

**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.

**34. Confirmation of Minutes - 04 October 2023**

RESOLVED that the minutes of the meeting held on 4 October 2023 be confirmed and signed by the Chair as a correct record.

**35. 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.

**36. Declarations of Interest**

Councillor Bill Mara declared a Personal Interest with regard to the agenda item titled '15 Fleet Street, Lincoln'. Reason: He was known to one of the objectors, however, not in any personal capacity.

Councillor Rebecca Longbottom declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Land To The Rear Of 10 Steep Hill, Lincoln'. Reason: She owned a property that overlooked the application site.

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

Councillor Rebecca Longbottom declared a Personal and Pecuniary Interest with regard to the agenda item titled 'Lindum Sports Association Ltd, St Giles Avenue, Lincoln'. Reason: She was known to one of the objectors.

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

Councillor Rebecca Longbottom declared a Personal and Pecuniary Interest with regard to the agenda item titled '41 Yarborough Road, Lincoln'. Reason: She was known to one of the objectors.

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

**37. Work to Trees in City Council Ownership**

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.

### **38. Applications for Development**

Kieron Manning, Assistant Director of Planning, gave a short summary position in relation to Article 4 as a refresher and for assistance for newer members in relation to applications for development to be considered at this evenings Planning Committee.

### **39. 15 Fleet Street, Lincoln**

The Assistant Director of Planning:

- a) reported that planning permission was sought for the proposed erection of a single storey side and rear extension to a two storey end-terrace dwelling at 15 Fleet Street Lincoln, located within Flood Zone 2
- b) reported that the application had been revised during the process following officer concerns regarding the scale of the original proposal, which would have covered a large proportion of the rear yard, extending up to the side boundary of the site and within 0.29m of the side boundary
- c) added that these concerns raised issues both in terms of visual and residential amenity; officers were more comfortable with the scale of the revised proposal submitted and a re-consultation had since been undertaken
- d) advised that the application was brought before Planning Committee as it had received more than 4 objections and had been called in by Councillor Lucinda Preston and Councillor Neil Murray
- e) reported that a certificate of existing lawfulness was granted this year for the continued use of the property as a Small House in Multiple Occupation (Use Class C4) 2023/0537/CLE; the dwelling could therefore be occupied as a C4 HMO which permitted up to 6 individuals to live within the property
- f) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy S53: Design and Amenity
  - Policy S13: Reducing Energy Consumption in Buildings

g) provided details of the policies pertaining to the application, as follows:

- Accordance with National and Local Planning Policy
- Impact on Residential Amenity
- Impact on Visual Amenity
- Highway Safety, Access and Parking
- Flood Risk
- Reducing Energy Consumption

h) outlined the responses made to the consultation exercise

i) concluded that the proposals would not have a detrimental impact on the residential amenities of neighbouring properties or the visual amenity of the wider area, in accordance with policy S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Councillor Emily Wood addressed Planning Committee in relation to the proposed planning application, in her capacity as Ward Advocate and also on behalf of fellow Ward Advocates. She outlined the following main points:

- She strongly objected to the planning application.
- The proposed extension would reduce the outdoor space of the property.
- The Victorian aspect of the house would also be affected.
- There would be an adverse affect on those people living in the property.
- Issues of lack of privacy.
- The owner of this property also owned similar dwellings. He had a tendency to add in extra bedrooms.
- Issues of impact on available car parking space.
- The proposed single storey side and rear extension was inappropriate to the area and local residents.
- The planning application would have an adverse impact on the local community and the West End.

Councillor Lucinda Preston addressed Planning Committee in her capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. She covered the following main points:

- She spoke on behalf of Helen Thompson, neighbour to the application property, together with the residents in the street as a whole and also the residents of the West End.
- The proposed extension was wholly inappropriate.
- The property would be massively extended.
- It would have an adverse impact on the neighbours of the property.
- This application was one of a series being submitted by the same person.
- Issues of loss of light to the neighbouring property.
- The outdoor space would be affected.
- Issues of overlooking.
- Issues of loss of amenity due to the size of the extension.
- Loss of another family home as the residents next door would leave.
- The proposed development did not reflect the character of the West End.
- An application in a nearby street was refused planning permission in 2021 for the same reasons, which set a precedent.

