

Present: Councillor Bob Bushell (*in the Chair*),
Councillor Gary Hewson, Councillor Debbie Armiger,
Councillor Chris Burke, Councillor Liz Bushell, Councillor
Martin Christopher, Councillor Rebecca Longbottom,
Councillor Bill Mara, Councillor Mark Storer, Councillor
Edmund Strengiel and Councillor Dylan Stothard

Apologies for Absence: None.

10. Confirmation of Minutes - 28 June 2023

RESOLVED that the minutes of the meeting held on 28 June 2023 be confirmed.

11. Update Sheet

There was no Update Sheet for tonight's meeting.

12. Declarations of Interest

Councillor Martin Christopher declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Work to Trees in City Council Ownership'.

Reason: He had been involved in discussions with the resident concerned in relation to one of the requests for works to trees. Therefore, he was privy to a lot of extraneous information in respect of this application that other members weren't.

He left the room during the consideration of this item and took no part in the deliberation or vote on the matter to be determined.

13. Work to Trees in City Council Ownership

(Councillor Christopher left the room during the consideration of the following item, having declared a personal and pecuniary interest in the matter to be discussed. He took no part in the debate or vote on the matter to be determined.)

Dave Walker, 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.

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

14. Confirmation of Tree Preservation Order No. 176

(Councillor Christopher re-joined his seat for the rest of the meeting.)

Simon Cousins, Planning Team Leader:

- a. advised members of the reasons why a temporary tree preservation order made under delegated powers by the Assistant Director for Planning should be confirmed at the following site:
 - Tree Preservation Order 176: 3no Acer Pseudoplatanus 14no Acer Pseudoplatanus (Sycamore) trees in the grounds of Bailgate Court, Wordsworth Street, Lincoln LN1 3BS
- b. provided details of the individual trees to be covered by the order and the contribution they made to the area
- c. reported that the making of any Tree Preservation Order was likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees, however, this was contained within existing staffing resources
- d. reported that the initial 6 months of protection for these trees would come to an end for the Tree Preservation Order on 26 November 2023
- e. confirmed that the reason for making a Tree Preservation Order on this site was as a result of an application from an occupant of Bailgate Court to fell all three of the trees
- f. reported that the property was located within a conservation area which was the reason why consent was required
- g. reported that the Arboricultural Officer had carried out a site visit at which he identified the trees to be suitable for protection under a Tree Preservation Order, having high amenity value, and that their removal would have an effect on the aesthetic appearance of the area
- h. advised that following a 31 day consultation period no objections had been received to the order
- i. advised that confirmation of the Tree Preservation Order here would ensure that the tree could not be removed or worked on without the express permission of the council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to one of the Councils priorities of enhancing our remarkable place.

RESOLVED that Tree Preservation Order No 176 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

15. Applications for Development
16. 127 Yarborough Road, Lincoln

The Planning Team Leader:

- a. described the application site as follows:
- Currently forming the garden land of No. 127 Yarborough Road.
 - Whilst No. 127 fronted Yarborough Road, the rear of the site abutted Carline Road.
 - A pair of semi-detached properties No. 22 and 24 Carline Road were located to the south, with No. 24C Carline Road to the north; a detached dwelling which was constructed within the garden of No. 129 Yarborough Road (2018/0547/FUL).
- b. advised that planning permission was requested for the erection of one dwelling with associated access off Carline Road (revised plans)
- c. reported that the proposal had been subject to pre application advice and further officer discussions during the application which had resulted in revised drawings; the original proposal for 2 four bedrooomed semi-detached properties had been revised to a single detached house with six bedrooms
- d. clarified that the development was located within Conservation Area No 8- Carline
- e. reported that the application was brought before Planning Committee as it had received more than four objections and also at the request of Councillor Neil Murray
- f. provided details of the policies pertaining to the application, as follows:
- Policy S1: The Spatial Strategy and Settlement Hierarchy
 - Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns
 - Policy S6: Design Principles for Efficient Buildings
 - Policy S7: Reducing Energy Consumption - Residential Development
 - Policy S12: Water Efficiency and Sustainable Water Management
 - Policy S53: Design and Amenity
 - Policy S57: The Historic Environment
 - Policy S66: Trees, Woodland and Hedgerows
 - M11: Lincolnshire Minerals and Waste Local Plan
 - National Planning Policy Framework
- g. highlighted that the application was submitted in November 2022 prior to the adoption of the Central Lincolnshire Local Plan in April 2023 before the new policy requirements with regard to energy efficiency; and therefore not always met in full; however positive steps had been taken towards satisfying the policy requirements where possible which was considered a reasonable approach
- 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
 - The Principle of the Development

- Impact on the Character and Appearance of the Conservation Area
 - Residential Amenity
 - Highways
 - Trees
 - Land Stability
 - Minerals
 - Contamination
 - Energy Efficiency
- i. outlined the responses made to the consultation exercise
- j. concluded that:
- The dwelling in its revised form would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design.
 - The proposal would ensure the character and appearance of the Conservation Area was preserved.
 - Technical matters 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 and the NPPF.

