

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

Apologies for Absence: Councillor Martin Christopher, Councillor Bill Mara and
Councillor Dylan Stothard

73. Confirmation of Minutes - 20 March 2024

RESOLVED that the minutes of the meeting held on 20 March 2024 be confirmed and signed by the Chair as a true record.

74. Update Sheet

An update sheet was not issued for tonight's meeting.

75. Declarations of Interest

Councillor Bob Bushell declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel 50, Boultham Park Road, Lincoln'.

Reason: He sat as a member of the Upper Witham Drainage Board.

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

He would therefore be participating in the meeting as a member of the Committee.

Councillor Debbie Armiger declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel 50, Boultham Park Road, Lincoln'.

Reason: She sat as a member of the Upper Witham Drainage Board.

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

She would therefore be participating in the meeting as a member of the Committee.

Councillor Gary Hewson declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel 50, Boultham Park Road, Lincoln'.

Reason: He sat as a member of the Upper Witham Drainage Board.

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

He would therefore be participating in the meeting as a member of the Committee.

Councillor Liz Bushell declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel 50, Boultham Park Road, Lincoln'.

Reason: She sat as a member of the Upper Witham Drainage Board.

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

She would therefore be participating in the meeting as a member of the Committee.

Councillor Rebecca Longbottom declared a Personal Interest with regard to the agenda item titled 'Site of Victory Hotel 50, Boultham Park Road, Lincoln'.

Reason: She sat as a member of the Upper Witham Drainage Board.

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

She would therefore be participating in the meeting as a member of the Committee.

76. Member Statement

In the interest of transparency, Councillor Bob Bushell, Chair, requested it be noted in relation to the application for development Agenda Item No 5a Site of Victory Hotel, 50 Boultham Park Road, Lincoln; that he was known to the public speaker on this planning application, however, not in a personal capacity and there was no conflict of interest.

77. Work to Trees in City Council Ownership

(Councillor C Burke arrived at the meeting at this stage in proceedings and took his seat prior to the discussion of the following agenda item).

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.

78. Applications for Development
79. Site of Victory Hotel 50, Boultham Park Road, Lincoln

The Assistant Director of Planning:

- a. referred to the application site of the former Victory Hotel, 50 Boultham Park Road, Lincoln, an irregular shaped parcel of previously developed land located on the west side of the road, approximately 50m to the south of the junction with Dixon Street
- b. reported on the history of the site as follows:
 - It had an open frontage with the width of the site narrowing towards the rear.
 - It was relatively flat including areas of hardstanding and grass.
 - It was currently used for vehicle storage.
 - Consent was granted in 2014 for the demolition of the former Victory Public House.
 - A subsequent planning permission proposed its demolition to facilitate the erection of three detached buildings comprised of 14 dwellings with four ground floor commercial buildings within the frontage of the development.
 - A further application granted minor alterations to the approved scheme. Pre-commencement conditions associated with this permission had all been discharged and there had been a 'start on site.' This permission had therefore been implemented and, even though work had not progressed any further, this permission could be built out at any point.
 - More recently, an application for two buildings to accommodate 18 flats was approved by Planning Committee in January 2023, with delegated authority granted to officers to secure a S106 legal agreement for a financial contribution towards affordable housing, health and education. However, a formal decision was never issued as a discrepancy with the site ownership was identified during the conveyancing process for the S106. A strip of land to the north of the site, which provided historic access to former buildings to the west, was in the ownership of another party. The scheme that was approved by committee could not therefore be constructed without this land being purchased by the applicant. The applicant did not wish to go through this process and decided to withdraw the application.

- c. highlighted that this current application on a slightly smaller site did not include the land to the north, and proposed to erect nine, three-bedroom dwellings
- d. reported that a terrace to the front of the site would accommodate six properties with a further terrace at the rear of the site accommodating three
- e. added that the application also proposed associated external works including car parking and soft landscaping; the existing access point towards the north would be reconfigured to be the main access into the development, with the additional access point to the south being closed
- f. reported that the site was located within Flood Zone 3
- g. advised that revised plans were received during the process of the application, proposing alterations to the rear terrace
- h. stated that all neighbours that adjoined the site, including those that had made representations, were re-consulted on the revised plans and further revised plans were submitted to address concerns raised by the occupants of 54 Boultham Park Road; these neighbouring occupants were accordingly notified of this
- i. highlighted that the application was being presented to Members of the Planning Committee for determination at the request of Councillor Watt.
- j. provided details of the policies pertaining to the application, as follows:
 - Policy S1: The Spatial Strategy and Settlement Hierarchy
 - Policy S2: Growth Levels and Distribution
 - 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 S47: Accessibility and Transport
 - Policy S53: Design and Amenity
 - Policy S56: Development on Land Affected by Contamination
 - Policy S57: The Historic Environment
 - Policy S60: Protecting Biodiversity and Geodiversity
 - Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
 - Policy S66: Trees, Woodland and Hedgerows
 - Policy S77: Housing Site in the Lincoln Urban Area
 - National Planning Policy Framework
- k. provided details of the issues to be assessed in relation to the planning application, as follows:
 - Policy context and principle

- Visual amenity
- Residential amenity
- Access, parking and highways
- Flood risk
- Drainage
- Energy efficiency and consumption
- Trees, landscaping and biodiversity net gain
- Contaminated land
- Archaeology

l. outlined the responses made to the consultation exercise

m. concluded that:

- The principle of the use of the site for residential purposes was considered to be acceptable and the development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design.
- The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
- Matters relating to parking and highways, flood risk, drainage, energy efficiency, trees, landscaping, BNG, contamination and archaeology had been appropriately considered by officers and the relevant statutory consultees, and could be dealt with as required by condition.
- The proposals would therefore be in accordance with the requirements of CLLP Policies S1, S2, S3, S6, S7, S12, NS18, S21, S47, S53, S56, S57, S60, S61, S66 and S77 as well as guidance within the NPPF.

