

97 Boutham Park Road: consultation responses

From: Jan Epps [REDACTED]
Sent: 15 February 2019 12:14
To: Technical Team (City of Lincoln Council)
Subject: proposed development at 97 Boutham Park Rd, two storey dwelling.

Categories: Milly Coucom

For the attention of Maria Smith.

Dear Maria,

We wish to object to the proposed two storey development which is an extension of the double garage with garden store which was erected in the summer of 2011 built to housing regulations with all services being connected, ie. gas,electric, water and sewerage.

Our main concern is the total invasion of privacy to the rear of our property. The first floor windows in the study and bedroom of the proposed dwelling provide a close and uninterrupted view into our conservatory, kitchen and our first floor bedrooms. A full on view on to our patio will also be available. There are at present two skylight windows in the roof of the existing garage which will become windows in bedroom 2 and the bathroom of the proposed build. These will look directly over our orchard area where we spend quality time on summer evenings. As you can appreciate there will be no privacy what so ever, This would seriously affect our way of life and our enjoyment of our property, and we believe have an effect on the house value.

A loss of light in my garage until the sun passes the planned build would also have an effect.

The plans also show the removal of the boundary hedge between our properties along side the proposed development. This needs to be maintained or replaced with a fence of the same height as existing.

We still have in our possession a Notification of Decision from Mr P Seddon of Lincoln City council of the 13 April 2011, relating to the original build of the "Double garage with garden store", which has a list of "Conditions to be adhered to at all times". Number 3 states "There shall be no further floors of accommodation installed within the garage. Reason. To prevent overlooking from the roof lights to the surrounding residential properties. Number 4 states "The garage shall be used for domestic purposes only, in association with 97 Boutham Park Road. We believe it has been used for business purposes as neither of the two cars present at the property have ever been inside it. If the build goes ahead, two out of the four conditions will have been broken, making the issuing of these conditions meaningless.

We are absolutely amazed at the timing of the application. We do enjoy time away with our caravan and we do go away for long periods. Last January through to April we were away abroad. This year we left with our caravan, which is in full view of the Johnson's on the 21 January, the day that the application was received by the council. We believe they assumed we would be away for a long period and not be able to raise an objection giving them a "fait accompli" on our return. These under handed dirty tricks efforts failed however due to the fact that we were away attending a close relatives funeral which took place on the 22 January in Kent. By trying these tactics it only goes to show that they new what impact this build would have on us and is yet another example of whatever Mr Johnson wants he will try and achieve by any methods he can.

We are against this development for reasons stated above, but the only way it may be partly acceptable is if the two storey dwelling was single storey bungalow therefore having no windows in the loft areas and maintaining the present height of fencing between the two properties.

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We understand that a site meeting will be arranged following our objections. If the site meeting is held on Mr Johnson's property, the impact on our property will not be apparent due to the boundary hedge. We would appreciate being informed of the date of the visit by e-mail, as we would very much like meet you ourselves to discuss the matter.

Please would you confirm by e-mail that this objection has been received.

Yours faithfully,

Mr & Mrs Epps. 95 Boutham Park Road

From: Jan Epps |
Sent: 15 April 2019 14:00
To: Technical Team (City of Lincoln Council) <technicalteam@lincoln.gov.uk>
Subject: Revised planning application re: 97 Boultham Park Road

Dear Marie,

We wish to object to the revised planning application concerning the property next door to us. We feel this build would have serious effects on our quality of life and therefore should be rejected.

Having read the flood risk assessment, it is noted that the development falls into the Zone 3 - High Probability risk. While this document is very detailed, we are aware after prolonged rainfall we have standing water collecting on our lawn at the rear end of the garden and we are concerned that this development will only make matters worse as the foundations are to be raised by one meter.

Having to raise the foundations of this build by one meter makes this build totally unacceptable. We will be dwarfed by the building as the height above the existing garage is an extra 2.1 meters (almost 7 feet), also more importantly from the overbearing north elevation gable end being so close to our boundary, losing a significant amount of sunshine from our garage, greenhouse and garden / growing area. The windows on the north elevation will be 1.5 meters above the 6 ft fence to the top of the window, making the 6 ft fence along our boundary inadequate. Obscure glass has been added on these latest plans, obviously pre-empting our objections, but these windows will be able to open, I presume!