- Climate crisis – the development would be an encroachment on green space, allowing concrete to be covered over with no lawn or bedding plants.
- One of the City Council's strategic priorities focussed on enhancing our public space.
- The proposal would result in a domino effect across the city with far less green space available in the West End.
- Lack in biodiversity- reduced habitat for birds and insects.
- The West End was an urban space but not a concrete wasteland.
- She urged members of Planning Committee to support local residents concerns, particularly those of the immediate neighbour here.

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

The following concerns emerged in relation to the planning application:

- This planning application had received opposition from all three Ward Councillors and multiple objections from members of the public.
- Loss of green space.
- The Council was committed to the local environment.
- The application should be refused on the grounds of loss of green space/overlooking.
- It did not add to the local character of the area.

The following points were also made in relation to the proposed plans:

- Refused planning applications tended to go to appeal at the risk of costs awarded against the Planning Authority.
- Any refusal of planning permission required strong material planning reasons.
- The extension would improve the amenity of people living in the property.
- It was difficult to understand how there would be any great loss of amenity to the neighbour.
- As a city we owed a great debt to the residents of the West End in the past protesting against houses in multiple occupation, resulting in the introduction of Article 4 legislation.

The Chair made the following personal observations:

- The property was an existing Small House in Multiple Occupation which allowed occupation by up to six individuals. Further planning permission would be required if this occupancy was exceeded.
- The single storey side extension had permitted development rights and negated any overlook.
- The cumulative impact across the Ward was not within the remit of this Planning Committee this evening.
- There was still some amenity space around and in the property itself.
- On material planning grounds it was difficult for planning permission to be refused.

The following questions were raised:

- The single side extension did not need planning permission, would the additional extension to the rear living/kitchen/dining area result in the existing window moving further into the garden area?

- Why didn't the bathroom have a bath?
- Which property extension was refused for reasons of overlooking as mentioned earlier?

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

- In terms of loss of green space, this would be reduced although there was still garden amenity space left.
- Each application should be considered on its individual merits. Any refusal carried a risk of appeal and costs to be awarded.
- The streets in the area typically had relatively narrow rear yards. Any addition to the building would have an impact, however, officers were of the opinion that there would not be any further overlooking as a result of the proposals than that already in existence, and that this was insufficient to warrant refusal of planning permission.
- In respect of the layout of the bathroom, the Planning Authority could not dictate an internal configuration which was out of the remit of planning control.
- In terms of any precedent being set, he was not aware of the specifics of the previous application referred to; each application must be dealt with on its own merits.
- Members were tasked with assessing the level of harm that would be created from the planning proposal. Officer advice was that it was not sufficient to warrant refusal of planning permission.

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

#### Conditions

##### **Standard Conditions**

- Development commenced within 3 years
- In accordance with the approved plans
- Installation of 1.8m high fence prior to the extension first coming into use

#### **40. Lindum Sports Association Ltd, St Giles Avenue, Lincoln**

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

The Planning Team Leader:

- a) reported that planning permission was sought for the replacement of two existing cricket practice nets with three new cricket practice nets at Lindum Sports Association, located off St Giles Avenue
- b) advised that the site was used for a variety of sports including Cricket, Hockey, Football, Rugby, Clubhouse facilities, Squash Courts, Gymnasium and changing facilities
- c) reported that the site was screened by an approximately 2 metre fence

which ran around Wragby Road and St Giles Avenue, together with a line of trees located along the Wragby Road boundary, protected by a tree preservation order.

- d) advised that the site was bound by the rear gardens of residential properties to the north and east of the area, located just outside the Newport and Nettleham Road Conservation Area No.9
- e) highlighted that the application had been called into Planning Committee by Councillor Wells
- f) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy S53: Design and Amenity
  - Policy S64: Local Green Space
  - Policy S65: Important Open Space
- g) provided details of the issues pertaining to the application, as follows:
  - Local and National Planning Policy
  - Residential Amenity
  - Visual Amenity
  - Effect on the Playing Field Provision
  - Highway Safety
- h) outlined the responses made to the consultation exercise
- i) concluded that:
  - The proposal related to replacement cricket nets at an existing sports ground to serve a larger number of practice cricket bays.
  - The proposal was considered not to cause any significant impacts in terms of its design or to local or residential amenity.
  - The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies S64, S65 and S53, as well as guidance within the National Planning Policy Framework.

