

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 Callum Roper and
Councillor Emily Wood

Apologies for Absence: Councillor Annie Currier

22. Confirmation of Minutes - 02 October 2024

RESOLVED that the minutes of the meeting held on 02 October 2024 be confirmed and signed by the Chair as a true record.

23. Update Sheet

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

24. Declarations of Interest

Councillor Emily Wood made a Declaration of Predetermination with regard to the agenda item titled '57 Newland Street West, Lincoln'.

She had predetermined her view on this planning application. She left the room during the consideration of this item and took no part in the discussion or vote on the matter to be determined.

25. Member Statement

In the interest of transparency, Councillor Rebecca Longbottom, requested it be noted in relation to Agenda Item No 4, Works to 5 x Mature Lime Trees in Castle Ward - she had met with the Arboricultural Officers and Councillor Donald Nannestad to discuss the proposed works, however, not in a personal capacity and there was no conflict of interest.

26. Work to Trees

Dave Walker, Arboricultural Officer:

- a. advised Planning Committee that the main purpose of his report provided reasons for proposed works to trees predominantly in the City Council's ownership, although it may include other trees at times where special circumstances applied and officers thought it was both helpful and were able to do so
- b. sought consent to progress the works identified, as detailed at Appendix A of his report
- c. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was in City Council ownership and identified for removal, or where a tree enjoyed some

element of protection under planning legislation, and thus formal consent was required

d. explained that ward councillors had been notified of the proposed works.

Members asked:

Question: Had mitigation measures being discussed with Anglian Water Authority to reduce the loss of the five lime trees in Castle Ward progressed any further?

Officer Response: The Arboricultural Officer was still in discussions with Anglian Water Authority. Suggestions were being made for installation of a modular planting system, or use of root barriers. The trees required replacement as a large percentage of the roots would be severed during utility works, resulting in the likelihood of the trees becoming unstable in the future which was the main concern.

An interpretation board would also be erected at the site.

RESOLVED that the tree works set out in the schedule published within the report be approved.

27. Applications for Development
28. 57 Newland Street West, Lincoln

(Councillor Wood left the room during the discussion of this item having declared a personal and prejudicial interest in respect of the planning application to be considered. She took no part in the discussion or vote on the matter to be determined)

The Planning Team Leader:

- a. referred to the application premises, a two-storey mid-terrace property with an existing offshoot to the rear, located at 57 Newland Street West, on the north side of the road
- b. advised that planning permission was sought for the erection of a single storey, rear extension off the existing off-shoot and widening to the existing off-shoot at the rear of the dwelling
- c. highlighted that the property was currently in use as C3 and C4 flexible use which was granted under application number 2024/0371/C4
- d. stated that the application had been called into Planning Committee by Councillors
- e. provided the relevant site history to the application property as detailed within the officer's report
- f. provided details of the policies pertaining to the application, as follows:
 - Policy S13: Reducing Energy Consumption in Existing Buildings
 - Policy S53: Design and Amenity
 - National Planning Policy Framework

- g. provided details of the issues to be assessed in relation to the planning application, as follows:
- Accordance with National and Local Planning Policy
 - Design and Impact on Residential Amenity
 - Impact on the Amenity of Nearby Properties
 - Highways Safety, Access and Parking
 - Reducing Energy Consumption
- h. outlined the responses made to the consultation exercise
- i. concluded that the proposal could be recommended for approval and would not have a significant detrimental impact on the residential and visual amenity of neighbouring properties in accordance with policies S53 and S13 of the Central Lincolnshire Local Plan and the National Planning Policy Framework

Councillor Lucinda Preston addressed Planning Committee in relation to the proposed planning application in her capacity as Ward Advocate, covering the following main points:

- She wished to object against this planning application in the strongest possible terms, yet another in the West End from the same landlord as before.
- She spoke on behalf of local residents and the community.
- The proposals would result in loss of amenity to the local community
- The planning application may seem like a small extension, however, it would have a long-term impact on the local community and their mental health.
- There would be very little open space for the residents of the property to enjoy the sunshine/plants and flowers, which was clearly not a concern to the landlord looking at the current poor state of the property.
- The proposed planning application was contrary to the spirit of Article 4 regulations which were instigated to provide a balance in the community.
- With the loss of outdoor space proposed, the property was unlikely to return to a family home.
- More and more homes in the West End were being purchased to be extended by this landlord.
- Environmental issues were at stake; the backyard offered potential for green space, pot plants, flora and fauna.
- Should this planning application be granted, it would result in more open space being squeezed out simply for financial gain.
- Her concerns related to valid material planning considerations in respect of loss of outdoor space, community impact, and the cumulative impact on open space.
- The proposals were not necessary; there was already an existing extension and adding a further one of two metres would result in avoidable additional negative impact.
- She urged that planning permission be refused.

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

- He disagreed with the officer recommendation, similar to Councillor Preston's views.
- The planning application would have a detrimental impact on the local community.
- This landlord was building on yards of open space across the city, taking away environmental benefits and gardens.
- Residents in the area had not submitted objections as they felt the Planning Authority would give the application planning approval in any case.
- The proposal would have a cumulative negative impact on neighbouring residential amenity.
- He urged Planning Committee members to think about the environmental implications of the proposals and to turn down the planning application.
- The concerns of local residents and the local councillors should be considered here.
- Should planning permission be granted, he requested that a condition be imposed to prevent this building crew from further bullying and harassment of neighbours.

Members discussed the content of the report in further detail.

Members thanked the public audience for their attendance/comments and engagement in the planning process.

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

- The potential future use of the property as a House in Multiple Occupation.
- Concerns regarding loss of potential green space.
- It was incorrect to state that Planning Committee was not deemed as being fair to people in the Carholme area.
- The back room window would be blocked off which would make the indoor space downstairs quite dark. The loss of light through the back window would make it difficult to spend too much time in the living area. Natural light was very important.
- There would potentially be damage caused to roads/pavements in the area as a result of additional parked vehicles in the area. It was likely to become a House in Multiple Occupation. There were also concerns regarding space for additional waste bins required and increased fly tipping. Construction materials sat on the public roads/pavements for some time which also caused damage. It would be interesting to hear the Highway Authority's view on this.
- It was important to take local Ward members objections to the proposal on board. This was an indication that residents were tired of being ignored and therefore did not complain themselves.
- There was only a small loss of green space resulting from the proposals, however there were further implications to breach of the spirit of Article 4 for each additional application with loss of open space approved.

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

- The member concerned had made a site visit to the property to find it was in a bad state of disrepair. There was a notice of intended works on the window. The applicant's intentions would enhance the street and renovate the property.

- The extension next door was already in existence and had been applied for retrospectively. It was much larger than the one proposed here.
- The inside of the property space would be increased as a result of the proposed extension. It was a judgement of taste.
- The benefits to the extension would outweigh the concerns raised.
- Each planning application should be considered on its individual merits.
- There were already other extensions in the area, this extra addition would not cause a huge impact on the area.
- The matter of whether or not the applicant owned a lot of properties in the area was immaterial to this planning application.
- The extension would bring about improvement to the inside area of the property and enhance it.
- The property was in dire need of investment, although once upon a time it would have been a lovely family home.
- The lack of garden space was not an issue as there was open space beyond the property with a church set back behind.
- The property was classed as flexible use, therefore it was possible it could be placed on the open market for a family home. The proposed investment to the building would enhance this potential.
- Planning Committee members were 100% bothered about protecting the local area, hence why Article 4 had been introduced. This was never in doubt.
- There was a potential negative affect on light caused by the blocking up of the back window at ground floor level, however, tenant's had a choice whether or not they wished to live there.

The following questions emerged:

- Reference was made within the officer's report to the extension being constructed from materials to match that existing. Would modern bricks or the same bricks be used? Were the materials to be used to be conditioned?
- What element of works could be carried out without planning permission?
- What was the current use of the property being flexible C3/C4 use?
- Was it possible to apply conditions to the grant of planning permission to protect the impact on residents during the construction process, address the issues of lighting and materials to be used?
- Would it be easier if specific policies were included within the Local Plan to guide members on reasons for refusal?

