

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

Apologies for Absence: Councillor Naomi Twedde, Councillor Kathleen Brothwell
and Councillor Bill Mara

126. Confirmation of Minutes - 24 February 2021

RESOLVED that the minutes of the meeting held on 24 February 2021 be confirmed.

127. Related Matters

It was noted that Councillor Bill Mara had attempted to join the virtual meeting but incurred some technical difficulties so was unable to do so before the start of the item to be debated. Therefore he was not permitted to take part in the deliberations or vote on the matter to be determined.

128. Declarations of Interest

No declarations of interest were received.

129. Work to Trees in City Council Ownership

Dave Walker, Arboricultural Officer:

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

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

130. Application for Development: Land To Rear of Rookery Lane and Hainton Road, Lincoln

The Planning Team Leader:

- a. described the application site, a 1.3ha area of land located on the western side of Rookery Lane bounded on three sides by housing, with the western

boundary of the site being defined by dense woodland, an area defined as Important Open Space within the Local Plan

- b. further added that the site was to be accessed via a new access road following the demolition of No 89 and 93 Rookery Lane
- c. reported that the site was identified in the Central Lincolnshire Local Plan 2017 for housing (CL4394-Land North of Hainton Road, Lincoln), currently consisting mostly of undulating grassland and overgrown vegetation
- d. advised that the site was owned by the City of Lincoln Council who was also the applicant on the application
- e. reported that the site would be developed for 100% Affordable Housing consisting of 20 two bedroom houses, 10 three bedroom houses, 2 four bedroom houses, 4 two bedroom bungalows and 6 apartments; all for affordable rent
- f. confirmed that the application had been due to be considered by Planning Committee in January, although the application was removed from the agenda to allow ongoing conversations with the applicants regarding the detailed drainage arrangements for the site, which had now been submitted and were considered appropriate by the Lead Flood Authority, as detailed further within the officer's report
- g. highlighted that the Education Authority had confirmed that no contribution was required towards education in the local area due to there being sufficient current capacity in primary school places in the area of the proposed development, and NHS Lincolnshire had confirmed also that no contribution would be required towards health care in this instance
- h. explained that contributions would be required for Strategic Playing Field and Local Green Infrastructure (children's play space) which were to be collected upon issue of a decision notice, normally payable via an S106 legal agreement, however this was not possible due to the applicant being the City of Lincoln Council
- i. 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 LP3: Level and Distribution of Growth
 - Policy LP12: Infrastructure to Support Growth
 - Policy LP13: Accessibility and Transport
 - Policy LP14: Managing Water Resources and Flood Risk
 - Policy LP16: Development on Land affected by Contamination
 - Policy LP23: Local Green Space and other Important Open Space
 - Policy LP24: Creation of New Open Space, Sports and Recreation Facilities
 - Policy LP26: Design and Amenity
 - Policy LP36: Access and Movement within the Lincoln Area
 - Policy LP49: Residential Allocations- Lincoln
 - National Planning Policy Framework

- j. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
- The Principle of the Development
 - Visual Amenity
 - Residential Amenity
 - Ecology
 - Access and Highways
 - Flood Risk and Drainage
 - Other Matters- Contaminated Land, Air Quality and Sustainable Transport, Archaeology
- k. outlined the responses made to the consultation exercise
- l. referred to the Update Sheet which contained additional responses received in respect of the proposed development
- m. concluded that:
- The principle of developing this site for residential development was acceptable and was an allocated housing site within the Central Lincolnshire Local Plan.
 - The proposal was appropriately designed to sit well within its context whilst respecting the amenity of adjacent neighbours.
 - It was therefore considered that the proposed development was in accordance with national and local planning policy and subject to the conditions referenced within this report being applied would be in accordance with local and national planning policy.

