

PLANNING COMMITTEE

Wednesday, 23 April 2025

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, Annie Currier, Rebecca Longbottom, Bill Mara, Callum Roper and Calum Watt
Substitute members:	Councillors James Brown, Neil Murray and Emily Wood
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.

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes - 26 February 2025	5 - 16
2. Update Sheet	To Be Tabled
3. Declarations of Interest	

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.

4. Work to Trees	17 - 24
5. Applications for Development	
(a) City Crematorium, Washingborough Road, Lincoln	25 - 42
(b) 56 Boultham Park Road, Lincoln	43 - 60

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 Callum Roper and
Councillor Calum Watt

Apologies for Absence: Councillor Annie Currier

35. Confirmation of Minutes - 29 January 2025

RESOLVED that the minutes of the meeting held on 29 January 2025 be confirmed and signed by the Chair as a true record.

36. Update Sheet

An update sheet was circulated to members of Planning Committee in relation to planning applications to be considered this evening, which included additional responses received for Members' attention in relation to 15, St Andrew's Drive, Lincoln, and additional suggested planning conditions relating to Biodiversity Net Gain in respect of Land Adjacent To Lindum And Minster Practice, Cabourne Court, Lincoln.

RESOLVED that the update sheet be received by Planning Committee.

37. Declarations of Interest

Councillor Calum Watt declared a Personal Interest with regard to the agenda item titled '15 St Andrews Drive, Lincoln'.

Reason: He was known to one of the objectors, however, not in any personal capacity.

Councillor Chris Burke declared a Personal Interest with regard to the agenda item titled '15 St Andrews Drive, Lincoln'.

Reason: His son lived on St Andrew's Gardens.

Councillor Gary Hewson declared a Personal Interest with regard to the agenda item titled '15 St Andrews Drive, Lincoln'.

Reason: He was known to one of the objectors, however, not in any personal capacity.

Councillor Liz Bushell declared a Personal Interest with regard to the agenda item titled '15 St Andrews Drive, Lincoln'. Reason:

She was known to one of the objectors, however, not in any personal capacity.

38. Confirmation of Tree Preservation Order 188

Simon Cousins, Planning Team Leader:

- a. referred to the revised report circulated recently to members which replaced the original report published as Item No 4 of the main agenda for the meeting
- b. advised members of the reasons why a temporary tree preservation order made under delegated powers by the Assistant Director for Planning should be confirmed at the following site:
 - Tree Preservation Order 188: 2no Acer Pseudoplatanus (Sycamore) tree situated within the grounds of Pottergate Lodge, Lindum Road, Lincoln LN2 1NS
- c. provided details of the individual tree to be covered by the order and the contribution it made to the area
- d. reported that the making of any Tree Preservation Order was likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees, however, this was contained within existing staffing resources
- e. reported that the initial 6 months of protection for this tree would come to an end for the Tree Preservation Order on 7 April 2025
- f. confirmed that the reason for making a Tree Preservation Order on this site resulted from an application received to fell the two trees, located within Cathedral and City Centre No.1 Conservation Area
- g. reported that the Councils Arboricultural Officer visited the site to inspect the trees and using the Arboricultural Association approved 'Helliwell System' of Visual Amenity of Trees and Woodlands, considered the trees to be of high amenity value, both in full leaf, showing no signs of dieback, pests or diseases and both mechanically balanced at the time of the visit
- h. advised that consultations had been carried out with both the landowner and an adjoining property and no objections to the order had been received
- i. advised that confirmation of Tree Preservation Order 188 would ensure that the trees could not be removed or worked on without the express permission of the Council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to one of the Councils priorities of enhancing our remarkable place.

RESOLVED that Tree Preservation Order No 188 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

39. Applications for Development
(a) 15 St Andrews Drive, Lincoln

The Planning Team Leader:

- a. referred to the application property, a two storey, 5 bedroomed dwellinghouse located on the south side of St Andrews Drive
- b. advised that the application sought planning permission for change of use from an existing dwelling (C3) to a flexible use between a Dwelling (C3) and a House in Multiple Occupation (C4)
- c. advised that a city wide Article 4 Direction was adopted from the 1st March 2016 removing the permitted change from C3 to C4, necessitating the formal requirement for planning permission for this change of use; The Supplementary Planning Document (SPD) provided criteria for determining planning applications for the development of HMOs
- d. highlighted that the applicant previously applied for a HMO use for the property in 2022, but later withdrew the application after being advised that marketing information was required
- e. reported that this application had been brought to the Planning Committee due to the number of objections received from neighbouring residents
- f. detailed the history to the application site within the main body of the officer's report
- g. provided details of the policies pertaining to the application, as follows:
 - National Planning Policy Framework
 - Supplementary Planning Document - Houses in Multiple Occupation
 - Policy S25: Sub-Division and Multi-Occupation of Dwellings Within Lincoln
 - Policy S53: Design and Amenity
- h. provided details of the issues to be assessed in relation to the planning application, to consider whether the application met the requirements of the Houses in Multiple Occupation Supplementary Planning Document (SPD) and Local Plan Policy and assess the proposal with regard to:
 - Accordance with National and Local Planning Policy
 - HMO Concentration
 - Marketing Considerations
 - Impact on Residential Amenity
 - Impact on Visual Amenity
 - Parking and Highway Safety
 - Cycle and Bin Storage
- i. outlined the responses made to the consultation exercise
- j. referred to the Update Sheet which contained further responses received in relation to the planning application subsequent to the agenda papers being published
- k. concluded as follows:

- The application had demonstrated that the property had a lack of demand as a family dwellinghouse currently and its change of use to allow a flexible use between a dwellinghouse or a HMO would not result in an unduly harmful impact on the overall balance of the community, residential or visual amenity, in accordance with Policies S25 and S53 of the Central Lincolnshire Local Plan and the Supplementary Planning Document.
- There would not be a harmful effect on visual amenity and the property provided adequate provision for external communal areas for amenity, cycle storage and bin storage for either the use as a dwelling or a HMO.
- It was therefore considered that the flexible use of the property was acceptable and would be in accordance with the requirements of Local Plan Policy, the SPD and guidance contained within the NPPF.

Rosie Fairweather, local resident, addressed Planning Committee in objection to the proposed planning application. She covered the following main points:

- She spoke on behalf of herself and the residents of St Andrews Drive.
- This was a family street close to two day nurseries and a primary school.
- There was also an additional school and a secondary school in the area.
- The application property was a family home which needed to be preserved.
- Properties of 4+ bedrooms were at a premium demand.
- There were plenty of single use and HMO unoccupied properties to choose from.
- There would be issues of noise pollution from HMO use.
- HMO properties tended to attract a transient population.
- The potential change of use would alter the demographics of the local area and set a precedent for future use of other properties.
- The property had only been marketed for four weeks at a reduced price of £1,600 p.c.m for rental use.
- The marketing photograph of the property had been taken during darkness which did not show the full outlook of the property.
- The property had been subject to limited rental advertisement, there had been no advertisement board displayed.
- The monthly income for the owners of the property as a HMO would amount to £2,500 for five rooms.
- Families would be pushed out.
- One local resident had been shocked to read that the property had been unoccupied for six months, this was inaccurate information as people had been seen resident there in November 2024.
- There was limited capacity for additional cars on the driveway, which would exacerbate existing parking issues.
- This property should remain as a family home.

Ms Yanube Ogedengbe, sister of the applicant, addressed Planning Committee in support of the proposed planning application. She covered the following main points:

- She understood the concerns raised by local residents.
- The property had been marketed for rent for 7 months without success.

- Family members had been living there, however, they had to move due to personal circumstances and tenancy/income for the house to pay the mortgage was needed.
- The applicant wished to help people in housing crisis by offering C4 HMO use which could be rented out for multiple occupancy and shared living costs.
- This type of use also offered ideal accommodation to professional people such as doctors and nurses.
- Some tenants could not afford £1,800 rental costs per month and chose to live together to save cost.
- This was a residential area, however, some families could not afford rental charges and chose to live together to save cost.
- The cost of utility bills also had to be taken into consideration.
- The property had been advertised for rent via social media without success.
- The use of the property as a HMO would help people on low incomes with families, having very good schools nearby.

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

- The area was used predominantly for family accommodation.
- It was close to schools, nurseries, doctors' surgeries and local amenities.
- A 'for sale' or 'to rent board' had not been seen at the property.
- The marketing issue should be reconsidered again here, giving further opportunity for the property to be sold or rented out.
- The member in question had moved to Lincoln and lived in a HMO with young professionals. There was indeed a need for these types of homes, however, there was not enough evidence in this case for lack of demand for this house as a family home.
- It could be seen that the property was still for sale via internet access, however, the estate agents were not local to the area or a substantial business.
- The member was sympathetic to the application as a HMO, however, there should also be an advertisement board for marketing to those people without internet access. There was evidence to suggest the marketing issue had not been fully addressed.
- It had not been satisfied that the property had been sufficiently marketed for rent as a family home.
- Was this road and property really suitable for HMO use? It was in the right area to be marketed for potential sale or rent having 5 bedrooms.

The following comments were noted in relation to the proposed planning application:

- Many of the objections received from local neighbours did not relate to material planning considerations.
- The Highway Authority commented that this site in an urban area with local services was within a reasonable distance to be accessed via walking, cycling and public transport. More cars on the street would worsen the situation.
- It was incredible to think that a property of this type could not be let, although comments by the owners that they wanted to look after all kinds of people were appreciated.

- Article 4 legislation had been intended to give more control over the planning process in local communities in relation to HMO's.
- The property could still be operated as C3 or C4 use and it was possible it could be used again in the future as a domestic property.
- It was not paramount to have an advertising board outside the property as long as the marketing requirements had been met.
- The concerns were justifiable taking into account HMO properties in other areas not properly maintained, however, this could happen with family properties as well as other uses.
- The housing situation in the city had changed considerably and more people rented properties or rooms in mixed occupancy.

