

**Present:** Councillor Naomi Twedde (*in the Chair*),  
Councillor Debbie Armiger, Councillor Biff Bean,  
Councillor Chris Burke, Councillor Gary Hewson,  
Councillor Rebecca Longbottom, Councillor Bill Mara,  
Councillor Mark Storer, Councillor Alan Briggs and  
Councillor Calum Watt

**Apologies for Absence:** Councillor Bob Bushell, Councillor Liz Bushell and  
Councillor Edmund Strengiel

**42. Confirmation of Minutes - 5 October 2022**

RESOLVED that the minutes of the meeting held on 5 October 2022 be confirmed and signed by the Chair as a true record.

**43. Declarations of Interest**

Councillor Biff Bean declared a Personal and Pecuniary Interest with regard to the agenda item titled '4 Finningley Road, Lincoln'. Reason: He knew the owner of the application property.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Biff Bean declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: He knew the applicant for the Planning application as a fellow Councillor and Chair of Planning Committee.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Calum Watt declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: He knew the applicant for the Planning application as a fellow Councillor.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Chris Burke declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: He knew the applicant for the Planning application as a fellow Councillor.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Debbie Armiger declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: She knew the applicant for the Planning application as a fellow Councillor.

She left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Gary Hewson declared a Declaration of Predetermination with regard to the agenda item titled '8 Thurlby Crescent, Lincoln'. Reason: He sat on the Housing Appeals Panel at which an appeal against a housing decision for aids and adaptations at the application property had been heard.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Gary Hewson declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: He knew the applicant for the Planning application as a fellow Councillor.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Mark Storer declared a Declaration of Predetermination with regard to the agenda item titled '5 Drury Lane, Lincoln'. Reason: He had already pre-determined his view on the planning application before Committee this evening.

He left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Naomi Tweddle declared a Personal and Pecuniary Interest with regard to the agenda item titled '45b Mildmay Street, Lincoln'. Reason: She knew one of the objectors to the planning application.

She left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Naomi Tweddle declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: She knew the applicant for the Planning application as a fellow Councillor.

She left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

Councillor Rebecca Longbottom declared a Personal and Pecuniary Interest with regard to the agenda item titled '40 Nightingale Crescent, Lincoln'. Reason: She knew the applicant for the Planning application as a fellow Councillor.

She left the room during the consideration of this item and took no part in the discussion and vote on the matter to be determined.

#### **44. Work to Trees in City Council Ownership**

Dave Walker, Arboricultural Officer:

- a. advised Planning 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.

Clarification was requested as to the type of replacement trees to be used if a 'like for like' species was not considered to be appropriate?

Dave Walker, Arboricultural Officer advised that he would always plant 'like for like' whenever possible unless there was a problem of disease with the species concerned. Native species were also better for biodiversity. He would also look at exotic species if there were no other suitable options available.

Councillor Longbottom thanked the Arboricultural Officer for the attention to detail within his regular reports as to the type of trees to be replanted at specified locations, which was most helpful.

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

**45. Confirmation of Tree Preservation Order No 173**

Dave Walker, Arboricultural Officer:

- 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 173: 2no Prunus Avium (Wild Cherry), 14no Acer Pseudoplatanus (Sycamore) and 3no Fraxinus Excelsior (Ash) trees in an area of open green space at Albion Crescent, Lincoln
- b. provided details of the individual trees to be covered by the order and the contribution they made to the area
- c. 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
- d. reported that the initial 6 months of protection for these trees would come to an end for the Tree Preservation Order on 27 December 2022
- e. confirmed that the reason for making a Tree Preservation Order on this site was as a result of a request from local residents who wanted to ensure no loss of trees from any future development on the site
- f. reported that as Arboricultural Officer he carried out a site visit at which he identified the trees to be suitable for protection under a Tree Preservation Order, having significant amenity value, forming a prominent feature of the area, and that their removal would have an effect on the aesthetic appearance of the area
- g. advised that a one month consultation period had been undertaken, and a copy of the Tree Preservation Order was sent to the registered land owners at two separate addresses, however both notifications to the registered land owners were returned by Royal Mail; on this basis, a site notice was displayed and no objections had been received to the order
- h. 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 Councils priorities of enhancing our remarkable place.

