

PLANNING COMMITTEE

**Wednesday, 27 January
2021**

5.30 pm

Virtual Meeting Via Zoom

Membership:	Councillors Naomi Tweddle (Chair), Bob Bushell (Vice-Chair), Biff Bean, Bill Bilton, Alan Briggs, Kathleen Brothwell, Chris Burke, Gary Hewson, Rebecca Longbottom, Bill Mara and Edmund Strengiel
Substitute members:	Councillors Jackie Kirk and Neil Murray
Officers attending:	Simon Cousins, Democratic Services, Kieron Manning and Louise Simpson

VIRTUAL MEETING

To join this virtual meeting please use the link below:

<https://zoom.us/j/95641515930?pwd=bXliTEtORUptQitsR1JEeEg1OWhwZz09>

You may be asked to quote the following meeting ID and password

Webinar ID: 956 4151 5930
Passcode: 411007

Alternatively, please join the meeting via telephone by calling 0330 0885830 quoting the above Webinar ID and password when prompted

The Planning Committee comprises democratically elected members who will be presented with a recommendation from the professional officers for each application on the agenda. After each application has been presented, those interested parties who have registered to speak will then be given 5 minutes to verbally present their views, and, following this, the committee will debate each proposal and make the decision, having considered all relevant information.

Clearly the process of making a decision will inevitably cause some people to feel aggrieved, but it is hoped that all interested parties will feel that their views have been considered as part of the process.

Please ensure that your mobile phones are switched off or set to silent throughout the meeting and please refrain from attempting to speak from the public gallery unless you have formally registered to speak on an application, in which case the Chair will call you to speak at the relevant time.

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes -02 December 2020	5 - 14
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Applications for Development	
(a) The Moorland Centre, 3 Moorland Way, Lincoln	15 - 64
(b) Land to Rear of Rookery Lane and Hainton Road, Lincoln	65 - 134

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 (AS AMENDED)

LIST OF BACKGROUND PAPERS FOR PLANNING, LISTED BUILDING, CONSERVATION AREA AND ADVERTISEMENT APPLICATIONS ON THE AGENDA OF THE PLANNING COMMITTEE

The Background Papers for the Planning, Listed Building, Conservation Area and Advertisement Applications are:

1. The Planning Application File. This is a file with the same reference number as that shown on the Agenda for the Application. Information from the planning application file is available online at <https://development.lincoln.gov.uk/online-applications/>

The application files contain the following documents:

- a. the application forms;
 - b. plans of the proposed development;
 - c. site plans;
 - d. certificate relating to ownership of the site;
 - e. consultation letters and replies to and from statutory consultees and bodies;
 - f. letters and documents from interested parties;
 - g. memoranda of consultation and replies to and from Departments of the Council.
2. Any previous Planning Applications referred to in the Reports on the Agenda for the particular application or in the Planning Application specified above.
 3. Central Lincolnshire Local Plan – Adopted April 2017
 4. National Planning Policy Framework - March 2012
 5. Applications which have Background Papers additional to those specified in 1 to 5 above set out in the following table. These documents may be inspected at the Planning Reception, City Hall, Beaumont Fee, Lincoln.

APPLICATIONS WITH ADDITIONAL BACKGROUND PAPERS (See 5 above.)

Application No.: Additional Background Papers

CRITERIA FOR PLANNING COMMITTEE SITE VISITS (AGREED BY DC COMMITTEE ON 21 JUNE 2006 AND APPROVED BY FULL COUNCIL ON 15 AUGUST 2006)

Criteria:

- Applications which raise issues which are likely to require detailed first hand knowledge of the site and its surroundings to enable a well-informed decision to be taken **and** the presentational material at Committee would not provide the necessary detail or level of information.
- Major proposals which are contrary to Local Plan policies and proposals but which have significant potential benefit such as job creation or retention, environmental enhancement, removal of non-confirming uses, etc.
- Proposals which could significantly affect the city centre or a neighbourhood by reason of economic or environmental impact.
- Proposals which would significantly affect the volume or characteristics of road traffic in the area of a site.
- Significant proposals outside the urban area.
- Proposals which relate to new or novel forms of development.
- Developments which have been undertaken and which, if refused permission, would normally require enforcement action to remedy the breach of planning control.
- Development which could create significant hazards or pollution.

So that the targets for determining planning applications are not adversely affected by the carrying out of site visits by the Committee, the request for a site visit needs to be made as early as possible and site visits should be restricted to those matters where it appears essential.

A proforma is available for all Members. This will need to be completed to request a site visit and will require details of the application reference and the reason for the request for the site visit. It is intended that Members would use the proforma well in advance of the consideration of a planning application at Committee. It should also be used to request further or additional information to be presented to Committee to assist in considering the application.

Present: Councillor Naomi Tweddle (*in the Chair*),
Councillor Bob Bushell, Councillor Biff Bean, Councillor
Bill Bilton, Councillor Alan Briggs, Councillor Chris Burke,
Councillor Thomas Dyer, Councillor Gary Hewson,
Councillor Edmund Strengiel and Councillor Jackie Kirk

Apologies for Absence: Councillor Kathleen Brothwell, Councillor
Rebecca Longbottom and Councillor Bill Mara

108. Confirmation of Minutes - 4 November 2020

RESOLVED that the minutes of the meeting held on 4 November 2020 be confirmed.