Members discussed the content of the report in further detail. The following comments/questions emerged:

- Question: Concerns had been raised regarding the fence which abutted the property at No 87 Rookery Lane. Would this be replaced when the new road was built?
- Comment: It was pleasing to note that consultations had taken place with relevant organisations in the interest of protecting wildlife.
- Comment: It was noted that access to the site incorporated a change in the nature of the road from a standard 5.5m tarmac road to a surface where pedestrians and vehicles would share the same route in the interests of traffic calming measures.
- Question: The Central Lincolnshire Joint Strategic Planning Committee at its meeting held on 16 November 2020 had encouraged environmental additions to buildings such as solar panelling. Would this be provided?
- Question: It was noted that boundary fencing was intended. Why did a tree retained in the garden of property No 11 appear on the plans to be fenced in?
- Comment: It was pleasing to see the inclusion of bird/bat boxes as part of the scheme. It would be beneficial to consider the movement and safety of small mammals e.g. hedgehogs from the wildlife area adjacent to the site.
- Comment: As could be viewed at Page 73 of the officer's report, not all responses received were in objection to the proposals. House purchasers were always advised that they did not buy the view on purchase of their property.

- Comment: The site was identified in the Local Plan allocation for housing. There would be a considerable distance between each property. Mitigation measures had been carried out by the applicant to address local residents' concerns.
- Question: Would there be a right of way next to the property at 95 Rookery Lane to the woodland at the rear?
- Question: Had the funds for associated children's playing fields been allocated?
- Question: Could clarification be given to the meaning of the recommended condition for installation of 'uncontrolled tactile cross' near 111 Rookery Lane to Boultham Park as described within the report?

Simon Cousins, Planning Team Leader offered the following points of clarification to members:

- Tactile paving which was 'bobbly' in appearance would be incorporated into the area to help visually impaired pedestrians to cross the road safely.
- The fence adjacent to the property at No 87 Rookery Lane would be 1.8m high and newly erected.
- Negotiations had taken place throughout the application process which had resulted in a revised layout to improve the relationship between the proposed development and existing properties to address concerns raised in relation to overlook.
- The Highways Authority had encouraged the alignment of the road and its dual use for pedestrians and vehicular access with no long stretches. This would prevent cars from being allowed to speed.
- The access to the development would be from Rookery Lane as there was no real alternative.
- The tree situated at the bottom end of the garden within property number 11 would be surrounded by a small wall to allow for raised levels to be retained halfway down the garden without risk of suffocation to the tree.
- The Ecology report had not highlighted concerns regarding hedgehogs in particular, however, there was opportunity should members be so inclined for a condition to be imposed on the grant of planning permission to incorporate hedgehog doors at the bottom of the boundary fencing.
- There was no established right of way to the rear of the properties adjacent to 95 Rookery Lane as far as officers were aware and this access would not be retained.
- Contributions of £32,000 for children's play space would be allocated at Boultham Park close by.

Kieron Manning, Assistant Director for Planning responded in relation to the potential for solar panels to be included in the scheme that climate implications in terms of the Local Plan were being investigated. However, this was not yet part of the Local Plan process as it currently stood. The Planning Authority remained alive to a 'fabric first' approach in terms of types of windows, cavity wall insulation etc. installed for efficient energy consumption in new housing. There were viability concerns to be addressed with regard to climate control implications, however, once it became planning policy, additions to builds such as solar energy would be mandated.

Members thanked officers for their advice regarding the provision of solar energy panels, requesting that until this becoming law, discussions held regarding climate implications for housing development be incorporated into future planning

reports to committee for information.

It was proposed, seconded and carried that an additional condition be imposed on the grant of planning permission requiring hedgehog doors to be incorporated within the boundary fencing to the proposed development.

RESOLVED that planning permission be granted subject to the receipt of contributions for Strategic Playing Field and Local Green Infrastructure and the following conditions:

- 3 year condition
- Accordance with plans
- Land levels to be as constructed as submitted
- Landscaping details to be submitted
- Boundary walls and fences including retaining walls to be submitted
- Materials – to be as submitted – including window reveal
- Arboricultural method statement – including tree protection measures to be submitted
- Mitigation measures for T13 and T27 from land raising to be submitted
- Details of affordable housing to be submitted
- Bat/bird boxes to be submitted
- Electric vehicle charging points to be submitted
- Highway construction management plan
- Construction/delivery hours restriction
- Contaminated land details to be submitted
- Installation of uncontrolled tactile cross near 111 Rookery Lane to Boutham park
- Estate roads and associated footways shall be laid out and constructed to finished surface levels before development of that part of the estate commences
- Development to proceed in accordance with a surface water drainage scheme.
- Hedgehog doors to be installed.

131. **Update Sheet**