

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

Apologies for Absence: Councillor Martin Christopher and Councillor
Dylan Stothard

46. Confirmation of Minutes - 29 November 2023

RESOLVED that the minutes of the meeting held on 29 November 2023 be confirmed and signed by the Chair as a correct record.

47. 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.

48. Declarations of Interest

Councillor Bob Bushell declared a Personal Interest with regard to the agenda item titled '28 Derwent Street, Lincoln'. Reason: He sat as a member of the Upper Witham Drainage Board.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Debbie Armiger declared a Personal Interest with regard to the agenda item titled '28 Derwent Street, Lincoln'. Reason: She sat as a member of the Upper Witham Drainage Board.

She had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, she did not consider that his interest was a pecuniary interest. She would therefore be participating in the meeting as a member of the Committee.

Councillor Gary Hewson declared a Personal Interest with regard to the agenda item titled '28 Derwent Street, Lincoln'. Reason: He sat as a member of the Upper Witham Drainage Board.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Liz Bushell declared a Personal Interest with regard to the agenda item titled '28 Derwent Street, Lincoln'. Reason: She sat as a member of the Upper Witham Drainage Board.

She had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, she did not consider that her interest was a pecuniary interest. She would therefore be participating in the meeting as a member of the Committee.

Councillor Pat Vaughan declared a Personal Interest with regard to the agenda item titled '28 Derwent Street, Lincoln'. Reason: He sat as a member of the Upper Witham Drainage Board.

He had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, he did not consider that his interest was a pecuniary interest. He would therefore be participating in the meeting as a member of the Committee.

Councillor Rebecca Longbottom declared a Personal Interest with regard to the agenda item titled '28 Derwent Street, Lincoln'. Reason: She sat as a member of the Upper Witham Drainage Board.

She had duly considered whether this interest was a pecuniary interest under the Member Code of Conduct. When taking into consideration the reasonable member of the public test, as outlined in the Code of Conduct, and the assessment of how much this application would affect the Drainage Board, she did not consider that his interest was a pecuniary interest. She would therefore be participating in the meeting as a member of the Committee.

49. Work to Trees in City Council Ownership

Lee George, Open Spaces Officer:

- a) advised Planning Committee of the reasons for proposed works to trees in the City Council's ownership and sought consent to progress the works identified, as detailed at Appendix A of his report
- b) highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required
- c) explained that ward councillors had been notified of the proposed works.

Members asked whether the recent strong windy weather had a financial impact on the budget of the Council.

Lee George, Open Spaces Officer confirmed that an unstable elm tree on Monks Road today had caused road closures and staff/contractors had been on site for the whole day. This affected the budget allocated to him as Open Spaces Officer. Another tree on Sunningdale Drive had been made safe which came under the remit of the County Council as Highways Authority. The budget was also monitored by our Finance Team.

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

50. Confirmation of Tree Preservation Order 178

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 178: 1no Platanus x Hispanica (London Plane) tree situated on a small piece of land fronting Cross O'Cliff Hill, adjacent to 9 Cross O'Cliff Hill, Lincoln
- b. provided details of the individual tree to be covered by the order and the contribution it 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 this tree would come to an end for the Tree Preservation Order on 16 February 2024
- e. confirmed that the reason for making a Tree Preservation Order on this site was as a result of an application from the owners of 11 Cross O'Cliff Hill to fell the tree
- 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's site visit identified the tree to be suitable for protection under a Tree Preservation Order, having a high amenity value, and that its removal would have a harmful effect on the aesthetic appearance of the area
- h. advised that consultation had been carried out with the landowner as well as with neighbouring properties who may have an interest in this matter, resulting in 3 objections received from:
 - 11 Cross O'Cliff Hill (the landowner)
 - 13 Cross O'Cliff Hill