Mr Peter Gray, local resident, addressed Planning Committee on behalf of local residents with concerns regarding the planning application, covering the following main points:

- He thanked members of Planning Committee for allowing him the opportunity to speak.
- He had a vested interest in the planning proposals living at 24C Carline Road.
- He acknowledged this was the right place for this type of build, which would also tidy up the area.
- He spoke also on behalf of the residents of 9 Carline Road, Lincoln.
- Concerns were raised regarding the height of the property.
- His house at 24C had to be constructed at low level from the road to assimilate effectively into the hillside.
- This property was four storeys in height and not similar to his property having an additional storey.
- Issues of loss of light/loss of view.
- He was in favour of the build, however residents were unhappy with the proposed height and size/mass.
- The revised plans submitted had about the same footprint as the original s and the proposed dwelling was very large/overbearing compared with the other properties in the area.
- Parking issues- the proposed build contained six bedrooms, parking was already an issue in the area.
- The design of the house suggested use as a HiMO in the future.
- The design did not look like a design for a normal family home.
- This house would not be used as a family home.
- Issues with effect on amenity for local residents/area.
- Concerns were raised as to who would take on the property and the way it would be developed in the future.

- He agreed with the element of taking out the side windows within the revised plans.

Kylie Skipworth-Cooke addressed Planning Committee on behalf of the agent in favour of the proposed development, covering the following main points:

- She thanked members of Planning Committee for allowing her the opportunity to speak.
- The planning application was submitted in November 2022.
- The applicants had worked extensively with planning officers during the application process to mitigate the concerns raised and achieve a satisfactory development.
- The development land was currently much overgrown.
- The property was similar aesthetically to the existing streetscape.
- She hoped Planning Committee would support the planning officer recommendation to grant planning permission.
- The developer had tried to emulate the roof line of the streetscape.
- The proposals were for four storeys, one of which would be in the roof space.
- She was not aware of any intentions for the property to be a HiMO. It was designed for use as a family home.
- There was provision for two car parking spaces which had not received any objections from the Highways Authority.
- The property would be built for a large professional family use.

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

The following comments were received from members:

- Officers had spent a great deal of time on this planning application to bring it to a viable option.
- Officers were happy it would fit into the local area.
- The fenestration of the building was consistent with the area of Carline Road.
- The application to be determined requested development of a six bedroomed house. Any application to convert the property to a HiMO would require separate planning permission.
- The scheme would fit within an overgrown space.
- Liquorice park close by offered additional green space.

Members raised concerns they would be more comfortable if the proposed development carried a higher bio-diversity gain.

A motion was moved, seconded, voted on and carried that an additional condition be imposed, subject to grant of planning permission for bat boxes, bird boxes and bee bricks to be installed.

Further comments were received from members:

- There was great pressure for more housing in the city, hence the use of this land. However, there was no need for the extra storey which provided unnecessary additional height to the building and impact on other dwellings.
- The height of the building would assimilate into the slope of the hillside.

- It was pleasing to see the developers appreciation of thought to the existing properties with the introduction of bow windows. Also the use of timber windows rather than UPVC at the front of the building.
- Older properties were purchased and used by extended families, the creation of the home for family use was welcomed.
- The slope of the hillside was conducive to the additional height of the development.
- The additional condition was supported.

Members:

- asked for reassurance that the proposed development would be for a C3 Residential dwelling.
- queried why the design of the boundary wall was planned to match that of the property on the opposite side of the street.
- Asked, in interests of transparency, what clarification residents had been given regarding the intended use of the application property?

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

- The planning application was for a single use C3 dwelling, change of use to a HiMO would require planning permission.
- In terms of the height of the building, the architect had utilised the slope of the hillside down Carline Road and at the rear of the property which also sloped. It was considered to be appropriate and acceptable in the street scene and would reflect the Victorian buildings in the area.
- The existing boundary wall was plain and it was felt it would be enhanced by matching up with those opposite.
- In terms of talking with local residents, two rounds of detailed consultation had been carried out on both Yarborough and Carline Road.

