

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Debbie Armiger,
Councillor Biff Bean, Councillor Liz Bushell, Councillor
Gary Hewson, Councillor Rebecca Longbottom,
Councillor Bill Mara, Councillor Mark Storer, Councillor
Edmund Strengiel and Councillor Calum Watt

Apologies for Absence: Councillor Chris Burke

17. Confirmation of Minutes - 29 June 2022

RESOLVED that the minutes of the meeting held on 29 June 2022 be confirmed and signed by the Chair as a true record.

18. Member Statement

In the interests of transparency, Councillor Bob Bushell wished it to be recorded in relation to Item No 5 (d) of the agenda, *Hartsholme Country Park, Hartsholme Park, Lincoln*, that Hartsholme Country Park came within his remit as Portfolio Holder for Remarkable Place, however, the works were a minor issue, and he had no personal interest in the matter.

19. Declarations of Interest

No declarations of interest were received.

20. Update Sheet

An update sheet was circulated in advance of the meeting, which included:

- Additional consultee responses in respect of agenda Item No 5(a)- Greetwell Nursing Home, 68-70 Greetwell Close, Lincoln (2022/0377/FUL)
- A revised layout plan in respect of agenda Item No 5 (c) Church Grounds, St Mary Le Wigford Church, St Mary's Street, Lincoln (2022/0584/RG3)

RESOLVED that the update sheet be received by Planning Committee

21. Work to Trees in City Council Ownership

Ewan Murray, Arboricultural Officer:

- a. advised Planning Committee 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 considered the contents of the report.

Councillor Hewson referred to the incident on the cycle track between Dixon Street and Altham Terrace where a cyclist was injured due to an impact with the trunk of a tree, now removed. Clarification was sought as to where the liability fell for this type of incident.

The Arboricultural Officer advised as follows:

- The responsibility for the tree in question lay with the Highways Authority in the ownership of Lincolnshire County Council.
- Lincolnshire County Council trees were inspected every six years by the City of Lincoln Council on behalf of the County Council.
- The work did not include the surveying of trees.
- The City Council had been aware of the instability of the tree before the accident occurred and it was awaiting scheduled works at the time.

Councillor Bean advised that he had received numerous e mails from members of the public in his ward regarding overgrown footpaths/cycleways and asked if it was possible to carry out an annual inspection of these areas in April/May to 'nip works required in the bud' for the rest of the summer months.

The Arboricultural Officer clarified the following main points:

- There was a shared responsibility for overhanging branches/shrubbery; some work required an Enforcement Order to be obtained to authorise work to be carried out by us if the tree was not in our ownership.
- Any problems in the local community could be reported to Lincolnshire County Council on their website via 'Fix my Street'
- Funding was being sought to carry out tree surveying work every 1 or 3 years if resources became available.
- He thanked members for expressing their concerns.

Councillor Bean agreed to send an e mail to Lincolnshire County Council suggesting a discussion on inspection of trees on footpaths/cycleways, including an invite to the Chair of Planning Committee.

Councillor Strenziel expressed the view that the City and County Council worked well together in respect of works to trees. Fix my Street was an excellent app. He asked whether the tree in question had been roped off on inspection prior to being felled? He highlighted that liability could not be divulged in any case.

The Arboricultural Officer advised that the whole cycle path had not been blocked on inspection and this was considered the necessary deterrent to move around it.

Councillor M Storer sought clarification in respect of the self-set trees to be felled at 29 Rosewood Close as to whether they were causing actual or potential damage to the adjacent property fence line.

The Arboriculturist Officer confirmed that trees would not be removed unless there was visible evidence this was the case.

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

22. Applications for Development
23. Greetwell Nursing Home, 68-70 Greetwell Close, Lincoln

The Assistant Director of Planning:

- a) advised that planning permission was sought to change the use of 68-70 Greetwell Close from a nursing home (use class 2) to 11 residential flats (use class 3), with hard and soft landscaping, car parking and installation of bin store and cycle store
- b) described the three storey application property, situated on the west side of Greetwell Close, in a prominent position in a residential area with a mixture of property types, including HMP Lincoln to the east and Lincoln County Hospital situated to the south
- c) provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Central Lincolnshire Local Plan Policy LP26:Design and Amenity
 - Policy LP37: Sub-Division and Multi-Occupation of Dwellings
- d) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Residential Amenity
 - Visual Amenity
 - Highways
 - Drainage
 - S106 Agreement
- e) outlined the responses made to the consultation exercise
- f) referred to the Update Sheet which included additional consultee responses received from Lincoln Civic Trust and NHS Lincolnshire
- g) concluded that:
 - It was considered that the proposed development would accord with national and local planning policy
 - The proposal would be an appropriate reuse of the building in an established residential area.
 - The external works to the building would be minimal and therefore would have no adverse impact on visual amenity.