The Planning Team Leader offered the following points of clarification:

- Supplementary Planning Documents set out the qualifying criteria for C4 HMO's and flexible uses.
- This application had met most of the criteria in 2022, apart from lack of marketing.
- It was for Committee to determine whether or not the owners had justified that a HMO was the only option for occupancy of the property rather than a rentable house for family use.
- Any part of the city was appropriate for HMO use.

A motion was proposed that the application be granted according to the recommended officer conditions listed on page 32/33 of the report.

The motion failed to receive a seconder, and fell. Planning permission was therefore refused.

The meeting was adjourned for a short period of time to allow for settlement and dispersal of the public audience. It was then resumed.

RESOLVED that planning permission be refused on the grounds of:

- Policy S25: Sub Division and Multi-Occupation of Dwellings Within Lincoln. It had not been sufficiently demonstrated there was no demand for sale or rent of this property.

(b) Land Adjacent To Lindum And Minster Practice, Cabourne Court, Lincoln

The Planning Team Leader:

- a. advised that planning permission was sought for a 59 bed care home (Class C2) which would be located within a new building fronting Nettleham Road, accessed through the existing access, Cabourne Court, incorporating parking for the care home and additional spaces for the existing adjacent medical practice
- b. described the location of the existing Lindum and Minster Medical Practices to the west, Cathedral View Court (retirement housing) located to the north, and residential properties located on the south east side of Nettleham Road
- c. reported on the current use of the site, an area of green space accessible to the public with unrestricted access via a footpath to the doctors' surgeries, with other uses on Cabourne Court of a pharmacy, sport injury

clinic, a chiropractic clinic, a dental practice and hearing specialist

- d. added that the site consisted of currently two areas of grassland bordered by a hedgerow containing a single tree; there were more substantial trees on the Nettleham Road frontage outside of the site which would be unaffected by the proposal
- e. advised that the principal of development of the site was previously established through a previous planning application for student accommodation on the site; application 2016/0389/FUL granted planning permission for a 70 bedroomed student development within three buildings 2 and 3 storeys high
- f. highlighted that the application before us proposed a building of three storeys, arranged in an L shape with its main elevation facing Nettleham Road, together with provision of an additional 30 car parking spaces, cycle parking and new landscaping
- g. stated that the agent had provided a detailed Design and Access Statement and there have been positive pre-application and post submission discussions with the architect in relation to the design which has resulted in changes being made which had improved the proposal significantly
- h. detailed the history to the application site within the main body of the officer's report
- i. provided details of the policies pertaining to the application, as follows:
 - Policy S1: The Spatial Strategy and Settlement Hierarchy
 - Policy S6: Design Principles for Efficient Buildings
 - Policy S8: Reducing Energy Consumption – Non-Residential Development
 - Policy S21: Flood Risk and Water Resources
 - 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
 - National Planning Policy Framework:
 - Para 10 – Presumption in Favour of Sustainable Development
 - Para 61 – Promoting Housing Choice
 - Para 124 – “Good design is a Key Aspect of Sustainable Development
- j. provided details of the issues to be assessed in relation to the planning application, as follows:
 - Principle of Development and Compliance with National and Local Planning Policy
 - Impact on Amenity of Adjacent Residents
 - Impact on the Visual Amenity of this Part of the City

- Highway Matters
- Impact and Contribution to Biodiversity
- Energy Efficiency and Sustainability
- Site Specific Technical Matters
- S106 Contributions to Local Health Provision

k. outlined the responses made to the consultation exercise

l. referred to the Update Sheet which contained further suggested additional conditions in relation to Biodiversity Net Gain

m. concluded as follows:

- This application was carefully considered and proposed a development that accorded with national and local planning policy.
- The site has previously had planning permission for a three and two storey building and the design of the current proposal was of sufficient merit to be acceptable on this main approach to the City.
- The technical details were well developed and dealt with any issues.
- The application would also make an appropriate contribution to local NHS provision.

Members discussed the content of the report in further detail.

The following comments emerged in relation to the proposed planning application:

- This green space was a good site for a care home for our ageing population.
- The design of the building was pleasing.
- The look of the building would contribute to the area.
- This was a very similar application to the last one for the site but for a different use. The elevation seemed fine.
- It would help to alleviate the current issues with a lack of social care.
- It was pleasing to see the use of solar panels within the development.
- The energy credentials were good.
- There was a planting scheme for the site which included replacement of the hedgerows.
- It was hoped that employees would be encouraged to take part in a travel plan/car sharing scheme rather than total reliance on parking their cars on site.

The following questions were raised:

- Had the S106 payment been agreed?
- Why was there not enough space for air-source heat pumps?
- With the current pathway through the site to be re-routed, how would this affect both the existing site and the new development?
- Would the hedgerows in place adjacent to the Our Lady of Lincoln School be replaced to offer screening to the play area at the school?
- Would Electric Charging Vehicle bays be included within the scheme?

- In terms of Biodiversity Net Gain, was it possible for a financial contribution to be made to offsite ecological enhancement locally to satisfy net gain, perhaps Hope Wood?

The Planning Team Leader offered the following points of clarification:

- The applicants had verbally agreed to a contribution of some £21,000 to the NHS for use at the adjacent medical practice. It just needed formal sign-off.
- In terms of energy efficiency, it was not possible to make the property zero carbon neutral due to the age and needs of the residents, therefore gas boilers would be installed as well as air-source heat pumps.
- The existing footpath would be diverted around the edge of the building.
- In terms of the hedgerows; as a part of the biodiversity regulations a baseline assessment had to be conducted which had to make provision of more than 10% of what was already present. It was for Committee to determine whether it was appropriate for the hedgerows to be conditioned as retained or replaced, subject to grant of planning permission.
- The parking arrangements would supplement what already existed. These buildings had sufficient car parking provision.
- In terms of a Travel Plan, officers awaited final details of a scheme to minimise the use of private cars particularly by members of staff and to encourage cycling and use of public transport where possible. The Travel Plan would be monitored.
- The provision of Electric Charging Vehicle bays was a requirement set under building regulations.
- A great deal of discussion had taken place around off-site provision in relation to Biodiversity Net Gain. The aim through legislation required that Biodiversity loss was compensated on-site wherever possible. In terms of off-site contributions, credits were more expensive the further afield, and had to be registered with Natural England.

A motion was proposed that an additional condition be imposed subject to the grant of planning permission for retention or replacement of the hedgerow adjacent to our Lady of Lincoln School. The motion was seconded, voted upon and carried.

RESOLVED that authority be delegated to the Assistant Director (Planning and City Services) to grant planning permission subject to the satisfactory conclusion of the s106 agreement and in accordance with the following conditions:

1. Hedgerows along border to Our Lady of Lincoln Key Stage 2 Playground to be retained or replaced.
2. Development to commence within three years.
3. Development to be undertaken in accordance with the approved plans and associated technical documents.
4. Landscaping to be completed before development is first occupied.
5. Car parking to be completed and available before development is first occupied.
6. Unexpected contamination and verification of final development to be dealt with in accordance with details to be approved.
7. Standard archaeological conditions.
8. Sample of all facing materials before development above ground is commenced.

9. Development carried out in accordance with Arboricultural Report – protection of existing trees adjacent to the site.
10. The Biodiversity Gain Plan shall be prepared in accordance with the [Statutory Small Site Biodiversity Metric] updated [21/02/25] and prepared by [Maddy Carter].
Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 [and CLLP policy 61]
11. No development hereby permitted until a written Habitat Management and Maintenance Plan [HMMP] in accordance with the [Statutory Small Site Biodiversity Metric] updated [21/02/25] and prepared by [Maddy Carter]. is submitted to and approved in writing by the Local Planning Authority. The HMMP shall relate to all 'significant' biodiversity gains on site and must be strictly adhered to and implemented in full for a minimum of 30 years following the initial completion period approved pursuant to condition []. The HMMP must contain the following:
 - a non-technical summary;
 - the roles and responsibilities of the people or organisation(s) delivering/monitoring the [HMMP];
 - the details of funding, resources and mechanisms for long term delivery of the [HMMP].
 - the planned habitat creation and enhancement works for the initial [5] completion period to create or improve habitat.
 - the management measures to maintain habitat for a period of 30 years from the completion of development.
 - the monitoring methodology and frequency in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority.
 - reporting to the LPA required for years [1, 3, 5, 10, 15, 20, 25, 30] following the completion period.
 - Reports to the LPA should use the Natural England HMMP Monitoring report template (Word) supplemented with either an updated Statutory Metric showing gains to date or Natural England HMMP Monitoring report template (Excel). Geostamped Photo evidence must also be provided (reports may be produced by those meeting the definition of a competent person as defined by the statutory Small Site Metric user guide).
 - All reports must be submitted no later than September 1st on each reporting year.
 - The mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.
 - Applicants are advised to use the Natural England HMMP Template found at <https://publications.naturalengland.org.uk/publication/5813530037846016>
12. Notice in writing shall be given to the Council within 15 working days of the Initial habitat creation and enhancement works as set out in the [HMMP] being completed.
Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 [and CLLP policy 61]
13. No development must take place until details of species enhancements/mitigations is submitted to and approved by the Local

Planning Authority. Enhancements/mitigations must include, as a minimum, specifications and location details of the following.

- Details of development and construction methods measures to be taken to minimise the impact of any works on habitats/wildlife.
- Details of any precautionary method statements for protected species [must include the pre demolition bat/bird survey by a suitably qualified individual].
- Details of a sensitive lighting strategy.
- 6x integrated swift bird box/brick [installed in groups of three].
- 4x integrated bat box/brick/tube and 1 Bat loft [2x access roof tiles].
- 4 x integrated bee/insect bricks.
- 1 x hedgehog refugia.
- 6 x hibernacula & log pile [in total].

The details approved must be installed prior to use and must be retained as such thereafter.

