

PLANNING COMMITTEE

**Wednesday, 24 January
2024**

5.30 pm

**Committee Rooms 1 and 2,
City Hall, Beaumont Fee,
Lincoln, LN1 1DD**

Membership:	Councillors Bob Bushell (Chair), Gary Hewson (Vice-Chair), Debbie Armiger, Chris Burke, Liz Bushell, Martin Christopher, Rebecca Longbottom, Bill Mara, Mark Storer, Edmund Strengiel and Dylan Stothard
Substitute members:	Councillors Natasha Chapman, Neil Murray, Clare Smalley, Aiden Wells and Joshua Wells
Officers attending:	Simon Cousins, Democratic Services, Kieron Manning, Louise Simpson and Dave Walker

The Planning Committee comprises democratically elected members who will be presented with a recommendation from the professional officers for each application on the agenda. After each application has been presented, those interested parties who have registered to speak will then be given 5 minutes to verbally present their views, and, following this, the committee will debate each proposal and make the decision, having considered all relevant information.

Clearly the process of making a decision will inevitably cause some people to feel aggrieved, but it is hoped that all interested parties will feel that their views have been considered as part of the process.

Please ensure that your mobile phones are switched off or set to silent throughout the meeting and please refrain from attempting to speak from the public gallery unless you have formally registered to speak on an application, in which case the Chair will call you to the table at the relevant time.

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Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.

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THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

LIST OF BACKGROUND PAPERS FOR PLANNING, LISTED BUILDING, CONSERVATION AREA AND ADVERTISEMENT APPLICATIONS ON THE AGENDA OF THE PLANNING COMMITTEE

The Background Papers for the Planning, Listed Building, Conservation Area and Advertisement Applications are:

1. The Planning Application File. This is a file with the same reference number as that shown on the Agenda for the Application. Information from the planning application file is available online at <https://development.lincoln.gov.uk/online-applications/>

The application files contain the following documents:

- a. the application forms;
 - b. plans of the proposed development;
 - c. site plans;
 - d. certificate relating to ownership of the site;
 - e. consultation letters and replies to and from statutory consultees and bodies;
 - f. letters and documents from interested parties;
 - g. memoranda of consultation and replies to and from Departments of the Council.
2. Any previous Planning Applications referred to in the Reports on the Agenda for the particular application or in the Planning Application specified above.
 3. Central Lincolnshire Local Plan – Adopted April 2023
 4. National Planning Policy Framework - March 2012
 5. Applications which have Background Papers additional to those specified in 1 to 5 above set out in the following table. These documents may be inspected at the Planning Reception, City Hall, Beaumont Fee, Lincoln.

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

CRITERIA FOR PLANNING COMMITTEE SITE VISITS (AGREED BY DC COMMITTEE ON 21 JUNE 2006 AND APPROVED BY FULL COUNCIL ON 15 AUGUST 2006)

Criteria:

- Applications which raise issues which are likely to require detailed first hand knowledge of the site and its surroundings to enable a well-informed decision to be taken **and** the presentational material at Committee would not provide the necessary detail or level of information.
- Major proposals which are contrary to Local Plan policies and proposals but which have significant potential benefit such as job creation or retention, environmental enhancement, removal of non-confirming uses, etc.
- Proposals which could significantly affect the city centre or a neighbourhood by reason of economic or environmental impact.
- Proposals which would significantly affect the volume or characteristics of road traffic in the area of a site.
- Significant proposals outside the urban area.
- Proposals which relate to new or novel forms of development.
- Developments which have been undertaken and which, if refused permission, would normally require enforcement action to remedy the breach of planning control.
- Development which could create significant hazards or pollution.

So that the targets for determining planning applications are not adversely affected by the carrying out of site visits by the Committee, the request for a site visit needs to be made as early as possible and site visits should be restricted to those matters where it appears essential.

A proforma is available for all Members. This will need to be completed to request a site visit and will require details of the application reference and the reason for the request for the site visit. It is intended that Members would use the proforma well in advance of the consideration of a planning application at Committee. It should also be used to request further or additional information to be presented to Committee to assist in considering the application.

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.

44. 15 Allison Street, Lincoln

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 21st 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 1st 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.

SUBJECT:	WORK TO TREES IN CITY COUNCIL OWNERSHIP
DIRECTORATE:	COMMUNITIES AND ENVIRONMENT
REPORT AUTHOR	STEVE BIRD – ASSISTANT DIRECTOR (COMMUNITIES & STREET SCENE)

1. Purpose of Report

- 1.1 To advise Members of the reasons for proposed works to trees in City Council ownership, and to seek consent to progress the works identified.
- 1.2 This list does not represent all the work undertaken to Council trees. It is all the instances where a tree is either identified for removal, or where a tree enjoys some element of protection under planning legislation, and thus formal consent is required.

2. Background

- 2.1 In accordance with policy, Committee's views are sought in respect of proposed works to trees in City Council ownership, see Appendix A.
- 2.2 The responsibility for the management of any given tree is determined by the ownership responsibilities of the land on which it stands. Trees within this schedule are therefore on land owned by the Council, with management responsibilities distributed according to the purpose of the land. However, it may also include trees that stand on land for which the council has management responsibilities under a formal agreement but is not the owner.

3. Tree Assessment

- 3.1 All cases are brought to this Committee only after careful consideration and assessment by the Council's Arboricultural Officer (together with independent advice where considered appropriate).
- 3.2 All relevant Ward Councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.3 Although the Council strives to replace any tree that has to be removed, in some instances it is not possible or desirable to replant a tree in either the exact location or of the same species. In these cases, a replacement of an appropriate species is scheduled to be planted in an alternative appropriate location. This is usually in the general locality where this is practical, but where this is not practical, an alternative location elsewhere in the city may be selected. Tree planting is normally scheduled for the winter months following the removal.

4. Consultation and Communication

- 4.1 All ward Councillors are informed of proposed works on this schedule, which are within their respective ward boundaries.

- 4.2 The relevant portfolio holders are advised in advance in all instances where, in the judgement of officers, the matters arising within the report are likely to be sensitive or contentious.

5. Strategic Priorities

5.1 Let's enhance our remarkable place

The Council acknowledges the importance of trees and tree planting to the environment. Replacement trees are routinely scheduled wherever a tree has to be removed, in-line with City Council policy.

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

i) Finance

The costs of any tree works arising from this report will be borne by the existing budgets. There are no other financial implications, capital or revenue, unless stated otherwise in the works schedule.

6.2 ii) Staffing N/A

6.3 iii) Property/Land/ Accommodation Implications N/A

6.4 iv) Procurement

All works arising from this report are undertaken by the City Council's grounds maintenance contractor. The Street Cleansing and Grounds Maintenance contract ends August 2026. The staff are all suitably trained, qualified, and experienced.

6.5 Legal Implications including Procurement Rules

All works arising from this report are undertaken by the Council's grounds maintenance contractor. The contractor was appointed after an extensive competitive tendering exercise. The contract for this work was let in April 2006.

The Council is compliant with all TPO and Conservation area legislative requirements.

6.6 Equality, Diversity and Human Rights

There are no negative implications.

7. Risk Implications

- 7.1 The work identified on the attached schedule represents the Arboricultural Officer's advice to the Council relevant to the specific situation identified. This is a balance of assessment pertaining to the health of the tree, its environment, and any legal or health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications.

These can be outlined by the Arboricultural Officer pertinent to any specific case.

- 7.2 Where appropriate, the recommended actions within the schedule have been subject to a formal risk assessment. Failure to act on the recommendations of the Arboricultural Officer could leave the City Council open to allegations that it has not acted responsibly in the discharge of its responsibilities.

8. Recommendation

- 8.1 That the works set out in the attached schedules be approved.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 1

List of Background Papers: None

Lead Officer: Mr S. Bird,
Assistant Director (Communities & Street Scene)
Steve.bird@lincoln.gov.uk

NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 1 / SCHEDULE DATE: 24/01/2024

<i>Item No</i>	<i>Status e.g. CAC</i>	<i>Specific Location</i>	<i>Tree Species and description/ reasons for work / Ward.</i>	<i>Recommendation</i>
1	N/A	1-4 Sorrel Court	Birchwood Ward 1 x Cherry Remove The canopy of this tree comprises of approximately 75% deadwood and exhibits signs of basal dysfunction.	Approve works. Replant with a suitable cherry cultivar. To be located as close as possible to the position of the original tree as possible.
2	N/A	7 Sanders Close – Housing property	Castle Ward 1 x Lawsons cypress Remove This tree is causing considerable damage to the adjoining concrete driveway / the tree is also of poor form, which due to its maturity could not be managed suitably via pruning.	Approve works. Replace tree with a purple leaved apple cultivar, to enhance those already in situ within Garfield Close
3	N/A	71 Laughton Way	Minster Ward 1 x Leyland Cypress Remove This tree is in direct contact with the adjoining building / the roots are also causing deformation of the adjoining pathway.	Approve works. Replace tree with 1 x Service berry; to be planted within the amenity grassland located opposite Gloucester House.

SUBJECT: CONFIRMATION OF TREE PRESERVATION ORDER NO.178

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: KIERON MANNING, ASSISTANT DIRECTOR - PLANNING

1. Purpose of Report

- 1.1 To have confirmed one (temporary) Tree Preservation Order, made by the Planning Manager under delegated powers. The order currently provides 6 months of temporary protection for the tree, but is required to be confirmed by the Planning Committee to provide long term future protection.

2. Executive Summary

- 2.1 A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality.
- 2.2 The making of any Tree Preservation Order is 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. This is, however, contained within existing staffing resources.
- 2.3 The making of Tree Preservation Orders reduces the risk of losing important trees, groups of trees and woodlands. It further allows the Council to protect trees that contribute to local environment quality.

3. Background

- 3.1 Tree Preservation Order 175 was made on 16th August 2023 protecting 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. The piece of land, and tree, in question are within the ownership of 11 Cross O'Cliff Hill.
- 3.2 The tree is considered to contribute to the visual amenity of the area and the unauthorised removal of the tree would be considered to be detrimental to visual amenity.
- 3.3 The initial 6 months of protection would end for the Tree Preservation Order on 16th February 2024.

4. Consideration

The reason for making a Tree Preservation Order on this site is a result of an application from the owners to fell the tree. The tree is located within a conservation area which is why consent was required. During the application process our Arboricultural Officer attended a site visit and identified the tree to be suitable for protection under a Tree Preservation Order stating that the tree has a

high amenity value and the removal would have a harmful effect on the aesthetic appearance of the area.

Consultation has been carried out with the landowner as well as with neighbouring properties who may have an interest in the matter. As a result of these consultations 3 objections have been received from:

- 11 Cross O'Cliff Hill (the landowner)
- 13 Cross O'Cliff Hill
- Management company on behalf of 9 Cross O'Cliff Hill

Additionally, a letter of support has been received from:

- 3 Cross O'Cliff Hill

The primary concerns raised within the 3 letters of objection relate 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.

Following an external inspection of the tree on site, our Arboricultural Officer did not find any 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. Photographs submitted with the letters of objection do 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, have been provided. Following a telephone conversation with the landowner regarding the PICUS tomograph survey, they advised following a discussion with an arborist the tomograph survey was not carried out due to the cost.

The landowner does not disagree that the tree has a significant positive impact on the visual amenity of the area, however the request to fell the tree was made to mitigate the alleged damage being done to the neighbouring properties.

5. Strategic Priorities

- 5.1 Confirmation of Tree Preservation Order 178 would ensure that the tree would 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 enhancing our remarkable place.

6. Organisational Impacts

- 6.1 Legal Implications – Anyone who wishes to carry out works to the tree will require consent from the City of Lincoln Council first.

7. Recommendation

- 7.1 It is recommended that Members confirm the Tree Preservation Order without modifications, and that the Officer carries out the requisite procedures for confirmation.

How many appendices does the report contain?

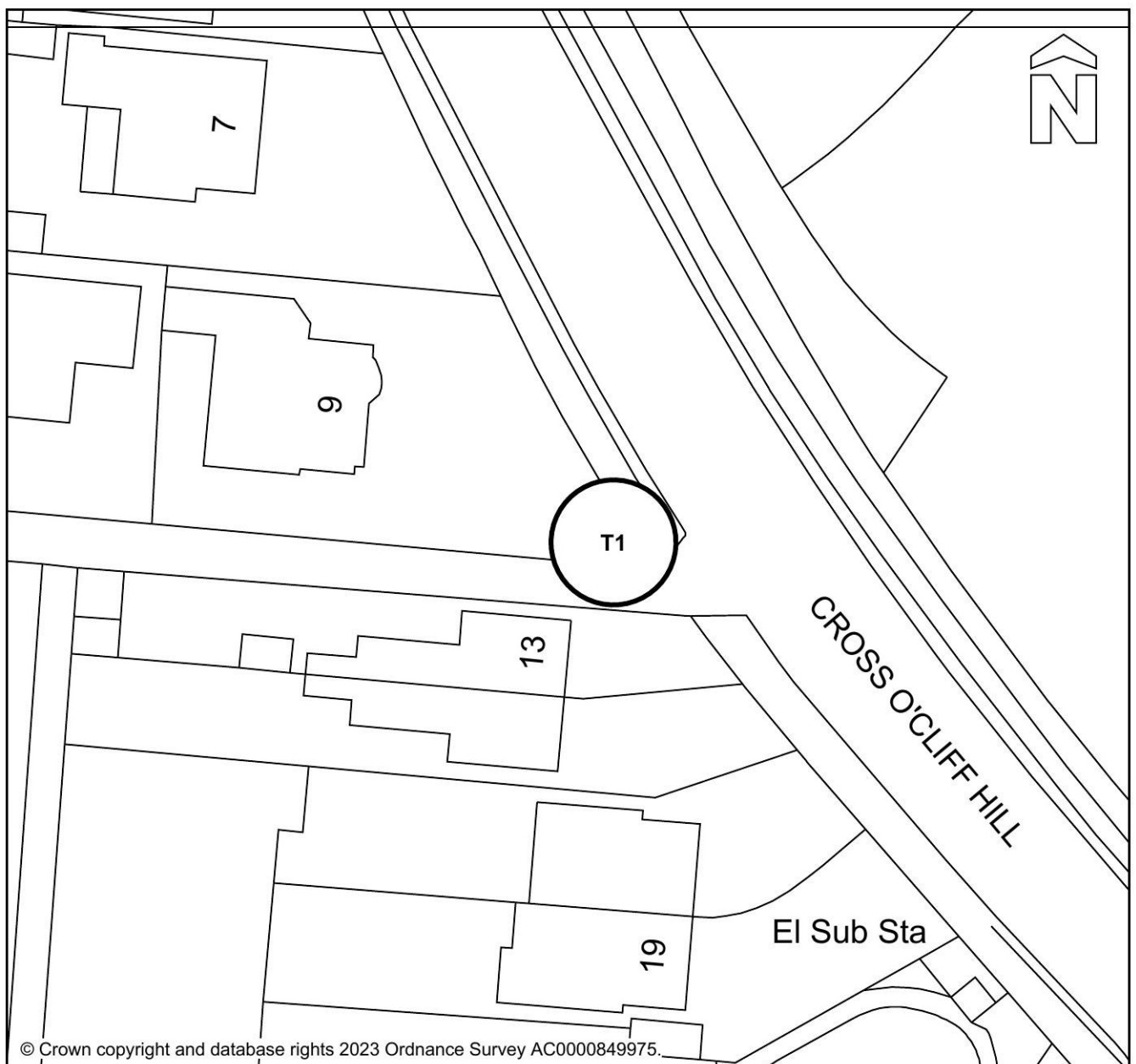
5

List of Background Papers:

None

Lead Officer:

Kieron Manning, Assistant Director - Planning
Kieron.manning@lincoln.gov.uk



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Cross O'Cliff Hill No.3 Tree Preservation Order 2023

T1 - London Plane

 <p>CITY OF <i>Lincoln</i> COUNCIL</p>
<p>City Hall, Beaumont Fee, Lincoln, LN1 1DD</p>
<p>Website: www.lincoln.gov.uk</p>
<p>Scale: 1:500 at A4</p>
<p>Version 1: 16-Aug-2023</p>

Appendix 2

Objection from landowner 11 Cross O'Cliff Hill

Mr & Mrs R Mountain
11 Cross O'Cliff Hill
LINCOLN
LN5 8PN

30th August 2023

Planning Services
Department of Communities & Environment
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DD

For the attention of Kelly Bray

Dear Kelly,

Re: Cross O'Cliff Hill No. 3 Tree Preservation Order 2023

Further to your Notice of making of a Tree Preservation Order, dated 16th August 2023 in which the Council have made this order, namely for the following reasons:-

- The tree contributes to the visual amenity of the area
- The unauthorised removal would be detrimental to the visual amenity thereof

As the owners of the property and land on which the tree is situated, we are sending this letter with our objections and comments stating our case why we believe the said tree should a) not have a tree preservation order placed on it and b) that the tree be removed as requested.

We are not disputing that the tree contributes to the visual amenity of the area, however the size at which the tree currently is and will obviously become over time is now a hazard and liability to the residential area in which it is situated.

The tree extends onto the road of Cross O'Cliff Hill itself which if during high winds/extreme weather conditions which we have experienced, then there is a danger to any traffic passing at the time should one or more of the branches fall into the road.