Helen Tressler, local resident, addressed Planning Committee in objection to the proposed planning application, covering the following main points:

- Following personal letters received from Lindum Sports Association regarding purchase of new cricket nets, a three figure donation had been made to this cause by local residents.
- She objected to the proposal based on location/loss of privacy/impact/disturbance/interference.
- The replacement nets would be higher and wider, directly in front of her back garden.
- The club would not be spending £60,000 on new nets if they weren't going to be fully utilised.
- The new nets would have an affect on our daily lives. We were not able to change the location and size of our homes.

- There would be an increase in noise associated with the cricketers and bowling machines/associated equipment.
- There would be substantial noise/interference and disturbance for residents close by.
- The site was bounded by a fence and tall trees. The new nets would be only 1 metre from their own boundary wall.
- The proposals would compromise the use of their garden and enjoyment of daily life.
- There would be an impact on their physical and mental health.
- The new nets were to be installed on unstable terrain.
- There was limited access for maintenance of their garden from the cricket field side due to debris and redundant equipment left against their boundary wall.
- Her neighbour had enjoyed a right of way for 24 years from her garden gate and would be vulnerable to falls using the restricted access.
- As local residents we deserved consideration to enjoy our homes and gardens.
- Only minor adjustments to the proposals would be needed to achieve this consideration in changing the location of the new cricket nets.
- The proposed nets were intrusive and invasive.

Councillor Joshua Wells addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application, covering the following main points:

- He had been contacted by local residents expressing concerns regarding plans to move/install new cricket nets closer to their boundary property wall.
- The residents had helped contribute to the costs of these new nets.
- He was proud of the sports facilities in his ward but represented his local residents here.
- The investment in new nets would improve the cricket offer.
- The existing nets were ready to be replaced.
- Moving the nets closer to the neighbours boundary would result in noise pollution.
- The issue here was the ability of the residents to safely maintain their boundary wall.
- A way forward for both parties would be to relocate the nets near to the hockey pitch on Wragby Road.
- This would remove neighbours' concerns and still allow new cricket nets to be installed.

Edward Wells Cole, representing Lindum Sports Association addressed Planning Committee in support of the proposed Planning application (he shared the permitted allocated time to questions of 5 minutes), covering the following main points:

- It had taken three years to get to the current position regarding replacement cricket nets at Lindum Sports Association.
- There was a soak-away in existence behind the hockey pitch which prevented the nets being located there.
- The new nets would be unnoticeable and not much bigger than those existing now.

- There would be less noise due to net configuration. There would be less people batting, only 3 nets and no increased talking amongst cricketers.
- The nets would be covered above resulting in no lost balls in neighbours gardens.
- One of the objectors had only been resident in the property since 2022 right on the doorstep of the Sports facilities.
- The proposals would incorporate children and women's cricket in a team experience.

Mr Daniel Taylor, representing the Lindum Sports Association as a cricketer on the Cricket Committee, addressed Planning Committee in support of the proposed Planning application (he shared the permitted allocated time to questions of 5 minutes), covering the following main points:

- Lindum Sports Association had occupied its present grounds since 1856.
- It currently had over 600 members.
- Sport was thriving in the City.
- It drew its membership from all age groups across the community.
- The new cricket nets would be an improvement to safety and training facilities.
- The club had also been selected to host high profile trophy games in 2024.
- It was hoped the proposed improvements would look after existing members and promote high level events.

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

The following concerns were raised in relation to the planning application:

- Impact on existing residents resulting from the proposed new nets.

The following points were made in support of the planning application:

- The proposals promoted health and participation in sport.
- Cricket was thriving.
- The club received immense support.
- The nets would have an enclosed roof to prevent loss of balls.
- The proposals promoted improvement to sports activity.
- The proposals involved only a slight movement in the nets from their current position.
- There was no reason to warrant refusal of planning permission.
- Should there be any future element of noise nuisance this could be dealt with through the Anti-Social Behaviour and Public Protection Team.
- Noise mitigation measures/sound insulation would be used. The nets would not be open.
- A noise impact assessment had been conducted which had not identified any issues.
- The site had been a sports field for many years. There would be associated noise, however, this was not considered to be excessive.