The Planning Team Leader offered the following points of clarification:

- With regard to working hours during construction, this matter was already conditioned within the officer's recommendation to grant planning permission. This element would be controlled and monitored by the Enforcement Team
- Consultation was always carried out with local neighbours, hence the existence of a notice on the window of the property detailing proposed works.
- There was no issue if members were so minded, to impose an additional condition for a sample/detail of brickwork to be provided by the applicant prior to commencement of works.

- It was possible for applicants to add 4 metres to the back of a property without planning permission. This was already in existence in this case, therefore planning permission was required.
- With regard to potential damage to the road, the applicant required a licence from the Highways Authority to place items on the public roadway. If damaged occurred as a result of this it was within the jurisdiction of the Highway Authority to take enforcement action for it to be put right.
- The application property had been utilised as a House in Multiple Occupation until recently.
- It was not within the remit of Planning Committee to control internal lighting. It was not a material planning matter.
- In relation to how much weight could be attached to local Ward members objections, this was a matter within the remit of Planning Committee members to make judgement.
- The matter of green space had to be treated on individual merit in each planning application, according to the weight considered to be imposed.

Members suggested that in a case where light was being blocked out to neighbouring property due to the height of a proposed construction, then the '45% rule' would be applied. In this matter, the landlord was applying changes to the property and therefore had a duty to protect who was living there.

The Planning Team Leader advised that lighting and ventilation to the property was a matter for control under building regulations. The Planning Authority could consider potential impact on adjacent properties.

It was moved, seconded, put to the vote and carried that an additional condition be imposed on grant of planning permission requiring samples/details of brickwork to be used be submitted to the Planning Authority and approved prior to construction work.

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 listed within the approved plans.

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

Samples/details of brickwork to be used be submitted to the Planning Authority for approval prior to commencement of works

Conditions to be Discharged Before Use is Implemented

None.

Conditions to be Adhered to At All Times

- 03) The use hereby approved shall only be operated between the hours of 08:00 and 18:00 Monday to Saturday and the use shall not be carried out on Sundays or Bank Holidays.

Reason: To protect the residential amenities of properties in the vicinity.

Table A

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

Drawing No.	Version	Drawing Type	Date Received
		Location Plan	20th August 2024
PP/24/0913-02		Elevations - Existing	20th August 2024
PP/24/0913-03		Plans - Existing	20th August 2024
PP/24/0913-01		Plans - Existing	11th September 2024
PP/24/0913-02		Block plans	11th September 2024
PP/24/0913-04		Floor Plans - Proposed	11th September 2024
PP/24/0913-05		Elevations - Proposed	11th September 2024

29. 391 - 392 High Street, Lincoln

(Councillor Wood rejoined her seat for the remainder of the meeting.)

The Assistant Director of Planning:

- a. referred to the application premises at 391-392 High Street, Lincoln, as two-storey and located within the St Peter at Gowts Conservation Area
- b. advised that planning permission was sought for the replacement of 4 windows and two doors to the rear of the property, planning permission was required as it was in commercial use
- c. highlighted that the application was brought before Planning Committee as it was in council ownership and was therefore a regulation 3 application
- d. provided details of the policies pertaining to the application, as follows:
 - Policy S53: Design and Amenity
 - Policy S57: The Historic Environment
 - National Planning Policy Framework
- e. provided details of the issues to be assessed in relation to the planning application, which were visual amenity and character and appearance of the Conservation Area

- f. outlined the responses made to the consultation exercise
- g. concluded that the proposal would relate well to the site and context and would preserve the character and appearance of the Conservation Area, in accordance with Central Lincolnshire Local Plan Policies S53 and S57.

Members requested clarification as to:

- Whether the glazed windows would be replaced with triple glazed units.
- Why replacement windows were always coloured white.

The Assistant Director of Planning advised as follows:

- The windows were currently single glazed timber units and would be replaced with double glazed units of increased efficiency.
- White PVC had been chosen as it matched what was already there and was at the rear elevation. This was not always the preferred choice, each application was considered on its own merits.

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 submitted drawings.

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.