As we leave the entrance of our driveway by vehicle, the tree blocks any vision to the left and we need to move onto the path to see if traffic is coming up the hill before pulling onto the road. We are unable to see if anyone is coming along the path, until we have moved past the point of the tree which then places us on the path. As you are probably aware LSST Priory Academy is also on the hill and every morning there are a large amount of school children walking/cycling up the hill to attend school. The bus stop on the hill is outside number 9 (next door to ourselves) and as you can appreciate it is extremely busy with children getting off and also on the bus when school finishes at 3.05pm. We often find ourselves, pulling backwards and forwards to let people past until it is clear.

2.

Currently, as you have now placed the Tree Preservation Order on this tree, the branches are now growing at a fast rate and are now touching the vehicle as we leave the drive and the branches growing at the base of the tree are making it even more difficult visually to see what is coming past our drive or to see what vehicles are coming up the hill. This is now a hazard.

Our neighbours at Number 13 have been complaining on a number of occasions to us about the branches from the tree which are now protruding into their gutters and are concerned this will cause damage very soon. They have had to have drainage pipes cleared and replaced due to the tree roots and have also had mains water leaks on their drive, again caused by the roots from this tree. We also have had our mains water pipes replaced. The neighbours have also had problems with falling branches which have damaged their vehicles.

Aswell as the damage the tree is causing at the middle/top, the roots have been and are causing damage to the wall of number 9 at the entrance to their driveway together with areas of their car park which is now lifting.

We have attached a number of photos for you showing the size of tree, how it hangs over the road, into the neighbours gutters and also showing the poor visibility as we exit our driveway.

We would question why a tree preservation order has been placed on this tree particularly now. The tree was originally on the land owned by Number 9 and previously owned by Lincolnshire County Council and no order has ever been in place until we asked for the tree to be taken down.

Mr Tom Gissing, Arboricultural Officer for Lincoln City Council attended in July to assess the tree. He contacted myself (Richard) and advised that in his opinion "the tree had seen its day and that it was a liability". We agreed with him in the fact that we have been concerned for some time about the safety of the general public, road users on the hill, etc. and that even though it is a prominent tree, it is now in fact a hazard/liability and that the removal would be the best option. We find it difficult to understand why when your Arboricultural Officer has advised that the tree should be taken down that you have not taken his advice into account and have now placed a TPO on the tree.

Should this tree not be removed as advised by Mr Tom Gissing, we will therefore hold the Lincoln City Council liable for any damage caused by this tree.

Yours sincerely

Mr Richard & Mrs Sharon Mountain

Enc.



Top of 11 Cross O'Cliff Drive (branches are now touching vehicles)



Poor visibility looking left at top of No. 11



No. 13 – Gutters



Overhang of tree onto Cross O'Cliff Hill

Appendix 3

Objection from 13 Cross O'Cliff Hill

13 Cross O'Cliff Hill
Lincoln
LN5 8PN
3rd September 2023

Kelly Bray
Planning Services
Department of Communities and Environment
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DD

Dear Kelly

Thank you for your letter which I received on Friday 18th August reference:

Cross O'Cliff Hill No.3 Tree Preservation Order 2023

As my property is most closely located to the tree for which the Council is seeking a preservation order, I am objecting to the preservation order being granted on a permanent basis due to the following issues:

1. The main trunk of the tree is located less than 650cm from the closest part of my property, and therefore poses significant risks of structural damage due to its proximity.
2. The canopy of the tree is already overhanging my property and interfering with both my roof and guttering.
3. The tree has already caused significant damage to my property as can be observed in the driveway.
4. The main drainage pipes at the front of the property have had to be cleared and replaced, however the drive regularly floods due to ongoing drainage issues caused by roots.
5. I have had 4 mains water leaks on my drive over the past 10 years which have been attributed to damage caused by the roots from this tree.
6. I regularly have large branches falling from the tree during high winds which have caused damage to cars and property and the residue is damaging paintwork to cars on the drive.

Furthermore I would contend that the tree poses the following significant risks:

1. The road is a major link road into Lincoln: The tree canopy overhangs over half way across the road and has significant risk of having a major branch causing damage or harm in high winds were it to come down given the age and condition of the tree.
2. Cross O'Cliff Hill is used daily by children attending the Priory Academy, the condition of the tree means that even in moderate winds there is significant loss of

twigs and small branches which could cause injury to passing pedestrians particularly when these occur at school arrival/departure times.

I am informed that when the Tree Officer visited the site to assess the tree he was of the opinion that the tree did pose a threat and was beyond its useful years. Whilst I agree that the tree has a unique beauty, I would contend that given it's age and proximity to a major trunk road and property, that were such a preservation order be granted this is likely to have a significant risk to both motorists and pedestrian (many of whom are children), as well as to property.

Should you continue in pursuant of the application for the permanent Tree Preservation Order, I would like to receive in writing assurances that Lincoln City Council will meet the costs of any further damage directly to my property caused to the roof, or as a result of damaged caused by the roots to my property, water pipes, drainage or any other amenities.

Please confirm receipt of this letter either in writing or to

Yours Sincerely



David Knight

Appendix 4

Objection from 9 Cross O'Cliff Hill Management Company

Ashleigh Management Company
Ashleigh House
9 Cross O'Cliff Hill
Lincoln LN5 8PN

Kelly Bray
Planning Services
Department of Communities and Environment
City of Lincoln Council
City Hall
Beaumont Fee
Lincoln
LN1 1DD

Dear Kelly,

Re: Cross O'Cliff Hill No.3 Tree Preservation Order 2023

We write to you as Ashleigh Management Company (Lincoln) Limited, and the owner of the retained land at 9 Cross O'Cliff Hill (inclusive of the freeholds of Apartments 1, 3 and 4). The land [at No.9] also contains the freehold properties of three separate owners, so there is a total of six individually owned apartments on site. This objection letter is intended to only represent the views and interests of Ashleigh Management Company (Lincoln) Limited, and not the three remaining freeholders.

Company Details

Business Name: Ashleigh Management Company (Lincoln) Limited
Business Address: 9 Cross O'Cliff Hill, Lincoln, LN5 8PN
Company Directors: Dr Nicole Panizza, Mr Peter Sheils, Ms Carol Visser
Registered Office: Ashleigh House - 9 Cross O'Cliff Hill, Lincoln, LN5 8PN
Company No: 8435532
Email: ashleighmanagementltd@gmail.com

We agree that the beautiful and majestic tree in question contributes to the visual amenity of the area, in particular the views from our apartments. However, we believe that the benefits of this visual amenity do not outweigh the evidential damage it is causing to our property (see images included below) and that of our neighbours: the extent of which is only going to increase significantly as the years pass and the tree's growth progresses, both above and below ground.

We are surprised to learn of the temporary TPO via your letter given that your arborist, Tom Gissing (with whom one of us spoke on his assessment visit to the tree), advised that he would be recommending removal of the tree on the grounds of health and safety.

We have also had discussions with our immediate neighbours who are directly impacted by the tree and have learned of the ongoing challenges which it presents to their daily lives, which are not insignificant, and presumably will be described to you in their respective objection letters.

Whilst we wholeheartedly agree with the principles of conservation and preservation, we are concerned that, in this instance, it overrides health and safety concerns and fails to recognise the behavioural needs of those directly impacted, in terms of housing, car and footpath proximity.

This objection letter aims to inform for the first time, if not add to, existing information regarding the ongoing issues which this beautiful (but problematic) tree poses; to those who live in the direct shadow of it.

Page 1 of 3

Reasons for the Objection

1. We believe the tree is fracturing and destroying our wall's structure (illustrated by the accompanying pictures). This will only deteriorate further, diminishing the boundaries of our property and leaving us with less ownership control.
2. There are evidential fissures in the communal car parking area/grounds, in the near vicinity of the tree, which we attribute to creeping root power and determination from the tree. This is only going to increase causing further damage and disruption to the grounds and car parking facilities for residents of the six apartments on the land at No. 9.

Yours sincerely,

Ashleigh Management Company (Lincoln) Limited

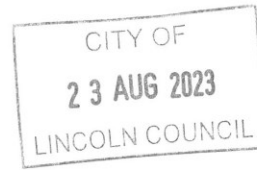
Dr. Nicole Panizza
Mr. Peter Sheils
Ms. Carol Visser

Photo Images of the Current Damage Caused by the Tree to the Grounds of No. 9



Appendix 5

Support from 3 Cross O'Cliff Hill



Kelly Bray
Planning Services
Department of Communities and Environment
City of Lincoln Council, City Hall
Beaumont Fee
Lincoln LN1 1DD

3 Cross O'Cliff Hill
Lincoln LN5 8PN

20 August 2023

Dear Ms Bray

Cross O'Cliff Hill No.3 Tree Preservation Order 2023

We have lived at the above address since 1997.

We strongly support the making of the above Order.

Considering the west side of Cross O'Cliff Hill, from Orchard Walk down to no. 2, there are only seven sizeable deciduous trees on front curtilages; two copper beech, two lime, a Robinia, a horse chestnut, and the London Plane which is by far the largest and most impressive.

Loss of the tree in question would greatly damage the visual amenity of the area.

There is also a cultural/historical aspect to its amenity value. It marks the private drive to no. 11 which was the residence of a significant and much loved Lincoln resident, Margaret J. Widdowson, Headmistress of South Park School (forerunner of the Priory LSST) from 1955 to 1980.

Yours sincerely

Stephen J.G. Hall
Susan B. Hall

SUBJECT: CONFIRMATION OF TREE PRESERVATION ORDER 179

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: KIERON MANNING, ASSISTANT DIRECTOR - PLANNING

1. Purpose of Report

- 1.1 To have confirmed one (temporary) Tree Preservation Order, made by the Planning Manager under delegated powers. The order currently provides 6 months of temporary protection for the trees but is required to be confirmed by the Planning Committee to provide long term future protection.

2. Executive Summary

- 2.1 A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality.
- 2.2 The making of any Tree Preservation Order is 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. This is, however, contained within existing staffing resources.
- 2.3 The making of Tree Preservation Orders reduces the risk of losing important trees, groups of trees and woodlands. It further allows the Council to protect trees that contribute to local environment quality.

3. Background

- 3.1 Tree Preservation Order 179 was made on 28th September 2023 protecting 1no. Prunus Cerasifera Nigra (Cherry Plum) tree in the grounds of 16 Drury Lane, Lincoln, LN1 3BN.
- 3.2 The trees is considered to contribute to the visual amenity of the area and the unauthorised removal of the tree would be considered to be detrimental to visual amenity.
- 3.3 The initial 6 months of protection would end for the Tree Preservation Order on 28th March 2024.

4. Consideration

The reason for making a Tree Preservation Order on this site is as a result of an application to carry out extensive pruning works which would be well in excess of British Standard 3998. The property is located within a conservation area which is why consent was required. 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. On this basis, a Tree Preservation Order was sought to prevent this tree being felled.

Following a 7-week consultation period no objections have been received to the order.

5. Strategic Priorities

- 5.1 Confirmation of Tree Preservation Order 179 would ensure that the tree would 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 enhancing our remarkable place.

6. Organisational Impacts

- 6.1 Legal Implications – Anyone who wishes to carry out works to the tree will require consent from the City of Lincoln Council first.

7. Recommendation

- 7.1 It is recommended that Members confirm the Tree Preservation Order without modifications, and that the Officer carries out the requisite procedures for confirmation.

How many appendices does the report contain?

One

List of Background Papers:

None

Lead Officer:

Kieron Manning, Assistant Director - Planning
Kieron.manning@lincoln.gov.uk



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Application Number:	2023/0642/FUL
Site Address:	Post Office Sport and Social Club, Dunkirk Road, Lincoln
Target Date:	9th November 2023
Agent Name:	Lomas Architecture Design And Developments Ltd
Applicant Name:	Mr James Harland
Proposal:	Conversion of building to 6 apartments and erection of 3 dwellings (Revised).

Background - Site Location and Description

The application site previously forms the existing Post Office and Social Club, associated car park and grounds.

The site is located on the corner of Dunkirk Road and Mons Road with existing access taken from Mons Road. The site is surrounded by residential dwellings with the existing table tennis club building positioned immediately to the north.

The proposal has been subject to pre application advice and further officer discussions during the application process which has resulted in revised drawings. The original layout has been revised to accommodate further parking spaces following the initial response from Highways and local residents. Whilst the revised scheme has altered the layout of the new build plots, the number and size of the dwellings remains as originally submitted. Further information has also been sought in relation to energy efficiency and landscaping and biodiversity net gain.

The application is brought to Planning Committee as it has received more than 4 objections as well as a request from Ward Councillor Nannestad following the initial round of consultation.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 9th November 2023.

Policies Referred to

- 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

Issues

To assess the proposal with regard to:

- 1) Accordance with National and Local Planning Policy
- 2) Impact on Amenity of Neighbouring uses and future occupiers of the premises
- 3) Impact on visual amenity
- 4) Contaminated Land
- 5) Energy Efficiency
- 6) Landscaping and Biodiversity
- 7) Highway safety, access and parking

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
John Lincolnshire Police	Comments Received
Highways & Planning	Comments Received
Environmental Health	Comments Received

Public Consultation Responses

Name	Address
Miss Rebecca Smith	111 Dunkirk Road Lincoln Lincolnshire LN1 3UJ
Mr Richard Milburn	103 Dunkirk Road Lincoln LN1 3UJ
Mrs Vicky Heslop	Longstone House, High Street, Washingborough Lincoln Lincoln LN4 1AZ
Councillor Donald Nannestad	
Mr John Morrison	Anzio Crescent Lincoln LN1 3PX
Miss Fiona Warner	107 Dunkirk Road Lincoln LN1 3UJ
Miss Samantha Mori	113 Dunkirk Road Lincoln Lincolnshire LN1 3UJ

Representations

All representations are included on the agenda in full. Comments have been received as part of the application process and issues/concerns raised include predominantly a concern over parking provision, vehicular access, traffic and safety, size of amenity space for proposed occupants and bin storage for the proposed flats.

Consideration

Accordance with National and Local Planning Policy

The National Planning Policy Framework (NPPF) sets out three overarching objectives (social, economic, and environmental) to be pursued in mutually supportive ways. Paragraph 8 states that the overall planning balance must look across all three strands and development should be pursued in a positive way.

Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development.

For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay

Paragraph 123 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as

much use as possible of previously developed or 'brownfield' land.

Paragraph 124 suggests that decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 135 states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The application is for the conversion of a former public house to residential flats and the erection of 3 new two storey dwellings and therefore the following policies are relevant:

- 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

The application would generally be in accordance with Central Lincoln Local Plan (CLLP) Policy S3 which supports housing development within the Lincoln Urban Area in principle. The development is within an existing residential area and previous developments have been granted and built out elsewhere on Dunkirk Road and Anzio Crescent. In principle a new dwelling in this location is acceptable.

The original proposal has been revised to accommodate additional off street, car parking spaces to satisfy the requirements of the Local Highway Authority. Further information has also been sought to seek to ensure that the developments are in accordance with the authorities' energy efficiency policies and to achieve a net gain in Biodiversity on site.

Additional supporting documents have been submitted including:

- Revised Layout Plan
- Landscaping Plan
- Biodiversity Metric
- Energy Statement and associated documents

Impact on Amenity of Neighbouring Properties and Future Occupiers of the Premises

The proposed scheme can be split into two elements, the first seeking to change the use of the existing Social Club and Public House. The development would create 6 new self-contained flats within the existing building with some minor external alterations to facilitate this new layout. The conversion would create 4 one bed and 2 two bed units all of which would be well above the minimum requirements as identified within the Governments technical standards document, ensuring that the amenity of the proposed occupiers is of an acceptable level. Each unit has sufficient circulation space as well as adequate openings within the existing property, providing a good level of natural light and outlook.

The proposed external changes include the removal of one of the first floor central window and ground floor doors on the principal western elevation, the removal of the existing lean to on the southern elevation and the inclusion of a new door and ground floor window and the inclusion of 4 new first floor windows on the northern elevation adjacent to the existing table tennis club. Finally, to the eastern, rear elevation the development proposes the installation of 4 new windows to the ground floor, matching the same size and proportions of the existing. The changes are minimal and the new openings to the first floor on the northern elevation would be positioned over 30m from the nearest residential properties on Dunkirk Road. Additional openings to the eastern elevation would also be located on the ground floor, ensuring that there would be no new relationships created to overlook existing neighbouring properties.

The existing remaining windows would serve the new flats and there would be a separation distance of approximately 15m to the nearest dwellings to the east and over 30m to the west. Whilst the eastern elevation would face windows on the side elevation of no's 202/204 Dunkirk Road, these are existing and would arguably create less activity than that of the public house and pool room they currently serve.

The creation of 6 new flats would create an increase in movements to and from the property as a result of the sub-division of the space, however, this in itself would not be considered to result in an unduly harmful impact on the amenity of the neighbouring properties within an area that is predominantly residential.

Bin storage has been identified on the revised submitted site plan, indicating ample room for storage on site, creating an enclosed area for the 6 new flats.

The second element of the proposal seeks to erect 3 two storey dwellings within an area of the existing car park, facing Dunkirk Road. The proposals seeks to create a row of 3 two bed terraced dwellings, taking influence from the existing dwellings on the estate. The dwellings would be positioned approximately 12.5m from the existing dwellings to the opposite side of Dunkirk road and whilst this would create a close relationship between windows, this is not an unusual relationship within the existing estate when taking into account similar built out developments to the west. The properties would have a separation of approximately 21m to the rear elevation towards existing dwellings on the east side of Mons Road and approximately 18m to the west. Given the existing character of the estate it is not considered that any of these relationships would be unduly harmful.