The following questions were raised in respect of the planning application:

- Did the existence of a soak-away make the location of the nets unviable for the whole of the sports field?
- Did the proposals result in a garden gate access being blocked?



- Could the nets be located in an alternative area of the Lindum site as requested by the objector?

The Chair reminded Planning Committee members of their remit to examine the application before them this evening on its own merits.

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

- In terms of the gate and access, entry into the site required permission of the Lindum Sports Association and access rights were a matter to be discussed between the sports association and the neighbour. This was not a material planning consideration, but a private matter between relevant parties.
- As mentioned by the Chair, the remit of Planning Committee was to discuss the application before them tonight on its own merits.

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

#### **Standard Conditions**

- Development commenced within 3 years
- In accordance with the approved plans

#### **41. 41 Yarborough Road, Lincoln**

*(Councillor Longbottom remained outside of the room during the consideration of the following item having declared a personal and pecuniary interest in the matter to be discussed. She took no part in the debate or vote on the matter to be determined.)*

The Planning Team Leader:

- a) described the application site which previously formed the garden land of No. 41 Yarborough Road, although the application created a separate plot and proposed to erect a new dwelling fronting Victoria Passage
- b) advised that to the south of the application site were a row of terraced properties fronting Victoria Terrace, Victoria Cottage to the east fronting Victoria Passage and further east The Stable Block
- c) reported that Victoria Cottage was of single storey scale with rooms within the roof-space whilst The Stable Block was a two storey dwelling; granted planning permission under applications 99/646/F and LA16/0018/95
- d) described Victoria Passage to the north, a partly adopted road, running from Alexandra Terrace to Victoria Street and to the west a row of terraced properties at 41-47 Yarborough Road
- e) highlighted that the proposal had been subject to pre application advice and further officer discussions during the application process which had resulted in revised drawings; the original proposal was for 2 two-bedroomed semi-detached properties of two storey scale which had been revised to a single detached house with 4 bedrooms over two floors, and

the scale of the proposal had been reduced so that the second floor would be within the roof space

f) confirmed that the application was brought to Planning Committee as it had received more than 4 objections.

g) provided details of the policies pertaining to the application, as follows:

- National Planning Policy Framework
- 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 S53: Design and Amenity
- Policy S57: The Historic Environment

h) provided details of the issues pertaining to the application, as follows:

- National and Local Planning Policy
- The Principle of the Development
- Impact on Visual Amenity
- Impact on Residential Amenity
- Highways
- Trees
- Land Stability
- Contamination
- Energy Efficiency
- Archaeology
- Drainage

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.
- Technical matters were to the satisfaction of the relevant consultees and could be dealt with where required by condition.
- The proposals would therefore be in accordance with the requirements of CLLP Policies and the NPPF.

Gavin Street, local resident, addressed Planning Committee in objection to the proposed planning application, covering the following main points:

- He urged Planning Committee to reject the planning application on the grounds of loss of a key Greenfield Site.
- The new dwelling would be the garden of 41 Yarborough Road.
- Presence of bats/ birds/wildlife would be lost.

- The physical and mental wellbeing of residents would be affected.
- The site was in an area at risk of landslips.
- There could be future problems created for this area during the build, a build was unnecessary.
- Risk of flooding.
- The clearing of the site had caused watercourse issues in the area which would be exacerbated further by the build.
- The drainage system in the area was at breaking point.
- The proposed north elevation was right on the edge of Victoria Passage and would be an encroachment.
- Access/egress for vehicles to the site was unsafe.
- The front door of the property would open directly onto Victoria Passage.
- Issues of overlooking.
- Loss of privacy.
- Existing residents would be able to look into the windows of the new build.
- There was no need to cram another house into this close built area.
- The proposals were a challenge to our community. He urged that the proposals be stopped from going ahead.
- Green space should be preserved, especially in Urban settings.

Councillor Neil Murray addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates in Carholme Ward. He covered the following main points:

- There was a theme running through several planning applications this evening from people who did not live in the area.
- The property was close to the West End.
- The area dated to the late Victorian period.
- The infrastructure/roads in the area were very narrow.
- This green area was one of very few remaining in the locality.
- The trees/shrubs offered a welcome break between the houses.
- There was a steep slope and an active spring under Alexander Terrace.
- The area was already grossly over-developed.
- When was development on green sites in urban intensive areas to be stopped.
- There had been overwhelming objections to the planning application.
- There was no need for additional housing in the area. It was already over developed.
- There had been a great deal of development in this small area over recent years.
- Enough was enough. Green space should be preserved.