RESOLVED that Tree Preservation Order No 173 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. 45b Mildmay Street, Lincoln**

*(Councillor Twedde left the room during the consideration of this item, having declared a personal and pecuniary interest in the matter being debated. She took no part in the discussion or vote on the matter to be determined.)*

It was proposed, seconded, and:

RESOLVED that Councillor Chris Burke be appointed as replacement Chair for this item.

The Planning Team Leader:

- a) advised that planning permission was sought for the erection of a single rear extension at 45b Mildmay Street, the property being part of a large, terraced building converted to 3 dwellings in the early 2000's
- b) described the location of the site within a well-established residential area, it was not in a conservation area and had no listed buildings close by
- c) reported that prior to the submission of the application, the site was subject to extensive negotiations with the agent securing revisions to the proposal to overcome some of the concerns raised by neighbours, resulting in revised plans being submitted, and a re-consultation process carried out
- d) provided details of the policies pertaining to the application, as follows:
  - Policy LP26:Design and Amenity
  - National Planning Policy
- e) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
  - Planning Policy
  - Effect on Visual Amenity
  - Effect on Residential Amenity
  - Effect on Highway Safety
- f) outlined the responses made to the consultation exercise
- g) referred to the Update sheet which contained additional consultation responses received in respect of the proposed application for development, together with an additional recommended condition subject to planning permission being granted to require the applicant to carry out re-rendering works to the rear elevation of the existing property (as shown on the proposed plans) prior to occupation of the proposed extension
- h) concluded that the proposed extension was appropriately designed and would not cause unacceptable harm to the character and appearance of the area nor the amenities of all existing and future occupants of

neighbouring properties, in accordance with Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Mark Lloyd, local resident, addressed Planning Committee in objection to the proposed development, covering the following main concerns:

- Over development of the site being in close proximity to surrounding buildings.
- Height/scale/massing.
- Although the proposal was one storey in height, there was the potential once the footprint was established for addition of a second storey.
- Negative impact on amenity.
- Failure to meet housing needs.
- Overlooking/outlook discounted by proposed roof of extension.
- Shared access - issues of anti-social behaviour/fear of crime and disorder.
- Loss of light.
- Loss of privacy for neighbouring properties.
- Loss of light to garden.
- Overbearing/overshadowing.
- Reasonable expectations of loss of view.
- Effect on health/well-being.
- Bin storage taking up lack of outdoor space.
- Outdoor space should be maintained.
- Ugly discoloured rendering.
- Noise and disturbance during construction.
- Loss of quality and character of townscape area.
- Expectation of consistency in planning applications.

Councillor Donald Nannestad addressed Planning Committee as Ward Advocate on behalf of local residents, covering the following main points:

- Local residents had explained their issues in detail.
- Local Planning Policy was permissive of alterations to existing buildings providing they related well to the site and surroundings.
- The alterations to 45b Mildmay Street would make it out of symmetry with the neighbouring properties.
- Issues of overlooking, overshadowing and loss of light.
- This problem was particularly apparent to the rear of No 43 as it didn't get a great deal of light in any case.
- The proposals would have an adverse effect on the health of neighbouring residents.
- Issues with narrow footpath.
- Access issues to the passageway running behind the houses.
- It was very difficult for pedestrians to negotiate a way around parked vehicles at peak school hours.
- Comments made in relation to lack of compliance with Policy LP26: Design and Amenity.
- This was an area where there had been issues connected to traffic congestion and anti-social behaviour at the rear of the passageway entrance.
- There was already a small storage area for six wheelie bins to serve three existing flats.

Patrick Douse addressed Planning Committee on behalf of the Applicant in support of the planning application, covering the following main points:

- The application property had been purchased 18 months previously by his client.
- It had not undergone any investment for a number of years.
- 45 and 45a Mildmay Street had since undergone internal renovation and had been re-let.
- The outside space at 45B was not utilised due to lack of security and currently lacked a lounge, kitchen and dining room area.
- The intention was for the inside space to be increased taking advantage the previous unused outdoor space.
- The proposals represented a simple extension to enhance the area.
- The extension would match with the existing building.
- The view from Olive Street would not be affected.
- Another property in the street had a large double-storey extension which took away the yard, whereas this build was only a single storey.
- The property at 45B would be newly rendered and visual impact improved at the rear.
- The design had been carefully chosen/set back to avoid overshadowing
- Noise/disturbance would be kept to a minimum during construction hours.