With regards to the position and height of the proposed dwellings, the two storey units take into account the existing dwelling types on the estate and would be very similar in design to those to the north. The dwellings are slightly wider than those originally built as part of the larger estate to accommodate an increased floor space, however, this would not cause harm to any neighbouring properties through loss of light or appear overbearing towards any existing dwelling.

The new dwellings provide 70m² of floorspace, which is over the minimum standards as described within the technical space standards. Each dwelling has an enclosed amenity space to the rear, which whilst smaller than the average existing dwelling in the area, provides an area that is commensurate to the size and the dwelling and would be considered to be adequate.

In summary, it is considered that the proposed conversion and new dwellings on site can be accommodated without having a detrimental impact on surrounding properties. The proposal would therefore be in accordance with the requirements of Policy S53 in terms of impact on residential amenity.

Impact on Visual Amenity and Design

The change of use of the existing post office club would result in very minimal external alterations, retaining the existing footprint with the removal of an offshoot to the southern elevation. Existing openings would be altered and a number of new openings would be added to accommodate the layout of the new flats. All new openings would match the existing in size, proportions and detail ensuring that there would be very minimal change to the external fabric of the premises.

The design of the new dwellings takes influence from the existing terraced blocks on Dunkirk Road with similar overall size and scale of the existing. The houses would replicate the front gable detail and would have similar opening proportions and canopies above the entrance doors. The material palette would make use of both brick and render that both matches and compliments the surrounding properties. Whilst the general information on materials has

been established it would be deemed reasonable to condition further details of the specific materials to be used as part of the development should permission be granted.

The development as a whole includes areas of soft landscaping alongside the private garden space for the new dwellings, resulting in a significant improvement from the existing hard standing and car parking spaces on site.

Taking account these elements, officers are satisfied the proposed conversion and new dwellings on site would assimilate into the surroundings and would not have a harmful visual impact, in turn the proposal would be in line with Policy S53 of the Central Lincolnshire Local Plan.

Contaminated Land

The City Council's Contaminated Land Officer has advised that due to past uses on the site there is the potential for significant contamination to be present. As no preliminary risk assessment has been submitted prior to determination, it is considered reasonable to apply the full set of contamination conditions to any permission to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and appropriately dealt with where necessary.

Energy Efficiency

The application includes an energy statement which underlines how the proposals are broadly in accordance with policies S6, S7 and S13.

The statement confirms that the proposed new town houses have been orientated on a north south axis to maximise opportunities for solar gain, and minimise winter cold wind heat loss. A fabric first approach has been adopted utilising timber frame construction which ensures a more sustainable form of construction and provides for better thermal performance and better air tightness values. Air source heat pumps are proposed as the primary source of heating, supplemented with the installation of Photovoltaic solar panels. This approach ensures this new build element of the proposal meets the requirements of Policy S7. Full energy assessments have been undertaken for the new build element of this proposal and any permission would be conditioned in accordance with the submitted details and verified later, prior to the occupation of the properties.

The conversion of the existing social club would ensure that all the new walls, floor, roof & glazing will meet, as a minimum the latest Limiting U-values for fabric elements in existing buildings other than dwellings from the latest Part L, Volume 2 of the Approved Document of the current Building Regulations and upgraded elements will meet the u-values identified in the Conversion summary report. SAP assessments have been undertaken for the conversion element of the proposals and a summary documents has been produced and submitted as part of this application which demonstrates compliance with Policy S13.

The requirements of local planning policies S6, S7 and have therefore been demonstrated.

Landscaping, Ecology and Biodiversity

With regard to Biodiversity Net Gain, the local plan contains Policy S61 which requires all qualifying development to achieve at least 10% biodiversity net gain. The new policy was adopted in April 2023, which echoes the government's national mandatory biodiversity net

gain requirement which is due to be brought into force in April 2024. Whilst this is not currently a mandatory requirement the application has endeavoured to include new soft landscaping and an overall net gain.

The existing site is predominantly covered by hardstanding, either covered by building footprint or hard-surfaced impermeable car parking. The revised site and landscaping drawings identify the proposed soft landscaping on site. The drawings are accompanied by a Biodiversity Metric and a preliminary Ecological Appraisal in support of the application.

The submitted Biodiversity Metric identifies that there would be a significant gain as expected from an existing hard surfaced site. The gain would go above and beyond the 10% identified in the policy and would satisfy the requirements within policy S61.

Highway Safety, Access and Parking

The original site layout proposed the provision of 9 car parking spaces for the development. Following consultation on the proposals written representations received have predominantly raised concern with the parking provision within the proposed development.

Following a request for further information from the Highways Authority and receipt of neighbour responses, the application has been revised to accommodate further spaces, providing 2 spaces for each new build dwelling, 1 for each individual flat and an additional visitor space. A further consultation with Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would now provide satisfactory parking provision on site for this specific location.

Following an additional consultation period the general neighbour response welcomed further parking spaces, but highlighted concerns with the existing junction of Dunkirk Road and Mons road and the potential issues with the new access and vehicular movements from and to the site. The Highway Authority have not provided any comment on this and have concluded that the proposals would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk. As there would be no objections from professional colleagues at the County Council officers would not consider that the revised proposals would result in any safety concerns and should not be refused on these grounds.

Comments have been made on the potential conflict with new street equipment and the new dropped kerb access, however, this would be the responsibility of the applicants to ensure they attain the required permissions for this work through the Highways Authority. The relevant informatives will be included on a decision notice, subject to approval.

Cycle storage provision has not specifically been included within the submitted site plan, however, there is adequate space for this in both the private garden space and communal space around the proposed flats.

Conclusion

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.

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

Recommendation

That the application is Granted Conditionally

Conditions:

- Materials
- Landscaping scheme to be implemented as drawing and BNG metric
- Standard Contamination conditions
- Energy efficiency measures incorporated and verified

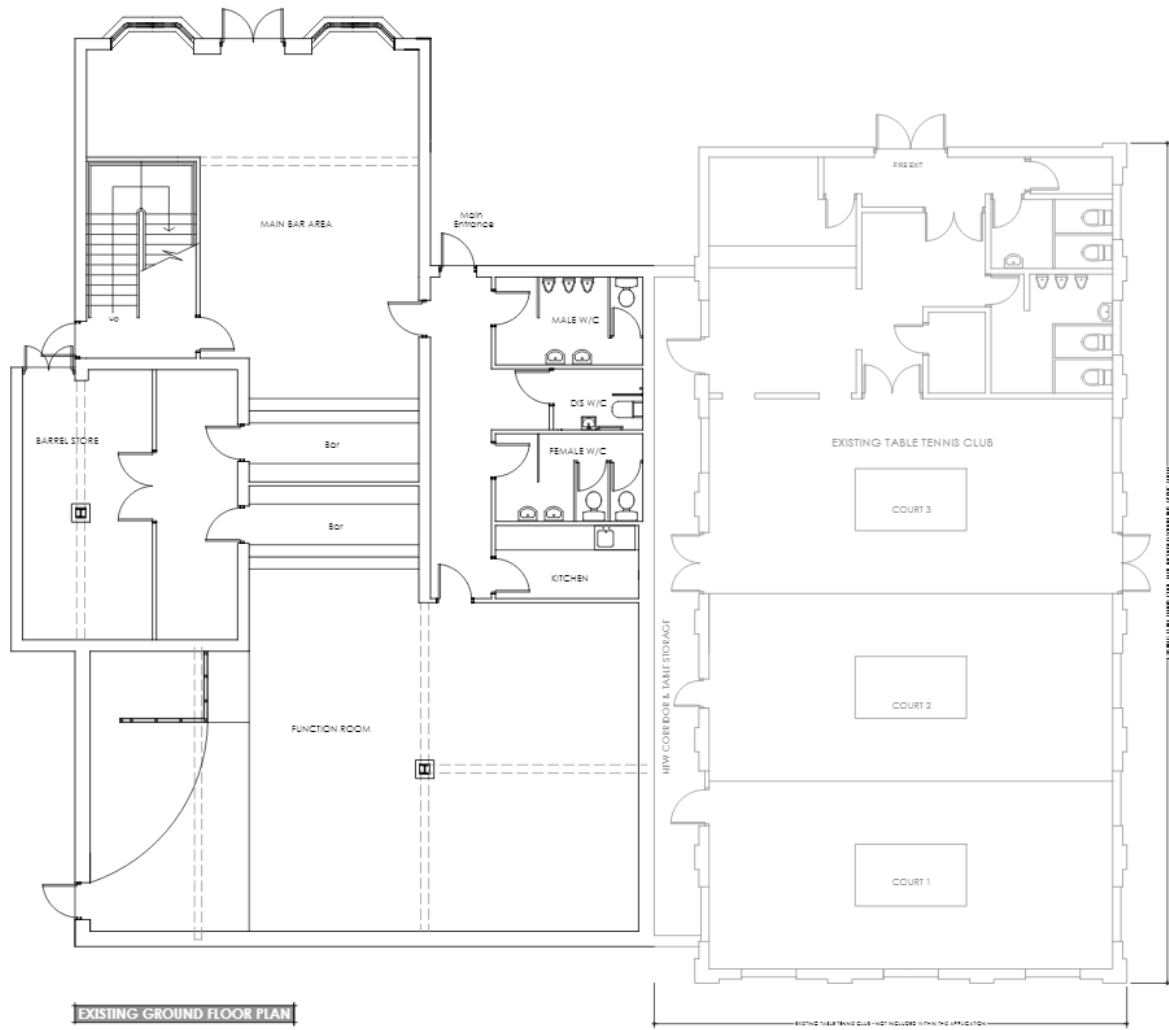
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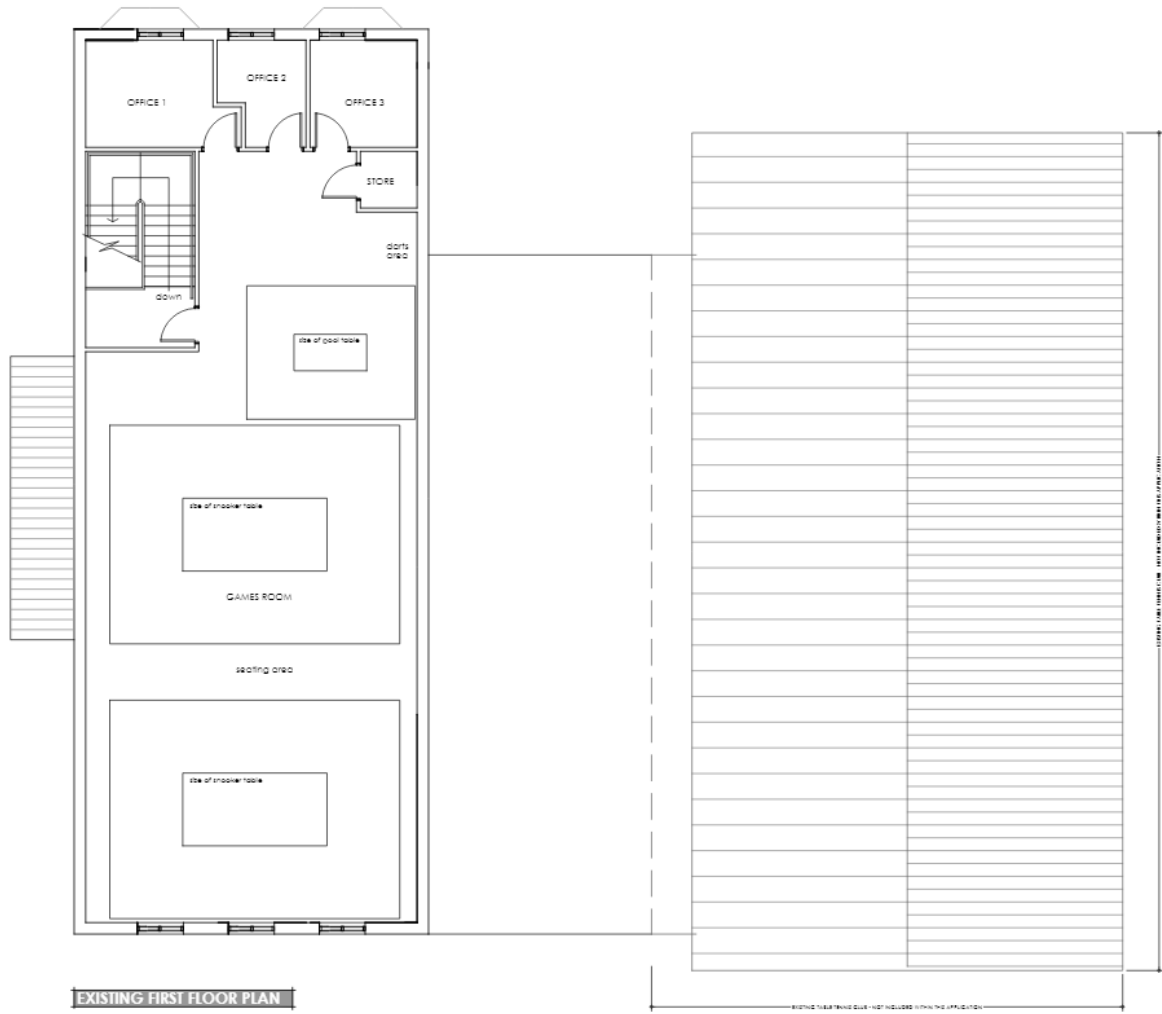
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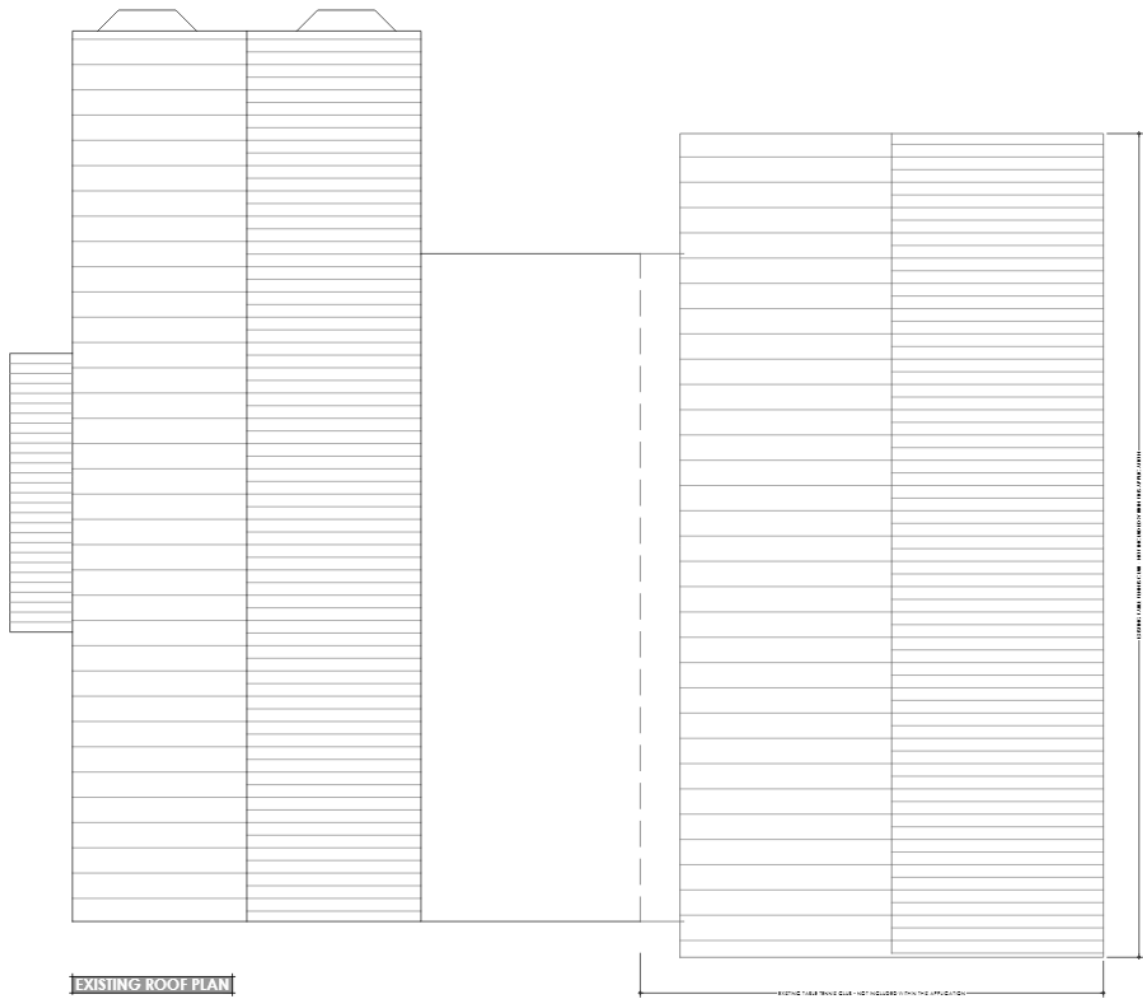