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

- Boundary wall
- Materials- windows
- Work to be in accordance with the aboricultural report
- Landscaping scheme to be submitted
- Permitted development removed
- Hours of work
- Electric charging points
- Unexpected contamination
- C3 use
- Highway and Environmental construction management plan
- Details of energy efficiency measures
- Water efficiency
- Installation of bat boxes, bird boxes and bee bricks.

17. Land Adjacent To Garage Court, Hermit Street, Lincoln

The Planning Team Leader:

- a. advised that planning permission was requested for the demolition of existing City Council owned garage blocks at the garage court off Hermit Street and erection of eleven dwellings with associated parking, bin stores, landscaping and boundary treatments
- b. reported that the application proposed removal of the existing 55 garages, within two blocks, to accommodate eleven 2 and 2½ storey dwellings arranged as four pairs of semi-detached dwellings and one terrace of three
- c. highlighted that the five 2 storey houses would accommodate two bedrooms with the six 2½ storey dwellings accommodating three bedrooms
- d. clarified that the scheme would be 100% affordable and would be delivered and managed as affordable rented accommodation by the City of Lincoln Council
- e. reported that the application also proposed:
 - Associated parking for the dwellings including public parking.
 - Two bin stores.
 - Alterations to the existing access from Hermit Street and to the electricity sub-station.
 - The application site also included areas of land to the north east, on the corner with Hermit Street and Portland Street, and to the south, off Monson Street. These would receive landscape improvements and additional tree planting to off-set the proposed removal of three Ash trees within the existing garage court.
 - A further parcel of land within the passageway serving the Portland Street terrace was also included within the site, which would have a secure gate installed.
- f. described further the location of the site to the west of Hermit Street with:
 - The 2 and 3 storey flats of 1-21 (odd) sitting on the opposite side of the street.
 - The rear of two terraces on Portland Street to the north.
 - The terrace to the western end of the site which included no's 3-17. These were a mix of flats with some of the properties having a commercial use on the ground floor with residential above.
 - The other terrace included no's 21-23, which was occupied as The Nest Nursery and Pre-School, and no's 25-43, each occupied as five flats.
 - Three storey flats located on Hermit Street to the north.
 - A 2m high palisade fence in place to the west of the site with the end of Chaplin Street and the Thomas Cooper Memorial Church beyond.
 - An access within this boundary to 3 and 5 Portland Street, which would be blocked up as a result of the development.
- g. highlighted that the site was located within Flood Zone 2 and abutted the West Parade and Brayford Conservation Area to the north
- h. reported that the application was submitted by the City Council's Major

Developments Department as part of wider proposals to undertake enhancements to some of the existing flats to improve the housing in the area; works were expected to be delivered in two phases over the next three to four years, with the proposed 11 dwellings forming Phase 1

- i. advised that as part of the design and planning process, the Major Developments Department carried out a survey both online and via post to 238 residents which took place from the 27th January to 10th February; a total of 18 responses were received, overall, the results showed that the most important issue was a feeling of safety and security, followed by the desire to have an affordable home, in terms of regeneration of the area, most people said they would prefer to see a mix of houses and flats in any future development plans, with more green open spaces for residents to enjoy
- j. reported that the proposed development had been formulated to address these comments and some key challenges facing the area, including poorly defined private and communal external spaces with little direct value to the adjacent residents, lack of natural surveillance which contributed to incidences of anti-social behaviours and fear of crime, the need to provide affordable rented housing in the area for mixed families and a lack of on street parking
- k. advised that prior to the submission of the application the proposals were subject to extensive pre-application discussions between the applicant, agent, Planning Officers and the Principal Conservation Officer and had been revised during the application process to address concerns raised, followed by a further consultation period on the revised proposals
- l. provided details of the policies pertaining to the application, as follows:
 - Policy S1: The Spatial Strategy and Settlement Hierarchy
 - Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns
 - Policy S6: Design Principles for Efficient Buildings
 - Policy S7: Reducing Energy Consumption - Residential Development
 - Policy S12: Water Efficiency and Sustainable Water Management
 - Policy NS18: Electric Vehicle Charging
 - Policy S21: Flood Risk and Water Resources
 - Policy S22: Affordable Housing
 - Policy S45: Strategic Infrastructure Requirements
 - Policy S47: Accessibility and Transport
 - Policy S53: Design and Amenity
 - Policy S54: Health and Wellbeing
 - Policy S56: Development on Land Affected by Contamination
 - Policy S57: The Historic Environment
 - Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
 - Policy S66: Trees, Woodland and Hedgerows
 - Supplementary Planning Document: Central Lincolnshire Developer Contributions
 - National Planning Policy Framework