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

The following comments/questions were received from members:

- Following an individual site visit site conducted earlier today, there seemed to be more space within the proposed development than apparent on the maps provided within the Planning Officer's report.
- In relation to complaints received regarding loss of trees, that there would be no such major tree loss here.
- The bins were perfectly adequate as storage facilities.

- There was provision of 11 car parking spaces, one per flat, together with restricted on-street parking.
- The proposals represented a significant improvement of what went before in terms of the amount of previous activity at the nursing home e.g., ambulances, medical staff, employees etc.
- This was a fine Victorian building in the main seen largely from the street and in terrible decay at the moment.
- There was an allocation for parking of cars, however, there didn't appear to be any cycle storage.
- Was the garage to the side of the building to be retained as a car parking space?
- There appeared to be no great loss of trees as part of the proposals. None of the trees were fine specimens with some having self-set and growing within the building itself.
- Were the suggested conditions for sustainable drainage met within the recommendation to grant planning permission?
- Were there any electric vehicle charging points?

The Chair confirmed that the provision of electric charging points was conditioned subject to grant of planning permission

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

- It was possible to add a condition for provision of cycle storage and a sustainable drainage system subject to grant of planning permission if members were so minded.
- In relation to the trees, some were growing in areas they would not survive and not in good condition.
- He was not able to confirm whether the garage was to be retained as part of the proposed development, however, it had no protection order.

Councillor Watt asked whether a condition could be imposed on grant of planning permission requiring one cycle space per flat?

The Assistant Director of Planning suggested a suitable condition be worded requiring 'a scheme for cycle storage according to available space' However, cycle storage was already included within the proposed scheme conditioned as part of the submitted plans and therefore not necessarily needed.

A motion was moved, seconded, voted upon and carried that provision of a surface Water Management Strategy be added as a condition of grant of planning permission.

RESOLVED that planning permission be granted subject to the signing of an S106 agreement and subject to the following conditions:

- Development to commence within 3 years
- Development to be carried out in accordance with the submitted plans
- Construction hours
- Electric vehicle charging points
- Surface water management strategy

24. Wardens House, Bailgate Court, Wordsworth Street, Lincoln

The Planning Team Leader:

- a) described the application site, part of the garden of the former Warden's House at the west end of the building now known as Bailgate Court; formerly Chad Varah House which had itself been converted recently into residential apartments
- b) stated that the former Chad Varah House planning permission also had as part of it an extension at the west of the Warden's House for a glazed structure which had not been implemented
- c) confirmed that the Warden's House was attached to/ also a listed Grade II building along with Bailgate Court, located within the Cathedral and City Centre Conservation Area
- d) described Drury Lane and the Castle beyond located to the north of the site, residential properties along Drury Lane to the west with Gibraltar Hill running alongside the western boundary of the site beyond a two metre high brick wall, and the gardens of the application site fell away down the hillside with residential properties beyond on St Michael's Terrace and Stanthaket Court to the south,
- e) advised that the application for planning permission was accompanied by an associated application for listed building consent which dealt with technical changes to the building and was not being brought before Planning Committee; the impact on the setting of the listed building was dealt with through the planning permission
- f) advised that planning permission was sought to build a two storey annexe to the west of the existing house; the application originally proposed a new vehicular access from Gibraltar Hill into the site, but this had subsequently been removed together with a reduction in the size of the annexe following negotiations with planning officers and the annexe would no longer extend into land designated as a Scheduled Ancient Monument
- g) provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Policy 126: The Creation of High Quality, Beautiful and Sustainable Buildings
 - Policy 195: Particular Significance of the Heritage Asset
 - Policy 202: Less than substantial harm to the significance of a designated heritage asset, weighed against the public benefits of the proposal including optimum viable use.
 - Central Lincolnshire Local Plan Policy
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
- h) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - National and Local Planning Policy
 - Impact on the Adjoining Listed Building
 - Impact on the Amenity of Neighbours

- Impact on the Character and Appearance of the Conservation Area
- i) outlined the responses made to the consultation exercise
- j) concluded that:
- This was a carefully designed proposal that had been crafted with sensitivity to its context whilst also providing a small point of interest through the contemporary approach to the architecture.
 - It did not cause unacceptable harm to the amenity of its neighbours, and it would not be harmful to the significance of the listed building or to the character and appearance of the conservation area.

