

Present: Councillor Naomi Twedde (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor Bill Bilton, Councillor Alan Briggs, Councillor Chris Burke, Councillor Liz Bushell, Councillor Gary Hewson, Councillor Rebecca Longbottom, Councillor Bill Mara and Councillor Edmund Strengiel

Apologies for Absence: Councillor Kathleen Brothwell

85. Confirmation of Minutes - 15 July 2020

RESOLVED that the minutes of the meeting held on 15 July 2020 be confirmed.

86. Declarations of Interest

No declarations of interest were received.

87. Work to Trees in City Council Ownership

Lee George, Open Spaces Officer on behalf of the Arboricultural Officer:

- a. advised members of the reasons for proposed works to trees in the City Council's ownership and sought consent to progress the works identified, as detailed at Appendix A of his report
- b. highlighted that the list did not represent all the work undertaken to Council trees, it represented all the instances where a tree was either identified for removal, or where a tree enjoyed some element of protection under planning legislation, and thus formal consent was required
- c. explained that Ward Councillors had been notified of the proposed works.

Members discussed the content of the report in further detail.

Members commended the Arboricultural Officer on his careful choice of replacement trees within the schedule of intended works to trees, in particular that of Spindle trees and Medlar trees which were excellent for wildlife.

Lee George advised that the Arboricultural Officer had done a great deal of homework to enable him to introduce different species of trees. He would pass the members' thanks on when he next saw him.

RESOLVED that tree works set out in the schedules appended to the report be approved.

88. Applications for Development

89. 96 High Street, Lincoln

The Assistant Director for Planning:

- a. reported that planning permission was sought for the erection of a three storey rear extension to facilitate the conversion of 96 High Street to three

Houses in Multiple Occupation (HMOs), one to accommodate 3 bedrooms (Use Class C4), 1 to accommodate 7 bedrooms and 1 to accommodate 12 bedrooms (Sui Generis)

- b. confirmed that the application would retain the existing retail unit fronting the High Street
- c. described the location of the site on the west side of the High Street, on the corner with Princess Street which continued along the south boundary of the site
- d. reported that the ground floor retail unit was currently vacant with the upper floors and a single storey rear off-shoot occupied as a six bedroom HMO, the rear off-shoot would be removed to accommodate the proposal
- e. described further particulars in respect of the site of the proposed development as follows:
 - It was adjoined to 97-98 High Street to the north, to the rear of which was a part two storey, part single storey off-shoot with a first floor balcony accommodating 3A, B, C and D Princess Street.
 - Vehicular access to the site was available to the west adjacent to Princess Street Garage, serving an area of site curtilage to the north.
 - This open portion of the site separated the proposal from 3A-D Princess Street and also other properties to the north, 99 High Street, the rear elevations and yards of 2 and 4 Foster Street as well as flats 1 and 2 St George's Court.
 - The site was located within St Peter at Gowts Conservation Area.
- f. highlighted that the application had been brought to Planning Committee at the request of Councillor Gary Hewson
- g. provided a full site history in relation to the application property as detailed within the officer's report
- h. highlighted that the scheme had been revised during the process of the application to alter the design of the roof at the request of officers and included an additional door to the south elevation and a window to the west
- i. reported that the current re consultation period for the latest revisions was due to expire after this report was finalised, any further representations received in the intervening period would be included in full on the update sheet
- j. provided details of the policies pertaining to the application, as follows:
 - Policy LP25: The Historic Environment
 - Policy LP26: Design and Amenity
 - Policy LP33: Lincoln's City Centre Primary Shopping Area and Central Mixed Use Area
 - National Planning Policy Framework

- k. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
- Principle and Policy Context
 - Visual Amenity and Character and Appearance of the Conservation Area
 - Residential and Local Amenity
- l. outlined the responses made to the consultation exercise
- m. referred to the update sheet which contained detailed plan elevations in respect of the proposed development
- n. concluded that :
- The principle of the use was appropriate in this location.
 - The height, scale, mass and design of the extension was considered to be acceptable and would complement the architectural design of the property, also relating well to the surroundings.
 - The character and appearance of the conservation area would accordingly be enhanced.
 - The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
 - The application was therefore in accordance with the requirements of Central Lincolnshire Local Plan Policies LP25, LP26 and LP33, and guidance within the National Planning Policy Framework.