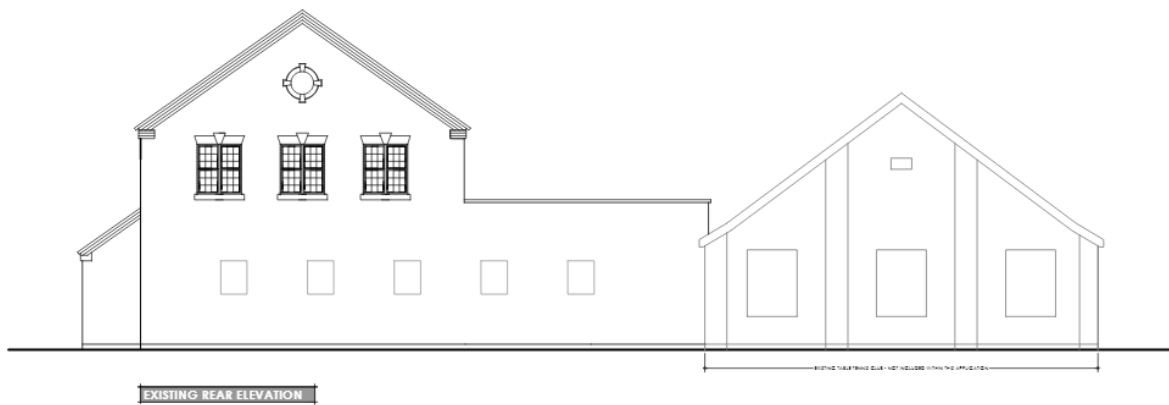
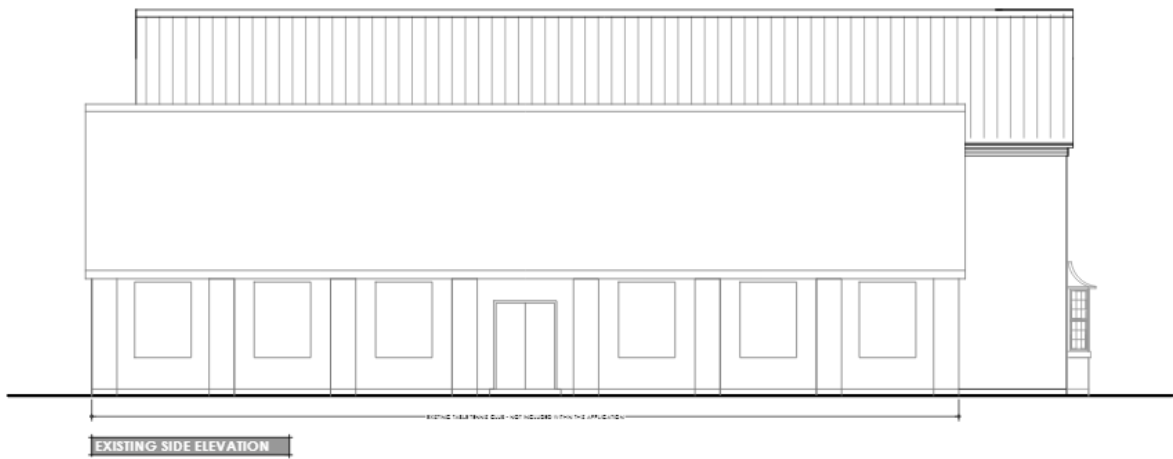
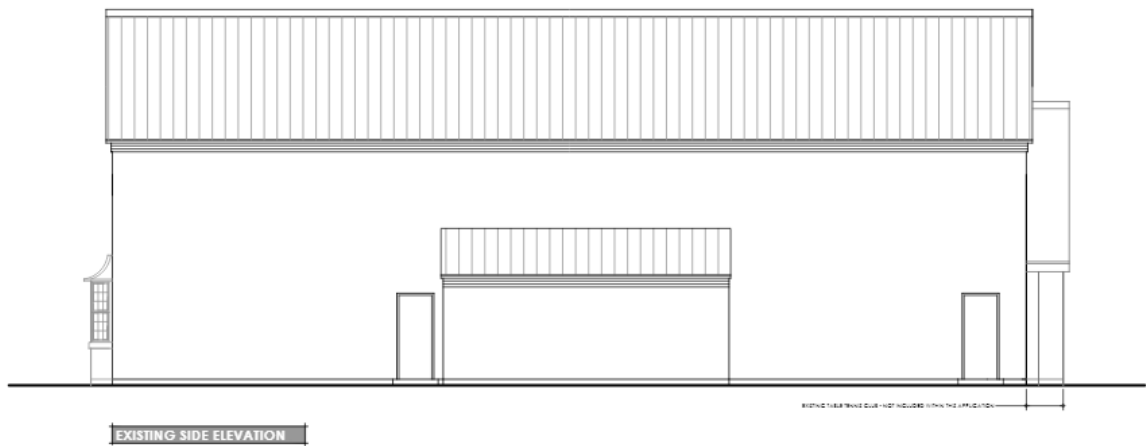
Existing Plans





