

**Present:** Councillor Gary Hewson (*in the Chair*),  
Councillor Debbie Armiger, Councillor Martin Christopher,  
Councillor Rebecca Longbottom, Councillor Bill Mara,  
Councillor Mark Storer, Councillor Rachel Storer and  
Councillor Calum Watt

**Apologies for Absence:** Councillor Bob Bushell, Councillor Chris Burke, Councillor Liz Bushell and Councillor Edmund Strengiel

**20. Confirmation of Minutes - 9 August 2023**

RESOLVED that the minutes of the meeting held on 9 August 2023 be confirmed.

**21. Update Sheet**

An update sheet was circulated in relation to planning applications to be considered this evening, which included additional information for Members attention received after the original agenda documents had been published.

RESOLVED that the update sheet be received by Planning Committee.

**22. Declarations of Interest**

No declarations of interest were received.

**23. Confirmation of Tree Preservation Order No 175**

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 175: 1no Fagus Sylvatica (Beech) tree in the grounds of 20 Drury Lane, Lincoln
- b. provided details of the individual tree to be covered by the order and the contribution it made to the area
- c. referred to the Update Sheet tabled at tonight's meeting which contained a revised map showing the correct location of the tree
- d. 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
- e. reported that the initial 6 months of protection for this tree would come to an end for the Tree Preservation Order on 30 September 2023

- f. confirmed that the reason for making a Tree Preservation Order on this site was as a result of an application from the owners to carry out pruning works to the tree
- g. reported that the property was located within a conservation area which was the reason why consent was required
- h. reported that the Arboricultural Officer had carried out a site visit at which he identified the tree to be suitable for protection under a Tree Preservation Order, having high amenity value, and that its removal would have an effect on the aesthetic appearance of the area
- i. advised that consultation had been carried out with the owner of the property and no objections had been received to the order
- j. 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 175 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

#### **24. Application for Development - Land At Wolsey Way, Lincoln**

The Planning Team Leader:

- a. advised that Outline Planning Permission was first granted for the residential development of this piece of land in November 2019 and the site had been allocated for residential development in the previous and the current Local Plan
- b. highlighted that outline planning permission granted in 2019 was for 14 bungalows and this permission was subsequently amended in 2021 to provide details of drainage
- c. described the application now before Planning Committee this evening as follows:
  - Planning permission was sought to discharge all of the reserved matters from the amended outline planning permission, detailed at condition 2 of the outline planning permission.
  - It encompassed details of the layout of the development, the appearance of the dwellings, the scale of the dwellings, the landscaping of the site and the means of access.
  - The applicant was also seeking to discharge condition 4 of the outline planning permission which dealt with tree protection during development and also condition 5 which dealt with existing and proposed site levels.
  - A copy of the outline planning permission was attached to the officer's report.
  - The details of the reserved matters still proposed the 14 bungalows as had been approved under the outline planning permissions and

as part of a development of this site four of those bungalows would be affordable.

- d. described the site history to the application site as detailed within the officer's report
- e. advised that the relevant planning policies considered at the time of the granting of outline planning permission were policies from the now super seeded Local Plan; the current Local Plan policies that were relevant to the consideration for the reserved matters application were as follows:
  - Policy S53: Design and Amenity Standards
  - Policy S48: Walking and Cycling Provision
  - Policy S49: Parking Provision
- f. reported that the issues raised by the application were primarily those of detail; the application conformed with what had been granted planning permission at the outline stage and so our consideration focussed on the details of the five reserved matters and the associated conditions
- g. stated that the principle of the development of the site was already approved and the issue of the point of access was effectively also approved by reason of the location and shape of the site
- h. outlined the responses made to the consultation exercise
- i. referred to the Update Sheet which included further representations received in respect of the planning application, including a Highway and Lead Flood Authority Report stating there were no objections to the proposed scheme
- j. concluded that the details provided by the applicants, to satisfy the reserved matters condition and two further conditions on the outline planning permission were acceptable and appropriate and directly related to the parent permission.