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

The following points were made in support of the planning application:

- This area formed part of the Central Lincolnshire Local Plan 2023.
- Provision of 38,000 houses in the area was required. We were strangled by our own boundaries in Central Lincolnshire.
- The Highways Authority, Lincolnshire County Council as lead flood area, Anglian Water Authority and Lincolnshire Police had raised no issues.
- There was no valid planning reason to reject the planning application.
- There was still a lot of green area left around the development.

- The Central Lincolnshire Local Plan supported development in urban areas.
- Borehole samples had been undertaken by a structural engineer to assess slope stability. The Planning Authority were satisfied that the assessment contained relevant measures which ensured the development could be successfully achieved.
- There was other green space close by at Liquorice Park.
- The existence of a dense area and a poor road was not a valid reason for refusal.

The following concerns were raised in relation to the planning application:

- Following a site visit this afternoon, the tiny roadway was noted as unsuitable for access to construction traffic. The roadway was too tight.
- The road surface was unbelievably poor.
- The natural spring would be affected by additional build here.
- This was infill development and loss of a green area.
- It represented additional overdevelopment.
- Gardens were vital to residents health and well-being.

Members asked the following questions in relation to the planning application:

- Was the property to be wood-cladded as this type of surface deteriorated quickly if not well maintained.
- Would the water spring be a issue during the build at risk of impact to other homes?

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

- Character of area: There had been several new builds in the area much more recently than the Victorian houses around.
- Policy issues surrounding the Central Lincolnshire Local Plan had been discussed in full within the officer's report. A balanced view had been taken which had concluded that planning permission should be granted.
- The home would be built of brick.
- Natural Spring: The Civil Engineer had examined the condition of the foundations and a drainage plan was in place for the site.
- The Flood Authority was satisfied with the proposed development subject to the conditions outlined within the detailed drainage plan.
- Permitted development would be removed to prevent the installation of additional windows without planning permission.

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

- Boundary wall
- Materials
- Landscaping scheme to be implemented as drawing
- Permitted development removed
- Hours of work
- Unexpected contamination
- C3 use
- Development to proceed in accordance with Construction management

- plan
- Energy efficiency measures incorporated and verified.
- Water efficiency measures to be incorporated
- In accordance with submitted drainage plan
- In accordance with submitted structural report

*(The Chair's casting vote was used in this decision.)*

#### **42. 35 Gresham Street, Lincoln**

*(Councillor Longbottom returned to the room and re-took her seat as a member of Planning Committee.)*

The Assistant Director of Planning:

- a) referred to the application property at 35 Gresham Street, a two storey terraced property
- b) advised that planning permission was sought for the erection of single storey side/rear extension to the existing property
- c) advised that the application was brought before Planning Committee as it had been called in by Councillor Lucinda Preston and Councillor Neil Murray
- d) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy S53: Design and Amenity
- e) provided details of the issues to be assessed in relation to the planning application, as follows:
  - National and Local Planning Policy
  - Principle of the Development
  - Impact on the Amenity of Nearby Properties and Occupants of the Dwelling
  - Design and Impact on Visual Amenity
  - Highway Safety, Access and Parking
- f) outlined the responses made to the consultation exercise
- g) concluded that the proposals would not have a detrimental impact on the residential and visual amenity of neighbouring properties, nor the amenity of the occupiers of the host property, in accordance with policy S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Councillor Neil Murray addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. The following main points were made:

- He had been asked to speak on behalf of the residents in Gresham Street, who felt the Council would just do as it liked.

- The proposals resulted in another extension being crammed in the area.
- The proposal would cause cumulative harm to the amenity of the area and be a bad outcome.
- Garden areas were beneficial for people and the environment.
- This application and others before us this evening undermined the spirit of Article 4 and were for personal profit only.
- There were lots of existing empty houses in the West End.
- The proposals would bury another garden area.
- When would garden areas be protected by this Council?
- He urged Planning Committee to refuse planning permission based on loss of amenity for existing occupants, residential neighbours and the wider community.