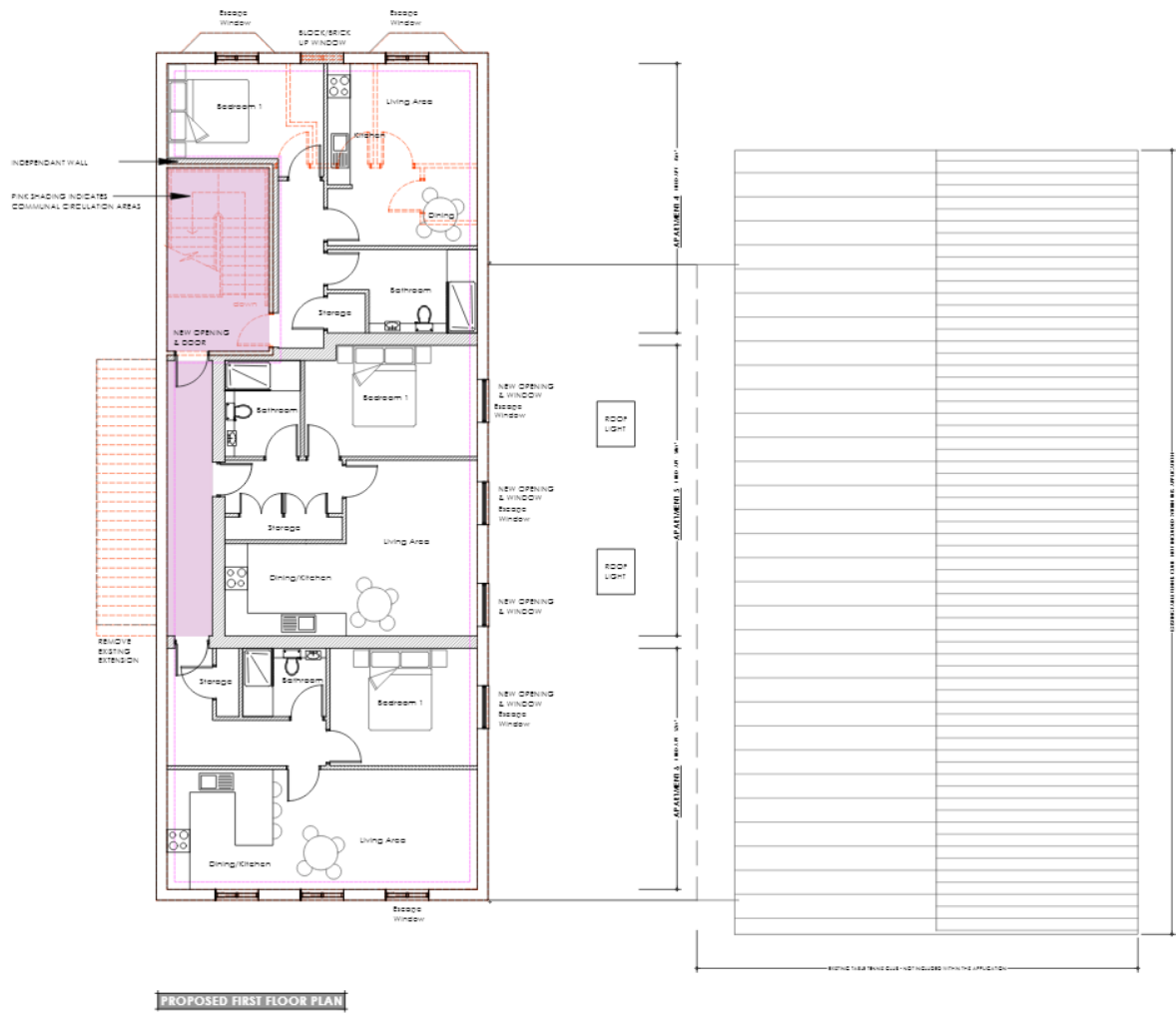


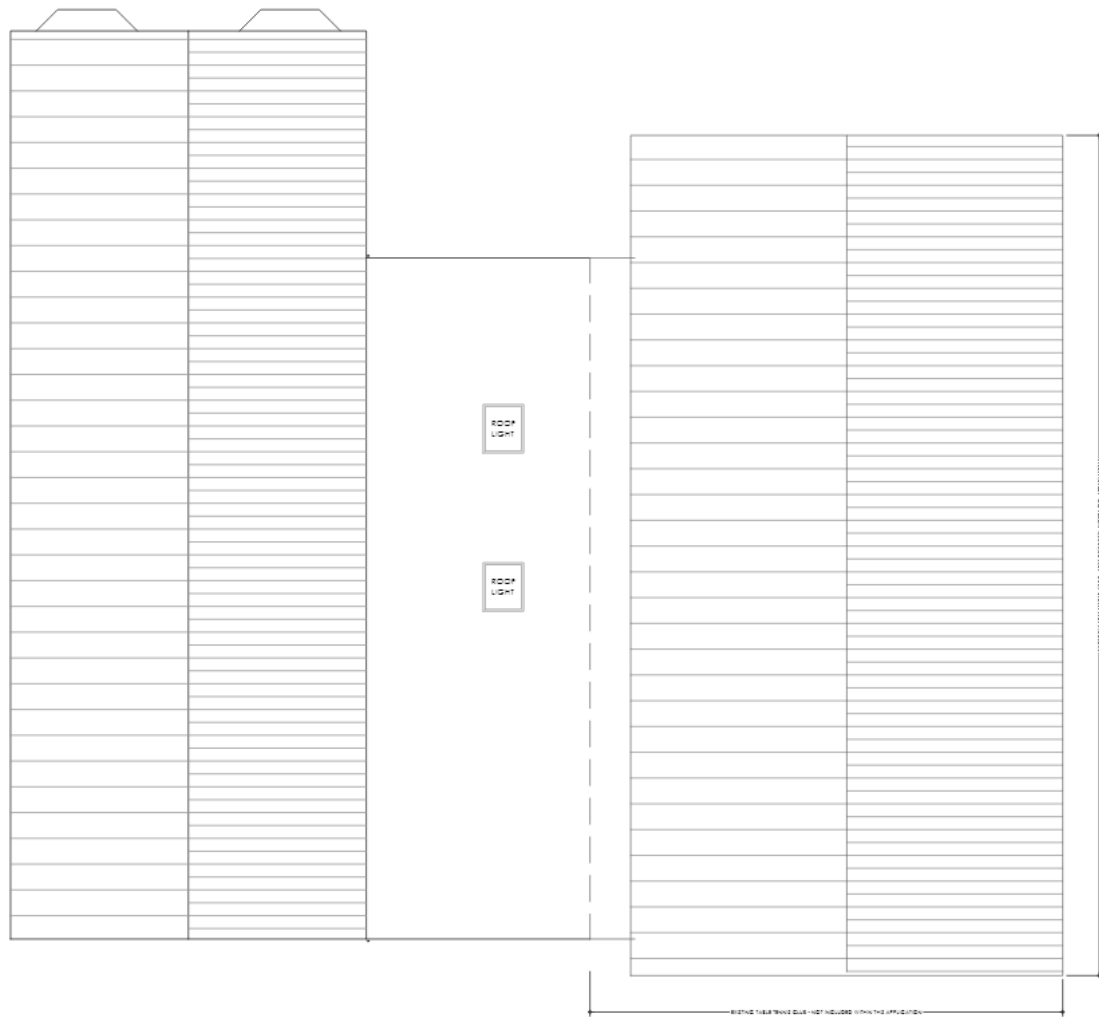




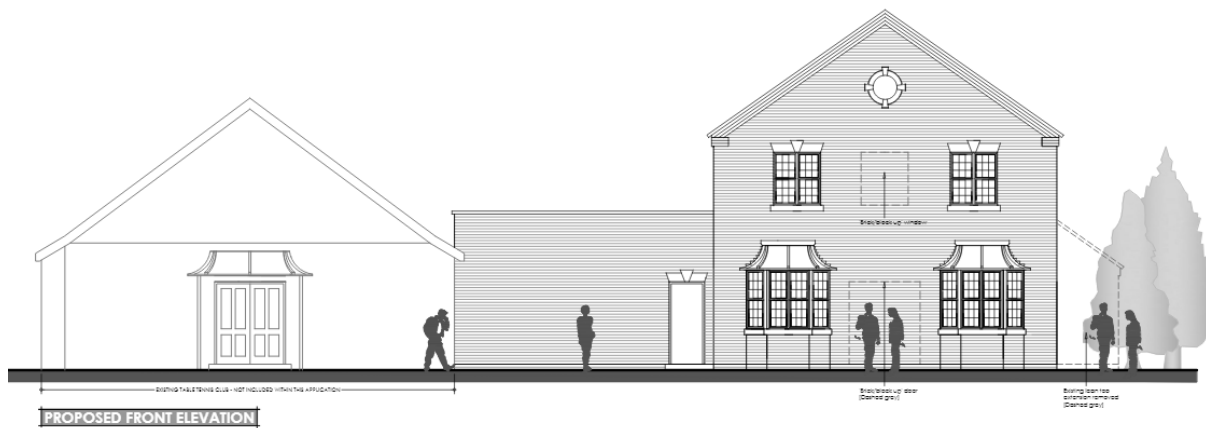
Proposed Plans



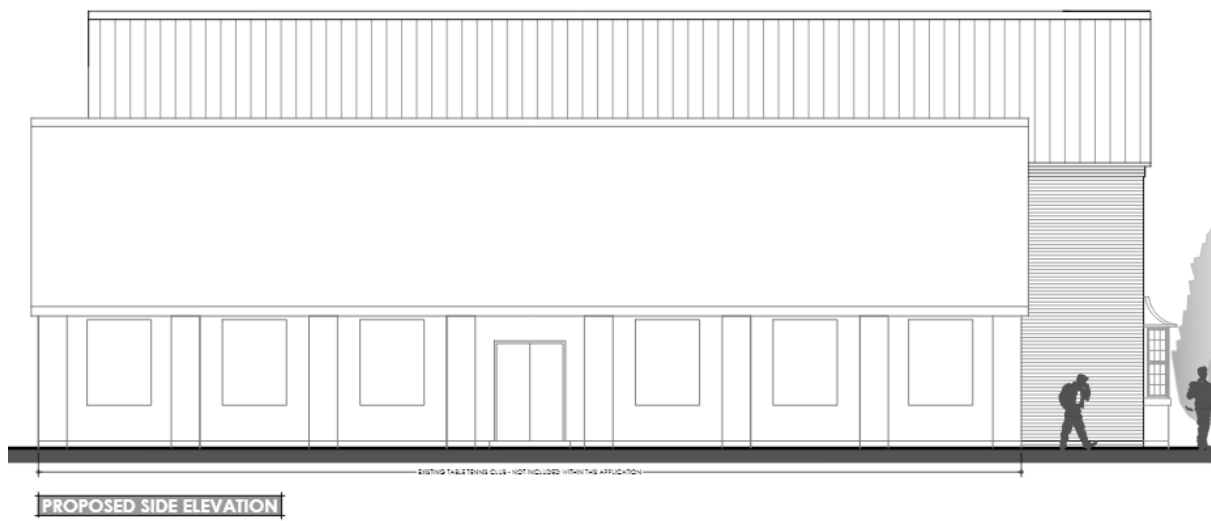


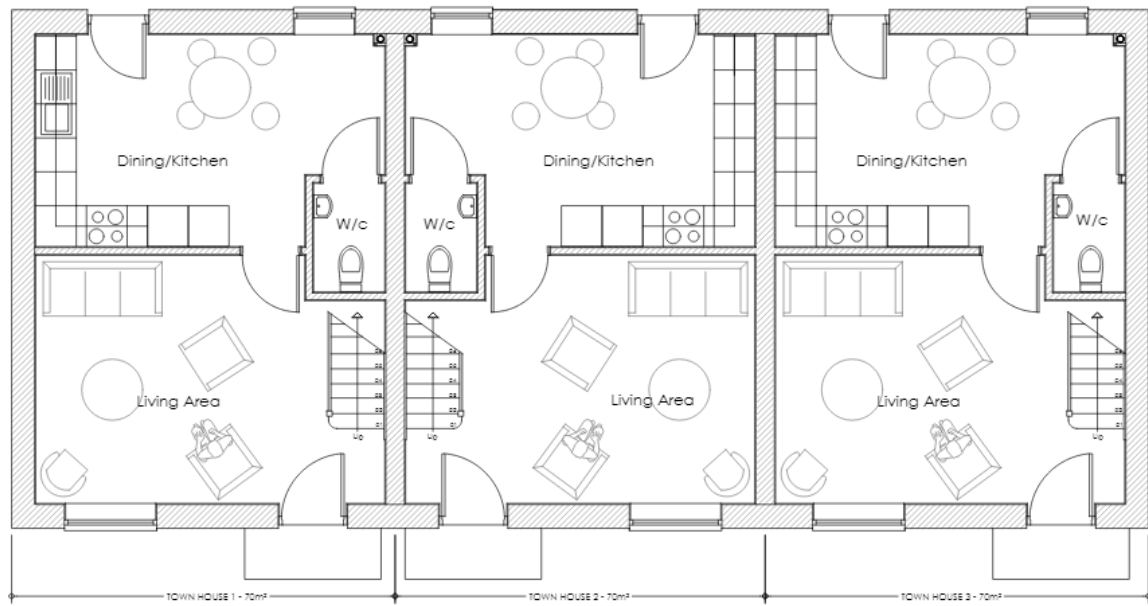


PROPOSED ROOF PLAN

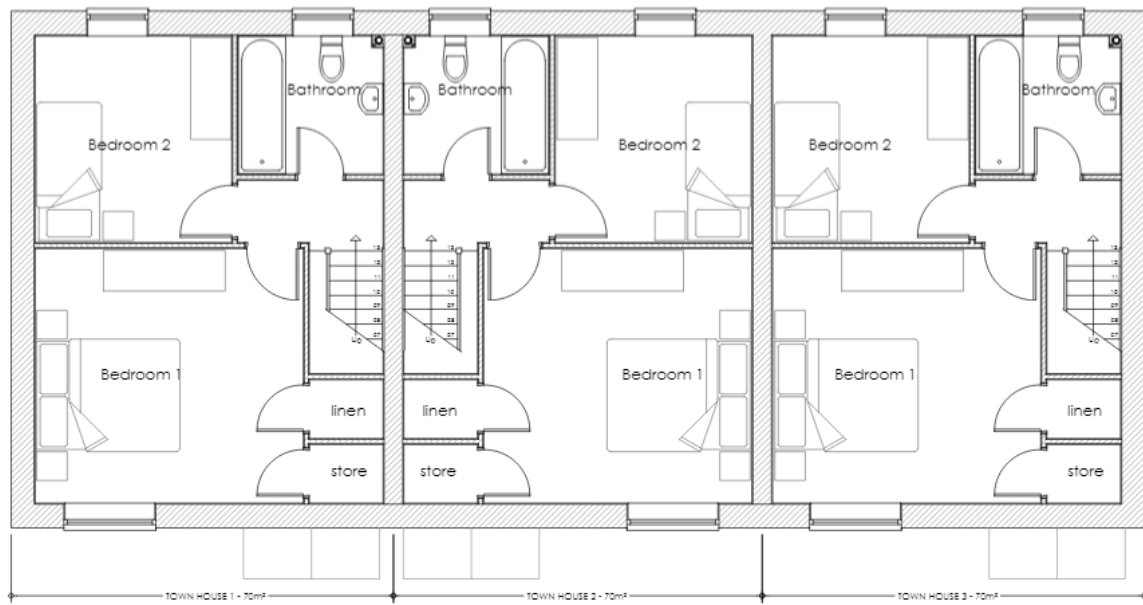


PROPOSED FRONT ELEVATION



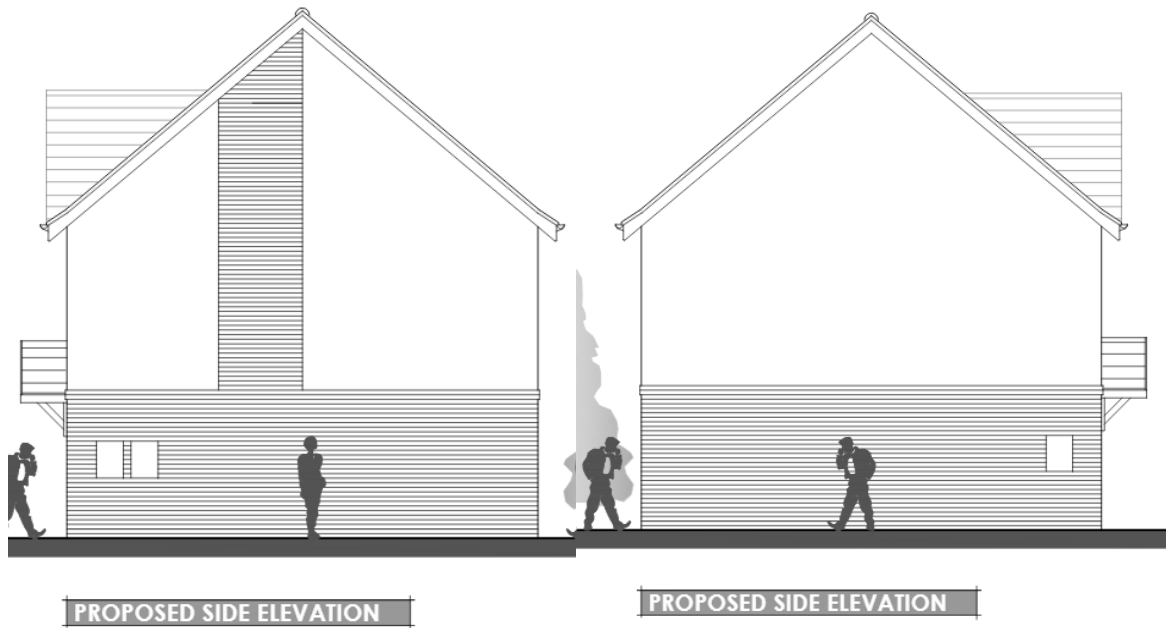


PROPOSED GROUND FLOOR PLAN

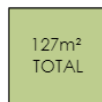


PROPOSED FIRST FLOOR PLAN





SOFT LANDSCAPING KEY



Denotes grass seeding / soft landscaped areas

Specification as follows:

- Topsoil level is to be cultivated to a minimum depth of 150mm, left even and raked.
- Sow rate minimum rate of 30gms / m.
- Soil surface is to be left slightly proud of hard surfacing.
- All grass seeding is to be in accordance with BS 4428:1989, carried out in the first seeding season following occupation.



Denotes proposed trees

- New tree planted to be 2.4m high standards, twice tied with rainbow ties to 63mm stakes & protected with plastic spiral guards.

Ref	Common Name	Latin Name	Matured Height/Spread
SB	Silver Birch	Betula pendula	15m/8m
FM	Field Maple	Acer campestre	9m/7m
BBC	Birch Bark Cherry	Prunus serrula	5m/4m

Site Photos

















Consultee Responses



Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
developmentmanagement@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2023/0642/FUL

Proposal: Conversion of building to 6 apartments and erection of 3 dwellings

Location: Post Office Sport and Social Club, Dunkirk Road, Lincoln, Lincolnshire, LN1 3UJ

With reference to the above application received 29 September 2023

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

ADDITIONAL INFORMATION REQUIRED

Consideration needs to be given to parking; minimum parking requirements is 2 for a 2bed dwelling, and 1 per flat, plus visitor allowance for flatted developments.

Please can the applicant demonstrate adequate parking provision on the block plan.

Case Officer:

Date: 18 October 2023

Justine Robson

LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Lincoln City Council

Application number: 2023/0642/FUL

Application Type: Full

Proposal: Conversion of building to 6 apartments and erection of 3 dwellings

Location: Post Office Sport and Social Club, Dunkirk Road, Lincoln, Lincolnshire, LN1 3UJ

Response Date: 16 November 2023

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

General Information and Advice

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

Application number: 2023/0642/FUL

Application Type: Full

Location: Post Office Sport and Social Club, Dunkirk Road, Lincoln, Lincolnshire, LN1 3UJ

Highway and Lead Local Flood Authority Report

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Recommendation: No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has twelve spaces, and this is adequate for this development in this location; the site is located in an urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport.

Should there be demand for more parking, drivers would have to park further afield or use alternative modes to access the development. It is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

Informatives:

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Highway Informative 04

The parking court serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Officer's Name: Justine Robson

Officer's Title: Development Management Officer

Date: 16 November 2023



Directorate of Communities & Environment
Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

29th September 2023

Your Ref: 2023/0642/FUL

Town and Country Planning Act 1990
Consultation on Planning Permission

Post Office Sport and Social Club, Dunkirk Road, Lincoln, Lincolnshire, LN1
3UJ

Conversion of building to 6 apartments and erection of 3 dwellings

Lincolnshire Police do not have any objections to this development.

Please do not hesitate to contact me should you need further information or clarification.

Please refer to *Homes 2023* which can be located on www.securedbydesign.com Homes
2019.

Crime prevention advice is given free without the intention of creating a contract.
Neither the Home Office nor the Police Service takes any legal responsibility for the advice
given. However, if the advice is implemented it will reduce the opportunity for crimes to be
committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)

Public Consultation Responses

Name

Miss Rebecca Smith

Address

111 Dunkirk Road, Lincoln, Lincolnshire, LN1 3UJ

Date Received: 23rd November 2023

Whilst it is good to see the previous objections have been rectified on the revised plans, the configuration of the land use, namely the siting of parking spaces 1, 2 and 3 raises new issues.

This in the main, relates to the pre-existing issues on highway safety at the Mons/Dunkirk Road junction. As has been highlighted in previous objections, this is already effectively a blind junction. According to the highway guidelines there should be 10 metres between the road junction and the vehicular access/dropped kerb. Spaces 1 and 2 both fall under this 10 metres with space 1 just c. 3.5 metres from the junction, resulting in the potential to add to the existing issues.

As much as it pains me to state it, given the lack of land given over to green space on the plans, the silver birch proposed for the corner with a maximum mature height of 15m/spread of 8m also has the potential to further reduce visibility at the junction.

With regards to the proposed parking space 3, there is currently a street light located on the pavement in front of it. I cannot see any mention in the revised document on any planned re-siting of this light.

Also, is the applicant aware of the planned installation of a telegraph pole, seemingly in front of the proposed front door for Plot H3?

This development is increasingly coming across as an exercise in squeezing too much onto too small a plot of land. My property has the smallest footprint on the Blenheim Square development and provides just about enough outdoor space. The land area for each of the proposed houses is significantly less, with nothing provided for the flats. There is a potential here to create an attractive, pleasant environment, with associated health benefits for future occupants. As things stand, they will be crammed in, sorely lacking outdoor space, making it more befitting of an inner city than this "edge of centre" location.

Name

Mr Richard Milburn

Address

103 Dunkirk Road, Lincoln, LN1 3UJ

Date Received: 5th October 2023

This development of 9 units does not have enough provision for parking. Each unit only has one space. This will increase parking on the street which is already at a maximum. Also by having 9 units this will increase traffic down a small road which has limited passing

places. Its appreciated the existing building is being re purposed. However the proposal to build three more units in the car park is squeezing housing on a small footprint creating low quality property and increasing traffic down an access which isn't suitable. There is also no mitigation offered on how the building works will impact the immediate neighbours.

Name

Mrs Vicky Heslop

Address

Longstone House, High Street, Washingborough, Lincoln, Lincoln, LN4 1AZ

Date Received:

13th October 2023

Just to clarify my interest - I have a relative in Dunkirk Road who I visit regularly by car. I object to the planned development on the following grounds:

1. Inadequate parking provision in an already busy road. One vehicle per household is unlikely in this day and age, as proved by the 2021 census showing an average of 1.35 cars per household, and besides, that end of Dunkirk Road attracts drivers parking there to walk into the city. Also, the road is particularly congested when the table tennis club is busy.
2. There is no mention of a traffic impact study in the planning application, which is an oversight.
3. There is no statement on the provision of waste and recycling facilities for the flats - another omission from the planning application.
4. If the owners of the property on the corner of Mons Road and Dunkirk Road erect fences or plant trees to maintain some privacy against the proposed developments, this would result in very much reduced visibility for drivers turning out of Mons Road and those driving down Dunkirk Road towards Burton Road, so a potential safety hazard.

Name

Councillor Donald Nannestad

Address

Date Received:

31st October 2023

Good morning

I request that planning application 2023/0642/FUL relating to six apartments and three dwellings should go to planning committee for a decision.

There are already several objections. The parking arrangements need to be reviewed as the parking arrangements for the developments across the road at Blenheim Square and Cambrai Close have been

inadequate resulting in chaotic and potentially dangerous parking in this area - a daily situation. This appears to be due to the lack of foresight in understanding how many of the residents would have cars. I intend to submit photographs to show the current problem which is exacerbated by the fact that it is very close to a blind bend - the entrance to Anzio Crescent. These problems will only be made worse unless there is adequate and realistic parking arrangements for this site.

Best wishes

Donald Nannestad

Name

Mrs Vicky Heslop

Address

Longstone House High Street, Washingborough, Lincoln, Lincoln, LN4 1AZ

Name

Miss Rebecca Smith

Address

111 Dunkirk Road, Lincoln, Lincolnshire, LN1 3UJ

Date Received:

7th October 2023

I object to the planned development in its current form on the grounds of inadequate parking provision and the resultant impact on highway safety and congestion.

The development plan states that due to proximity to the town centre one space per household is sufficient. It does not address that this "edge of centre" location also makes it ideally placed for those wishing to live in Lincoln but commute for work/leisure to the surrounding areas. Private transport being a necessity here in the absence of suitable public transport. Nor does it address the impact of visitor parking. Furthermore the 2021 census data for Lincoln shows that there is an average of 1.35 cars per household, suggesting a minimum of 12 spaces is necessary.

This one car per household policy has been used for all development since c.2006 on Dunkirk Road and the adjacent Blenheim Square. A visit to the area on a standard evening or early morning illustrates that this parking provision is clearly not sufficient. Cars are parked on both sides of Dunkirk Road, with parking on the pavement, itself a pedestrian obstruction, needed to maintain road access. The adjacent Mons Road and Cambrai Close are also typically heavily parked. Furthermore, these cars result in poor visibility of oncoming traffic when turning out of Cambrai Close onto Dunkirk Road. A further hazard ensuing in the mornings when the road is used by school children.

Dunkirk Road is the only means of access to and from Burton Road for approximately 300 properties. There is already a steady stream of traffic past the planned development. This proposed development in its

current form will result in more parked cars on what is an already congested Dunkirk Road and will exacerbate all of the above issues.

A final minor observation, I cannot see any space provision on the current plans for the waste and recycling bins for the flats. The flats at both Blenheim Square and Sobraon Heights have designated areas set aside for these, with those at Blenheim Square visible on the associated development plans.

Name

Mr John Morrison

Address

Anzio Crescent, Lincoln, LN1 3PX

Date Received:

4th October 2023

I have no objections to the scheme per se, specifically since the redevelopment of the site would be a good use of the former PO club and the possibility of it re opening as such , given the reasons it closed, would be unlikely. The conversion of the existing building to flats would also, subject to the Council being content they would be of an acceptable size, be a sustainable use of an existing asset.

My concerns relate to the erection of the terrace of three units specifically, their position relative to the junction of Mons Road and Dunkirk Road and the overall plot size and location. In addition to parking provision for the scheme as a whole.

The junction of Mons Road and Dunkirk Road at the point adjacent the entrance to the existing car park suffers from sub standard visibility due to the forward position of the dwellings to the west. Drivers exiting Mons Road at this point struggle to see past the closest house and, as such, have to pull out into Dunkirk Road. This then becomes an obstacle and consequent highway safety issue in itself. I have had a near miss on this junction for this very reason on more than one occasion and on another my wife would have been knocked off her bicycle had she not taken evasive action. This visibility problem is exacerbated by vehicles being parked either side of Dunkirk Road, forcing drivers to take to the middle of the carriageway.

I appreciate this is an existing problem but, as the proposed plans show, there is a distinct risk of the same situation occurring in the opposite direction with the proposed three dwellings being sat so far towards the Dunkirk Road boundary of the application site. The alignment of Dunkirk Road is slightly better east of the junction but since this is the direction of oncoming traffic towards Mons Road, maximum visibility would be more important.

One could legitimately say that, as an estate road, traffic is moving at a more sedate pace but this is not the reality of the day to day use of Dunkirk Road which, as well as Mons, serves the flats and dwellings around the Cambrai Close and Blenheim Square developments and the Anzio estate as a whole. Amount of speed of traffic therefore, for me, would not be sufficient reasons to accept sub standard visibility.

Moving onto the three new plots, the gardens for them strike me as very small. Arguably commensurate with the size of the dwelling but shallow and of poor quality for occupiers given, in the case of the plot closest to Mons Road specifically, the unit would be surrounded by a road, a side road and a communal access to a shared car park. The latter feature also having something of a reducing effect to the quality and experience of the external spaces to all three. They would, as a result, be cramped, noisy and not sufficient private.

In terms of parking, I see from the plans there are to be nine spaces, one for each of the units. Whilst off street parking is at a premium locally and therefore a welcome feature, the reality is that any more vehicles that future occupiers will have access to would be displaced to the surrounding road network which, as I have already pointed out, is a free flow problem for existing users of Dunkirk Road.

Seldom does the planning process, or specifically decisions therein, have the potential to affect life. In the case of visibility and thus highway safety, this is one of the times it does.

Date Received: 27th November 2023

Following on from my previous comments, the changes to the layout of the proposed development appear, in a bid to address one problem, to have created another.

The provision of the additional parking as required by the highways authority is welcome but the configuration is such that it would lead to vehicles reversing within the highway in very close proximity to the aforementioned constrained junction between Mons Rd and Dunkirk Road and all it entails with previously explained visibility and oncoming traffic alignment issues. I appreciate this arrangement is already in use opposite and would not be dissimilar to local private driveways but such manoeuvres across the mouth of the junction, as well and not instead of the existing situation opposite, could lead to additional vehicle to vehicle conflict and be dangerous to pedestrians crossing the road.