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

The following comments were received from members:

- The property had been split into three flats for some time. The owner was aiming to improve the amenity of the present tenants.
- The Highways Authority had not raised any concerns.
- This was a single storey extension only.
- The applicant had responded to concerns expressed by neighbours in relation to security with the inclusion of dusk to dawn lights on the end of the extension.
- In terms of Policy LP26 and the proposed extension relating well to the site and surroundings, it would be a shame if it resulted in the view over the back of the buildings being obscured as the view was an interesting part of the existing townscape.
- Security to the back of the street would be affected.
- The passageway had been in existence for a long time.

The following questions were received from members:

- Where would space for six wheelie bins to serve three flats be accommodated?
- Was it possible for a condition to be imposed on grant of planning permission requiring an area to be provided capable of accommodating a minimum of 6 storage bins on site?
- Was the extension to be fully cladded or did it contain some brickwork detail?
- The passageway had been in existence for a long time. Was it possible for additional lighting to be erected in that area to make the locals feel less vulnerable to anti-social behaviour?

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

- There was agreed storage included within the plans for 4 wheelie bins, however, it was possible should members be so minded to impose a condition to require provision of a storage facility sufficient to enclose six bins.
- In terms of rendering, the elevation would be of brick to match the existing end gable, then the rear existing rendered wall would be painted to match.
- He did not anticipate there would be additional anti-social behaviour to that already in existence as a result of the proposed extension.

A motion was moved, seconded, voted on and carried that provision of a storage facility for six wheelie bins be provided on site.

The proposed condition included within the update sheet to require the applicant to carry out re-rendering works to the rear elevation of the existing property (as shown on the proposed plans) prior to occupation of the proposed extension was also supported by members.

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

- Time limit of the permission
- Development in accordance with approved plans
- Implementation of bin storage for six bins.
- Applicant to carry out re-rendering works to the rear elevation of the existing property (as shown on the proposed plans) prior to occupation of the proposed extension.

#### **48. 5 Drury Lane, Lincoln**

*(Councillor Tweddle returned to the meeting and re-took her seat as Chair).*

*(Councillor Chris Burke re-took his seat as a member of Planning Committee)*

*(Councillor Longbottom sat in the public gallery during the consideration of this item, having chosen to speak as Ward Advocate representing local residents, losing her right to sit as a member of Planning Committee. She took no part in the discussion or vote on the matter to be determined.)*

*(Councillor Mark Storer left the room during the discussion of this item having declared a predetermination in respect of the planning application. He took no part in the discussion or vote on the matter to be determined.)*

The Assistant Director of Planning:

- a) advised that planning permission was sought for change of use of 5 Drury Lane from an art gallery (Use Class F1) to a dental practice (Use Class E), proposing external alterations to the existing shopfront, the installation of a window to the west elevation, replacement of existing air-conditioning units and an extraction system and solar panels to the roof
- b) described the application premises as follows:

- A single storey building with a shallow mono-pitched roof hidden by a parapet wall around the front of the building.
- The frontage of the building incorporated a simple timber shopfront sat on the west side of Drury Lane almost opposite the junction with Wordsworth Street.
- The side, north elevation of the premises was adjoined to 4 Drury Lane, a two-storey end dwelling.
- The application premises extended west into the site and also abutted 'Dough Loco' to the north.
- The side, south elevation of the premises abutted the rear elevations of a terrace of residential properties including 6, 7, 8, 9 and 10 Drury Lane.
- A yard shared by the adjacent properties, including 11 Drury Lane, was located to the rear, west of the site.
- The premises was not listed although it was located within the Cathedral and City Centre Conservation Area and within proximity of the ramparts of Lincoln Castle, a grade I listed building and Scheduled Monument.

c) confirmed that the premises were currently vacant, having most recently being occupied as the Sam Scorer Gallery since the late 1990s; the current floor plan was very open and stud walls would be erected to subdivide the premises to create consulting rooms

d) reported that the application had been revised during the process, namely a reduction in the number of solar panels and the addition of the window to the west elevation, facing the adjacent yard, and the properties adjoining the yard had been re-consulted to invite comments in relation to the window

e) 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 LP9 Health and Wellbeing
- Policy LP15 Community Facilities
- Policy LP25 The Historic Environment
- Policy LP26 Design and Amenity
- Policy LP27 Main Town Centre Uses - Frontages and Advertisements
- National Planning Policy Framework

f) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:

- Policy Context and Principle of Use
- Visual Amenity and Character and Appearance of the Conservation Area
- Residential Amenity and Noise
- Parking and Highways

g) outlined the responses made to the consultation exercise



h) referred to the Update sheet which contained additional consultation responses received in respect of the proposed application for development, including a response from Historic England

i) concluded that:

- The principle of the proposed, community use of this vacant commercial premises in this location was considered to be acceptable.
- The proposed alterations to the shopfront were sympathetic to the appearance of the building.
- The addition of a window to the rear and the extraction units and solar panels to the roof would not cause harm to the appearance of the building or the wider area.
- Accordingly, the proposals would preserve the character and appearance of the conservation area.
- With a condition to require a Noise Impact Assessment and necessary mitigation measures it was considered that the proposed use could be operated without having a negative impact on the amenities of adjoining residential properties, premises and the local environment.
- The window to the rear would also be controlled by condition so there was no impact on the privacy of the users of the adjoining yard.
- The location of the premises would enable the proposed use to be accessed by sustainable transport modes and there were also public car parks in the vicinity.
- The proposal would therefore be in accordance with the requirements of CLLP Policies LP1, LP2, LP9, LP15, LP25, LP26 and LP27 and the NPPF.

Colin Dudman, local resident, addressed Planning Committee in objection to the proposed development, covering the following main concerns:

- The building was best known as The Sam Scorer Gallery, a self-run art gallery.
- It was to be replaced by a dentist surgery.
- The importance of the existing art gallery should be recognised.
- It provided creative vibrancy and diversity.
- It allowed local artists to exhibit their work under the umbrella of the Arts Trust.
- The previous owners of Sam Scorer Gallery had not got legal security for future use of the building.
- He hoped the recognition of the importance of this gallery would be given attention.
- There had not been sufficient opportunity to register the building as an Asset of Community Value.
- If there had been sufficient time, the building would have been retained.
- Its use affected the cultural diversity of the City.
- The gallery was a trail blazer to Historic Lincoln.
- The gallery had been evicted from its home.
- This represented a loss of a major cultural art facility.
- It was a unique artistic enterprise.

Councillor Rebecca Longbottom addressed Planning Committee as Ward Advocate on behalf of local residents, covering the following main points:

- She represented the views of local residents.
- There had been an immense strength of feeling shown by objectors to the scheme.
- The main objection was the change of use to a dentist surgery.
- In terms of its current status, the building was designated as an art gallery under Town and Country Planning Regulations since 2020 Class F1.
- It was not a shop, but an art gallery.
- The officer's report referred to the premises having an established commercial use; however, it was not a shop.
- The art gallery was an important local institution.
- Policy LP15: Change of use did not constitute a community facility.
- Access to the art gallery had been free and self-run.
- The Arts Trust had run the facility for 20 years in appreciation of public art by living artists.
- She referred to the new local plan currently with the Planning Inspectorate.
- Policy 542-Sustainable Urban Tourism- set the scene for Lincoln as a key heritage City important as a visitor attraction. Development proposals should only be allowed to deviate from this important community use under very stringent conditions.

Roger Rippon addressed Planning Committee on behalf of the Applicant in support of the planning application, covering the following main points:

- He represented the planning consultant for the proposed development.
- The premises would be used for specialist orthodontic treatment using braces to correct bite/ straighten teeth.
- There was currently only one other specialist in this line covering the City and surrounding area.
- The waiting time for treatment was 4-5 years.
- The other provider was the hospital, who only gave secondary treatment.
- The health and well-being of patients was adversely affected by the long delays in receiving treatment.
- The practice would employ highly qualified orthodontic practitioners to serve local people.
- A written response was provided within the officers report on behalf of the applicants in response to public objections.
- The freehold interest in the building from the Scorer family followed an open market sales campaign with vacant possession secured on completion of sale.
- This application represented a new proposal for an orthodontic practice and was not about the closure of an art gallery.
- The Local Plan contained a key challenge to reduce health inequalities.
- Policy LP9 supported appropriately located and coordinated health facilities.
- A number of permanent skilled jobs would be created by the practice.
- The planning balance was firmly in favour of approval of the proposals in accordance with all policies and strategies.