Councillor Lucinda addressed Planning Committee in her capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. She made the following main points:

- It was in the gift of Planning Committee to turn down this planning application. There were precedents to be referred to.
- The same landlord was buying up many houses in the City against the expectations of Article 4.
- This application affected local residents and concreted over another back garden.
- She urged that this planning application was rejected.

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

The following points were raised in relation to the planning application:

- Residents should not feel we were not interested in their views, which was the reason for holding this meeting.
- There were no planning grounds to refuse this planning application without it being rejected by a Planning Inspector.
- The planning officer's report stated that there were no other properties in the vicinity which would be physically affected by the proposal and it was therefore in accordance with Central Lincolnshire Local Plan Policy S53.
- The control over houses in multiple occupation was supported, however there was little power in this case. The existing property set-up with a divided roofline would look much neater as a unified extension.
- The proposed extension would be 2.4 metres longer than the one next door. However, some of the other properties in the row had longer extensions. None could not be seen from the street itself.
- There would still be a lot of remaining garden left.
- Should the legal occupancy of the property be exceeded then appropriate action would be taken by the Planning Authority to address this.
- Planning Committee was not able to enforce the requirement to keep garden space, it must operate within Planning law.

The following concerns were raised in relation to the planning application:

- Article 4 legislation was brought in to address concentration of houses in multiple occupation and to limit over development.
- The proposed extension would have an impact on its neighbours.
- Loss of another garden.

- Central Lincolnshire Local Plan Policy S53 was applicable in this instance in that we must build more houses, however, it was not applicable in that there was a need to build conurbations away from built- up areas.
- The proposals would have a cumulative effect in the West End.
- If as a local authority we believed in carbon reduction we should be protecting gardens.
- The proposed extension was wider than that existing. The window would be vastly reduced in size which would restrict natural light into the property.

Clarification was sought as to the reference to a 'precedent' by Councillor Preston.

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

- In relation to the reference to any previous precedent in existence, the advice of officers as always was to consider each planning application on its own merits.
- Precedent to another planning application could be a relative consideration if the property was close by and there were similar key issues, however, each application should still be considered on its own merits.
- Article 4 was introduced in 2015, this property was registered prior to this time as a C4 House in Multiple Occupation and there was no requirement for it to hold a certificate of lawful use.
- In terms of light into the middle extension room, it was at the discretion of Planning Committee to determine how much weight should be attributed to this matter.

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

#### Conditions

- 3 years for implementation
- Accordance with approved drawings.

#### **43. 25 Tennyson Street, Lincoln**

The Planning Team Leader:

- a) described the application property at 25 Tennyson Street, a two storey terraced dwelling located in the West End, within the West Parade and Brayford Conservation Area No. 6
- b) advised that planning permission was sought for the installation of an electric vehicle charge point to the front boundary wall of the property
- c) advised that the application was delegated to Planning Committee, the applicant being an employee of the City of Lincoln Council.
- d) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework

- Policy NS18: Electric Vehicle Charging
  - Policy S53: Design and Amenity
  - Policy 57: The Historic Environment
- e) provided details of the issues to be assessed in relation to the planning application, as follows:
- Accordance with National and Local Planning Policy
  - Impact on Residential Amenity
  - Impact on Visual Amenity and the Character and Appearance of the Conservation Area
  - Highway Safety
- f) outlined the responses made to the consultation exercise
- g) concluded that the proposed charging equipment would not have a detrimental impact on the residential and visual amenity of neighbouring properties and would preserve the character and appearance of the conservation area, in accordance with policies NS18, S53 and S57 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Councillor Neil Murray addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. He reported that the proposals for an electric vehicle charging point were a really positive addition.

Planning Committee members asked whether the cable to the electric charging point would cross the pavement.

The Planning Team Leader clarified that the cable would be on the pavement covered by a cable protector.

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 provided.  
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.