The three new spaces adjacent the back edge of the Mons Rd footway also now encircle what is already a very small garden to the closest unit with parking and vehicle circulation space. This would result in a very poor quality space for users. I appreciate there may not be minimum standards for gardens expected by the Council (given the space associated with the Dunkirk Rd facing units on the opposite side of Mons Rd) but planning should not follow a 'pins into visible gaps' approach and consider whether a given scheme would provide acceptable living conditions for future occupiers.

Name

Miss Fiona Warner

Address

107 Dunkirk Road, Lincoln, LN1 3UJ

Date Received: 8th October 2023

I am concerned about the impact the development may have on

parking and traffic in the Dunkirk Road area. As a resident I believe that this development proposal lacks adequate consideration for the existing traffic and parking issues in the vicinity.

The present situation of on-street parking along Dunkirk Road has already resulted in the road functioning as a single lane for traffic flow. Given that Dunkirk Road is the sole entry and exit route for residents in this vicinity to reach Burton Road, this configuration can significantly complicate navigation. Currently, it appears that the available parking spaces are fully occupied, contributing to a substantial volume of traffic on the road. I would like to emphasise two specific areas of concern:

Limited visibility at Mons Road and Dunkirk Road Corner:

The T junction of Mons Road and Dunkirk Road already presents a safety concern due to the limited visibility caused by a Openreach box. This obstruction can make it extremely dangerous for residents and visitors to navigate this intersection, especially during busy hours. The proposed development should take into account measures to improve visibility and safety at this corner.

Congestion at Cambrai Close and Dunkirk Road Junction:

Additionally, the junction of Cambrai Close and Dunkirk Road is already prone to congestion when cars park too close to the junction at busy periods. This not only leads to traffic bottlenecks but also poses a significant risk to road users, as it reduces the space for safe maneuvering.

While it is encouraging to see that parking considerations have been factored into the plans for residents of the proposed site, there appears to be a lack of consideration for parking facilities for visitors to the site. This oversight may result in increased on-street parking, further exacerbating the existing congestion and making it even more challenging for residents to find parking near their homes.

Please thoroughly evaluate the proposed development's potential impact on parking and traffic in the Dunkirk Road area. It is important to prioritise the safety and well-being of the existing residents.

Name

Miss Samantha Mori

Address

113 Dunkirk Road, Lincoln, Lincolnshire, LN1 3UJ

Date Received:

3rd October 2023

I am against the development as I don't feel there is adequate parking provision. There is one allocation per household. Given this has been applied to all developments down here and the fact the road is frequently like an obstacle course to drive down, one clearly isn't enough.

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Application Number:	2023/0788/HOU
Site Address:	28 Derwent Street, Lincoln, Lincolnshire
Target Date:	25th January 2024
Agent Name:	None
Applicant Name:	Mr Tanzeel Rehman
Proposal:	Erection of single storey side and rear extension

Background - Site Location and Description

The application proposes the erection of a single storey side and rear extension. The application property is 28 Derwent Street, a two storey mid terrace dwelling.

The application is brought before Planning Committee as it has been called in by Councillor Neil Murray.

A certificate of existing lawfulness has been granted for the continued use of the property as a Small House in Multiple Occupation (Use Class C4) 2021/0060/CLE. The dwelling can therefore be occupied as a C4 HMO which permits up to 6 individuals to live within the property.

The site is located within Flood Zone 2.

Site History

Reference:	Description	Status	Decision Date:
2021/0060/CLE.	Continued use of property as a House in Multiple Occupation (Class C4) (Application for Certificate of Lawfulness).	Granted	22nd March 2021

Case Officer Site Visit

Undertaken on 15th December 2023.

Policies Referred to

- Policy S53 Design and Amenity
- National Planning Policy Framework
- Policy S13 Reducing Energy Consumption in Buildings

Issues

To assess the proposal with regard to:

- 1) Accordance with National and Local Planning Policy
- 2) Impact on residential amenity
- 3) Impact on visual amenity
- 4) Highway safety, access and parking
- 5) Reducing energy consumption
- 6) Other matters

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Witham And Humber Drainage Boards	Witham House, Meadow Lane, North Hykeham, LN6 9QU

Consideration

Principle of the Development

The existing dwelling is occupied as a C4 hmo which permits up to 6 individuals to live within the property. The application proposes a single storey extension to the rear to accommodate expanded living space and officers may therefore principally consider the physical and visual impact of the extension upon the neighbouring properties.

Local and National Planning Policy

Paragraph 11 of the revised NPPF outlines that decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

The application is for alterations to a residential dwelling and therefore Policy S53 - Design and Amenity of the Central Lincolnshire Local Plan are relevant.

Policy S53 states that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Good design will be at the centre of every development proposal and this will be required to be demonstrated through evidence supporting planning applications to a degree proportionate to the proposal.

Impact on Residential Amenity

The existing single storey off-shoot measures approximately 7m in depth with a width of 2.2m. The mono-pitched roof projects up towards the side, southern boundary with 30 Derwent Street. This neighbouring property also has an rear off-shoot with the same

projection.

The proposal will increase the projection of the off shoot by 3.43m, the width of the proposal would increase by 1m, the height of the eaves would be 2.3m and 3.5m high to the ridge, similar to the existing.

The extension would be located on the boundary adjacent to the rear offshoot of no. 30 and project 3.43m beyond this, the proposed extension would have a slightly lower ridge height. As the extension is single storey and adds a minor projection beyond the existing, it is not considered that it would be unduly overbearing when viewed from No. 30, nor would it result in any significant loss of light. There are no windows proposed in the elevation facing No.30 and therefore there would be no issues of overlooking to this neighbouring property.

The proposed extension would be located approximately 0.96m from the boundary with 26 Derwent Street, the boundary is partly defined by a 1.8m high brick wall which reduces to a height of 1.35m, a closed boarded timber fence on the side of No.26 raises to a height of 1.8m on the lower section of the wall.

No.26 has an existing single storey offshoot positioned on the opposite boundary line, at approximately 2m from the shared boundary. The proposal would have a minor enclosing effected on No.26, however given that the structure would be single storey with a pitch roof sloping away, on balance, it is not considered this extension would be unduly overbearing or enclosing nor cause loss of light to warrant refusal of this application.

A utility room and kitchen window are proposed within the facing elevation with No.26, the existing boundary treatment would provide some mitigation from these. Given the existing window relationship and boundary treatment providing some mitigation, it is not considered that overlooking to No.26 would not be unduly exacerbated beyond the current levels between these dwellings to warrant refusal of this application.

There are no other properties in the vicinity which would be affected by the proposal it is therefore considered that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with CLLP Policy LP53.

Impact on Visual Amenity

The proposed extension is located at the rear of the property where public views are limited. While the extension covers a larger proportion of the existing rear yard, there is no objection to the scale or position and officers consider that it would sit comfortably on the dwelling. The simple design with a mono pitched roof, with the use of materials to match would complement the existing property.

The extension would therefore reflect the original architectural style of the local surroundings, relating well to the site and context, in accordance with Central Lincolnshire Local Plan (CLLP) Policy S53.

Highway Safety, Access and Parking

Whilst the extension would enhance the accommodation for the existing property it would not alter its existing permitted lawful C4 use which allows up to 6 unrelated people to live at the property. The Highway Authority has been consulted and confirmed that the proposed

development would not be expected to have an unacceptable impact upon highway safety, a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application. Therefore, based on this advice it is considered that the proposal would not be detrimental to highway safety or traffic capacity.

Reducing Energy Consumption

CLLP Policy S13 requires that "for all development proposals which involve the change of use or redevelopment of an existing building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended." The more modern construction of the proposed extension, which will be built in accordance with Building Regulations, is likely to improve the energy efficiency of the property.

Other Matters

Bin Storage

An area for bin storage is not identified on the site plan, however, there is sufficient external space within the site for this to be accommodated.

Flood Risk

The agent has submitted the Environment Agency's standing advice form for householder development which indicates that the floor levels within the proposed development will be set no lower than the existing levels. Lincolnshire County Council as the Lead Local Flood Authority does not wish to object to this planning application. It is therefore considered that flood risk issues have been adequately addressed.

Conclusion

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.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally.

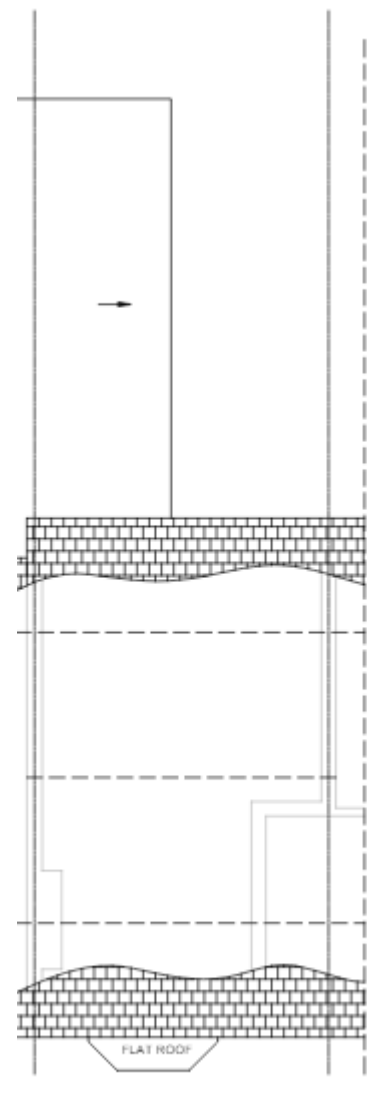
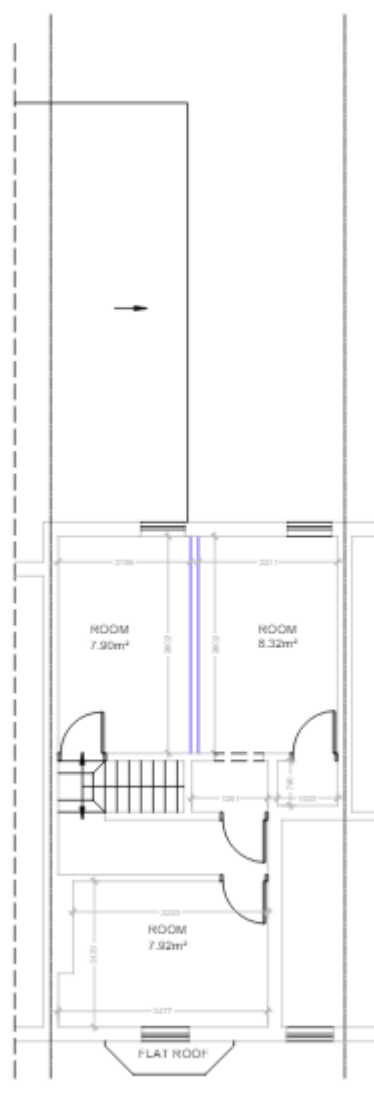
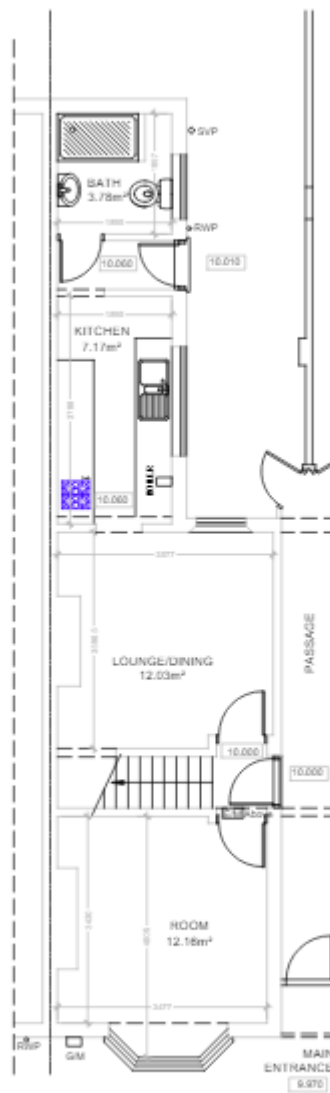
Standard Conditions

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

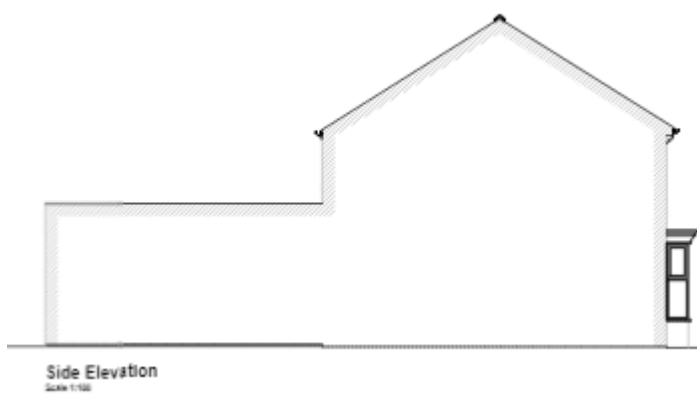
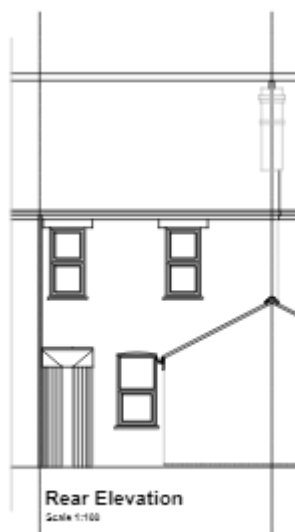
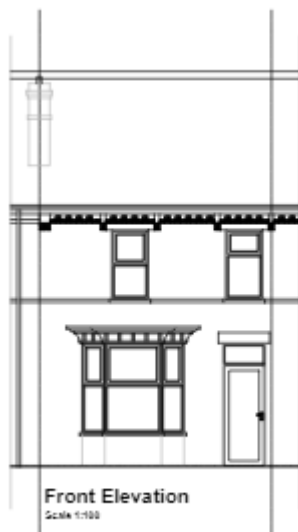
Site Location Plan



