

Present: Councillor Naomi Tweddle (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor
Chris Burke, Councillor Liz Bushell, Councillor
Gary Hewson, Councillor Bill Mara, Councillor
Rebecca Longbottom, Councillor Mark Storer, Councillor
Edmund Strengiel and Councillor Calum Watt

Apologies for Absence: None.

40. Confirmation of Minutes - 6 October 2021

RESOLVED that the minutes of the meeting held on 6 October 2021 be confirmed.

41. Member Statements

In the interest of transparency:

- Councillor Bob Bushell requested it be noted that he had taken advice as Portfolio Holder for Remarkable Place in relation to Item No 6(a) of the agenda 'Play Area, Whittons Park, Yarborough Road, Lincoln'; although he had been involved in discussions on plans for redevelopment of Whitton's Play Park, he was in no way predetermined regarding the decision as to whether planning consent should be given to the scheme this evening; he would listen carefully to the discussions on the proposals tonight and reserved his right to speak if he so wished.
- Councillor Naomi Tweddle requested it be noted in relation to Item No 7 of the agenda 'Street Record, Lincoln Road, Lincoln', that she lived approximately five minutes' walk away from the location of the proposed monopole, however no decision was being made this evening, as the matter had been dealt with as a prior approval under delegated powers, and the report was presented tonight to be noted.

42. Declarations of Interest

No declarations of interest were received.

43. Update Sheet

An update sheet was tabled at the meeting, which included additional comments received in relation to Agenda Item Number 6(a)-Play Area, Whitton's Park, Yarborough Road, Lincoln

RESOLVED that the Update Sheet be received by Planning Committee.

44. Work to Trees in City Council Ownership

Dave Walker, Arboricultural Officer:

- a. advised the Committee 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.

Councillor Bob Bushell thanked the Arboricultural Officer for providing information within the schedule of works to trees on the chosen location for those trees to be replanted which assisted Members when it impacted on their Ward.

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

45. Confirmation of Tree Preservation Order No 164

The Assistant Director for Planning:

- a. advised members of the reasons why a temporary tree preservation order made by the Assistant Director for Planning under delegated powers should be confirmed at the following site:
 - Tree Preservation Order 164: 1no Betula Pendula (Silver Birch) tree in the front garden of 8 Hawthorn Road, Lincoln, LN2 4QX
- b. provided details of the individual tree to be covered by the order and the contribution it made to the area
- c. reported that the initial 6 months of protection would come to an end for the Tree Preservation Order on 21 December 2021
- d. confirmed that the reason for making a Tree Preservation Order on this site was at the request of the landowner to ensure the long-term protection of the tree in the future
- e. advised that the Arboricultural Officer had identified the tree to be suitable for protection under a Tree Preservation Order following a site visit; it had a high amenity value, and its removal would have an effect on the aesthetic appearance of the area
- f. advised that following 32-day period of consultation, no objections had been received to the order
- g. advised that confirmation of the tree preservation order here would ensure that the tree 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 Council's priorities of enhancing our remarkable place.

Members discussed the content of the officer's report in further detail.

Councillor Longbottom reported that she had viewed the tree which was a very fine specimen. She asked how old it was and how long it was likely to live.

Dave Walker, Arboricultural Officer advised that the tree was approximately 55-60 years old. It would probably live between 60-90 years, although this species was capable of living up to 150 years in total. It had been grown in the open and with an unusual shape and no signs of decay was indeed an exceptional specimen.

Another similar tree had been identified in the same owners' garden, however, unfortunately it was showing signs of decay and was not suitable for the imposition of a TPO.

He added that the landowner was very passionate about ecological values. She wished to ensure the tree remained protected when she no longer lived there.

RESOLVED that Tree Preservation Order No 164 be confirmed without modification and that delegated authority be granted to the Assistant Director of Planning to carry out the requisite procedures for confirmation.

46. Applications for Development
47. Play Area, Whittons Park, Yarborough Road, Lincoln

The Assistant Director for Planning:

- a. advised that the application proposed the installation of new play equipment with associated surfacing and refurbishment to the existing play area at Whitton's Park
- b. identified Whitton's Park as a key play site situated on Long Leys Road in Carholme Ward; the site had seen significant investment in play equipment in 2007/08, however, this planning application would see play opportunities in the park greatly enhanced with the longevity of the equipment being a key design criteria
- c. advised that the application proposed the installation of 21 items as detailed within the officer's report
- d. provided details of the policies pertaining to the application, as follows:
 - Policy LP22: Green Wedges
 - Policy LP26: Design and Amenity
 - National Planning Policy Framework
- e. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - National and Local Planning Policy
 - Effect on Visual Amenity
 - Effect on Residential Amenity
 - Effect on Green Wedge
 - Consultation Responses
- f. outlined the responses made to the consultation exercise

- g. referred to the Update Sheet tabled at the meeting which included additional comments received in response to the consultation exercise
- h. concluded that:
- The development did not result in a detrimental impact on the green wedge; in accordance with Policy LP22 'Green Wedge' of the Central Lincolnshire Local Plan.
 - The proposed development would offer significant improvements to a key community facility for local residents.
 - The development was considered to be appropriately located and designed as well as respecting the amenity of adjoining occupiers and the local area in accordance with Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

The Committee considered the content of the report in further detail.