- Management company on behalf of 9 Cross O'Cliff Hill
- i. added that a letter of support had been received from:
 - 3 Cross O'Cliff Hill
 - j. reported that the primary concerns raised within the 3 letters of objection related to alleged damage to an adjacent boundary wall, nearby drains, driveways and guttering and concerns about the general health of the tree following limb breakages
 - k. advised that following an external inspection of the tree on site, our Arboricultural Officer found no current or clear signs of dieback or failure and as such requested the temporary Tree Preservation Order to allow for further analysis of the health and integrity of the tree
 - l. referred to photographs submitted with the letters of objection as detailed within the appendices to the officers report which did show cracks to the adjacent boundary wall, however despite a request, no evidence of the alleged drainage damage, nor a PICUS tomograph to assess the integrity of the tree had been provided by the landowner, apparently due to the cost involved
 - m. highlighted that the landowner did not disagree that the tree had a significant positive impact on the visual amenity of the area, however the request to fell the tree was made to mitigate alleged damage being done to neighbouring properties
 - n. advised that confirmation of Tree Preservation Order 178 would ensure that the tree could not be removed or worked on without the expressed 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.

Members asked:

- For reassurance that the issue of obstruction to the public highway in high winds as mentioned by the objector at Appendix 2 of the officer's report had been dealt with.
- For clarification of the meaning of a PICUS tomograph procedure on the tree.
- Whether with permission, remedial work could be carried out on the tree by the owners of the land if subjected to a Tree Preservation Order, and who was responsible for picking up the costs involved, bearing in mind the owner had stated that he would hold the council liable for any damages should the tree not be removed.
- Whether there was any evidence of water leaks being caused by the tree.

One member highlighted that a site visit of the tree in question had shown that although the neighbours wall at No 9 was cracked, this didn't seem to be attributed to the tree in question.

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

- Visibility from the existing driveway was considered to be satisfactory and unobstructed. A wide footpath provided public access across the driveway beyond.
- Any works required to the tree resulting from overgrown branches causing an obstruction to traffic would be carried out by the Highway Authority, although it would expect the owner of the land to pay.
- In terms of liability for damage caused by the tree, the Planning Authority had sought information regarding the source of the damage being caused, however the owner of the property had failed to provide this. Should the information be supplied to us in the future, the liability element could be revisited with appropriate evidence.
- There was the potential for the City of Lincoln Council to take responsibility for a tree specimen the subject of a Tree Preservation Order, although this was an arguable case based on individual merits.
- No evidence had been put forward to substantiate water leaks being caused by the tree.

Lee George, Open Spaces Officer described a tree PICUS as a scan of a cross section of the tree trunk to establish the health of the tree. It was an expensive but valuable way to test the status of the tree.

RESOLVED that Tree Preservation Order No 178 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

51. Confirmation of Tree Preservation Order 179

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 179: 1no Prunus Cerasifera Nigra (Cherry Plum) tree situated in the grounds of 16 Drury Lane, Lincoln LN1 3BN
- b. provided details of the individual tree to be covered by the order and the contribution it 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 this tree would come to an end for the Tree Preservation Order on 28 March 2024
- e. confirmed that the reason for making a Tree Preservation Order on this site was as a result of an application to carry out extensive pruning works which would be well in excess of British Standard 3998
- f. reported that the property was located within a Conservation Area which was the reason why consent was required

- g. reported that during the application process, the Arboricultural Officer discussed the proposed work with the agent, who indicated their client would seek to remove the tree entirely should the extensive pruning work not be permitted, and on this basis a Tree Preservation Order was sought to protect the tree from being felled
- h. advised that following a 7 week consultation period no objections had been received to the order
- i. advised that confirmation of Tree Preservation Order 179 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 179 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

52. Applications for Development
(a) Post Office Sport and Social Club, Dunkirk Road, Lincoln

The Planning Team Leader:

- a) advised that planning permission was sought for the conversion of a building to 6 apartments and erection of 3 dwellings (revised plans)
- b) described the application site previously forming the existing Post Office and Social Club associated car park and grounds, located on the corner of Dunkirk Road and Mons Road, with existing access taken from Mons Road
- c) advised that the site was surrounded by residential dwellings, with the existing table tennis club building positioned immediately to the north
- d) reported that the proposal had been subject to pre application advice and further officer discussions during the application process which had resulted in revisions to the original layout to accommodate further parking spaces following the initial response from Highways and local residents
- e) highlighted that whilst the revised scheme had altered the layout of the new build plots, the number and size of the dwellings remained as originally submitted, and further information had also been sought in relation to energy efficiency, landscaping and biodiversity net gain
- f) reported that the application had been brought to Planning Committee as it had received more than 4 objections as well as a request from Ward Councillor Nannestad following the initial round of consultation
- 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 S13: Reducing Energy Consumption in Existing Buildings
- Policy S49: Parking Provision
- Policy S53: Design and Amenity
- Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