- m. highlighted that the application was submitted in March 2023
- n. added that as the planning application was submitted prior to the adoption of the Central Lincolnshire Local Plan in April 2023, before the new biodiversity policy requirements were in place; these were therefore not always met in full; however positive steps had been taken towards satisfying the policy requirements where possible including the utilisation of heat pumps, additional insulation, triple-glazing, and additional planting, which was considered to be a reasonable approach
- o. 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
 - Developer Contributions
 - Visual Amenity and Views into and out of the Conservation Area
 - Residential Amenity
 - Trees, Landscaping and Biodiversity Net Gain
 - Access, Parking and Highways
 - Flood Risk and Drainage
 - Energy Efficiency
 - Rear Access, Design and Crime
 - Contaminated Land
 - Archaeology
 - Air Quality and Sustainable Transport
- p. outlined the responses made to the consultation exercise
- q. concluded that:
- The principle of the use of the site for residential purposes was considered to be acceptable and the provision of a 100% affordable scheme was welcomed.
 - The development would relate well to the context particularly in relation to the street layout, building types, size, siting, height, scale, massing and design.
 - The well considered boundary treatments, bin store design and enhancement to landscaped areas and sub-station were of further benefit to the site and wider area.
 - The proposals would not result in harm to neighbour's amenity and the development would provide an acceptable level of amenity for future occupants.
 - Through delegated authority, officers would secure a financial contribution towards healthcare infrastructure.
 - The loss of the trees was regrettable, although given their potential issues and that the development had clearly made efforts to off-set the loss by creating and enhancing green areas, which would create a biodiversity net gain and benefit the wider community, there was no objection to their removal.
 - Other matters relating to parking and highways, flood risk, drainage, energy efficiency, design and crime, contamination, archaeology and air quality had been appropriately considered by officers and the relevant statutory consultees, and could be dealt with as required by condition.

- The proposals would therefore be in accordance with the requirements of CLLP Policies S1, S3, S6, S7, S12, NS18, S21, S22, S45, S47, S53, S54, S56, S57, S61 and S66 as well as guidance within the SPD and NPPF.

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

The following comments were received from members:

- This development represented an excellent improvement plan in the centre of our City.
- Once residents parking came into force, residents in the area would benefit greatly.
- The use of a previous garage site for two bed and family accommodation may see issues of anti-social behaviour improved.
- The development would retain some car parking spaces.
- There were not as many bio diversity directives in the scheme as would have been liked, however, steps had been taken to address this where possible.
- Use of Brownfield sites to build much needed family homes was very welcome.
- The scheme provided much needed affordable housing at the start of a significant redesign development in the area, which would also reduce anti-social behaviour.
- The dwellings would be efficient, provide parking space and electric charge vehicle points.

Members asked:

- Who would be responsible for the Digi-lock gates at the rear access to the properties and locked bin storage facilities?
- Would the bin storage accommodate communal bins or individual bins; would there be enough bin space to accommodate purple lidded bins once introduced?
- Would provision be made for eye-level fencing and CCTV cameras to deal with police security concerns?

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

- Bin storage would be spread over two areas and offered adequate room within for communal bins.
- Fences would be installed to protect rear gardens.
- Fencing had been raised to a height of 2 metres to meet the requirements of Lincolnshire Police. The gates would be of similar height.
- There was provision secured for several locked gates to protect access from Portland Street, which would be the responsibility of our housing colleagues at the City of Lincoln Council.
- CCTV surveillance would be the responsibility of the housing department

RESOLVED that subject to final comments being received from Lincolnshire County Council raising no objection in relation to the revised site layout plan and drainage information, planning permission be granted subject to the following conditions:

1. Delegated authority be granted to the Assistant Director of Planning to secure the financial contribution towards health;
2. Conditions:
 - Time limit of the permission
 - Development in accordance with approved plans
 - Samples of materials including hard surfacing
 - Windows and doors to be set in reveal
 - Landscaping schemes
 - Tree protection measures
 - Surface water management strategy
 - Archaeological Written Scheme of Investigation
 - Development in accordance with specified FFLs and FRA
 - Contaminated land
 - ASHPs sound level emissions equal to or less than specified
 - Implementation of energy efficiency measures
 - Water efficiency standards
 - Provision of EV charging points for dwellings and EV underground infrastructure for parking spaces
 - Hours of construction/delivery

18. 45 Newland Street West, Lincoln

The Planning Team Leader:

- a. advised that planning permission was requested for the erection of single storey side and rear extension to the existing application property at 45 Newland Street West, a two storey mid terraced house in multiple occupation
- b. reported that the property had the benefit of a Certificate of Lawful use as a House in Multiple Occupation (HMO) for up to six occupants
- c. referred to the site history to the application property as detailed within the officer's report
- d. provided details of the policies pertaining to the application, as follows:
 - Policy S53: Design and Amenity
 - National Planning Policy Framework
- e. 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 Residential Amenity
 - Impact on Visual Amenity
 - Highway Safety, Access and Parking
- f. outlined the responses made to the consultation exercise

- g. concluded that the proposed extension would be appropriately designed and would not cause unacceptable harm to the character and appearance of the area nor the amenities of all existing and future occupants of neighbouring properties, in accordance with Policy S53 'Design and Amenity' of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

The following comments were received from members:

- Concerns regarding occupation and overshadowing had been adequately addressed within the report.
- Any effect on the highways was covered to the satisfaction of the Highways Authority.

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

Standard Conditions

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

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

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

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.

19. 96 High Street, Lincoln

The Planning Team Leader:

- a. advised that planning permission was requested for the installation of two rooflights to facilitate the conversion of the loft at 96 High Street to two additional House in Multiple Occupation (HMO) bedrooms (partly retrospective)
- b. reported that the rooflights had been installed and internal works to create the rooms and install the staircase had been undertaken, although the rooms had not yet been finished or occupied
- c. described the application property, an existing eight bedroom HMO (Sui Generis) with a currently vacant ground floor retail unit; the HMO was granted planning permission in July 2019, together with approval for the erection of a two storey rear extension to accommodate a seven bedroom HMO

- d. reported that a subsequent application in 2020 to erect a larger extension to create three HMOs, totalling 22 bedrooms, was refused by members of the Planning Committee; it was considered that the extension would have appeared overbearing, caused loss of light to the occupants of neighbouring properties to the north and that the number of bed spaces would have over-intensified the HMO use to an unacceptable level.
- e. detailed the location of the three storey application property:
- On the west side of the High Street, on the corner with Princess Street which continued along the south boundary of the site.
 - The property was adjoined to 97-98 High Street to the north, to the rear of which was a part two storey, part single storey off-shoot with a first floor balcony accommodating 3A, B, C and D Princess Street.
- f. reported that work commenced to implement the 2019 permission, the HMO use of the main building had been occupied and the extension was under construction, however, the works undertaken thus far on the extension were to a poor standard and not in accordance with the approved plans
- g. clarified that the Enforcement Team was dealing with the matter and the applicant had been advised that the extension would need to be removed, and that the existing building should be made good or the extension re-built in accordance with approved plans
- h. highlighted that the site was located within the St Peter at Gowts Conservation Area
- i. advised that the application was presented to Planning Committee at the request of Councillor Watt
- j. referred to the site history to the application property as detailed within the officer's report
- k. provided details of the policies pertaining to the application, as follows:
- Policy S13: Reducing Energy Consumption in Existing Buildings
 - Policy S25: Sub-Division and Multi-Occupation of Dwellings within Lincoln.
 - Policy S53: Design and Amenity
 - Policy S57: The Historic Environment
- l. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
- Policy Context and Principle
 - Visual Amenity and Character and Appearance of the Conservation Area
 - Residential and Local Amenity
 - Reducing Energy Consumption
- m. outlined the responses made to the consultation exercise

n. concluded that:

- There was no objection in principle to the addition of two rooms to this existing eight bedroom HMO.
- The rooflights did not have a harmful effect on the building or wider context, and the character and appearance of the conservation area was preserved.
- The level of amenity for neighbouring and future occupants was considered to be acceptable.
- Matters relating to bin storage, the local highway and reducing energy consumption had been appropriately considered.
- The application would therefore be in accordance with the requirements of CLLP Policies S13, S25, S53 and S57, and guidance within the NPPF.

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

The following comments were received from members:

- Concerns regarding the rear of the property and the poor standard of building work were being dealt with by the Enforcement Team.
- The skylights had been checked by the building inspectors and were not considered to be intrusive.
- This poor standard of this build had received many complaints to one councillor even though it was not in his ward.
- Officers were satisfied that this application before us this evening for skylights was safe.

Members asked for a response to both letters detailed at page 185 of the report.

The Planning Team Leader offered the following points of clarification:

- The build standard was being dealt with via enforcement action.
- Taking down of wires was a private matter between the two neighbours concerned.
- The extension did have planning permission granted in 2019.
- This planning application related to the roof lights only.

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

- Time limit to implement use
- Development in accordance with approved plans