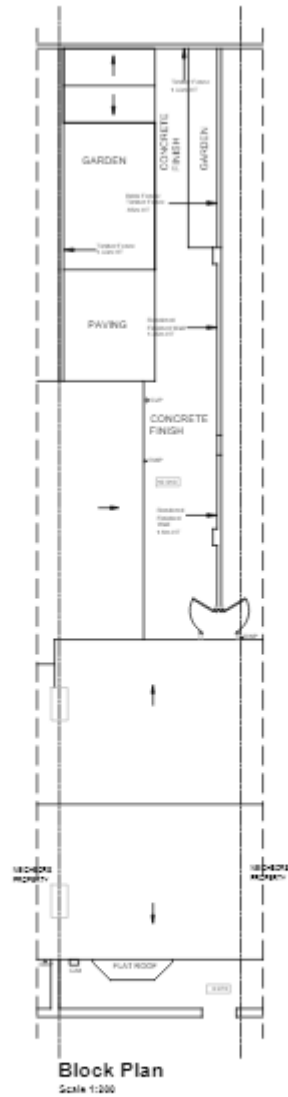
Existing Floor Plans



Existing Elevations

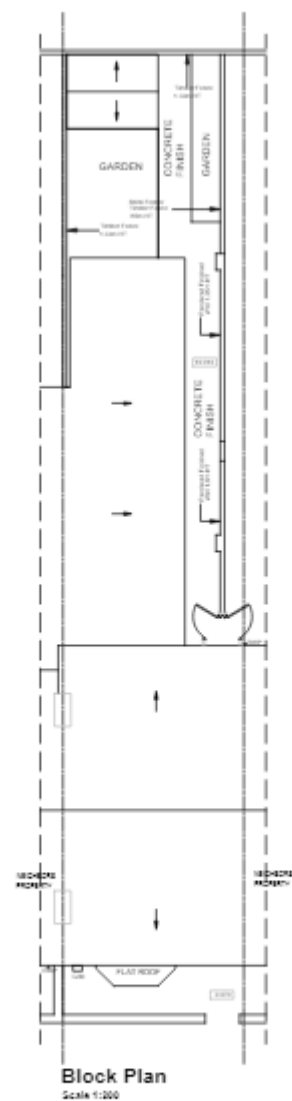


Existing and Proposed Block Plan



EXISTING BLOCK PLAN

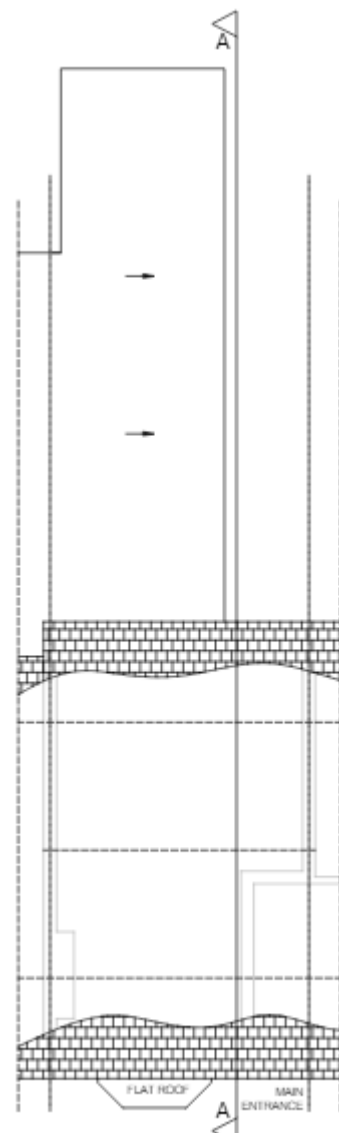
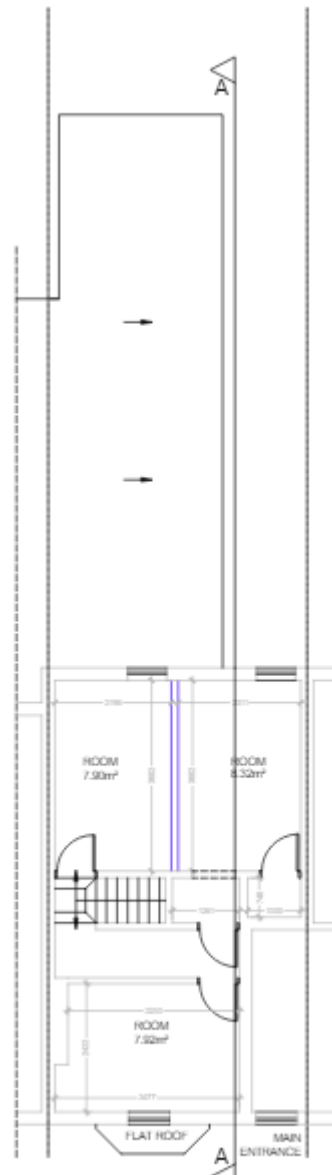
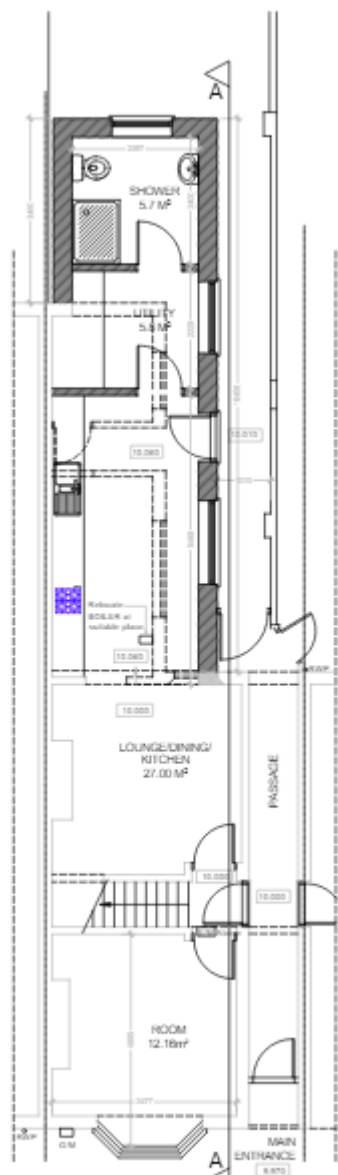
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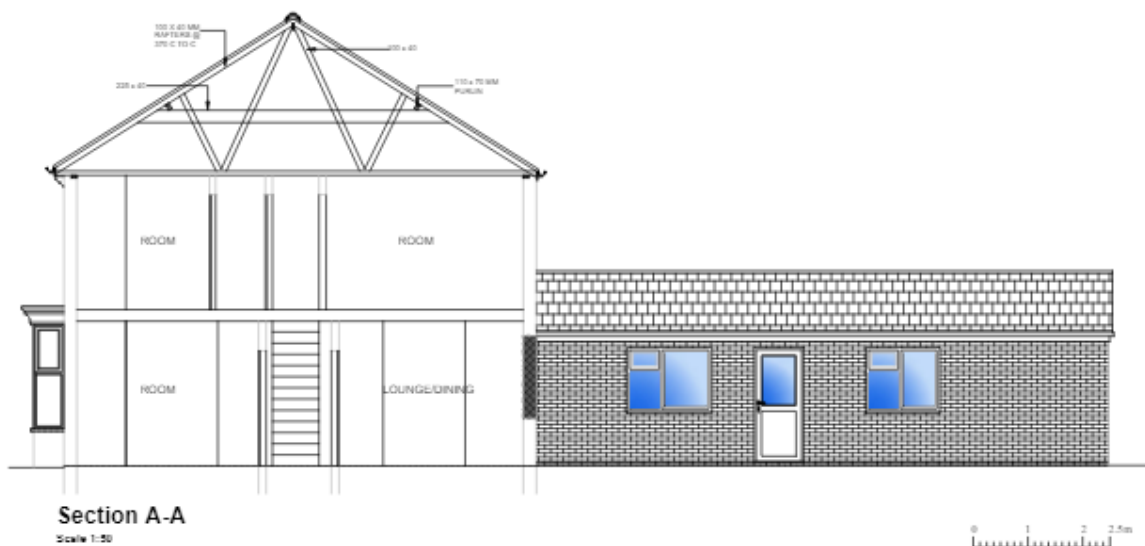
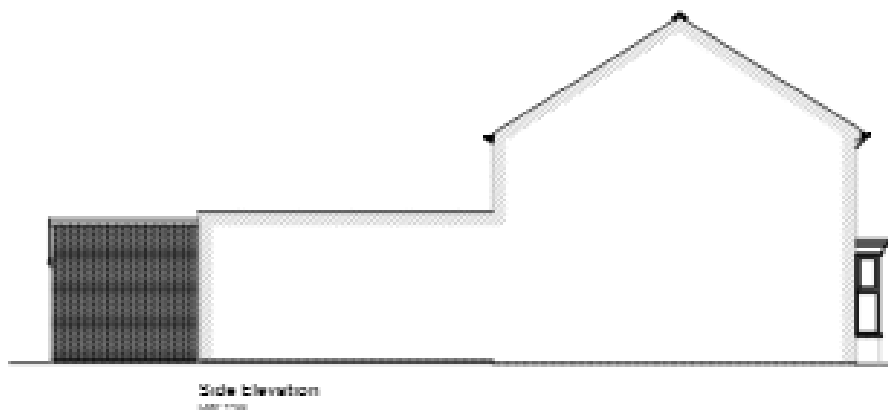
PROPOSED BLOCK PLAN

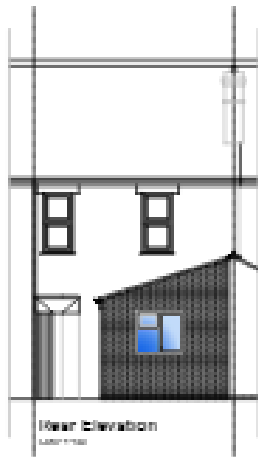
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Proposed Floor Plans



Proposed Elevations.





Site Photographs







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LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Lincoln City Council

Application number: 2023/0788/HOU

Application Type: Householder

Proposal: Erection of single storey side and rear extension

Location: 28 Derwent Street, Lincoln, Lincolnshire, LN1 1SL

Response Date: 9 November 2023

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

General Information and Advice

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

Application number: 2023/0788/HOU
Application Type: Householder
Location: 28 Derwent Street, Lincoln, Lincolnshire, LN1 1SL

Highway and Lead Local Flood Authority Report

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Recommendation: No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for a single storey side and rear extension and it does not have an impact on the Public Highway or Surface Water Flood Risk.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

IDB Comments:

The board objects in principle to any development in within Flood Zone 2 on the Environment Agency Maps.

From: Abi Gilbert <abi.gilbert@witham3ldb.gov.uk>
Sent: 14 November 2023 13:39
To: HighwaysSUDsSupport <HighwaysSUDsSupport@lincolnshire.gov.uk>; Technical Team (City of Lincoln Council) <Technical.Team@lincoln.gov.uk>
Cc: Planning and Consents <planning@witham3ldb.gov.uk>
Subject: RE: IDB - OBSERVATIONS ON CONSULTATION REQUEST

Warning: External Email. Do not click links, open attachments, or reply unless certain of safety. Do not share inappropriately.

[Allow sender](#) | [Block sender](#)

UD-6627-2023-PLN

REFERENCE: 2023/0788/HOU
DEVELOPMENT: ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION
LOCATION: 28 DERWENT STREET, LINCOLN, LINCOLNSHIRE, LN1 1SL

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district.

The Board would like to make the applicant aware that the development is within Flood Zone 2 on the Environment Agency's Flood Maps.

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps). However, it is up to City of Lincoln Council as the planning Authority granting planning permission. It is noted that a Flood Risk Form has been included within the application.

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

- If soakaways are proposed the suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be reconsulted.
- Where Surface Water is to be directed into a Mains Sewer System the relevant bodies must be contacted to ensure the system has sufficient capacity to accept any additional Surface Water.
- Any discharge into a water course will require a consent from the Board under the Land Drainage Act.

Many thanks,

Abi Gilbert BEng (Hons)
Graduate Engineer

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Application Number:	2023/0742/HOU
Site Address:	30 Whitehall Grove, Lincoln, Lincolnshire
Agent Name:	None
Applicant Name:	Tanzeel Rehman
Proposal:	Erection of single storey side and rear extension.

Background - Site Location and Description

The application property is 30 Whitehall Grove, a two storey terraced property. The application proposes the erection of single storey side/rear extension to the existing property.

The proposals have been revised at the request of the case officer to reduce the overall footprint and projection to maintain an element of existing garden amenity space.

The application is brought before Planning Committee at the request of Ward Councillor Neil Murray.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 20th December 2023.

Policies Referred to

- National Planning Policy Framework
- Policy S53 Design and Amenity

Issues

To assess the proposal with regard to:

- 1) National and Local Planning Policy
- 2) Principle of the development
- 3) Impact on the amenity of nearby properties and occupants of the dwelling
- 4) Design and impact on visual amenity
- 5) Highway safety, access and parking

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	No Objections
Environmental Health	No Objections

Public Consultation Responses

No responses received.

Consideration

Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development.

For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay

Paragraph 135 states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The application is for alterations to a residential dwelling and therefore Policy S53 - Design and Amenity of the Central Lincolnshire Local Plan are relevant.

Policy S53 states that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Good design will be at the centre of every development proposal and this will be required to be demonstrated through evidence supporting planning applications to a degree proportionate to the proposal.

All development proposals will be assessed against, and will be expected to meet the required design and amenity criteria as identified within the policy. This criteria shall be discussed below.

Principle of the Development

The existing property benefits from a lawful development certificate to prove its existing use as a C4 HMO. Notwithstanding this, the application is a householder submission and proposes a single storey extension to the rear to accommodate expanded living space. Officers may therefore principally consider the physical and visual impact of the extension upon the neighbouring properties and the proposed occupants of the dwelling.

The application has received a request for consideration at planning committee by Ward Councillors on the grounds of the potential impact on the amenity of neighbouring properties and existing and future occupants of the property. The officer's report will cover all of the material planning considerations raised.

Impact on Amenity of Nearby Uses and Occupants of the Dwelling

The proposed extension would measure approximately 3m in total length, widening the existing footprint by approximately 500mm, creating a total of 3m in width. The new structure would have a single pitched roof measuring approximately 2.3m at the eaves and 3.4m at the highest point.

The extension is single storey and adds a minor projection beyond the existing, the majority of which would be classed as permitted development without the minimal increase in width. It is not therefore considered that it would be unduly overbearing when viewed from the adjoining property at no 32 Whitehall Grove. There would be an impact on sunlight to the rear window openings, however, officers would not consider this to be harmful, nor warrant a refusal of permission, given that this element would otherwise be permitted development in isolation. There are no windows proposed in the elevation facing No. 32 and therefore there would be no issues of overlooking to this neighbouring property.

To the opposite boundary the proposal would have a separation distance of approximately 1m to the boundary line with no. 28 Whitehall Grove, defined by a shared brick wall. The structure would have an increase in width by approximately 500mm and whilst it would have an additional impact, officers would not consider that the extension would be overbearing, nor result in any harmful loss of light. The extension replicates existing window openings to the side elevation and it is not therefore considered that this would create any new opportunity to overlook.

With regard to the amenity of the occupiers of the premises, the proposals have been revised to ensure that the extension would create an improved living accommodation, whilst retaining some garden space beyond the footprint of the development.

There are no other properties in the vicinity which would be physically affected by the proposal it is therefore considered that the development would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in

accordance with CLLP Policy S53.

Design and the Impact on Visual Amenity

The single storey extension would provide a subservient addition to the dwelling that would be of a similar height and design to that of the existing and adjacent offshoots in the immediate area. The extension would be constructed from facing brickwork and concrete roof tiles, white upvc windows and doors. The proposed materials would not result in any significant impact to the appearance of the dwelling or wider area.

In terms of overall footprint, whilst the extension would create a larger living space, it would retain some existing garden space, ensuring that the character of the area and street is maintained. The proposals would therefore be in accordance with policy S53 of the CLLP.

Highways & Parking

Highways & Planning at Lincolnshire County Council have been consulted and confirmed that the proposed development would not be expected to have an unacceptable impact upon highway safety, a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Conclusion

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.

Recommendation

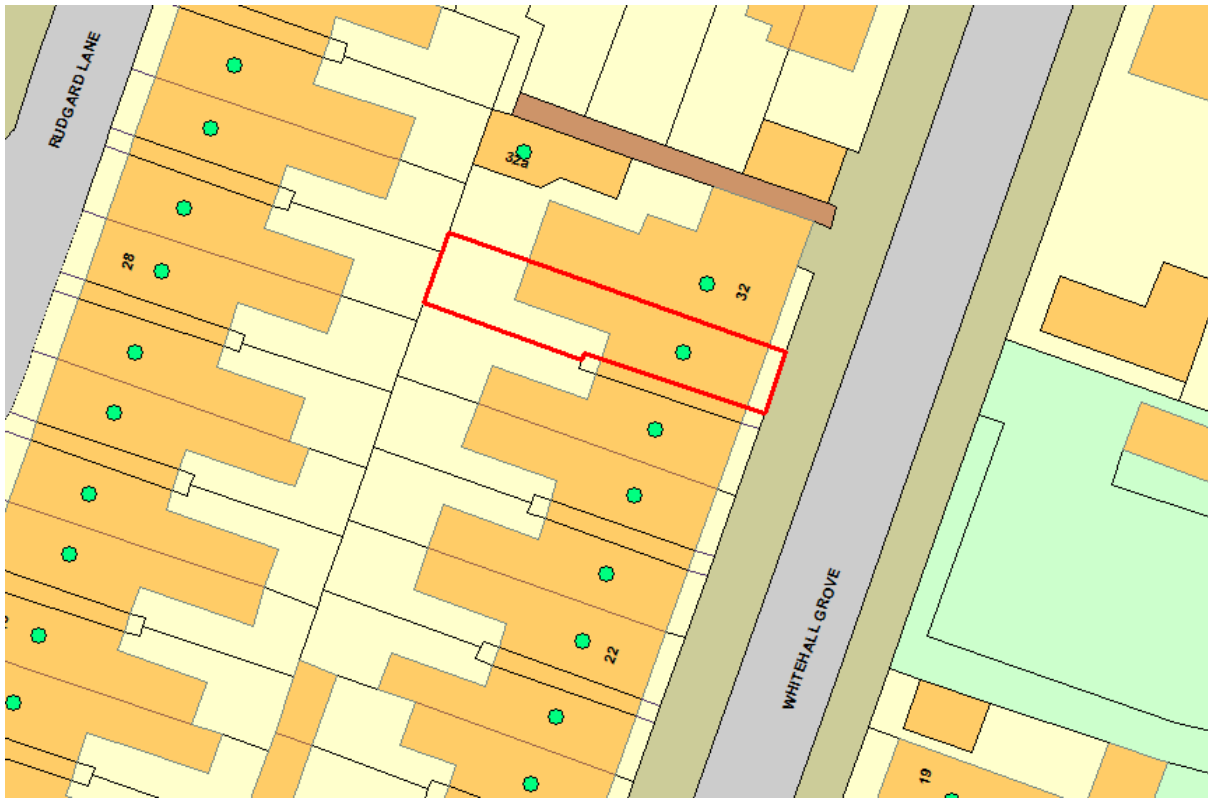
That the application is granted conditionally.