Reason: In the interest of nature conservation and to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

(c) 120 Larchwood Crescent, Lincoln

The Planning Team Leader:

- a. described the application property at 120 Larchwood Crescent, a two-storey brick dwellinghouse in the City Council's ownership
- b. reported that planning permission was sought for the change of use of a patch of land to the side of the property which was currently subject to anti-social behaviour risk; the land was currently residential amenity land owned by the City Council and they wished to use this as garden land
- c. advised that the application was brought before Planning Committee because the land was in the ownership of the Council and was therefore a regulation 3 application
- d. provided details of the policies pertaining to the application, as follows:
 - Policy S53: Design and Amenity
 - National Planning Policy Framework:
- e. 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 the Impact on Visual Amenity, Character and Appearance
 - Impact on Residential Amenity
 - Highways 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 in accordance

with policies S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Members discussed the content of the report in further detail.

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 Table A below.

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.

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	17th December 2024

SUBJECT: WORKS TO TREES

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: STEVE BIRD, ASSISTANT DIRECTOR COMMUNITIES AND STREET SCENE

1. Purpose of Report

- 1.1 To advise Members of the reasons for proposed works to trees. These will be predominantly trees in City Council ownership, which is the main purpose of the report, but it may include others at times where special circumstances apply, and officers are both able to do so and think it helpful.
- 1.2 It is important to note that the attached list does not represent all the work undertaken to trees in Lincoln, in Council ownership or otherwise. It does however cover all the instances where a tree is in City Council ownership and 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, 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 therefore predominately relate to trees on land owned by the City Council, with management responsibilities distributed according to the purpose of the land (e.g. 'Housing trees,' 'Park trees'). However, it may also include trees that stand on land for which the City Council has management responsibilities under a formal agreement but is not the owner (e.g. County Council highway trees).
- 2.3 All cases are brought to this committee only after careful consideration and assessment by the Council's Arboricultural staff (together with independent advice where considered appropriate).
- 2.4 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.

3. Consultation and Communication

- 3.1 All relevant ward councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.2 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.

4. Strategic Priorities

4.1 Let's Reduce All Kinds of Inequality

It is important to the Council that quality green spaces are accessible to all, and that everyone should enjoy the benefits that a greener environment brings.

4.2 Let's Deliver Quality Housing

Housing is about more than providing a building. Houses represent 'home,' and this feeling is developed on a range of factors about the area of a house, including the environment in which it stands. Tree cover is a significant aspect of shaping how an area of housing feels, and thus the creation of homes.

4.3 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. Lincoln's green spaces, including its tree cover, are an asset which has unquantifiable value; they are a key part of the City Council's strategic approach to improving the city for the benefit of all those who live, work or visit the city.

4.4 Let's Address the Challenge of Climate Change

The trees in Lincoln's parks and open spaces are often referred to as it's lungs. Care for the trees, and how the Council ensure a healthy quality tree cover, underpins and contributes to biodiversity improvements.

5. Organisational Impacts

5.1 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.

5.2 Legal Implications Including Procurement Rules

As trees are assets in the public domain the Council has a legal duty to maintain them, in so far as is reasonably practicable, in a safe condition. This policy supports that requirement, and would add weight to any defence against claims related to injury or damages arising from allegations of negligence of the tree stock.

The Environment Act 21 required an amendment to section 96 of the Highways Act 1980. This placed a duty on a local highway authority to consult the public on the removal of any highway tree (subject to a number of exemption clauses). As the highway trees are all in the ownership of the County Council, this does not technically apply to city council owned trees. However, the City Council, through this policy, commits to the same principles, and will always report the removal of any tree it owns to the Planning Committee. Where possible this will be in advance, for review, but may have to be retrospectively if circumstances dictate e.g. removal of a tree for health and safety reasons.

Exceptions to consulting via the Planning Report system will be applied as per the legislation and include:

- Trunk less than 8cm at 1.3m height.
- Planning permission has already been granted for its removal.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

This report does not negatively impact equality, diversity or human rights.

5.4 Significant Community Impact &/or Environmental Impact

It is recognised that tree works, not least removals, can impact a community. This is especially true when a large tree of note has to be removed.

Through the processes associated with delivering this report ward councillors are notified in advance, and thereby have the opportunity to request briefings/details relating to any issues of concern.

Whilst officers will always try to flag up any potentially contentious issues in advance, and address them sensitively, this extra level of consultation permits opportunity for members to highlight any concerns, and for these to be considered according.

5.5 Corporate Health and Safety Implications

All works arising from this report are undertaken by the City Council's appointed grounds maintenance contractor. The appointment of contractors is an in-dept and considered process that will not permit the appointment of contractors who are not

considered safe and competent. The assessments remain ongoing throughout the period of their appointment.

All staff are all suitably trained, qualified, and experienced.

6. Risk Implications

6.1 (i) Options Explored

For each tree listed, members may choose to agree, or refuse works. Where they refuse works, then this will have implications which must be understood, on a case by case basis. The preferred approach is agreement to the schedule proffered by arboricultural staff.

6.2 (ii) Key Risks Associated with the Preferred Approach

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.

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.

7. Recommendation

7.1 That the works set out in the attached schedules be approved.

Is this a key decision? Yes

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? One

List of Background Papers: None

Lead Officer: Dave Walker, Arboricultural Officer
dave.walker@lincoln.gov.uk

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 2 / SCHEDULE DATE: 23/04/2025**

<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	61 Greetwell Road – Highways tree	<u>Abbey Ward</u> 1 x Gleditzia <u>Retrospective notice of removal</u> This tree was removed as a recent survey revealed the presence of a significant decay column within the base of the trunk.	Replace tree with a replacement Gleditzia: to be located as close to the original planting site as practicable.
2	N/A	43 Hillside Avenue – City Council owned land to rear	<u>Abbey Ward</u> 3 x Hawthorn <u>Coppice</u> These trees are heavily ivy clad and overhanging the rear property boundary of the property.	Approve Works Coppicing will allow the trees to remain viable specimens, whilst removing the compromised canopy structure.
3	N/A	9 Jasmin Road – Housing property	<u>Birchwood Ward</u> 1 x Sycamore <u>Re-pollard</u> This work is requested to prevent possible collapse of the reiterative canopy which has been produced since the last time pollarding was undertaken.	Approve works
4	N/A	Lynham Close – Jasmin Green	<u>Birchwood Ward</u> 1 x Sycamore <u>Retrospective notice of removal</u>	Replace tree with a selected Maple cultivar: to be located in a suitable position

			This tree failed at its base during storm Eowyn	within Jasmin Green open space.
5	N/A	Birchwood Nature Park	<u>Birchwood Ward</u> 1 x Multistemmed Willow <u>Retrospective notice of Coppicing</u> This tree partially failed at its rootplate creating a hazard to cyclists and pedestrians who utilise the park.	Coppicing will allow the tree to regenerate from its base whilst also assisting in the creation of a differing canopy age class within the park.
6	TPO	Birchwood Avenue – TPO application reference 2025/0033/TPO	<u>Hartsholme Ward</u> 06YP 1 x Birch 06YQ 1 x Birch 06Z8 1 x Birch 06Z6 1 x Willow 06YW 1 x Birch 06YX 1 x Birch 06YY 1 x Birch 06YZ 1 x Birch 06ZO 2 x Birch 06Z1 1 x Oak 06Z4 2 x Birch <u>Remove to ground</u> These trees have been identified for removal due to various structural defects; the trees are also located in close proximity to the highway.	Approve works Replace each specimen with a suitable native tree species; to be placed in suitable locations within the ward.
7	TPO	Birchwood Avenue – TPO application reference 2025/0033/TPO	<u>Hartsholme Ward</u> 06YS 1 x Willow 06Z2 1 x Willow 06YV 1 x Willow <u>Coppice / pollard</u> These trees are of poor form and overhang the highway	Approve works Undertaking coppicing on tree 06YS and pollarding on the remaining two trees will allow for their retention in a smaller multistemmed form.

8	TPO	200 Fulmar Road – Woodland strip adjacent to property	<u>Hartsholme Ward</u> 1 x Silver Birch <u>Remove to ground</u> This tree has multiple open cavities located upon its trunk and is showing signs of significant decline – an adjacent companion tree has also recently failed during storm conditions.	Approve works: Replant two replacement Silver Birch: to be planted in suitable positions within the woodland strip.
9	TPO	Birchwood Avenue - TPO application reference 2025/0154/TPO	<u>Hartsholme Ward</u> 070C 1 x Birch 070G 1 x Birch 070F 1 x Birch 070H 1 x Birch 070J 1 x Birch 070M 1 x Birch 070L 1 x Birch 070N 1 x Birch 070P 1 x Birch 070V 1 x Birch 070W 1 x Birch 0715 3 x Cherry 0716 1 x Cherry 0717 1 x Hazel 0718 1 x Birch 0719 1 x Hazel <u>Remove to ground</u> Many of these trees are standing as deadwood or are otherwise structurally compromised.	Approve works Replace each specimen with a suitable native tree species; to be placed in suitable locations within the ward.
10	TPO	Birchwood Avenue TPO application reference 2025/0154/TPO	<u>Hartsholme Ward</u> 070Y 1 x Oak <u>Pollard</u> This tree is of poor form and currently exhibits compromised canopy stability	Approve works Pollarding will allow the tree to be retained whilst minimising any risk the current canopy may pose.
11	N/A	119 St Botolph's Crescent – Housing property	<u>Park Ward</u> 1 x Maple <u>Remove to the ground</u> This tree has overgrown available space – management	Approve works Replace tree with 1 x Himalayan birch: to be planted in a suitable

			measures to reduce the trees impact on residents is not practicable.	position within the property boundary.
12	N/A	Manor leas Play Area	<u>Witham Ward</u> 2 x Birch <u>Remove to ground</u> Both trees have significant defects which place them at risk of future failure.	Approve works Replant 2 x replacement Birch: to be located as close to the site of the original trees as practicable.