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

The following concerns were received from members:

- Sympathy was given to the lack of time available for supporters of the art gallery to apply for it to become an Asset of Community Value, similar to an opportunity offered to supporters of West End Tap Public House at a previous Planning Committee. However, in this instance the building was already sold.
- Planning Committee must determine whether there was a plan in existence to apply to turn the premises back to an art gallery and if so, whether we had time to wait for it.
- The premises were a massive asset to the art scene in Lincoln.
- Councillor Longbottom had raised issues regarding commercial use of the property.
- The proposed use of the premises met local health needs, however, there were suitable alternative locations outside the cultural area.
- We should perhaps wait to see if the premises could be saved as a Community Asset.

The following comments were received in support of the planning application

- If the use for this building was not changed there was potential for it to become the subject of vandalism or fall into disrepair.
- There had been no restriction placed on the future type of use when the property was purchased, therefore there was little fight to keep the art gallery open.
- The proposed use was acceptable.
- Members of the public found it very difficult to register with a dentist in the area, being in the bottom four in the country with regards to the ratio of dental practices to the population.
- If the premises were not sustainable as an art gallery then an alternative use was required.
- There had been no application for the premises to become an Asset of Community Value.

The following questions were received from members:

- Was the planning application submitted by the current owners of the property?
- Officer Response: Yes it was.
- Would low key signage be kept for the premises in this cultural area?
- Would measures be taken to address potential noise from air conditioning fans?

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

- Members should be clear of the remit of Planning Committee in determining this planning application which was separate to any application submitted for an Asset of Community Value. The property was already sold.
- The type of use for the building was classed as commercial as opposed to residential. This class description was not indicative of a 'money making venture'.
- It was possible to say that the proposed use of the building as a dental practice was also a community use as was its former use as an art gallery.

- Changes to the signage at the premises would involve minor alterations only which would be subtle/low key in keeping with the cultural area.
- In terms of potential noise nuisance, the Pollution Control Officer had raised no objections to the proposed change of use including the installation of replacement air conditioning units and an extraction system. However, a condition would be imposed on grant of planning permission requiring a noise impact assessment to be carried out prior to their installation in order that any necessary mitigation measures could be implemented to minimise the impact of any noise for local residents.

That planning permission be granted subject to the following conditions:

- Time limit to implement permission
- Development in accordance with approved plans
- Noise Impact Assessment and noise mitigation measures as necessary
- Window to rear to be obscure glazed, fixed and minimum of 1.8m above floor level

#### **49. 4 Finningley Road, Lincoln**

*(Councillor Mark Storer returned to the meeting and re-took his seat as a member of Planning Committee).*

*(Councillor Biff Bean left the room during the discussion of this item having declared a personal and prejudicial interest in respect of the planning application to be considered. He took no part in the discussion or vote on the matter to be determined.)*

The Assistant Director of Planning:

- a) advised that planning permission was sought for the erection of a single storey detached garage and the installation of a 1.8m high close boarded fence to the side/front elevation at this two storey detached dwelling located towards the end of the south side of Finningley Road
- b) reported that the property currently benefitted from boundary walls and railings to the frontage, which were said to be removed to accommodate access to the existing driveway and proposed garage
- c) confirmed that the application was presented before Planning Committee as the applicant was related to a City of Lincoln Council employee
- d) provided details of the policies pertaining to the application, as follows:
  - 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:
  - Accordance with National and Local Planning Policy
  - Impact on amenity of neighbouring properties
  - Impact on visual amenity
  - Highway safety, access and parking

- f) outlined the responses made to the consultation exercise
- g) concluded that the proposal would not be considered to have any unduly harmful impact upon residential or visual amenity, ensuring that the development would accord with local planning policy and the National Planning Policy Framework.

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

- Development to commence within three years
- Development in accordance with the approved drawings

**50. Change to Order of Business**

RESOLVED that the order of business be amended to allow the application for development at Yarborough Leisure Centre, Riseholme Road, Lincoln to be considered as the next agenda item.

