

Present: Councillor Jim Hanrahan (*in the Chair*),
Councillor Naomi Twedde, Councillor Biff Bean,
Councillor Bill Bilton, Councillor Alan Briggs, Councillor
Kathleen Brothwell, Councillor Chris Burke, Councillor
Bob Bushell, Councillor Gary Hewson, Councillor
Ronald Hills and Councillor Edmund Strengiel

Apologies for Absence: None.

27. Confirmation of Minutes - 20 June 2018

RESOLVED that the minutes of the meeting held on 20 June 2018 be confirmed.

28. Declarations of Interest

No declarations of interest were received.

29. Work to Trees in City Council Ownership

The Arboricultural Officer:

- a. advised members of the reasons for proposed works to tree's in City Council ownership and sought consent to progress the works identified as detailed at Appendix A of his report
- b. explained that Ward Councillors had been notified of the proposed works
- c. stated that in some cases it was not possible to plant a tree in the exact location and in these cases a replacement would be replanted in the vicinity.

Members queried whether a memorial picnic garden would definitely be created in Hartsholme Country Park if permission was given to the felling of trees, as there had been no written communication on this project.

The Arboricultural Officer advised that the Senior Conservation Ranger at Hartsholme Country Park had submitted a request for the trees to be felled in order to facilitate the development of a picnic garden should this request be approved. He added that he would ask that this matter to be referred to the Hartsholme Park Advisory Group.

Members referred to a Weeping Willow tree in Boutham Park which required pruning and asked which reporting mechanism should be used to inform the Arboricultural Officer regarding this type of work request.

The Arboricultural Officer highlighted that he could be contacted by telephone or e mail.

RESOLVED that the works set out in the schedule at Appendix A attached to the report be approved.

30. Confirmation of Tree Preservation Order No 157

The Planning Team Leader:

- a. advised members of the reasons why a temporary tree preservation order should be confirmed at the following site:
 - Tree Preservation Order 157: 2 no Beech trees in the front garden of 118 Doddington Road, Lincoln, LN6 7HB
- b. provided details of the individual trees to be covered by the order, and the contribution they made to the area, permission being sought by the owner of the property concerned
- c. advised that following the statutory 28 day consultation period, no objections had been received to the tree preservation order
- d. reported that confirmation of the tree preservation order would ensure that the trees could not be removed or worked on without the express permission of the council.

Members commented that a tree preservation order made at the request of the owner of the property had never been seen before.

The Planning Manager confirmed that this was incredibly unusual, however, it could happen.

RESOLVED that tree preservation order no 157 be confirmed without modifications and that delegated authority be granted to the Planning Manager to carry out the requisite procedures for confirmation.

31. Application for Development: 30 Portland Street, Lincoln

The Principal Planning Officer:

- a. advised that the application proposed the change of use of 30 Portland Street from retail (Use Class A1) to a community hub space (Use Class D1) along with meeting rooms and offices
- b. reported that the building was currently vacant, located within the West Parade and Brayford Conservation Area
- c. highlighted that the application was brought before Planning Committee as the applicant was the City of Lincoln Council
- d. provided details of the policies pertaining to the application as follows:
 - Policy LP15: Community Facilities
 - Policy LP25: The Historic Environment
 - LP26: Design and Amenity
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - National Planning Policy Framework
- e. outlined the responses made to the consultation exercise

f. advised members of the main issues to be considered as part of the application as follows

- Principle and Policy Context
- Visual Amenity and the Character of the Conservation Area
- Residential Amenity

g. concluded that:

- The principle of the use was appropriate in this location and would be of benefit to the wider community.
- The use would not have a harmful impact on the visual amenity of the area or the amenities that local residents may reasonably expect to enjoy.
- The proposal would also preserve the character and appearance of the conservation area.
- The application was therefore in accordance with the requirements of Central Lincolnshire Local Plan Policies LP15, LP25, LP26 and LP33, and guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail.

One member commented that it was a shame the premises were not being utilised for families in need of a home.

The Chair acknowledged the member's comment although he stated this was not relevant to the planning application. The remit of members' was to consider the application before Planning Committee this evening.

Members queried whether the proposed use of the building was as a community hub or office space.

The Planning Manager confirmed that the premises would be used as a community hub with ancillary use as offices.

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

- Time limit of the permission; and
- Development in accordance with approved plans.

32. Application for Development: 40 De Wint Avenue, Lincoln

The Planning Manager:

- a. advised that planning permission was sought for the conversion of an existing ground floor commercial unit to 3no. two bedroomed self-contained apartments with associated external alterations
- b. described the application property, a detached two storey building located on the south side of De Wint Avenue, formerly having been a retail unit granted permission in 2012 for storage and distribution (B8) at ground floor with residential use at first floor (C3) (2012/0846/F)
- c. reported that the property had been badly fire damaged in late 2015 and

was in a state of disrepair, it had been unused since the incident and was subject to complaints from local residents about the state of the building and the surrounding site

- d. highlighted that the application was brought before Planning Committee, as the City of Lincoln Council owned the freehold of the land
- e. provided details of the policies pertaining to the application as follows:
 - National Planning Policy Framework
 - Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP26: Design and Amenity
- f. outlined the responses made to the consultation exercise
- g. advised members of the main issues to be considered as part of the application as follows:
 - Accordance with National and Local Planning Policy
 - Impact on Residential Amenity
 - Impact on Visual Amenity
- h. concluded that:
 - The proposed conversion to residential apartments would not have a harmful impact on the amenities of neighbouring properties and would greatly improve the visual amenity of the premises and wider street scene on De Wint Avenue.
 - The application facilitated the conversion of a dilapidated and unused building into a more sustainable use through a conversion into three residential apartments, in accordance with policies LP1 & LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Members discussed the content of the report in further detail.

One member advised he had just one concern regarding the turning head for vehicles to park and reverse into the development, although he was still in support of the scheme.

Members queried the status of the building as the applicant was listed as Mrs H Taylor, although the City of Lincoln Council owned the freehold on the land. Was permission being sought for 3 council flats or alterations to the existing premises?

The Planning Manager highlighted that it was his understanding the City of Lincoln Council had ownership of the land. The remit of Planning Committee was to establish whether the creation of 3 residential units on the ground floor was considered to be acceptable. Members were welcome to query the status of the building with the Property Services section of the Council.

Members further queried whether the response from a local resident raising concerns regarding overlook to his property had been checked?

The Planning Manager confirmed that the Case Officer had considered the relationship between the two properties which was typical 'window to window' in a

residential area. The upstairs flat already had authorised use as such.

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

- 03) In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval, in writing, of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 04) The construction of the development hereby permitted shall only be undertaken between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time, except in relation to internal plastering, decorating, floor

covering, fitting of plumbing and electrics and the installation of kitchens and bathrooms; and

Any deliveries associated with the construction of the development hereby permitted shall only be received or despatched at the site between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time.

Reason. In the interests of the amenity of neighbouring properties.

- 05) Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent re-enactment or revocation thereof) the dwelling hereby approved shall not be enlarged, improved or otherwise altered without the prior consent of the City Council as Local Planning Authority.

Reason: In the interests of the privacy and amenity of neighbouring residents.

Table A

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

Drawing No.	Version	Drawing Type	Date Received
17/003/T/14 C	C	Elevations - Proposed	29th May 2018
17/003/T/15 B	B	Elevations - Proposed	29th May 2018
17/003/T/20		Elevations - Proposed	29th May 2018
17/003/T/21		Elevations - Proposed	29th May 2018
17/003/T/13 A	A	Floor Plans - Proposed	29th May 2018
17/003/T/22 B		Site plans	3rd August 2018