Application Number:	2025/0160/RG3
Site Address:	City Crematorium, Washingborough Road, Lincoln
Target Date:	17th May 2025
Agent Name:	Evans McDowall Architects
Applicant Name:	Mr Simon Walters
Proposal:	Continued use of a secondary chapel with associated facilities, vehicular and pedestrian access

Background - Site Location and Description

Lincoln Crematorium is located on the south-east edge of the City of Lincoln, to the north side of Washingborough Road. The City Crematorium occupies an area of approximately 4.7 hectares. The site is set within extensive cemetery grounds and is largely surrounded by open space and community uses, with minimal residential development nearby.

The application seeks planning permission for the continued use of the secondary eastern chapel that has been erected on site. This facility was introduced to provide an increasing demand in service and to ensure continuity of an efficient and respectful service whilst future plans for a permanent chapel are developed.

The building is located towards the eastern side of the crematorium grounds and has been designed to operate within the existing infrastructure and layout of the site. The proposal includes associated drainage provision but does not involve any changes to access, parking, or the surrounding landscape which were previously carried out as part of the original development.

The application is to be considered by Planning Committee as the service is owned and run by the City of Lincoln Council.

Site History

2019/0413/RG3 - Proposed renovation and extension of the existing chapel and book of remembrance building, including over cladding the existing building and replacement of existing windows and doors with associated additional 81 car parking and landscaping (phase one).

2019/0414/RG3 - Proposed Second Chapel including associated infrastructure and landscaping (phase two).

2019/0783/RG3 - Erection of a temporary chapel with associated facilities, vehicular and pedestrian access.

Case Officer Site Visit

Undertaken on 9 April 2025.

Policies Referred to

- National Planning Policy Framework
- Policy S6 Design Principles for Efficient Buildings
- Policy S13 Reducing Energy Consumption in Existing Buildings
- Policy S50 Community Facilities

- Policy S53 Design and Amenity
- Policy S63 Green Wedges

Issues

To assess the proposals with regard to:

- 1) Accordance with National and Local Planning Policy
- 2) Impact on Amenity of Neighbouring Uses
- 3) Impact on Visual Amenity
- 4) Highway Safety, Access, Parking and Surface Water Drainage
- 5) Impact on Trees and Landscaping

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
Environment Agency	No Objections

Public Consultation Responses

No responses received.

Consideration

1) Accordance with National and Local Planning Policy

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 93 states that planning decisions should plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.

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 continued use of the existing secondary chapel and therefore the following policies within the Central Lincolnshire Local Plan are relevant:

Policy S6 - Design Principles for Efficient Buildings

Policy S6 of the Central Lincolnshire Local Plan aims to ensure that all new and existing buildings are designed to minimise energy demand and carbon emissions. It encourages efficient building orientation, form, and construction materials, as well as the integration of passive design measures and renewable energy technologies wherever practical.

Policy S13 – Reducing Energy Consumption in Existing Buildings

This policy encourages upgrades to existing buildings that improve energy efficiency. It supports proposals that reduce carbon emissions, promote retrofitting, and make better use of renewable energy or low-carbon technologies.

The proposal supports the continued delivery of essential services while plans for a permanent chapel progress. Although the temporary chapel was constructed prior to the adoption of the current Central Lincolnshire Local Plan, the scheme has been considered against Policies S6 and S13.

Due to the lightweight, temporary nature of the structure, enhancements such as improved orientation, fabric upgrades, or renewable energy installations are not feasible. However, by reusing an existing building without further material impact, the proposal aligns with the overall aims of minimising energy use, reducing carbon emissions, and making efficient use of resources. As such, the development is considered consistent with Policies S6 and S13.

Policy S50 – Community Facilities

Policy S50 supports the development, retention, and improvement of community facilities

that meet the needs of local people. It recognises the importance of accessible, inclusive, and sustainable facilities—like crematoria, health centres, and places of worship. New or extended community buildings must be appropriately located, well-designed, and not have a harmful impact on local amenity or transport networks. The crematorium has seen a significant rise in demand, with over 1,750 cremations taking place in 2023—placing it among the busiest in the region. To manage this increase and improve service delivery, a second chapel was introduced on a temporary basis. Its presence has allowed for longer, more respectful services, reduced waiting times, and better flexibility in accommodating different service types, including direct cremations.

This aligns directly with Policy S50, which supports the development and enhancement of community facilities that respond to local needs. Retaining the chapel ensures the crematorium can continue to deliver a vital public service during a period of sustained population growth, while long-term plans for a permanent second chapel are progressed. The proposal enhances accessibility, service quality, and operational resilience which are key aims of the policy.

Policy S53 – Design and Amenity

Policy S53 focuses on ensuring new development is well-designed and delivers high standards of amenity for both users and neighbouring occupiers. Proposals should respect local character, avoid causing harm (such as overlooking, overbearing, or noise), and create attractive, safe, and functional places. Design must respond positively to the context and contribute to a high-quality environment. In this instance the chapel is already in situ and proposes no additional buildings, extensions or external alterations. Consideration was taken in the original location of the temporary chapel to respect views into the site and views from within the site boundary.

Policy S63 – Green Wedges

Policy S63 protects Green Wedges as important open spaces that prevent urban sprawl, provide recreational value, and contribute to biodiversity and the character of local areas. Development in these areas is tightly controlled and must not compromise their openness, function, or continuity. Proposals must demonstrate they are necessary, do not harm the Green Wedge, and offer clear benefits. In this instance the structure is part of the existing site and use and would not be detrimental to these functions or aims with no additional building works or development proposed.

2) Impact on Amenity of Neighbouring Uses

The existing secondary chapel is positioned within a well-contained part of the crematorium site, including a bowling alley to the east and a single residential dwelling located to the southwest. Other adjoining uses include the St Swithin's Cemetery located to the west, railway line to the north and former Canwick golf course to the south.

Given the nature of the use and its location, there is limited potential for disruption or harm to neighbouring amenity. The chapel operates within the bounds of existing site activity, and no new impacts in terms of noise, movement, or overlooking are expected with the retention of the existing structures and associated infrastructure.

The proposal would not be considered to have any harmful impact upon the neighbouring uses of the site and would not result in an overall increase in activity, allowing the existing,

essential services to continue whilst plans for a long-term chapel are progressed.

3) Impact on Visual Amenity

The chapel is existing and has been in operation for several years on site. The chapel consists of a main marquee constructed from waterproof white fabric with white PVC panel walls to the frontage that can be reconfigured as required. The additional back office and other facilities are over clad with external timber. The structure has and would continue to have no significant impacts upon the visual amenity of the wider area, with limited views from Washingborough Road.

4) Highway Safety, Access, Parking and Surface Water Drainage

There are no changes proposed to site access or parking arrangements, which continue to function safely and efficiently for both visitors and operational needs. The site is served by an existing access point and layby, and internal circulation remains suitable. Surface water from the structure is being managed through a soakaway system designed to the required standards, helping ensure that drainage remains effective.

Highways and Planning at Lincolnshire County Council have confirmed to have no objections to the proposals in terms of highway access, parking or safety.

The site of the secondary Chapel at Lincoln Crematorium is located in Flood Zone 1, which is defined as having a low probability of flooding from rivers or the sea. As such, the site is not at significant risk from fluvial or tidal flooding. No changes are proposed to the existing layout, and there are no flood mitigation measures required as part of this application. The proposal is therefore considered acceptable in terms of flood risk.

5) Impact on Trees and Landscaping

Tree protection and landscaping were considered in the original application, with relevant groundwork already completed during an earlier phase. This means that no further disturbance is required to accommodate the continued use of the chapel. The natural setting of the crematorium is being preserved, with no loss of mature trees or alteration to the site's landscaped character.

Conclusion

The proposal is required to ensure the continued provision of essential services while long-term development plans for the permanent second chapel progress. The scheme enables the site to continue to operate at full capacity, meeting current and growing demand efficiently and respectfully, while supporting a smooth transition to future improvements.

The proposal would not result in any adverse impact on neighbouring uses or the visual character of the crematorium grounds and surrounding area and is in accordance with the Central Lincolnshire Local Plan and the National Planning Policy Framework.