Mr Rob Bradley addressed Planning Committee in support of the proposed planning application as agent for the scheme. He covered the following main points:

- The application site was allocated for housing development in the Central Lincolnshire Local Plan.
- The proposals before Planning Committee this evening were for a reduced scheme containing nine dwellings.
- There was provision for associated parking spaces and a large turning area.
- There had been no objections raised by the Highways Authority.
- The site had been vacant for some time and was now in the ownership of a new client.
- There had been very few objections to the planning application. The applicant had worked very hard to address those concerns that had been raised and he offered the developer success.
- The dwellings would be extremely efficient properties in line with the Central Lincolnshire Local Plan.
- The site was in a flood zone, however, the development was designed so that all habitable finished floor levels would be set above flood level with safe zones provided at first floor level.
- These would be energy efficient homes.

- He hoped the planning application would be supported by Planning Committee this evening.

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

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

- Reassurance was sought on the issue of flooding in light of the Drainage Board requesting us to take care.

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

- This was the third application to come forward for this site.
- It was a Brownfield site which was in need of development.
- This was the best planning application put forward for the site.
- Objections and concerns had been addressed.
- The area was a good place to live close to schools, shops and facilities.
- It represented a positive development.
- These were 3 bedroomed houses for families and positioned further back than the previous application which retained the established line of the buildings.

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

- The biodiversity net gain of 10% was not mandatory here. What scope was there to increase landscaping as referred to by officers within the report?
- What was the likely life span of the houses?

The Assistant Director of Planning offered the following points of clarification in relation to the planning application:

- The site was in Surface Water Flood Zone 3.
- Floor levels would be elevated.
- All the flood concerns in relation to flood resilience and resistance measures were covered within the established building regulations.
- Lincolnshire County Council as lead Flood Authority were satisfied with the proposals.
- In terms of biodiversity, landscaping was not an issue, however, it was what we did with the landscape to preserve native species of flora and fauna.
- In terms of the life span of the properties, this was difficult to predict. Bearing in mind the nature of the construction using brick of modern standards, other properties of lower standard building materials had been standing in the area for about 120 years.

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

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials including hard surfacing
- Details of all boundary treatments
- Windows and doors to be set in reveal
- Assessment of off-site impact of any external lighting
- Hours of construction/delivery

- Closing of existing access
- In accordance with FRA flood mitigation measures
- Construction in accordance with Energy Statement
- Submission of statement to verify construction in accordance with Energy Statement
- Water efficiency standards
- Landscaping scheme, to increase the BNG net gain on site
- Details of bat roost tubes and bird nest bricks
- Implementation of tree protection measures
- Contamination site characterisation and remediation measures/implementation

80. Central Market, Sincil Street, Lincoln (LBC)

The Planning Team Leader:

- a) advised that the application sought listed building consent for the installation of CCTV cameras to the interior and exterior of Lincoln Central Market, Sincil Street, Lincoln, a grade II listed building
- b) reported the location of the site within the Cathedral City Centre and Conservation Area No 1
- c) advised that the application was brought before Planning Committee as the Central Market was owned by the City of Lincoln Council as the applicant
- d) highlighted that the CCTV cameras were part of the wider redevelopment and refurbishment of the Central Market building which was nearing completion
- e) provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Policy S57: The Historic Environment
- f) provided details of the issues to be assessed in relation to the planning application, as follows:
 - Local and National Planning Policy
 - Effect on the Special Architectural Character and Historic Interest of the Listed Building
- g) outlined the responses made to the consultation exercise
- h) advised that it was initially proposed that the third camera would be slightly larger than the others providing views of Sincil Street and City Square, manufactured with a white finish, however the white finish was considered to be an inappropriate response to the listed building setting resulting in an overly prominent feature
- i) reported that a revised camera design had now been secured, to be fixed via a swan neck bracket which would be attached to the rear of the parapet of the market building, both the camera and bracket finished in

black to tie in with the style and colour of the other two cameras on the west elevation of the building

j) concluded that:

- The revised proposal was considered to be in accordance with the duty contained within section 16 (2) of the Planning (Listed building and Conservation Areas Act) 1990, in considering whether to grant listed building consent for any works the LPA or SoS shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Standard Conditions

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

Reason: Imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 details submitted with the drawings listed within Table A below.

03) 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.

Conditions to be discharged before commencement of works

None.

Conditions to be discharged before use is implemented

None.

Conditions to be adhered to at all times

None.

The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
Dahua security bracket DH-PFB303S		Details	15th March 2024
Dahua security PTZ camera		Details	15th March 2024

DH-SD5A425XA-HNR			
0292		Plans - Proposed	20th November 2023
0293		Plans - Proposed	20th November 2023