The extra height also brings the west elevation ground floor windows and doors closest to our boundary into an overlooking position directly into our conservatory and kitchen and to an extent into our bedroom. The height being over 1.5 meters above the fence, 3.5 meters above existing ground level. The walkway also permits an uninterrupted view across onto our property.

This proposed build is not about making life easier for a retired couple. Firstly they are not retired, as stated in the application, they own JCL Accommodation, and this is yet another business related move in order to expand their property portfolio and make more money from another one if not two properties to rent out, no matter who is affected by it.

We really hope common sense will prevail and permission for this eyesore of a build will be rejected.

Yours faithfully,

Mr & Mrs A Epps

From: Jan Epps [REDACTED]
Sent: 01 May 2019 13:14
To: Technical Team (City of Lincoln Council)
Subject: Revised planning application number 2019/0046/FUL at 97 Boultham Park Road.
Attachments: 20190430_101240.jpg

For the attention of K Manning and M Smyth.

Further to our objection dated 15th April 2019, we would like to reiterate the point of the overlooking issue due to the closeness to our property of the west elevation ground floor windows and doors, due to the height and close proximity to our boundary. As these windows and doors will be considerably higher than the hedge, then this is quite clearly an overlooking issue and this planning application should be refused. We enclose a photograph of the existing structure (garage & garden store), taken from our rear bedroom window, bearing in mind that the new structure will be 6.74 meters closer to our property.

Although we understand that land ownership issues do not affect planning permission being granted, as far as we are aware, there is a restricted covenant on part of the land. This covenant affected the original planning permission of the garage and garden store and subsequent plans had to be resubmitted relocating the structure to land not affected by this covenant. If these plans are approved, then surely the applicant is in breach of this covenant?

If these plans are approved, we are very concerned this will set a precedent for more dwellings to be built in rear gardens on Boultham Park Road.

Yours Faithfully,

Mr & Mrs A Epps.



Customer Details

Name: Mr James Corner

Address: 1 Earls Drive Lincoln

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I ask you the question what is the most important information about a new development to an existing structure? How big or high compared to existing building! This is the only reference us neighbours to compare existing to proposed, you ask for comment and you are unable to tell the public this from the plans presented for inspection, do you know the difference in height of the garage part, to the house 2 story part ? You don't know, the plans are not to scale on height so I will inform you as I have worked it out at 2 meters are you able to confirm this measurement and will you consider this in your assessment of visual impact.

Planning Dept 97 Boutham Park Rd

The land behind the conifer hedge on Earls Drive was nearer to be allowed access to or be built on as stated by Allen Homes.

Also Fire Brigade access to land between Earls Dr & Margery Avenue has no access to, ~~54~~

Comments 1 Earls Drive LN67TY



Environment & Economy
Lancaster House
36 Orchard Street
Lincoln LN1 1XX
Tel: (01522) 782070
E-Mail: highwaysudssupport@lincolnshire.gov.uk



To: Lincoln City Council Application Ref: 2019/0046/FUL

With reference to this application dated 21 January 2019 relating to the following proposed development:

Address or location

97 Boultham Park Road, Lincoln, Lincolnshire, LN6 7SE
Date application referred by the LPA Type of application: Outline/Full/RM/
30 January 2019 FUL

Description of development

Erection of a two storey dwelling

Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:

Does not wish to restrict the grant of permission.

CONDITIONS (INCLUDING REASONS)

NO OBS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

HI08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

IDB Comment:

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

• If soakaways are proposed the suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the

Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be reconsulted.

• It is noted the SuDS box is also ticked.

Case Officer:
Polly Smith
for Warren Peppard
Flood Risk & Development Manager

Date: 20 February 2019



FAO: Marie Smyth
City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
Lincolnshire
LN1 1DF

Our ref: AN/2019/128613/02-L01
Your ref: 2019/0046/FUL
Date: 10 April 2019

Dear Marie

**Erection of a two storey dwelling
97 Boultham Park Road, Lincoln, Lincolnshire, LN6 7SE**

Thank you for your email on 05 April 2019 with the amended Flood Risk Assessment (FRA).