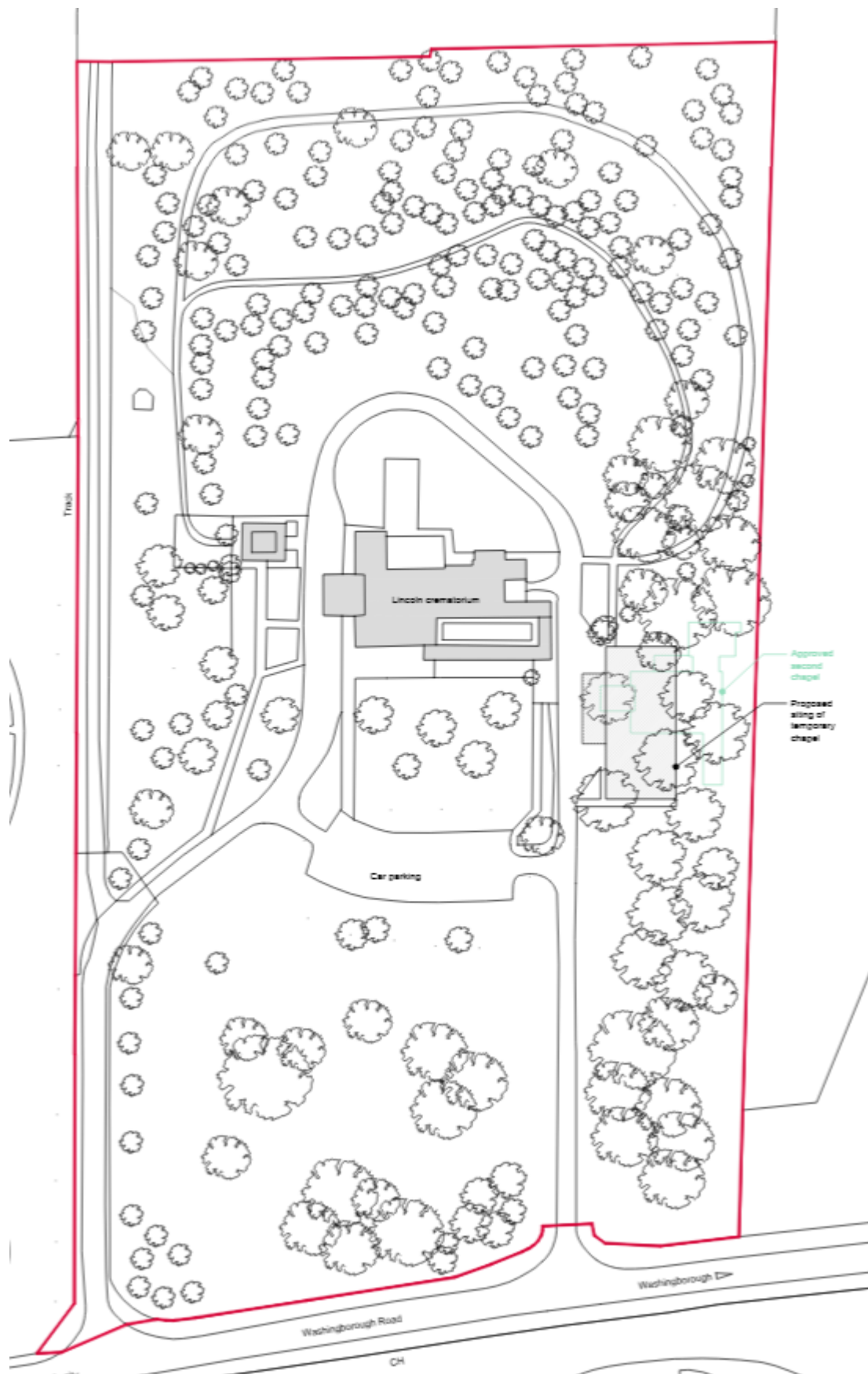
Recommendation

That Planning Permission is granted with the conditions set out below:

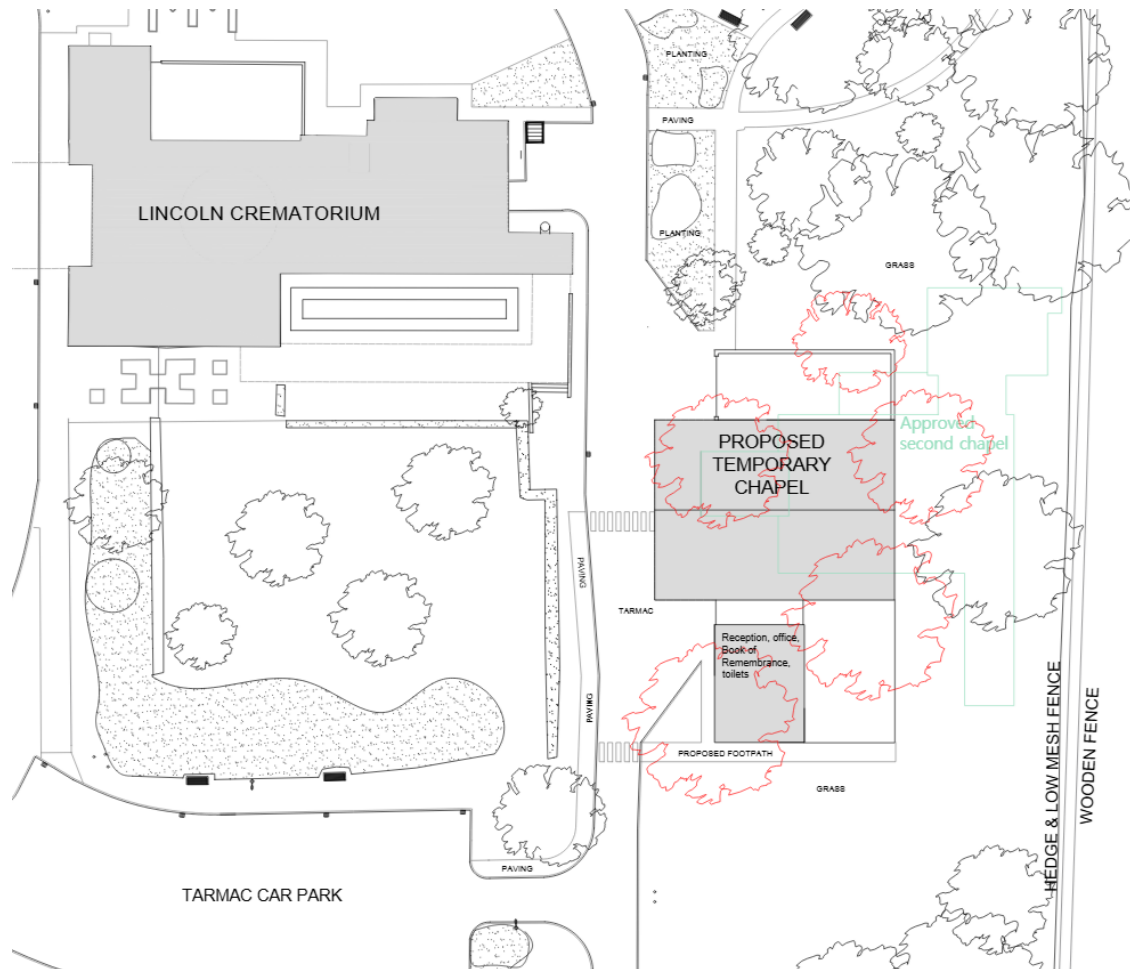
Standard Conditions

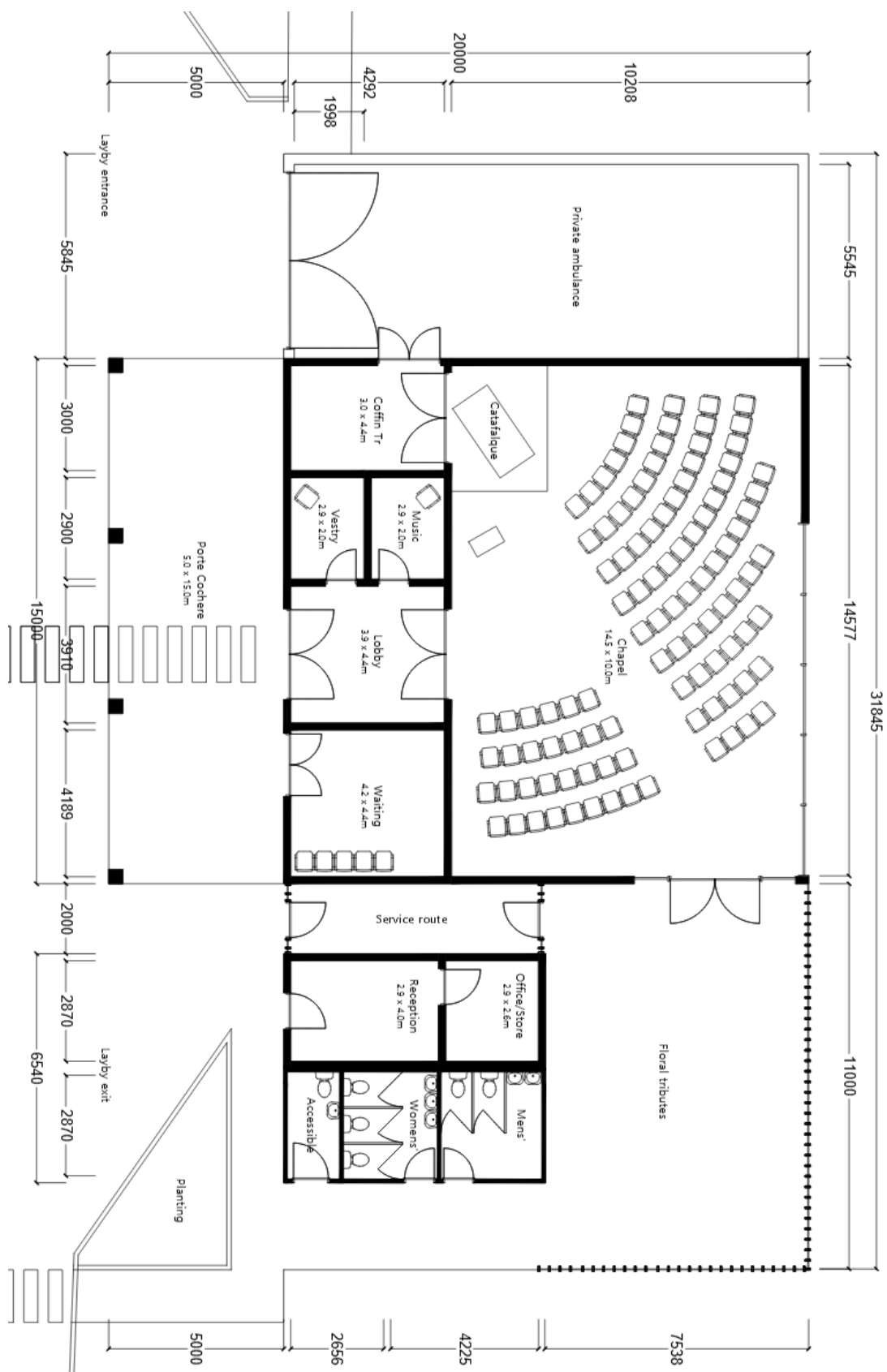
1. Development remains in strict accordance with the approved drawings.