Barbara Griffin-Wright, applicant, addressed Planning Committee in support of the proposed development, covering the following main points:

- It was important to reiterate the importance of the architecture of the project.
- The planning application was submitted a year ago and had since been revised in detail.
- The proposed development offered a sustainable design.
- Impact on the amenity of neighbours had been addressed. Views would be screened by the boundary wall to Gibraltar Hill, trees/vegetation, use of hit and miss brickwork and the angle of the build to restrict potential overlooking.
- The tree in the background did not impinge on the Scheduled Ancient Monument.
- This was a better scheme.
- Design of fenestration had been discussed with Planning Officers/Principal Conservation Officer and conditioned accordingly.
- Careful choice of materials had been taken using a roman brick to provide sensitively to the buildings context.

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

The following comments/questions were received from members:

- Would the gated access referred to by a member of the public as blocking access for residents, deliveries, and emergency vehicles still go ahead?
- It was pleasing to note the annexe extension would no longer encroach on land designated as a Scheduled Ancient Monument.
- Was it clear where the boundary of the Scheduled Ancient Monument started and finished?
- The initial application had been amended to include a second entrance on Gibraltar Hill and was now 'pulled back' from the Scheduled Ancient Monument.
- The design was subjective.
- Mitigation measures with hit and miss brickwork were helpful.
- The tree would obscure vision in the summer months; however, it was protected.

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

- Access: The first consultation proposed a second gate further down Gibraltar Hill, which was no longer part of the current application, now having a shared access from the top of Gibraltar Hill.
- Scheduled Ancient Monument: The assumed boundary line had been taken using a very safe approach in consultation with the City Archaeologist. The annexe was well away from this boundary

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

- Development to commence within 3 years
- Strict compliance with the approved drawings
- Archaeological written scheme of investigation prior to commencement
- Details of foundation design to deal with archaeology and slope stability
- Details of brickwork and mortar to be provided by way of a sample panel to be constructed on site
- No use of the roof of the building as a balcony at any time
- Building only to be occupied in association with the main dwelling

25. Church Grounds, St Mary Le Wigford Church, St Marys Street, Lincoln

The Assistant Director of Planning:

- a) advised that planning permission was sought for reinstatement of the boundary wall to St Mary Le Wigford Church to provide enclosure to the churchyard which would then be grassed, replacing the existing hard landscaping
- b) described St Mary Le Wigford, a Grade I listed church sited on the corner plot with St Mary's Street to the north and the High Street to the west, constructed in dressed stone and coursed rubble with ashlar dressings and slate roofs, located within the Cathedral and City Centre Conservation Area
- c) reported that the church dated from the 11th century with successive centuries of works through to the 13th century; the south aisle was added in 1877 and the church restored in 1872, the tower restored in 1908 and another scheme of works in 1975 included the porch to the north side
- d) reported that the planning application was submitted by the City of Lincoln Council
- e) provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Central Lincolnshire Local Plan Policy LP25:-The Historic Environment
- f) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Principle of Development
 - Impact on the Conservation Area
 - Trees

- Archaeology
- g) outlined the responses made to the consultation exercise
- h) referred to the Update Sheet which included a revised layout plan
- i) concluded that:
- It was considered that the proposed development would be acceptable and would accord with national and local planning policy
 - The wall would enhance the appearance of the Conservation Area and would re-establish a historic feature in this location.

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

Members welcomed this proposal for additional greenery in the area and asked for clarification of the height of the wall.

The Assistant Director of Planning confirmed the height of the reinstated wall being roughly a metre high, typical of a front boundary wall.

RESOLVED that planning permission be granted subject to no objections being received in the remaining consultation period and subject to the following conditions:

- Development to commence within 3 years
- Development to be carried out in accordance with the plans
- Sample of materials
- Archaeology
- Tree protection

26. Hartsholme Country Park, Hartsholme Park, Lincoln

The Planning Team Leader:

- a. described the application site, Hartsholme Country Park, as a Grade II Listed Historic Park and Garden
- b. advised that the proposal related specifically to the existing storage building located to the eastern edge of the park
- c. reported that retrospective permission was sought for the installation of a storage container positioned adjacent to the existing storage building
- d. provided details of the policies pertaining to the application, as follows:
 - Policy LP22: Green Wedges
 - Policy LP25: The Historic Environment;
 - Policy LP29: Protecting Lincoln's Setting and Character
- e. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Accordance with National and Local Planning Policy

- Impact on Visual Amenity and the Character or Setting of the Designated Heritage Asset as a Historic Park and Garden

f. outlined the responses made to the consultation exercise

g. concluded that:

- The proposed container provided secure storage.
- Whilst the structure was rather utilitarian in appearance, views of the structure were limited by the existing building and landscaping.
- The proposal would therefore preserve and protect the character and setting of the Historic Park and Garden in accordance with policies LP22, LP25 and LP29 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

- Development in accordance with approved plans.