Members offered their full support to refurbishment plans for Whitton's Park. This was a great opportunity to provide a quality play experience. It would help reduce vandalism similar to the scheme at Staverton Crescent. It was somewhere to go for young people, using exciting challenging equipment, it was indeed a breath of fresh air.

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

Conditions

- Development to commence within 3 years
- Development to be in accordance with the plans

48. Telecommunication Station 75465, Moorland Avenue, Lincoln

The Planning Team Leader:

- a. advised that permission was sought for the erection of a 20m high mast incorporating six antennas with an associated meter cabinet on Moorland Avenue, Lincoln
- b. reported that the application proposed an upgrade to an existing telecommunication site, replacing an existing 15m high mast and associated equipment
- c. described the location of the site on the north side of Moorland Avenue, to the east of the junction with Tritton Road, which would sit in the grass verge to the south of the Crown and Arrows Public House being surrounded by an area of open space with a number of mature trees to the south of Moorland Avenue and two storey semi-detached properties beyond
- d. advised that the application was presented to Planning Committee for determination this evening at the request of Councillor Bob Bushell

- e. referred to the relevant site history in respect of the planning application as detailed within the officer's report
- f. provided details of the policies pertaining to the application, as follows:
 - Policy LP26 Design and Amenity
 - National Planning Policy Framework
- g. advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
 - Policy Context
 - Visual Amenity
 - Residential Amenity
 - Highway Matters
- h. outlined the responses made to the consultation exercise
- i. concluded that:
 - The proposed mast would have an unduly harmful impact on local character and the surrounding built environment by reason of its height, size, design, and position, which was exacerbated by the site's open and highly visible location.
 - It would appear as an obtrusive, prominent, dominant, and imposing addition within the street scene, contrary to Central Lincolnshire Local Plan Policy LP26 and paragraph 130 of the National Planning Policy Framework.

Planning Committee discussed the content of the report in further detail.

Members in general offered their support to the officer's recommendation. They doubted how essential it was to build the mast here when there were more appropriate locations for it not so far away.

Councillor Strengiel emphasised that he trusted the officer's professional judgement and would not vote against the proposals. However, he observed that the Highways Authority had raised no objections to the planning application. As with lampposts when they were installed, in time people didn't notice them as we tended not to look upwards on our travels. Coverage for mobile equipment in the city was generally good.

Councillor Watt also agreed that people didn't notice the monopoles after a while and asked whether other locations had been considered.

The Planning Team Leader responded as follows:

- The applicant had not given consideration to alternative locations for the monopole as it replaced an existing one at the same location.
- Officers were concerned about the openness of the current location.
- There were suitable areas in commercial settings not too far away which were a lot less prominent.

- The mobile operators tended to find it easier to negotiate with the Highways Authority than individual landowners regarding suitable locations for telecommunication masts.

RESOLVED that planning permission be refused.

49. Street Record, Lincoln Road, Lincoln

The Planning Team Leader:

- a. described the location of the proposed site on the north side of Lincoln Road, sat within the grass verge at the back edge of the footpath/cycleway from the road, characterised by two single storey commercial premises with open land surrounding to the north of the site with the Flavian Road Estate located approximately 85m beyond, and to the south a mixture of bungalows and two storey properties located a minimum of 35m from the site`
- b. advised that the application was submitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016
- c. reported that paragraph A.1 (1) (c) (ii) of the GDPO set out permitted development rights to install masts of up to 20m above ground level on land on a highway; as the proposed monopole would be 15m in height and the ground-based apparatus would not exceed 15m in height, the siting of the associated cabinets at the bottom of the monopole were therefore permitted development, however, prior approval was required for the monopole in terms of its siting and appearance
- d. advised that due to the fixed 56 days in which Local Authorities must inform mast operators of its' decision on whether prior approval was required for siting and appearance and to let the operator know of its decision, it had not been possible on this occasion for this prior approval to be presented at committee before determination
- e. highlighted that this report gave details for the assessment taken of the application to give consistency to 5G masts and the context of how they were considered on individual merits
- f. reported on the proposed siting of this monopole in a non-residential area
- g. stated that a declaration had been submitted with the application which confirmed that the equipment was in line with International Commission on Non-Ionizing Radiation Protection Public Exposure Guidelines (ICNIRP)
- h. provided details of the policy pertaining to the application, as follows:
 - National Planning Policy Framework
- i. advised Planning Committee in determining this prior approval application, that the Local Planning Authority could only consider the siting and appearance of the proposed telecommunications equipment

j. outlined the responses made to the consultation exercise

k. concluded that:

- It was considered that the siting and appearance of the proposed monopole would not have a harmful visual impact on the character and appearance of the area in accordance with the Central Lincolnshire Local Plan Policy LP26 and paragraph 130 of the National Planning Policy Framework.
- Therefore, the application was determined under delegated powers by the Assistant Director.

Planning Committee discussed the content of the report in further detail.

Members queried why a 15-metre-high mast could be built here, being more aesthetically amenable, however not appropriate for the previous planning application discussed this evening which had applied for a 20-metre-high monopole at Moorland Avenue.

The Planning Team Leader responded as follows:

- Both masts served exactly the same purpose.
- Prior approval could be sought for masts no higher than a maximum of 15 metres.
- The applicant must have a reason to request a higher pole at the Moorland Avenue location.
- There was a significant height difference between the two applications and the area for this mast also benefitted from being in a commercial setting.

RESOLVED that the content of the report be noted by Planning Committee.