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

- Accordance with National and Local Planning Policy
- Impact on Amenity of Neighbouring Uses and Future Occupiers of the Premises
- Impact on Visual Amenity
- Contaminated Land
- Energy Efficiency
- Landscaping and Biodiversity
- Highway Safety, Access and Parking

i) outlined the responses made to the consultation exercise

j) referred to the Update Sheet circulated at this evening's Planning Committee which included an additional response received from an objector, and supporting photographs in respect of the proposed planning application

k) concluded that:

- The development would provide new sustainable and energy efficient housing stock on an existing brownfield site, converting an unused building and providing a number of new build units.
- The proposals would be of a suitable size and scale commensurate to the locality and would not result in any undue harm to existing residents within the area.
- The development would also create a net gain in biodiversity on site.

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

- She had no objection in principle with the repurposing of the land.
- The issue was the development of the existing car park and 3 houses, together with 3 car parking spaces.
- The design and layout would have an impact on the Mons Road/Dunkirk Road junction which was in effect a blind junction.
- The revisions to the site layout and siting of parking spaces 1, 2 & 3 raised new issues.
- The construction of car parking spaces 1 and 2 fell below the 10 metre Highway Authority guidelines of 10 metres between the road junction and the vehicular access, via a dropped kerb.
- This caused a hazard for pedestrians.

- A street light would need to be moved 7.5 metres to accommodate the third car parking space.
- The Planning Authority had indicated the repositioning of the street light was a private matter between the agent for the development and the Highway Authority.
- The moving of the street light should be a material planning consideration.
- Due to the current situation of the site biodiversity net gain would be easily achieved.
- The gardens of the proposed developments at 12 metres square including space for refuse bins would result in little more than standing room.
- There would be limited privacy/noise issues.
- The proposed flats did meet lighting requirements, however, all but one or two looked out onto an enclosed space.
- She urged Planning Committee members to take into consideration the poor design in relation to the car parking spaces in the interest of protecting pedestrian safety.

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

- He was not against the proposed use of the planning application for housing, which made logical sense.
- His concerns focussed on the number of proposed properties and the detail of the planning application.
- The parking arrangements were not right.
- The Design and Access Statement was more realistic than the supporting photographs on the Update Sheet showing lines of parked vehicles evident.
- Parking arrangements for existing developments across the road at Blenheim Square and Cambrai Close were inadequate resulting in chaotic and potentially dangerous parking in the area, apparently due to a lack of foresight into how many residents would own cars.
- It was important to get the number of car parking spaces correct. He could only see twelve on the proposed plans, although reference had been made by officers to thirteen. There was no provision for a visitor space.
- The layout of this difficult road junction would not be assisted by creating further homes.
- Amenity space for residents was minimal within the proposed development which was not conducive to good mental health.
- He requested members of Planning Committee to consider his concerns.

Chris Henderson, representing the Applicant, addressed Planning Committee in support of the proposed Planning application covering the following main points:

- He offered thanks to members of Planning Committee for allowing him the opportunity to speak.
- All relevant planning issues had been addressed.
- The application site was a redundant Brownfield site in the city previously running as a business which was no longer in operation and not viable.
- In accordance with national and local planning policy, sustainable developments should be approved without delay.
- The planning proposals met local policies S3, S6, S7, S13 in relation to residential development.

- Policy S61 was also met in respect of satisfying needs for biodiversity net gain.
- The objections from residents to the proposed development related to parking and highway safety.
- The applicant had carried out further discussions with planning officers during the application process to ensure the development met with local planning policy S49 and the Central Lincoln Local Plan (CLLP).
- Visibility at the road junction had been improved.
- The Highway Authority were in support of the revised scheme.
- The repositioning of the lamp post affected by the car parking space to a safe location would be agreed with the Highway Authority.
- The proposed development met all aims of the newly adopted CLLP and all relevant policies.
- He respectfully requested that planning permission be approved.