Conditions

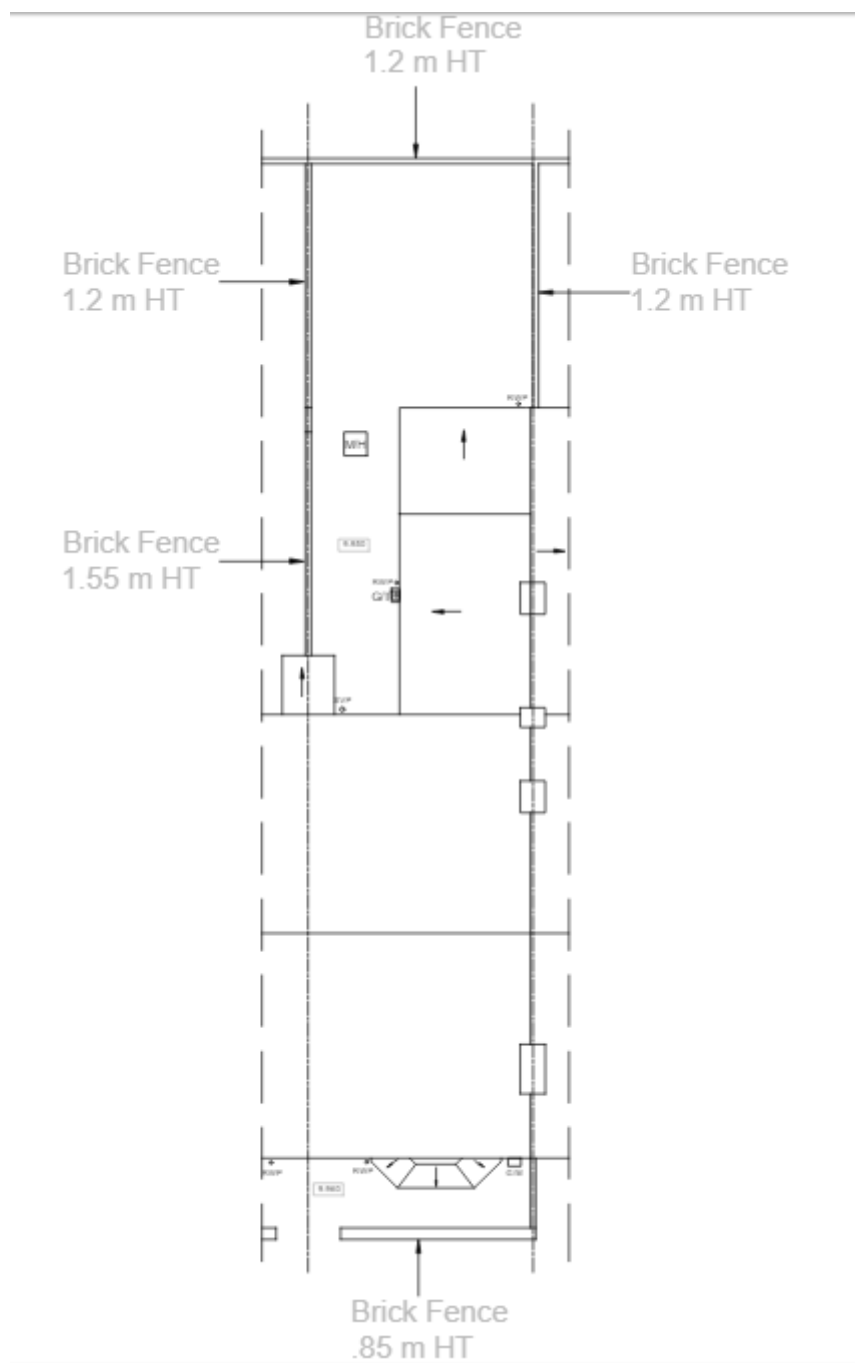
Standard Conditions

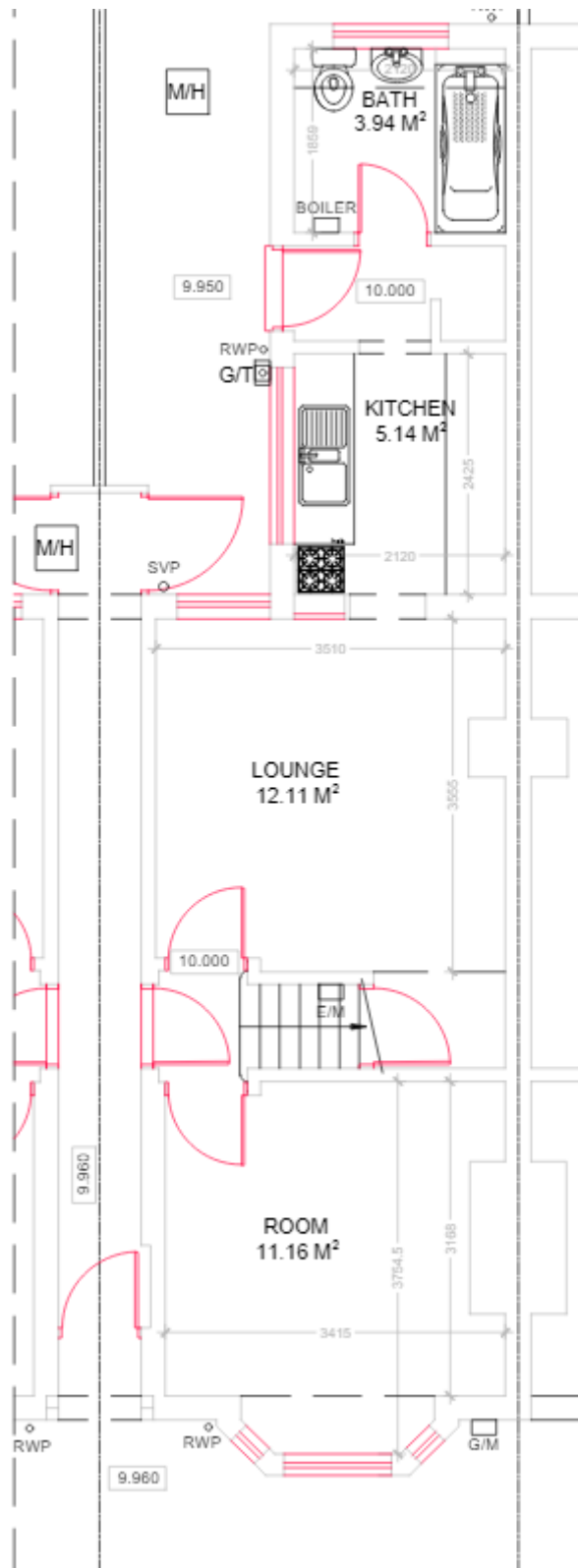
- 3 Years for implementation
- Accordance with submitted plans

Site Location

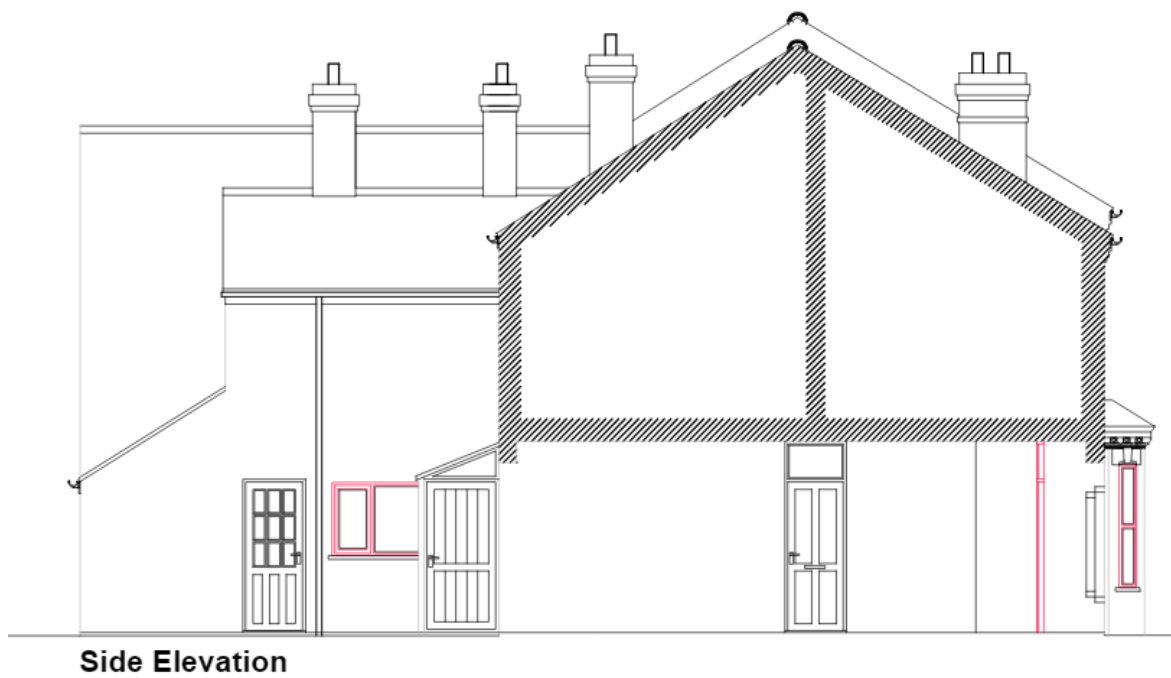
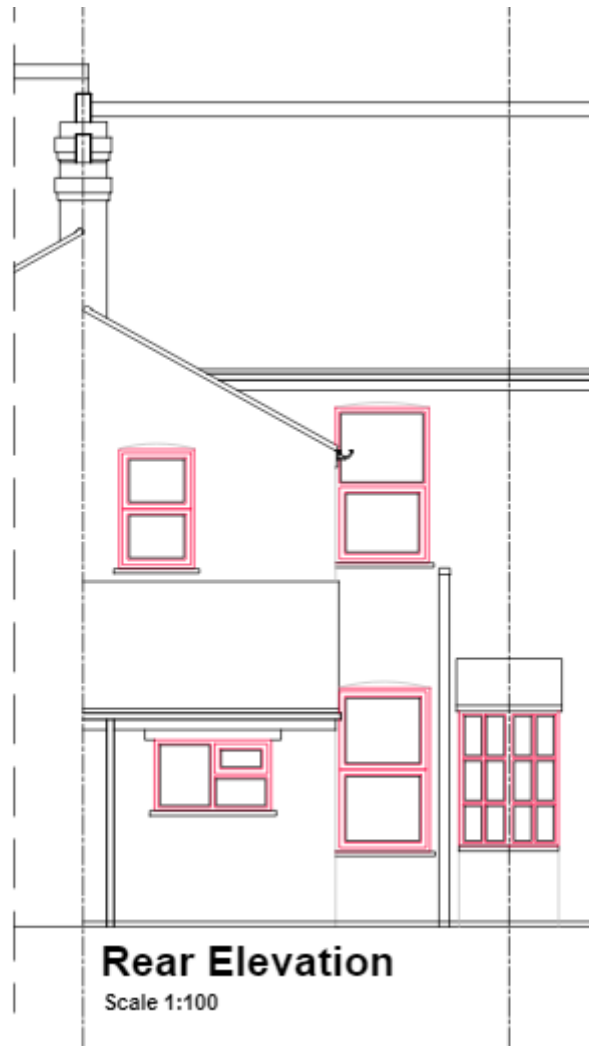


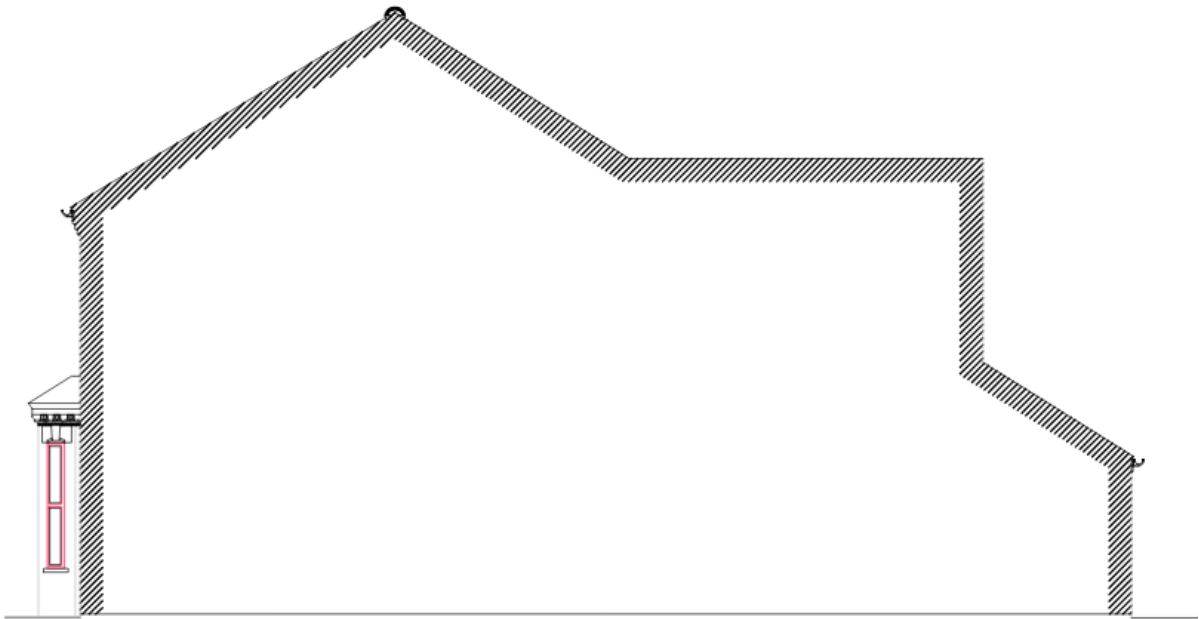
Existing Plans





Ground Floor Plan





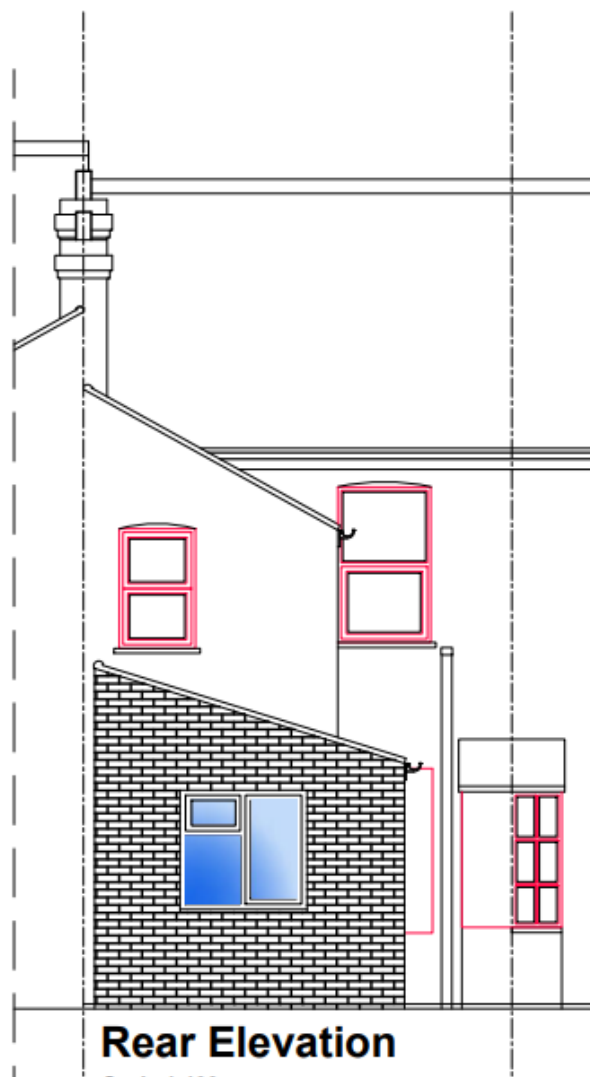
Side Elevation

Proposed Plans

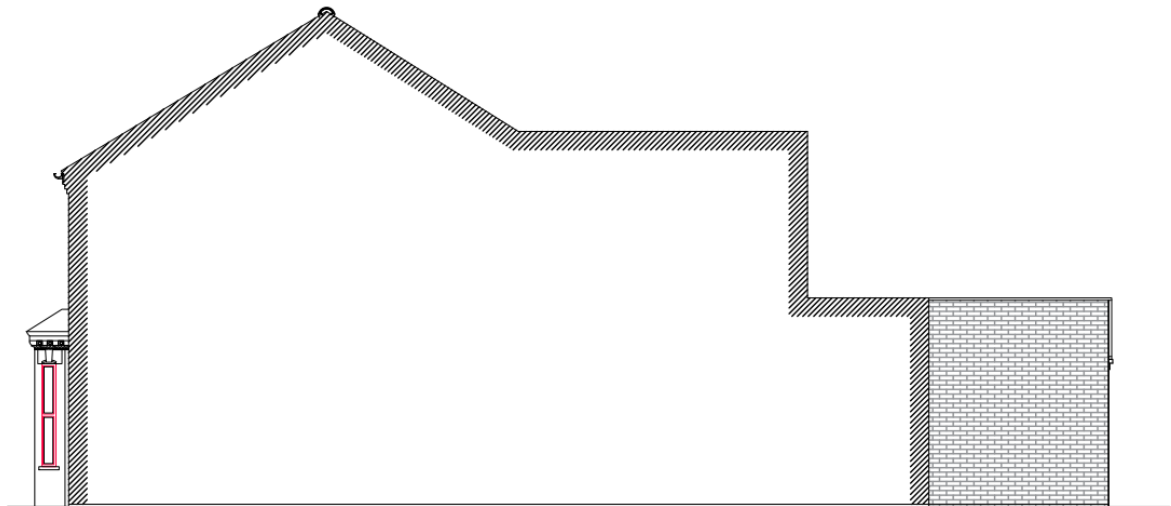




Side Elevation



Rear Elevation



Side Elevation

Site Photos











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LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Lincoln City Council

Application number: 2023/0742/HOU

Application Type: Householder

Proposal: Erection of single storey side and rear extension.

Location: 30 Whitehall Grove, Lincoln, Lincolnshire, LN1 1PG

Response Date: 23 October 2023

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

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Application number: 2023/0742/HOU
Application Type: Householder
Location: 30 Whitehall Grove, Lincoln, Lincolnshire, LN1 1PG

Highway and Lead Local Flood Authority Report

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Officer's Name: Laura Rowett
Officer's Title: Senior Development Management Officer
Date: 23 October 2023