Mr Adrian Coulbeck, local resident, addressed Planning Committee in objection to the proposed planning application, covering the following main points:

- He thanked members of Planning Committee for allowing him the opportunity to speak.
- He raised concerns regarding the grassed area of Wolsey Way.
- The grassland had not been maintained by the developer, Taylor Lindsey in over 20 years. This should have taken place.
- The residents had paid for the area to be maintained over this period, together with the footpath which had developed over the past 20 plus years.
- He had been informed, due to the residents maintaining the grassed area in Westholm Close, that by rights they were entitled to this area and as such should seek application for this land not to be built on until further investigation had taken place.
- Minster Fields development had always been properly maintained.
- The development would cut off Westholm Close totally. Direct access through the established footpaths to join the walkway that led to King

George Field, down to the shops at the bottom of Wolsey Way and in the opposite direction to other amenities would be lost.

- He objected to plot 7 of the new development to be built on the boundary that came right to the top of his driveway adjacent to his property.
- The positioning of fences for plots 4 to 8 would completely block in the residents of Westholm Close and Hurstwood Close, especially his property at No 9 Westholm Close.
- The footpath had been created by the public.
- There would be no footpath for Westholm Close residents to gain access to King George Field.
- Established mature trees had been removed whilst planning permission was being sought, showing lack of respect for the environment.
- Issues in respect of water levels, for which Anglian Water had already provided mitigation measures. Residents did not want water in their properties.
- The land was meant to be green-belt land.
- The grassed area was destructed during the hedgehog breeding session, which had destroyed the habitat and loss of an animal on our critical list, one of our natural species.
- The land was best used as a mini nature reserve and not for housing.
- The proposed development should it go ahead needed to be pushed back from his boundary land to allow bushes to be set and maintained.
- Small amendments to the plans would go along way to offer improvements for existing residents.

James Rigby addressed Planning Committee on behalf of the agent in favour of the proposed development, covering the following main points:

- He represented Taylor Lindsey Ltd, the developer and landowner.
- The company was a chartered member of the Royal Town Planning Institute.
- He wished to highlight a few key points.
- The principle of outline planning permission was already granted.
- The proposed layout of the scheme was well suited to the site.
- Four of the houses would be affordable homes.
- The applicants had worked tirelessly alongside planning officers to address concerns resulting from consultation responses, especially from Anglian Water Authority and Lincolnshire County Council.
- A revision included a 3-metre-wide pedestrian/cycleway access link to St George's Field.
- Hedgehog friendly fencing would be installed.
- Land ownership matters were not a material planning consideration. The developer disputed claims made in this respect.
- The proposed scheme provided good quality bungalows.

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

The following comments and questions were received from members individually:

- Building bungalows was not the most efficient use of the land, however, this was not a reason to refuse planning permission.
- Local residents had raised concern that the neighbourhood would be less walkable.
- The scheme was suitable for approval at reserved matters.

- It was pleasing to see that the existing hedges around the site would be retained.
- Residents had written in to raise concerns, not having a full grasp of how the development would affect them as the most impacted people. There wasn't enough clear guidance and consultation.
- The grassed area had been taken away, having been a green wedge in the past and residents didn't know why.
- The final properties were very compacted.
- Although residents would not have access across the development from Westholm Close, there would be provision of an access/cycleway via Larkspur Close.
- Question: Where did we stand regarding the legal case raised by the objector?
- Question: In terms of the appearance of the new homes being designed to reference the style of properties in the wider area, how did this affect the homes within the development itself? Would the same materials be used to build the four affordable homes to avoid them looking significantly different? A condition was referred to within the report that the detail of external materials were to be approved.
- Question: Would EV Charging points be provided?

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

- In terms of the legal position – this was not a material planning consideration for Planning Committee, however grant of planning permission would not override any other rights of individuals in challenging the ownership of the land.
- The trees/hedging would be protected during construction.
- In terms of the appearance of the affordable housing, officer's agreed from a planning point of view that it was not right to seek to differentiate between affordable housing and the remaining homes on the development. The affordable housing was smaller in size, however a variety of homes could be viewed as appealing in their own right.
- A condition of grant of planning permission included approval of materials to be used
- Electric charging points would be provided for every house.
- In terms of the history of the allocation of the site: In 2017 the City of Lincoln Plan became the Central Lincolnshire Local Plan. Policies were looked at by the Inspector and following examination in public the land was resolved as allocated for residential purposes and part of the Central Lincolnshire Local Plan. In 2019, subject to consultation with residents, outline planning permission was granted for the development. In 2021, subject to consultation with residents outline planning permission was revised, in relation to full engineering, drainage, street lighting and construction details of the streets proposed for adoption, to reflect agreed updated drainage strategy.

RESOLVED that the application to discharge the reserved matters and the associated conditions be granted planning permission.