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

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

- The planning officers report referred to the Highway Authority not having commented on the concerns with the existing junction of Dunkirk Road/Mons Road, however then stated that the Highway Authority had concluded the proposals would not cause unacceptable impact, therefore it had responded.
- Concerns regarding parking were an issue for this Planning Committee to take into consideration.
- Although not against the principle of the development of the site, care must be taken to avoid over development.
- There was no reference to EV charging points to individual properties.
- The area on a personal site visit seemed incredibly tight for the proposed development.
- Proposed car parking spaces were small.
- Concerns of overdevelopment which was not conducive to the good mental health of residents.

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

- The concerns raised were a matter for the Highway Authority, which was satisfied with the proposed plans.
- Additional homes would be provided which were desperately needed.
- There appeared to be no legitimate planning grounds to refuse the application for development.
- It was good to see an empty building being brought back into use.
- It was pleasing that new homes were to be built, although at the loss of a community facility.
- The outdoor space to the new homes was modest in size, however, some people were not so bothered about an outside area.
- The car parking area was non-permeable, probably due to previous pollution risks on the site.

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

- How many car parking spaces would be provided within the proposed development?

- Where would waste/recycling bins be located?
- Had the reference to new builds been discussed with the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) in terms of energy efficiency?
- In terms of net biodiversity gain, who would be responsible for maintenance of the new planted areas?
- Why was there no condition regarding hours of construction work?

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

- There were in total twelve car parking spaces proposed. He apologised for the error in the report.
- There was a dedicated area for waste/recycling bins for the flats and the bin storage for the three individual properties would be located in their gardens.
- The Highway Authority had set out its final comments in respect of the development proposal at page 82 of the officer's report. No objections were raised to highway safety or the local highway network including vehicular access to the car parking spaces adjacent to Mons Road.
- In terms of energy efficiency, the new homes would be fitted with Photovoltaic solar panels as a heating supplement and air source heat pumps, and be of timber framed construction for better thermal performance. Full energy assessments had been carried out which satisfied compliance with energy efficiency.
- A condition requiring details of how the landscaped area was to be maintained, (which residents usually contributed to through a management company) would be considered reasonable if members of Planning Committee were so minded to impose such a condition.
- A condition controlling hours of construction work was also considered to be reasonable.
- Each new build would incorporate EV parking points together with the car parking spaces for the flats.
- The size of the flats met the national minimum space standard.
- The car parking spaces met the national minimum space standard recommended by the Highways Authority.

A motion was proposed, seconded, voted upon and carried that the following conditions be included if planning permission was granted:

- A management agreement between residents and a management company be agreed to set out responsibility for landscape maintenance.
- Standard hours of construction work.

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

- Materials
- Landscaping scheme to be implemented as drawing and BNG metric
- Standard contamination conditions
- Energy efficiency measures incorporated and verified
- A management agreement between residents/management company be agreed to take responsibility for landscape maintenance.
- Standard hours of construction work.

(b) 28 Derwent Street, Lincoln

The Assistant Director of Planning:

- a) referred to a recent briefing note sent to all members for information which clarified the planning situation as it affected applications and associated works to Houses in Multiple Occupation (HMOs)
- b) described the application property at 28 Derwent Street, a two storey mid-terraced dwelling
- c) advised that planning permission was sought for the erection of single-storey side and rear extension to the existing property
- d) 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) 2021/0060/CLE, allowing the dwelling to be occupied as a C4 HMO which permitted up to 6 individuals to live within the property
- e) advised that the application was brought before Planning Committee as it had been called in by Councillor Neil Murray
- 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 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
 - Other Matters
- h) outlined the responses made to the consultation exercise
- i) referred to the Update Sheet circulated at this evening's Planning Committee which included an additional response received from Councillor Lucinda Preston in relation to the proposed planning application
- j) 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. He covered the following main points:

- He had met local residents who had concerns about this planning application.