Members raised concerns in relation to the proposed scheme as follows:

- It was mentioned there were only minor differences to this planning application compared to the previous application for the site, however, the original facility was only entitled to house 15 residents as a House in Multiple Occupation (HMO) although this proposal would add another 7 residents.
- Concern was expressed as to the type of internal facilities the 22 residents would enjoy, being of higher density occupation than previously proposed.
- It was hoped that work would be carried out to refurbish the retail unit at the front of the development on the High Street.
- Lincoln Civic Trust had also expressed concerns regarding the high density occupation of the scheme. If planning permission was granted for this scheme, would the applicant need to apply for a HMO under a separate licence?
- Although there were no issues with the front/south elevational plans, the north elevation was 2.5 metres higher to the eaves level than the previous application. The four flats at the rear of the development would look out onto an oblique blank wall with opaque windows.
- There were issues of overbearing, loss of light and loss of local amenity.
- One of the bedrooms on the first floor measured only 1.6 metres x 3.95 metres inclusive of En suite facilities. Did this meet the minimum requirements for bedroom sizes?
- Some of the bedrooms went below the eaves of the roof onto Princess Street which may impact on usable space.

- There was lack of detail for the scheme in relation to size of skylight windows, refuse facilities, bicycle racks etc.
- What would happen to the two attractive windows at the west elevation to the original building?
- Would replacement windows be subject to a condition to prevent use of UPVC?

The Assistant Director for Planning offered the following points of clarification to members:

- It was clearly evident there was an issue with some of the room sizes proposed for the development.
- All HMO's required a licence to operate which included minimum sizes for the bedrooms, so there was a safety net regarding bedroom sizes which could be taken into consideration although this was under a separate piece of legislation.
- The applicant had an aspiration to refurbish the shop front once the rear element of the development was established.
- There was sufficient detail in the proposals for it to register as a planning application. Officers were always careful in cases with less than generous supply of background information to impose conditions on the grant of planning permission to ensure there were sufficient controls over construction.
- Officers would not be expecting the developer to install UPVC windows, the windows in the High Street frontage would definitely be constructed of timber.
- The scale, size and footprint of the proposed development was the same as that previously submitted. The maximum height was lower, however, the eaves height incorporated at the rear of the development was notable together with the intensity of use. It was within the gift of members to decide whether the increased height had an adverse effect on the amenity of residents.

A motion was proposed, seconded and:

RESOLVED that planning permission be refused.

Reasons:

1. The scale and mass of the proposed extension created an unduly overbearing effect and loss of natural light, harming the residential amenities of the occupants of houses to the north, contrary to policy LP26.
2. The number of bed spaces proposed over-intensified the HMO element of the property and in doing so resulted in an unacceptable level of residential amenity for its future occupants, contrary to Policy LP26.

90. Land Adjacent 22 Saville Street, Lincoln.

The Planning Team Leader:

- a. described the location of the application site at the bottom of Saville Street adjacent to 22 Saville Street, a derelict and overgrown piece of land informally used for storage, bounded by a mixture of timber, herras and

palisade fencing, accommodating a dilapidated 1½ storey warehouse and some garages, to be removed as part of the proposals