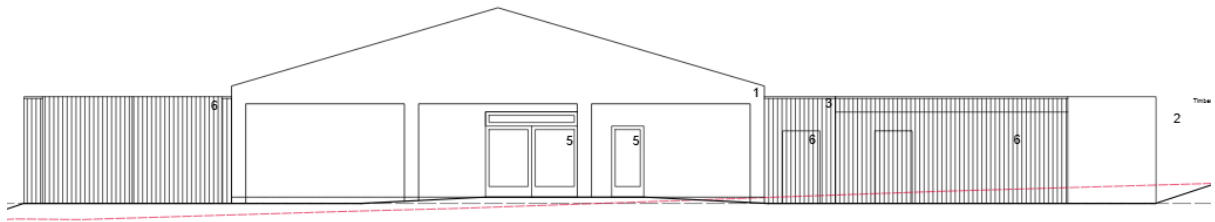
Site Location



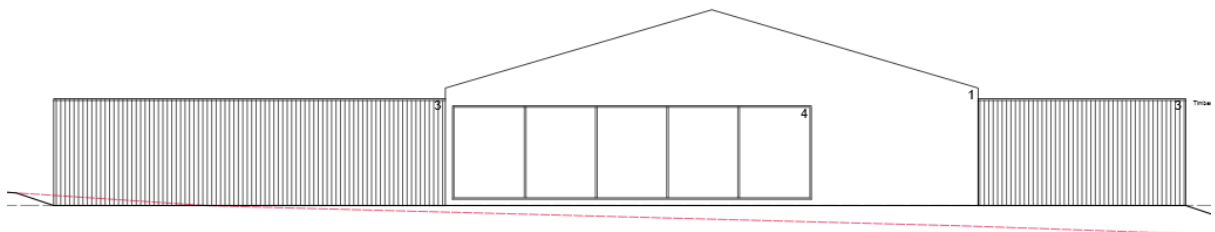
Existing and Proposed Plans



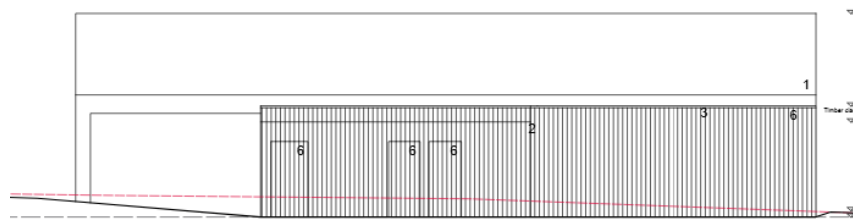




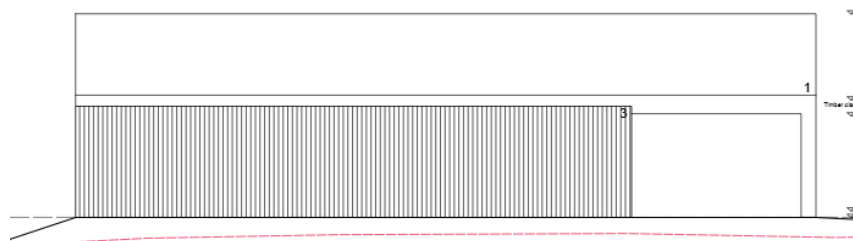
Proposed west elevation



Proposed east elevation



Proposed south elevation



Proposed north elevation

Site Photographs







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

District: Lincoln City Council

Application number: 2025/0160/RG3

Application Type:

Proposal: Continued use of a temporary chapel with associated facilities, vehicular and pedestrian access.

Location: City Crematorium, Washingborough Road, Lincoln, Lincolnshire, LN4 1EF

Response Date: 7 April 2025

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: 2025/0160/RG3

Application Type:

Location: City Crematorium, Washingborough Road, Lincoln, Lincolnshire, LN4 1EF

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.

Planning application does not have an unacceptable impact on the public highway.

Regards

Officer's Name: John Clifton

Officer's Title: Principal Development Management Officer

Date: 7 April 2025

Milly Coucom

From: LN Planning <LNplanning@environment-agency.gov.uk>
Sent: 25 March 2025 10:25
To: Technical Team (City of Lincoln Council)
Subject: RE: Consultation on Planning Application 2025/0160/RG3

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FAO: Tom Hobson

Dear Planning Officer,

The Environment Agency does not wish to make any comments on this application. It does not appear to fit any of the criteria on our consultation checklist, 'When to consult the Environment Agency'.

However, if you believe you do need our advice, please contact me using the details below.

Kind regards,

Hannah Kelly

Planning adviser | Environment Agency | Sustainable Places | Lincolnshire and Northamptonshire Area

✉ Ceres House, Searby Rd, Lincoln, LN2 4DW

📧 hannah.kelly@environment-agency.gov.uk

Team email: LNplanning@environment-agency.gov.uk

Working days: Monday to Friday

(Usual working hours 08:00 – 16:00)

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Consultee Comments for Planning Application 2025/0160/RG3

Application Summary

Application Number: 2025/0160/RG3

Address: City Crematorium Washingborough Road Lincoln Lincolnshire LN4 1EF

Proposal: Continued use of a secondary chapel with associated facilities, vehicular and pedestrian access

Case Officer: Tom Hobson

Consultee Details

Name: Mr Ian Wicks

Address: Directorate Of Development And Environmental Services, City Hall, Beaumont Fee
Lincoln, Lincolnshire LN1 1DF

Email: Not Available

On Behalf Of: Environmental Health

Comments

I confirm that I have no objections or observations to make regarding this application.

Application Number:	2023/0623/FUL
Site Address:	56 Boultham Park Road, Lincoln
Target Date:	12th July 2024
Agent Name:	NARTS Planning Department
Applicant Name:	Mrs Meryem Erol
Proposal:	Alterations to ground floor rear window to incorporate an extraction system.

Background - Site Location and Description

The application is for an alteration to a ground floor rear window to 56 Boultham Park Road to incorporate a window vent in association with a new extraction system within the premises. The building was previously used as a shop and has an authorised use of Class E. A previous application was refused for a change of use to hot food take away (Sui Generis) (2021/0038/FUL). The applicant has stated that the use would not change and would be operated under E (b) - Sale of food and drink for consumption (mostly) on the premises.

The application property was previously a shoe shop but is currently empty. To the north of the property is No. 54 Boultham Park Road, a residential property which has a single storey link at ground floor to the application property. To the south is a detached shop (Use Class E) at ground floor which appears to have a flat at first floor. The properties behind the application site and directly opposite the property are in residential.

The area is predominantly residential with the exception of the application property, the shop to the south and the car sales garage further north on the opposite side of the road.

Site History

Reference:	Description	Status	Decision Date:
2021/0038/FUL	Change of use from shoe shop (use class A1) to hot food takeaway (use class Sui Generis) and associated external alterations including new shopfront, installation of external staircase and extraction flue to rear.	Refused	19th March 2021

Case Officer Site Visit

Undertaken on 4 April 2025.

Policies Referred to

- Policy S53: Design and Amenity

Issues

- Local and National Planning Policy
- Impact on Residential Amenity

- Impact on Visual Amenity

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

Public Consultation Responses

Name	Address
Terry & Jenny Connell	54 Boultham Park Road Lincoln Lincolnshire LN6 7BB
Councillor Liz Bushell	
Mr Gary Hewson	152 Boultham Park Road Lincoln Lincolnshire LN6 7TF
Mrs Lorraine Smith	2 Sunningdale Drive Lincoln Lincolnshire LN6 7UD
Mrs Lorraine Smith	2 Sunningdale Drive Lincoln Lincolnshire LN6 7UD
Ms Nadine Middleton	9 Ellison Place Lincoln Lincolnshire LN6 7GY
Mr Kev Clarke	9 Sunningdale Drive Lincoln Lincolnshire LN6 7UD
	Flat 58 Boultham Park Road Lincoln Lincolnshire LN6 7BB
Mrs Karen Phillip	77 Boultham Park Road Lincoln Lincolnshire LN6 7SB

Consideration

Planning Policy

Paragraph 85 of the National Planning Policy Framework (NPPF) states that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Paragraph 198 states that, Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Policy S53 'Design and Amenity' of the Central Lincolnshire Local Plan (CLLP) is permissive of extensions to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both the construction and life of the development, the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

Residential Amenity

The application has attracted a number of concerns and objections from local residents. The representations include concerns regarding odour and noise which are material planning considerations relating to the current proposal although some objections have also included potential issues with the proposed use namely, increased footfall and vehicular activity, lack of parking and the use being inappropriate for the residential area.

The application relates solely to the window vent and associated kitchen extraction therefore impacts from any potential use of the building are outside the scope of this application.

Noise and Odour assessments have been submitted in relation to the new system.

Noise

The proposed extraction system has been revised during the application through negotiation and consultation with Planning and Environmental Health Officers to ensure noise levels are in accordance with national guidance. The noise assessment has been undertaken in accordance with BS4142 and the report concluded that noise levels from the extraction system will not have a significant impact at nearby dwellings. The noise assessment provides a comprehensive mitigation strategy and, providing that this strategy is fully implemented and maintained, then sound levels from the extraction system are capable of being controlled to achieve relevant criteria. The noise information has been assessed by the City Council's Pollution Control Officer who has recommended conditions to ensure the

system is installed in accordance with the submitted information and is verified. The verification will be required to be submitted to the City Council before the use commences.

Odour

An Odour Assessment has also been submitted with the application. It identifies that the extraction system requires a 'very high level' of odour control and provides options, for achieving this level of control.

The City Council's Pollution Control Officer has stated that, the proposed system should be capable of meeting the requirements of the relevant guidance, provided that it is correctly installed and maintained. However, the chosen system is not to be used in conjunction with solid fuel appliances therefore a condition is proposed which would ensure that the solid fuel appliances would not be used.

Whilst the extraction system as detailed within the application is capable of appropriately dealing with a 'very high level' of odour and filtrating it appropriately, a condition is also proposed to further protect local amenity by ensuring the system is only operated between the hours of 8am and 11pm.

It considered that the appropriate information has been submitted to show that the extraction system meets the requirements of the Emissions Monitoring and Air Quality+ - Control of Odour and Noise from Commercial Kitchen Exhaust Systems. On this basis it is therefore concluded that the extraction system as proposed would not give rise to undue fume or noise levels in accordance with Policy S53 of the Central Lincolnshire Local Plan.