- Residents had informed him there was no point attending Planning Committee as planning permission would go ahead anyway. He represented their views.
- The proposed planning application was similar to previous ones submitted by the same applicant.
- The proposals represented over development/loss of amenity for local residents.
- Improvements in the community were important here, the same issue as Ward Advocates spoke to at the last Planning Committee.
- Garden space was vital for people's mental health/encouraging wild life/wellbeing.
- Garden space protected the local environment.
- Policy S25 referred to sub-division of dwellings which should contribute pleasantly to the local area and not increase the existing concentration.
- This application represented over concentration of HiMO's with virtually no garden area remaining.
- The plans were contrary to the spirit of Article 4, and the position officers had taken in this regard
- The applicant was in the habit of acquiring houses all over the city to maximise profit over amenity and community considerations.
- Strictly on environmental concerns this application should be refused.

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

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

- There would be an element of green area left within the development.
- Amenity worked both ways. The property was already a HiMO for up to six people, the extension would improve the amenity of the occupants.
- The majority of the land to be taken up by the extension was currently paving stones and not garden.
- The committee had to work within material planning grounds. There were no objections from local residents.
- Each application must be considered on its own merits.
- The neighbours property had already been extended sideways.
- The loss of a window would be replaced by another inside.
- There were no material planning reasons to refuse the application.

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

- The Central Lincolnshire Joint Strategic Planning Committee discussed environmental issues and reduction in pollution.
- The plans proposed a direct reduction in green space in an already high density area. This was unacceptable in the current economic climate.
- Amenity should be increased rather than further building on garden land.
- The plans proposed an extension widened by 1 metre and lengthened by 3.5 metres. Policy S53 supported high quality sustainable design, however, the increase in width of the extension would cover part of the window into the back room reducing natural light, which was not considered to be a good design.

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

- Were we being taken advantage of here?

- Could clarification be given to the purpose of Article 4?

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

- In terms of the suggestion we may be taken advantage of, as a planning authority we must treat all residents in the same way with impartiality. There was a similar model of delivery of this application across the city. We as officers had to make recommendations based on material planning considerations.
- The garden area would be reduced as a result of the proposed extension, however, the area was currently paved and a reasonable amount of amenity space would be retained.
- Explanation of Article 4 Ten years ago a new use class C4 was introduced which permitted occupancy in dwellings of 3-6 people. A permitted right to change this use class was also introduced. Article 4 reduced the right to this permitted development to change to use class C4. However, this property was not affected. It was already operating as a C4 HiMO and purely represented an application for extension of an existing HiMO.
- The extension would be wider and involved the removal of an existing window. However, this would be replaced by a new window in the new extension which would be open plan. It would most probably be darker inside although this was a balanced judgement for members to take.

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

Conditions

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

(c) 30 Whitehall Grove, Lincoln

The Assistant Director of Planning:

- a) referred to the application property at 30 Whitehall Grove, a two storey terraced dwelling
- b) advised that planning permission was sought for the erection of single-storey side and rear extension to the existing property
- c) reported that the proposals had been revised at the request of the case officer to reduce the overall footprint and projection of the proposed development, to maintain an element of existing garden amenity space
- d) advised that the application was brought before Planning Committee as it had been called in by Councillor Neil Murray
- e) provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Policy S53: Design and Amenity
- f) 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

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 Councillor Lucinda Preston in respect of the proposed planning application together with an objection from a local resident

i) 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.

Mr David Mitchell, local resident addressed Planning Committee in objection to the planning application, covering the following main points:

- He was not here to interfere with the statutory planning process.
- He asked that a decision on the planning application be deferred tonight, as per his e mail to Councillor B Bushell, Chair.
- He lived at No 26 Whitehall Grove.
- He wished it to be known there was a blatant disregard by the contractors of council rules.
- Work had already started at the property on Monday 15 January 2024.
- The whole house had been gutted.
- The central chimney had been taken down and the back walls knocked through.
- There was a rumour that a dormer window would be installed.
- Whitehall Grove was frequently blocked by the contractors.
- There were no statutory notices posted on the roadways.
- The statutory notices were still posted on the premises at no 28 from the previous year.
- Work had damaged his roof.
- The windows were half obscured and there was no light. It was felt that the developer was riding roughshod over the City of Lincoln Council.
- He urged the planning application be deferred for a site visit to make sure safe and legal working practices were being observed.