- b. confirmed the current access to the site, via Saville Street, located at the south east corner, which served as an informal turning area for residents of the street
- c. added that beyond the access the remainder of the south boundary of the site stepped out, which narrowed the end of Saville Street where it joined St. Catherines Court, having two bollards, one in the road and one in the footpath, to stop through vehicles
- d. reported that the Highways Authority had now agreed to take on free gift of the land the subject of the informal turning point from the applicant, which would be maintained by the Highways Authority as a turning point also funding the costs of the transfer and imposition of a Traffic Regulation Order at the end of the street
- e. reported further on the location of the site as follows:
 - The side gable of 22 Savile Street was situated on the side, east boundary of the site, the property had a single off-shoot to the rear with the adjacent yard enclosed by an approximately 1.8m high fence.
 - To the rear of this, along and adjacent to the remainder of the east boundary, were outbuildings within the ownership of neighbouring 20 Saville Street.
 - The rear boundary to the north formed the side boundary with 33 St. Catherines Court and the rear boundaries with 23 and 25 Stanley Street.
 - To the west of the site was an area of landscaping on St. Catherines Court.
- f. stated that the wider area was characterised by traditional two storey red brick terraces on Saville Street with two storey semi-detached and terraced properties on St. Catherines Court
- g. advised that planning permission was sought for the erection of a terrace of five, two storey dwellings facing south, the two bedroom properties would have the benefit of six off-street parking spaces to the front and gardens to the rear, and the proposed development would see the existing access from Saville Street closed off and access to the proposed car park taken from St. Catherines Court
- h. reported that the original proposal for five dwellings in sets of two and three units had been revised during the process of application in response to concerns from officers regarding design and impact on neighbouring properties and had also attempted to address objections from neighbours to the loss of the informal turning space at the bottom of Saville Street which current access to the site provided
- i. reported that the expiry of the re consultation process fell the day after this report was finalised and, at the time of writing, no additional objections or comments had been received, although any representations received in the intervening period would be included in full on the update sheet

- j. provided details of the policies pertaining to the application, as follows:
- Policy LP1: A Presumption in Favour of Sustainable Development
 - Policy LP2: The Spatial Strategy and Settlement Hierarchy
 - Policy LP13: Accessibility and Transport
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- k. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
- Principle of Use
 - Visual Amenity
 - Residential Amenity
 - Access, Parking and Highways
- l. outlined the responses made to the consultation exercise
- m. referred to the update sheet which contained a revised officer recommendation and an additional comment received from a member of the public
- n. concluded that :
- The principle of the use of the site for residential purposes was considered to be acceptable in this location.
 - The development would relate well to the site and surroundings, particularly in relation to siting, height, scale, massing and design.
 - The proposals would also not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy.
 - Matters relating to highways, contamination and refuse were to the satisfaction of the relevant consultees and could be dealt with appropriately by condition.
 - The application was therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2, LP13 and LP26, as well as guidance within the National Planning Policy Framework.

Members commented in relation to the proposed scheme as follows:

- There had been initial concerns regarding residents' comments however officers had worked with the applicant and the Highways Authority to alleviate concerns.
- The development would improve a derelict area and provide affordable housing.
- With an assurance of reasonable hours of working and the turning point being maintained at all times there were no other issues with the building.
- This scheme encompassed good use of urban infilling with affordable housing provided on site.
- This was a well worked out scheme. Officers had worked together with the developer and the Highways Authority to address problems along the way to help local residents.

- One of the consultation responses referred to a petition which was not to be seen?

The Planning Team Leader offered the following points of clarification to members:

- Members of the public submitting objections on line were able to self-identify their observations as a petition, but in this case there wasn't one.
- Officers had worked with the County Council and the applicant to enable land to be gifted to the Highways Authority to help local residents.

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

- Time limit of the permission
- Development in accordance with approved plans
- Contamination assessment and remediation
- Material samples, including hard surfacing
- Landscaping scheme
- Electric vehicle recharge points
- Development in accordance with approved Construction Management Plan
- Development in accordance with boundary details
- Development in accordance with submitted finished floor levels
- Kerbs to St. Catherines Court replaced with flush kerbs/blocks
- Obscure glazing to first floor, east facing windows
- Land adjacent to Saville Street to remain open and clear of obstructions
- Construction of the development (delivery times and working hours)
- All windows and doors set in reveal
- Construction of site – turning head not restricted during construction of site.