Visual Amenity

The application seeks consent for an alteration to the ground floor rear window to include a vent to allow extraction. This modification has already been undertaken. It is a minor alteration and positioned to the rear, there are limited public views of the proposal, it is therefore considered that the character of the area would not be unacceptably harmed in accordance with Policy S53 of the Central Lincolnshire Local Plan.

Conclusion

The application has been accompanied by robust noise and odour assessments, showing appropriate mitigation. The system proposed, subject to conditions would not have a detrimental impact on the amenity of neighbouring uses in accordance with policies S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes – with extension of time during negotiations.

Recommendation

That the application is Granted Conditionally.

Standard Conditions

01) The development shall be implemented within 3 years

- 02) The development shall be undertaken in accordance with the approved drawings

Conditions to be Discharged Before Use is Implemented

- 03) The kitchen extract system mitigation measures detailed in applicant's acoustic report (ref. 'Noise Impact Assessment of Revised Proposed Kitchen Extract System at Restaurant with Hot Food Takeaway Facility, 56 Boultham Park Road, Lincoln', prepared by S. & D. Garritt Ltd, dated 17th December 2024); odour assessment report (ref. '56 Boultham Park, Lincoln', prepared by Purified Air, dated 5th March 2025); and drawing ref. 22.07.D1 - 'Existing and Proposed Plans R3' shall be implemented prior to the commissioning of the kitchen extract system. The Planning Authority must be given two weeks written notification of commencement of the mitigation scheme works.

Following the completion of works a verification report documenting the installation of the approved mitigation shall be submitted to and approved by the Planning Authority. The verification report shall clearly demonstrate that the installed mitigation measures achieve the assessment criteria contained in the submitted noise and odour assessments detailed above.

The approved mitigation measures shall remain in place and operated and maintained in accordance with the manufacturers' instructions thereafter.

Reason: In order to protect residential amenity of neighbouring properties.

Conditions to be Adhered to At All Times

- 04) The extraction system shall only be permitted to be operated between the hours of 8.00am and 11.00pm.

Reason: In order to protect residential amenity of neighbouring properties.

- 05) The approved kitchen extraction shall not be used to extract fumes and odours associated with solid fuel cooking appliances.

Reason: In order to protect residential amenity of neighbouring properties.

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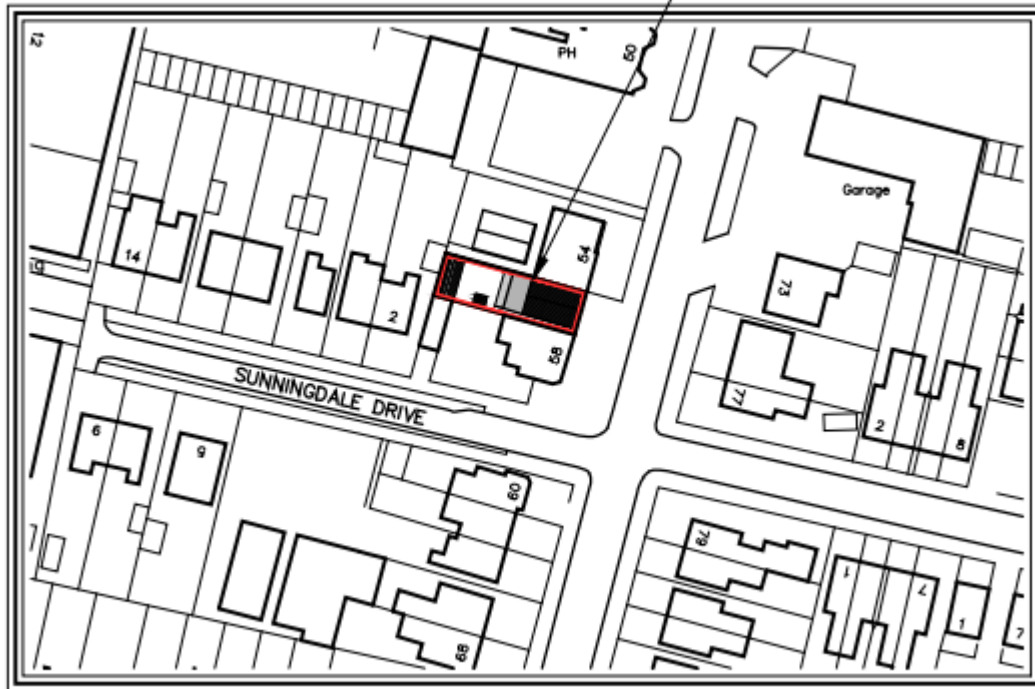




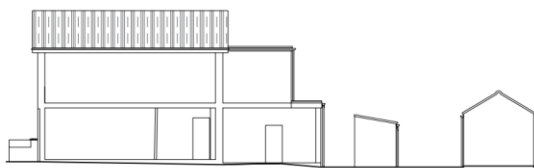


plan - 1:1250

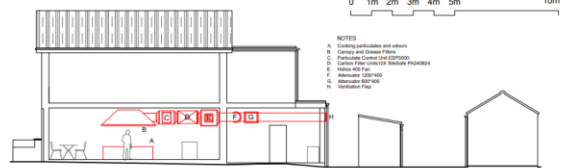
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GRAPHIC SCALE 1:1250

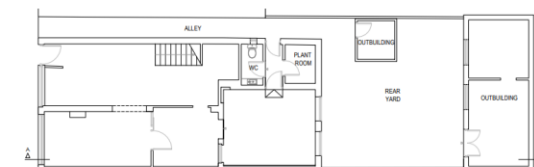


EXISTING A-A SECTION

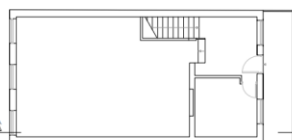


PROPOSED A-A SECTION

- NOTES
- A. Existing building and adjacent
 - B. Existing and proposed
 - C. Existing and proposed
 - D. Existing and proposed
 - E. Existing and proposed
 - F. Existing and proposed
 - G. Existing and proposed
 - H. Existing and proposed
 - I. Existing and proposed
 - J. Existing and proposed
 - K. Existing and proposed
 - L. Existing and proposed
 - M. Existing and proposed
 - N. Existing and proposed
 - O. Existing and proposed
 - P. Existing and proposed
 - Q. Existing and proposed
 - R. Existing and proposed
 - S. Existing and proposed
 - T. Existing and proposed
 - U. Existing and proposed
 - V. Existing and proposed
 - W. Existing and proposed
 - X. Existing and proposed
 - Y. Existing and proposed
 - Z. Existing and proposed



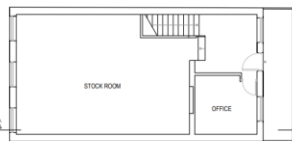
EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



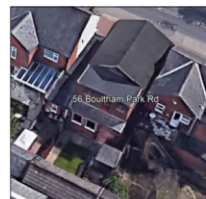
EXISTING AND PROPOSED FRONT ELEVATION (No Change)



EXISTING REAR ELEVATION



PROPOSED REAR ELEVATION



NOTES

The first stage of a project is to establish a baseline. This is done by taking a series of photographs of the site from all angles. This will help to identify any potential issues and provide a clear picture of the current state of the site.

The second stage is to create a plan of the site. This will show the layout of the site and the location of any buildings or other structures. This plan will be used to create a 3D model of the site.

The third stage is to create a 3D model of the site. This will show the height and volume of the site and will help to identify any potential issues. This model will be used to create a series of cross-sections of the site.

The fourth stage is to create a series of cross-sections of the site. This will show the internal structure of the site and will help to identify any potential issues. These cross-sections will be used to create a series of elevations of the site.

The fifth stage is to create a series of elevations of the site. This will show the external appearance of the site and will help to identify any potential issues. These elevations will be used to create a series of sections of the site.

The sixth stage is to create a series of sections of the site. This will show the internal structure of the site and will help to identify any potential issues. These sections will be used to create a series of elevations of the site.

The seventh stage is to create a series of elevations of the site. This will show the external appearance of the site and will help to identify any potential issues. These elevations will be used to create a series of sections of the site.

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The tenth stage is to create a series of sections of the site. This will show the internal structure of the site and will help to identify any potential issues. These sections will be used to create a series of elevations of the site.

HELIX 400 FIBRE

A great introduction to the Helix 400 Fibre system is provided in the Helix 400 Fibre system. This system is designed to provide a high-speed, high-capacity network that can be used for a wide range of applications. The Helix 400 Fibre system is a modular system that can be configured to meet the needs of any organization.

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NARTS

56 Boultham Park Road, Lincoln, LN6 7BB

01522 721 100 (0900 100 100) | www.narts.org.uk | info@narts.org.uk

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22.07 D1 EXISTING AND PROPOSED PLANS R3

Revision

Revision

54 Boultham Park Road Lincoln Lincolnshire LN6
7BB (Objects)

Comment submitted date: Thu 21 Mar 2024

My husband and I are emailing to inquire if there have been any developments with the premises next door to our property.

We would like to echo the objections we put forward last year re the request to open a takeaway. Our concerns remain unchanged, and they are briefly Pollution (odours etc) Noise (our kitchen is joined to the premises) and Traffic congestion. The details are in our objections 2023.

The owners continue to use the property as they did throughout covid with there often being around 20 cars parked overnight, arriving around 11pm and often having left before or around 6am. This statement could be clarified by all our neighbours and County Councillor.

The garden to the rear, which was kept immaculate by my late brother, is now a wilderness of self set trees and rubbish which alone make us worry about when it is open to sell food.

My neighbour at the end of our garden had a visit from a noise assessor, we did not have a visit, we were at home at the time. We are the closest, adjoined by our kitchen, utility and garage to number 56 as my Father built the shop in the 1940s, extending it in the 1960s.