The Assistant Director of Planning:

- a) referred to the application property at 15 Allison Street, a two storey mid-terraced dwelling
- b) advised that planning permission was sought for the erection of single-storey rear extension to the existing property
- c) reported that a certificate of existing lawfulness was granted this year for the continued use of the property as a Small House in Multiple Occupation (Use Class C4) 2017/1419/CLE., allowing the dwelling to be occupied as a C4 HMO which permitted up to 6 individuals to live within the property
- d) advised that the application was brought before Planning Committee as it had been called in by Councillor Lucinda Preston and Councillor Neil Murray
- e) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy S53: Design and Amenity
  - Policy S13: Reducing Energy Consumption in Buildings
- f) provided details of the issues to be assessed in relation to the planning application, as follows:
  - Accordance with National and Local Planning Policy
  - Impact on Residential Amenity
  - Impact on Visual Amenity
  - Highway Safety, Access and Parking
  - Reducing Energy Consumption
- g) outlined the responses made to the consultation exercise
- h) referred to the Update Sheet circulated at this evening's Planning Committee which included an additional response received from Lincolnshire County Council as Local Highway Authority and Lead Local Flood Authority in respect of the proposed planning application
- i) concluded that the proposals would not have a detrimental impact on the residential amenities of neighbouring properties or the visual amenity of the wider area, in accordance with policy S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Councillor Neil Murray addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. He covered the following main points:

- He had been asked to speak on this planning application by local residents.
- The proposed planning application was similar to a previous one at 13 Albert Crescent, which was rejected by Planning Committee, and upheld at appeal.

- Allison Street was the most disadvantaged streets in this part of the West End.
- The houses were close together.
- Much accommodation was in the rented sector.
- There were many single parents living there due to its affordability.
- The proposed extension to the property would increase the amount of concrete in the area.
- The proposals undermined the spirit of Article 4.
- The proposed extension was for financial gain only.
- The garden area to the property would be reduced considerably.
- The plans were detrimental to the wider area, to this property and to local properties. The planning application should be rejected.
- When would this type of development be stopped.

Councillor Lucinda addressed Planning Committee in her capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. She made the following main points:

- She spoke on behalf of the local community.
- The applicant was a London-based property developer and not local.
- There were few garden spaces in the area.
- Single parents/small families lived there.
- We had to be careful not to price families out of inner city areas.
- The proposals would have a collective impact on the amenity of local residents.
- The extension would not offer any improvement to the West End.
- The garden of the property was designed for use as yard space for hanging out of washing.
- Precedent could be taken into account here.
- It was possible to win another appeal.
- The reason for the appeal being upheld at 13 Albert Crescent had been due to over development in a built up area.
- The West End should have planted areas and a pleasing environment without loss of amenity to neighbours.
- This applicant would not continue to submit similar planning applications for his own financial gain.

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

The following points were raised in support of the planning application:

- The applicant was a business man and property developer, this was his living.
- Precedents were not mentioned within the officer's report.
- Any of these individual property developments in the city freed up another Council property or took a resident off the waiting list.
- There were many extensions already in existence in the street and this one was no longer in length in comparison.
- The property next door had a similar extension.
- The application property would be improved at ground floor level.
- The garden space was currently set to slab.

The following concerns were raised in relation to the planning application:

- It was within the gift of Planning Committee members to take action to refuse a planning application without reference to precedent.
- Each application should be considered on its own merits.
- The proposals would increase density by stealth, having a cumulative effect on the inhabitants of one area.
- These applications reduced green areas.

The Assistant Director of Planning reiterated his previous advice to members this evening in relation to the reference to any previous precedent in existence, which as always was to consider each planning application on its own merits.

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

#### Conditions

- Development commenced within 3 years
- In accordance with the approved plans

#### **45. Land To The Rear Of 10 Steep Hill, Lincoln**

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

The Planning Team Leader:

- a) advised that planning permission was sought for the erection of a single house and demolition of two existing garage buildings at this site to the rear of 10 Steep Hill, Lincoln, facing out onto Michaelgate
- b) reported that this was a resubmitted planning application following planning permission being refused in 2022 for two houses
- c) described the location of the site in the Cathedral and City Centre Conservation Area within a predominantly residential part of the conservation area
- d) highlighted that although the application site belonged to 10 Steep Hill, it had a stronger relationship to Michaelgate; it had the appearance of being disused, taken up with two derelict single storey brick garages
- e) advised that the application proposal for a two-storey house would involve the L shaped structure being built up to the back of the pavement on Michaelgate, and along the northern boundary of the site adjacent to the garden of 11 Steep Hill, which also ran through to Michaelgate
- f) reported that access for vehicles would be provided to the south side of the site and off-road parking be provided for two cars within a newly rebuilt garage to the rear of the proposed house
- g) gave details of the history to the application site as detailed within the officer's report, advising that the new application for one dwelling sought to

address the previous reasons for refusal of planning permission

h) provided details of the policies pertaining to the application, as follows:

- Planning (Listed Buildings and Conservation Areas) Act 1990 – sections 16, 66 and 72.
- National Planning Policy Framework (NPPF) – particularly: para 11 – presumption in favour of sustainable development; para 130 – achieving well designed places; para 183 and 184 – ground conditions and pollution; Chapter 16 – Conserving and enhancing the historic environment, particularly paras 199, 201, 202, 203.
- Central Lincolnshire Local Plan – particularly: Policy S57 The Historic Environment and Policy 53 Design and Amenity.
- Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

i) provided details of the issues to be assessed in relation to the planning application, as follows:

- Compliance with National and Local planning policies;
- Impact on the character and appearance of the conservation area and wider views of the hillside;
- Impact on the amenity of neighbouring properties
- Impact on slope stability
- Impact on the Scheduled Monument and archaeology.

j) outlined the responses made to the consultation exercise

k) referred to the Update Sheet circulated at this evening's Planning Committee which included additional indicative photographs of the proposed scheme

l) concluded that:

- The application had sought to address the previous reasons for refusal, the development having been reduced down to one dwelling and modified in design to assimilate it more appropriately into its context.
- The design was still contemporary but the use of brickwork and the limited scale of the proposals meant that your officers were confident that the proposal was acceptable.

Councillor Neil Murray addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application, also on behalf of fellow Ward Advocates. He covered the following main points:

- He wished to express concerns raised by local residents.
- He couldn't see much of a difference to the horrible design of this building compared to the previous refused application.
- The City deserved better in the historic core of Lincoln.

Mr John O'Donohue, Applicant for the development addressed Planning Committee in support of the proposed development, covering the following main points:

- He thanked Planning Committee for allowing him the opportunity to speak.
- There had been a great volume of work carried out on this application involving the Conservation Officer, English Heritage and Planning Officers.
- When he purchased the land, he had no pre-conception of the design of the build.
- He was not an architect or a Conservation Officer.
- Due to the sensitivity of the site it was important for him to have engaged with a reputable architect.
- The proposal had been considered in great detail.
- The Conservation Officer had mentioned that the proposals would only be supported if they were of ultra-modern design.
- It was a matter of rebalancing the quality threshold of the design on an important street.
- The flat roof detail reduced the illumination of the view to the Cathedral and homes above.
- The design incorporated a large elevated private terrace which offered a tranquil south facing view over Bomber Command and the south of the city.
- The outdoor space was accessible and low maintenance.
- There had been no objections from local residents. He urged members of Planning Committee to put faith in the professional work of the architects and associated parties involved in the design of the build.

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

The following points were raised in support of the planning application:

- The proposed design was a positive addition to the area.
- There was only one objector here tonight which spoke volumes.
- Older properties were becoming more contemporary further down the hillside which was looked quite pleasing.
- This design did not look out of place in the 21<sup>st</sup> century.
- The design was subjective.
- It was pleasing to see an energy efficient proposal with a good element of biodiversity net gain.

The following concerns were raised in relation to the planning application:

- This building design was in the wrong place.
- The public objector to the planning application had described the building as inspired by the MI5 offices on the Thames or shipping containers stacked up in a random fashion.
- It would be lovely to see an appropriate development on this important street but it needed to work with the grain.

Members referred to the objection from Lincoln Civic Trust and asked whether the development overhung the pavement.

The Planning Team Leader confirmed that the development did not overhang the pavement. There was a deflection at the 1<sup>st</sup> floor element.

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

## Conditions

### **Standard Conditions**

- Development to commence within three years
- Development to be carried out in accordance with the approved drawings
- Details of the facing materials to be submitted and approved before commencement
- Details of the methodology for the installation of the foundation for both properties and for the retention and strengthening of the retaining wall along the northern boundary of the site
- Works to be undertaken in accordance with archaeological watching brief
- Detail of boundary treatments
- Details of surfacing materials
- Details of surface water drainage
- Hours of work.