condition.

- The proposals would therefore be in accordance with the requirements of CLLP Policies LP1, LP2, LP13, LP14, LP16, LP25 and LP26 and the NPPF.

Laura Galluccio, local resident, addressed Planning Committee in objection to the application, making the following points:

- She would not read out the local objections to the application as these were outlined within the officer's report
- Instead, she would try to reflect on the type of development plans involved here.
- The proposals represented exploitation of 'our' territory at the expense of local residents.
- The developers were hoping to 'squeeze' as much use into a small area as possible.
- This was a 'for profit' development without consideration of the impact on local residents being taken into account.
- She would end up with a 2-metre fence and a 3-metre brick wall either side of her property.
- The development took sunlight away from adjacent properties.
- To say that the revised application would have a lower impact on neighbouring properties was not true to reality.
- The proposed development would result in loss of sunlight to her back garden. The shadow of the 2.4m high shed would take half the sunlight from her garden at 3.30pm in the afternoon.
- She needed sunshine to maintain her good health which was the reason she purchased this south facing property
- Issues of scale and height. A bungalow or single storey development for two flats would be more suited to this location and much more pleasant for local residents and the new residents coming to live there.
- A similar planning application for the site was refused in 2013.
- In 2019 planning permission for the site was granted.
- Now we had another planning application. She wondered whether the decision to approve planning permission for the site in 2019 was the correct choice.
- Planning Committee should be most concerned with the protection of local residents rather than profit to be made by developers.
- This application should reflect community interest rather than profit.

Stephen Gale addressed Planning Committee on behalf of the agent for the application, covering the following main points:

- His client already had planning permission for the erection of a two-storey extension building and two semi-detached dwellings, consent which was not due to expire until February 2022.
- The design of the building had been changed following the pre application process to reduce its height from 6m to 4.3m at eaves height.
- Measures had also been put in place to mitigate concerns raised regarding noise and overshadowing.
- An enclosure was incorporated within the development plans to improve the acoustic appearance of existing air conditioning units.
- Part of the first floor was located within the roof and was not of such a high scale as people thought.

- This planning application improved that originally submitted two years previously.
- The proposals represented a more interesting application.
- He thanked Planning Committee for their time.

The Committee discussed the content of the report in further detail.

The following comments were put forward in support of the proposals:

- The provision of an acoustic enclosure was pleasing to see. The member had visited the site and it did appear quite loud.
- The principle of use was good; more housing was needed in the city.
- The main concern was the elevation; however, this had already been discussed in the previous planning application.
- The Pollution Control Officer was satisfied with the proposals.
- The footprint of this scheme had been moved further away from 23 Anchor Street and no further north than the previous application. For this reason, impact on light could only be judged as the lay-out of the proposals were further south than planning permission previously granted.
- The layout/accommodation of the revised proposals would be far better for the residents of Anchor Close and Woodburn Place as the footprint had moved further east than the previous planning permission granted.
- The local resident spoke passionately about her concerns; the applicant had also taken steps to put in place mitigation measures to avoid the impact being so high.
- The 2019 permission already granted for this site was more intrusive than that before us this evening and could still be built. There was no legitimate reason to refuse planning permission.

The following matters of concern in relation to the planning application were raised by members:

- It was a little concerning that the sunlight report only referred to 1 day of the year and at one particular time of the year.
- The height of the boundary fence to the north elevation seemed close to the adjacent property.
- Due to overlooking, a one storey property would be the preferred option.
- This development was slightly bigger in size than the previous permission granted.
- This was a high-density area and although there was a desperate need for more housing there were good planning reasons for this application to be refused.
- Concerns over height/loss of light to gardens.
- The photographs did not portray the size of the site, which the member had visited. It was not just the impact on existing buildings to be considered here, but also those people who would choose to live there.
- The site would be a dark area.
- The site was 1.2m from the boundary of Anchor Close and 1.4m from Gaunt Street alongside a high brick wall.
- Severe reservations were expressed regarding the proposals for 4 flats., two semi-detached houses would be preferred

The Assistant Director of Planning offered the following point of clarification to members:

- This was a tight site which was notoriously difficult to deal with. As an empty site it was not sustainable either which made it a big challenge for the Planning Authority.
- A number of discussions had been held with the applicant to negotiate an acceptable position to which was acceptable to the Planning Authority.
- The Pollution Control Officer had considered loss of light. No request to prepare a light assessment had been made, however this had still been carried out to offer reassurance.
- Due to the nature of lower eaves levels, the proposal was considered to be acceptable.
- This application was 1.5 metres further away from Woodburn Close and the western corner was also slightly further away compared to the existing consent.
- The existing consent was a material planning consideration here; refusal would be a key planning factor in the planning inspector's consideration at any appeal stage.
- A single storey development may be preferred; however, members should consider each application on its own merits. The upper floor being located in the roof space was perhaps not as significant in terms of height as first perceived.
- There would be some form of impact on the properties either side of the development, the remit of members today was to determine whether or not this impact was of a sufficient level to warrant refusal.

RESOLVED that the application for planning permission be approved subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Contaminated land
- Archaeological WSI and foundation design
- Surface water drainage scheme
- Land levels and finished floor levels
- Samples of materials
- Landscaping scheme
- Bin and cycle storage details
- Design of acoustic enclosure (as required)
- Implementation of boundary treatment
- Assessment of off-site impact of external lighting prior to installation
- Construction of the development (delivery times and working hours)
- Windows and doors set in reveal

19. The Parachute Regimental Association Memorial Garden, Castle Hill, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for the construction of railings on top of an existing parapet wall upstand to a raised access landing at the Parachute Regimental Association Memorial Garden
- b. described the location of the site located between Castle Square Car Park and the eastern wall of Lincoln Castle, within the Cathedral and City Centre Conservation Area No 1

- c. highlighted that the application was brought before Planning Committee this evening as the applicant was related to a City Council employee
- d. provided details of the policies pertaining to the application, as follows:
 - Policy LP25: The Historic Environment
 - National Planning Policy Framework
- e. advised the Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Visual Amenity
 - Impact on the Character and Appearance of the Conservation Area
 - Setting of the Adjacent Listed Building
- f. reported that no public responses had been received in relation to the consultation exercise
- g. concluded that the proposed railings would preserve the character and appearance of the Conservation Area in accordance with LP25 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

The Committee discussed the content of the report in further detail. Members expressed their support for improvements to the Parachute Regiment Garden in recognition of the important contribution the Parachute Regiment Association had made to the country and in interests of maintaining adequate safety measures in keeping with the Castle area

RESOLVED that the application for planning permission be approved subject to the following 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.

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.