We cannot express how anxious we are about the use of the property. We apologize for expressing our concerns and we have been made aware of the recent changes to the laws around these things but we feel we must try to make ourselves heard.

Kind regards

Jenny and Terry Connell

Comment submitted date: Fri 02 Jun 2023

We wish to strongly object to the application for the following reasons;

The previous application 2021/0038/FUL was refused 19/03/21

The reasons given were for its location causing an increase in footfall and activity during evening hours, and also disturbance from internally and externally generated noise.

On the new proposed plan and application (May 2023) it shows provision for 22 seated customers, and 8 staff. It states the "restaurant" will be open from 7am to 11pm every day including bank holidays.

The inevitable Noise, disruption and congestion generated from the sheer volume of people, cars, delivery vehicles, and from the Extractor Fans' almost continuous use, would be detrimental to this community's health and wellbeing including our own.

We have grave concerns over the Extraction system. During Dec 2022 a metal grid (photo attached) was fitted within the glass of the window, presumably to accommodate this system.

Therefore our original concerns over Noise and Odours remain as our property is joined and level with this property. The submitted external designs/plans and aerial photograph of our property are grossly inaccurate and do not show how close we are, or the full extent of our property. In the photo it depicts the brick shed, which was demolished in 2020.

The Internal extraction system will be operating on the other side of our kitchen wall, which is where the proposed food preparation area is planned. This vents around the room to the grid in the window. This has the potential for causing Noise from ducting vibrations, cooking equipment noises, music and general noise disturbance for 16 plus hours a day.

We are concerned just how effective at eliminating noise this extraction system will be as we are very aware of noises from ? a refrigeration system in a nearby property and we have always been able to clearly hear noise in our home from when the property was a shoe shop.

We are extremely concerned over potential disturbing odours emanating from this extraction system, due to its close proximity to our house and garden. Also according to the plans there is provision for only 2 household sized black waste bins. The passage alongside the shop is narrow and not wide enough for larger containers. Therefore our concerns remain as to where, how and for how long the food waste will be stored, the probable resulting odour and risk of vermin or fire, which could affect us and the surrounding properties.

We have concerns over noise from the food delivery vehicles that a restaurant/ takeaway would require, possibly delivering and unloading at all hours of the day and night. Probable noise from their customers and staff accompanied by potential antisocial behaviour late at night and weekends due to opening times generating more footfall. People standing around eating, litter, traffic noise and light pollution from signage causing sleep disturbance to surrounding houses.

This disturbance will be in addition to the frequent deliveries there already are to the newsagent and car deliveries to the showroom directly across the road. Also on a daily basis there are many people visiting these places who park on the pavement, causing risks to the walking /cycling public and car drivers.

It has been voiced that the premises will be used as 51% restaurant and 49% takeaway, may I reiterate that on the plans there is seating for 22 people in the restaurant and it states 8 staff so our previous concerns (Feb 2021) remain that there is parking provision for 2 cars. Where will the customers and staff park? Undoubtedly they will resort to parking on the footpaths, road and side streets.

It is a very busy and dangerous road, where the speed limit is frequently abused. It is frequented by many, including school children and the elderly. An increase in vehicles could endanger the lives of the public.

We are aware the request is for the Extraction system only but coupled with the proposed use of the property 364 days of the year, operating from 7am-11 pm plus, our concerns are around the elevated internal and external noise levels, and subsequent unpleasant odours from the property. Finally the congestion caused by even more parked cars and delivery vehicles, and the impact it would have on people's safety in Boultham Park Road. These factors would have a serious detrimental effect on our lives and those of our neighbours and passing public. Does this neighbourhood really need another fast food outlet?

9 Sunningdale Drive Lincoln Lincolnshire LN6 7UD (Objects)

Comment submitted date: Thu 08 Jun 2023

Raising objection on the above application, due to cannot see anywhere for parking, thus will be using either Boultham Park Road or side streets, the application states food on or off the premises what exactly does that mean however gives the impression that cars will be driving up to order food i e takeaway .School children heavy use the path outside the shop and fear the application will in fact put the safety of children in question. Finally cant see how the application can be passed due to being so open what the shop is going to be used for actually seems saying food on or off premises but that could be taken as a take away ,was there any requests for yet another takeaway, wish the committee to consider the application and the future use of the premises carefully with the need of residents

9 Ellison Place Lincoln Lincolnshire LN6 7GY (Objects)

Comment submitted date: Tue 06 Jun 2023

I would like to raise my concerns about the issue of parking and the detrimental effect it will have on the local residents nearby.

Planning permission has recently been passed for the development of 18 flats on the land where the victory used to stand on Boultham Park Road. As a result of this I am expecting there to cars that possibly visit that development when it has been built to have to find parking which will invariably be as close as possible. That being Ellison Place. Also the land currently has cars on it 24/7 where are these cars going to park when they are not able use the land? Photo 1 was taken on Sunday 4th June 2023 showing 6 vehicles parked up. Photo 2 was taken Monday 5th June 2023 and shows 9 vehicles.

On Saturdays when Lincoln City play at home many fans park on Boultham Park Road and the side streets off it including Ellison Place, Sunningdale Drive and

Marjorie Avenue.

Customers to the Premier shop next to the proposed restaurant also park on the footway as well as on the road outside the shop often causing an obstruction to vehicle's using Boultham Park Road especially at peak times. This is concerning at going and coming out of school times when there are many young children walking to and from school.

As the proposed restaurant hours of business are 07.00 till 23.00 Mon-Sat and 11.00 till 23.00 Sundays and Bank Holidays there will be no doubt an increase in vehicles with a need to park in an area that appears to already be congested at times and have little parking space nearby available.

I objected to the previous application when it was for a takeaway. All my previous objections still stand as the premises will still be preparing and selling food, only the plans now show some tables have been added so it can be classed as a restaurant.

77 Boultham Park Road Lincoln Lincolnshire LN6 7SB (Objects)

Comment submitted date: Sun 04 Jun 2023

The proposal for a food place is totally inappropriate for the location, the proposed property is surrounded by houses. As before when it was going to be a takeaway food place, I live opposite the property, my bedroom faces it. It will create noise, too much light, noise from people and cars, there is no parking facility for multiple cars, which will clog the road, causing accidents

2 Sunningdale Drive Lincoln Lincolnshire LN6 7UD (Objects)

Comment submitted date: Sat 03 Jun 2023

We would like to expand on my objection now that we have time to write it.

First we are concerned how easy it now is to change the existing property into a restaurant without the need for planning permission yet to change it into a takeaway business you have to have planning permission. Which as we know the current owner applied for and it was refused.

Our previous objections are still current as the property is still to be used to prepare and sell food.

This is a predominately residential area and it will impact on the area by reason of the increased footfall and activity during evening hours and the resulting noise and disturbance generated by such use. Also from delivery vans who may deliver early to avoid congestion. We already experience this when the early morning papers being delivered to the corner shop.

There are only 2 parking spaces for the restaurant. The floor plan shows it facilitating 22 customers at any one time. Customers who use cars who will invariably park down Sunningdale Drive as do the customers who visit the corner shop. They have to park on the grass verge as the road is too narrow to allow a car to park on it and another vehicle to be able to travel past it. This results in the grass verges getting damaged constantly.

There is a potential for unwanted odour coming from the extraction system that points towards our home. Are we expected to have to have our windows and vents closed all the time to prevent to odours entering our home. Adequate heating and ventilation are paramount to reducing condensation in a building and we do not want to have mould problems because we cannot ventilate our home properly. We also worry that the door on the first floor would be opened as has been during the warmer months resulting in odours escaping at a higher level.

Extraction fans only work efficiently if they are maintained and cleaned effectively. Our concern is that as stated on Q21 of the application form the business will operate from 7am till 11pm 6 days a week Monday to Saturday and 11am till 11pm on a Sunday and Bank Holiday. That is a total of being open for business 108 hours a week. The form states 2 full time staff and 4 part time staff will be employed. Will they have time to do additional tasks that are in addition to their daily tasks in order to maintain the extraction system and will they have had adequate training or is it that the installers have a maintenance contract? We do not know what the level of noise coming from the extraction fan will be as that information is not on the plan but we would be concerned that it will also be noisy as well as odorous.

We are also concerned that there are only 2 household size bins shown on the plans. For a restaurant business with food waste we are concerned once again about the odours that come from waste food products especially during summer months. It also has a high potential for attracting vermin. Both of these would restrict our time spent in the garden getting fresh air and enjoying our leisure time.

Realistically people are going to go into the business and order a takeaway. If they then eat it as they are walking home there is the potential for increase in litter from the food packaging.

We could go on but instead ask that you read our objections for the previous application as nothing has really changed either way. The business is still about the preparation and selling of food it will have a negative impact on us and our close neighbours all who have lived here for many years undisturbed and without the need for having to put up with unwanted smells.

Comment submitted date: Fri 26 May 2023

Good Afternoon.

Regarding The Above Address, Case Number KA7200.

I Would Like This Application To Come To Planning Committee Please.

Kind Regards,
Liz Bushell
Boultham Ward Councillor.

152 Boultham Park Road Lincoln Lincolnshire LN6 7TF (Neutral)

Comment submitted date: Thu 18 May 2023

This site was refused a change of use to a take away
by officers without the need to come to planning committee
If there is now a change of opinion I would ask this comes to committee for
determination

2 Sunningdale Drive Lincoln Lincolnshire LN6 7UD (Objects)

Comment submitted date: Wed 17 May 2023

This is obviously a retrospective planning application as the window was changed
November/December 2022.

I am confused because a previous planning application to change the use of the
property to a food retail / takeaway was refused.

If this window was changed so that the people who attend the property on Sunday
night through to Monday morning (8pm to 8am approx) and sometimes Wednesday
night through to Thursday morning can cook themselves food then opening a
window would be adequate ventilation.

If it has been installed so that catering and the sale of food goes on in a commercial
capacity then I object for all the same reasons as I previously did.

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