**51. Yarborough Leisure Centre, Riseholme Road, Lincoln**

*(Councillor Biff Bean returned to the meeting and re-took his seat as a member of Planning Committee).*

The Planning Team Leader:

- a) described the location of Yarborough Leisure Centre on the west side of Riseholme Road
- b) advised that planning permission was sought for the installation of an air handling unit to the roof of Yarborough Leisure Centre, in order to provide ventilation to the roof space of the swimming pool, including a handrail around the roof for safe access for future maintenance of the air handling unit
- c) confirmed that the application was presented to Planning Committee as the property was owned by the City of Lincoln Council.
- d) provided details of the policies pertaining to the application, as follows:
  - Policy LP15 Community Facilities
  - 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:
  - Accordance with National and Local Planning Policy
  - Impact on visual amenity
  - Impact on amenity of neighbouring uses
  - Highway safety, access and parking
- f) outlined the responses made to the consultation exercise

g) concluded that:

- The scheme proposed improvements to the leisure facility which would help secure its longevity.
- The proposals would not have a detrimental impact on visual or residential amenity and would be in accordance with LP15 and LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

- Commencement within 3 years
- To be in accordance with the submitted drawings

## **52. 8 Thurlby Crescent, Lincoln**

*(Councillor Hewson left the room during the consideration of this item having pre-determined his view on the planning application before Committee this evening. He took no part in the discussion and vote on the matter to be determined).*

The Planning Team Leader:

- a) advised that the application proposed the erection of a single storey side and rear extension at 8 Thurlby Crescent, a two storey semi-detached property
- b) reported that the site was located within a well-established residential area, although not in a conservation area with no listed buildings surrounding the site
- c) confirmed that the application was brought to Planning Committee as the property was in the ownership of the City of Lincoln Council
- d) provided details of the policies pertaining to the application, as follows:
  - 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:
  - Planning policy
  - Effect on visual amenity
  - Effect on residential amenity
  - Effect on highway safety
- f) outlined the responses made to the consultation exercise
- g) concluded that the proposed extension was appropriately designed and would not cause unacceptable harm to the character and appearance of the area nor the amenities of all existing and future occupants of neighbouring properties, in accordance with Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

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

**53. 40 Nightingale Crescent, Lincoln**

*(Councillors Armiger, Bean, Chris Burke, Longbottom, Tweddle and Watt left the room during the discussion of this item having declared a personal and prejudicial interest in respect of the planning application. They took no part in the discussion or vote on the matter to be determined.)*

It was proposed, seconded, and:

RESOLVED that Councillor Alan Briggs be appointed as replacement Chair for this final item.

The Assistant Director of Planning:

- a) advised that outline planning permission was sought for the principle of residential development for up to 2 dwellings on a parcel of land on Nightingale Crescent, the site currently occupied by a large detached double garage within the ownership of 40 Nightingale Crescent
- b) reported on the location of the application property Number 40 on the south side of the highway between its junctions with Kingfisher Close and Redwing Close
- c) described Nightingale Crescent as a long looping residential road with a number of cul-de-sacs off it
- d) confirmed that the application was brought before Planning Committee, the applicant being a City Councillor.
- e) 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 LP26 Design and Amenity
  - National Planning Policy Framework
- f) advised Planning Committee of the main issues to be considered as part of the application to assess the proposal with regards to:
  - Planning policy
  - Principle of the development
  - Visual amenity and design
  - Residential amenity and Impact on neighbours
  - Technical matters
- g) outlined the responses made to the consultation exercise
- h) concluded that:

- The principle of developing this site for residential development would be acceptable.
- The detailed design and technical matters would be considered at Reserved Matters stage, however sufficient information had been submitted at Outline to demonstrate that the site was capable of being developed.
- The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2 and LP26 as well as guidance within the National Planning Policy Framework.

Members discussed the content of the report in further detail.

Clarification was sought as to whether :

- Both the proposed dwellings included provision of a car parking space
- Provision of drainage for the proposed dwellings would not impact on existing properties.

The Assistant Director of Planning confirmed that:

- Both dwellings included provision of a car parking space, although the application was indicative at this stage with reserved matters still to be determined at a later stage.
- The new dwellings would not impact on adjacent properties in terms of drainage. The main sewer system to which they would be connected had no drainage issues.

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

- Development carried out within 3 years or within 2 years of approval of last reserved matter
- Reserved matters to be submitted within 3 years
- Reserved matters to be submitted; layout, scale, external appearance, landscaping
- Details of drainage
- Hours of construction 8 am to 6pm Monday to Friday 08:00 to 13:00 on Saturdays
- Reporting of unexpected contamination
- One off road parking space per dwelling