We have considered the amended FRA and would like to **withdraw our objection** subject to the imposition of the following condition on any subsequent planning permission granted:

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the approved Flood Risk Assessment dated April 2019 and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.6 metres above Ordnance Datum (AOD)
- The development must have at least two storeys.
- Flood resilience and resistance measures as described.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

Environment Agency
Nene House (Pytchley Lodge Industrial Estate),
Pytchley Lodge Road, Kettering, Northants, NN15 6JQ
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

Customer services line: 03708 606 606
Calls to 03 numbers cost the same as calls to standard
geographic numbers (i.e. numbers beginning with 01 or 02).

Cont/d..

As you are aware the discharge and enforcement of planning conditions rests with your authority. It is, therefore, essential that you are satisfied that the proposed draft condition meets the requirements of paragraph 4 of the National Planning Practice Guidance (NPPG) (Use of Planning Conditions, section 2). Please notify us immediately if you are unable to apply our suggested condition, as we may need to tailor our advice accordingly.

In accordance with the NPPG (Determining a planning application, paragraph 019), please notify us by email within 2 weeks of a decision being made or an application being withdrawn. Please provide us with either a link to, or, a copy of the decision notice.

Please consult us on the details submitted to your authority to discharge this condition and on any subsequent amendments/alterations.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Keri Monger
Sustainable Places - Planning Adviser

Direct dial 020 847 48545
Direct e-mail keri.monger@environment-agency.gov.uk

Dear Sir/Madam

Thank you for your email

The Pre-Development Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, more than 0.5 ha.

As your query is below this threshold we will not be providing comments. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details.

If you have any further queries please contact the team on the number below.

Regards,

Sandra Olim
Pre-Development Advisor
Development Services
Anglian Water Services Limited
Telephone Office: 03456066087 Option 1
Thorpe Wood House, Thorpe Wood, Peterborough, PE3 6WT
<https://www.anglianwater.co.uk/developers/pre-development.aspx>

Dear Sir/Madam

REFERENCE: 2019/0046/FUL

DEVELOPMENT: ERECTION OF A TWO STOREY DWELLING

LOCATION: 97 BOULTHAM PARK ROAD, LINCOLN, LINCOLNSHIRE, LN6 7SE

Thank you for the opportunity to comment on the above application. The site is within the Upper Witham Internal Drainage Board district.

The Board Objects in Principle to any development in flood plain (Zones 2 and 3 on the Environment Agency flood maps) this site is in Zone 3 'an area with a high probability of flooding that benefits from flood defenses' to quote from the submitted documents. However it is up to City of Lincoln Council as the planning Authority grant planning permission. The design and access statement states 'the new dwelling FFL has been set to match the FFL of the existing to mitigate any concerns over flood risk' this is a misleading statement. Having the FFL the same as the existing means the flood risk is the same as the original dwelling. The proposed development remains at risk from flooding;- exceedance of design flows in the river system, over topping of the flood defenses from flood risk, beach of the flood defenses and reservoir failure.

Comment and information to Lincolnshire CC Highway SUDs Support

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

- If soakaways are proposed the suitability of new soakaways, as a means of surface water disposal, should be to an appropriate standard and to the satisfaction of the Approving Authority in conjunction with the Local Planning Authority. If the suitability is not proven the Applicant should be requested to re-submit amended proposals showing how the Site is to be drained. Should this be necessary this Board would wish to be reconsulted.
- It is note the SuDS box is also ticked.

Regards

Guy Hird, Engineering Services Officer
Upper Witham Internal Drainage Board



LINCOLNSHIRE POLICE

POLICE HEADQUARTERS
PO Box 999
LINCOLN LN5 7PH
Fax: (01522) 558128
DDI: (01522) 558292
email
john.manuel@lincs.pnn.police.uk

Your Ref: App. 2019/0046/FUL

31st January 2019

Our Ref: PG//

Development & Environmental Services
City Hall, Beaumont Fee
Lincoln, LN1 1DF

Re: 97 Boutham Park Road, Lincoln, Lincolnshire, LN6 7SE

Thank you for your correspondence and opportunity to comment on the proposed development.

Lincolnshire Police has no formal objection to this application.

Please do not hesitate to contact me should you need further information or clarification.

Crime prevention advice is given free without the intention of creating a contract. Neither the Home Office nor the Police Service takes any legal responsibility for the advice given. However, if the advice is implemented it will reduce the opportunity for crimes to be committed.

Yours sincerely,

John Manuel MA BA (Hons) PGCE PGCPD Dip Bus.

Force Designing Out Crime Officer (DOCO)