Councillor Neil Murray addressed Planning Committee in his capacity as Ward Advocate in relation to the proposed planning application. He covered the following main points:

- The proposed planning application was another submitted by the same applicant.
- The properties were being developed intensively to cram in more residents simply for financial gain.
- Garden space was good for residents and the local environment.

- The council was committed to do all it could to protect the environment.
- Another nice garden would be lost.
- There would be no amenity left for the residents of the property.
- Policy S25 suggested that planning extensions should not lead to over concentration of existing use. Provision should also be made for external communal uses.
- He hoped that Planning Committee in making its decision would ensure these issues were addressed.
- He represented the residents in the local area, most of them being unhappy with the proposals.
- There were material considerations here in that there was no provision for an external communal area.
- The cumulative effect on the local community also undermined amenity
- The planning application should be rejected.

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

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

- If the issues regarding the actions of the contractor were true the planning application should be deferred.
- Retrospective planning applications were bad news.
- The planning application should be deferred for environmental reasons.
- The proposals involved loss of amenity and no garden space. However, planning permission was not required to gut the inside of a building.
- There would only be 1.6 metres of amenity space at the end of the extension. The occupants would be adversely affected and on balance it would prevent the property being able to be reverted back to C3 domestic use in future years.

The following questions/comments were made in relation to the planning application:

- There was minimal external space here. Where would the refuse bins be stored?
- How would the extension be widened?
- The extension would look aesthetically pleasing if the roof material used was of original slate.

(Councillor Strengiel left the meeting at this point in proceedings having another committed engagement.)

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

- Each planning application should be considered on its own merits.
- Works going ahead at the property were being investigated by the City of Lincoln Council and the County Council in relation to permission required for placing skips on the public highway.
- The knocking down of internal walls was classed as permitted development.
- Planning officers could not see value in the application being deferred.
- Planning Committee had sufficient information before them to make a decision on the proposals this evening.

- Garden space was reduced.
- The potential for the property to revert back to a C3 dwelling in the future would be limited should planning permission for the extension be granted.

A motion was proposed, seconded, put to the vote and carried that planning permission be refused.

Members discussed the reasons for refusal of planning permission.

A motion was proposed, seconded, put to the vote and carried that planning permission be refused due to the following reasons:

1. The proposed extension would create a footprint that would lead to a significant reduction in the existing limited garden and amenity space available to future residents of the property, resulting in a built density that would be at odds with the character of the area and causing unacceptable harm to the amenity of the occupants of the premises and neighbouring properties. The proposals would therefore be contrary to Central Lincolnshire Local Plan Policy S53 and paragraphs 128 and 135 the National Planning Policy Framework.
2. The extension of the property as proposed would result in a building that was of a character and of a size that it was unlikely to be attractive to future purchasers for the purpose of being returned to a use as a single dwelling. Consequently, the existing imbalance in the local community, recognised in the Fordham Report that the Council commissioned and which led directly to the introduction of the Article 4 to control changes of use from C3 to C4 in the City, would not be improved and may be further eroded which would be harmful the character of the area and to the residential amenity of neighbouring residents.

RESOLVED that planning permission be refused, due to the following reasons:

1. The proposed extension would create a footprint that would lead to a significant reduction in the existing limited garden and amenity space available to future residents of the property, resulting in a built density that would be at odds with the character of the area and causing unacceptable harm to the amenity of the occupants of the premises and neighbouring properties. The proposals would therefore be contrary to Central Lincolnshire Local Plan Policy S53 and paragraphs 128 and 135 the National Planning Policy Framework.
2. The extension of the property as proposed would result in a building that was of a character and of a size that it was unlikely to be attractive to future purchasers for the purpose of being returned to a use as a single dwelling. Consequently, the existing imbalance in the local community, recognised in the Fordham Report that the Council commissioned and which led directly to the introduction of the Article 4 to control changes of use from C3 to C4 in the City, would not be improved and may be further eroded which would be harmful the character of the area and to the residential amenity of neighbouring residents.