109. Declarations of Interest

Councillor Naomi Tweddle, Chair of the Planning Committee, reported that she had received several emails in relation to the two applications on the agenda for this meeting at land between 1 and 9-11 Greetwell Gate, Lincoln, as local ward member. She reported that she had explained in her responses that she was unable to provide an opinion until the applications came before the Planning Committee at this meeting. She wished that this be placed on record.

110. Applications for Development

(a) West Common New Land Drain - West Parade Entrance

The Council's Open Space Officer:

- a. described the location of the application site, at the West Parade and Rosebery Avenue entrance leading to the West Common in Lincoln, explaining that the West Common fell within the city boundary and was designated as common land, protected by the Lincoln City Council Act;
- b. advised that permission was sought for a new land drainage scheme to improve ground conditions in and around the entrance gates onto West Common from West Parade and Rosebery Avenue;
- c. reported that the proposed drainage system would consist of a 100mm main drain laid along the boundary fence of the common, running under the tarmac footpath, then out to a rougher area of grass away from any paths and into a soak-away;
- d. reported that 75mm laterals would run out of the main drain in front of the feeding area;
- e. reported that the drains would be excavated to a depth of 700-800mm, with perforated drainage pipe laid in the bottom, back filled to the surface with clean pea gravel and then topped-off with sharp sand;
- f. reported that the soak-away would be dug to a depth of 2.5m and be 2m by 2m square. This hole would be filled with a plastic create type soak-away system and wrapped in a geotextile membrane of the manufacturer's recommendation. This would then be covered with 100-200mm of site topsoil;
- g. reported that a silt trap would be installed 10m back from the soakaway within the main drain. This would be 1200mm deep and constructed of a concrete inspection chamber. The inlet and outlet pipes would enter the

chamber 400-500mm above the concrete floor of the silt trap. The chamber would be topped with a heavy duty cover and this would be capped with a cast iron removable inspection cover.

RESOLVED that the proposed works be approved.

(b) Land Between 1 And 9-11 Greetwell Gate, Lincoln

The Assistant Director for Planning:

- a. described the location of the application site at land between 1 and 9-11 Greetwell Road, Lincoln, as follows:
 - it was located in the north of the city on Greetwell Gate, a one-way street running from Wragby Road to Eastgate;
 - to the east of the site was a public house whilst to the west was 1 Greetwell Gate, a Grade II listed house;
 - to the south of the site were residential properties accessed from Winnowsty Lane and Mainwell Mews;
 - on the opposite side of Greetwell Gate was a City Council owned car park and two semi-detached properties on the corner of Greetwell Gate and Langworthgate;
 - the site was located within the Cathedral and City Centre Conservation Area No. 1;
- b. advised that planning permission was sought for use of the site as a temporary welfare centre and use of the existing garages on the site for storage. The application had been submitted by the City of Lincoln Council and the site would be used by its employees in line with their duties for carrying out repairs to council houses;
- c. reported that the application was brought before Planning Committee as the proposal was made by the City of Lincoln Council on Council-owned land;
- d. provided details of the policies pertaining to the application, as follows:
 - Policy LP25 – The Historic Environment;
 - Policy LP26 – Design and Amenity;
 - National Planning Policy Framework;
- e. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
 - acceptability of use;
 - impact on residential amenity;
 - visual amenity and the impact on the character and appearance of the Conservation Area and adjacent listed building;
 - highway safety;
- f. outlined the responses made to the consultation exercise;
- g. concluded that the proposed use of the site as a temporary welfare centre and use of the existing garages for storage would not cause harm to the overall character and appearance of the conservation area and appropriate conditions controlling visiting hours, the use for a temporary period and monitoring through CCTV would limit harm to residential amenity in accordance with LP25 and LP26 Central Lincolnshire Local Plan and the National Planning Policy Framework.

Laura Devaney addressed the Committee in opposition to the proposal and said she represented over 100 residents in Conservation Area No. 1. The following points were noted:

- Lincoln was a world class heritage city. It was for this reason, given that the site was located on Greetwell Gate in close proximity to the Cathedral within the conservation area, that she and other residents totally objected to the proposed pilot scheme;
- the scheme did not present any benefits to the historic neighbourhood and the Civic Trust had said that this proposal was inappropriate given its location within the conservation area;
- no other depots operated within conservation areas in the city;
- the Lincolnshire Heritage database had described the area as residential, apart from specifically referencing two schools, two public houses and the workshop associated with the Cathedral;
- the Morning Star public house, immediately adjacent to the site, dated back to the 1700's and offered views of the Cathedral from its beer garden. The proposed depot and activities within it would be visible over the Morning Star's boundary wall, which would discourage trade due to the nature of works taking place on the site. The Morning Star was recognised as an asset in the area with a heritage interest which as of yet was unregistered. It was the intention of the community to ensure that this business continued to operate, something which this proposal would threaten;
- concerns had been expressed in relation to the archaeology that would be required prior to and as part of works commencing on site, given its significant historic nature;
- objections had been made in respect of traffic as the proposal would naturally introduce more vehicles to the area. Two schools and a church in the area had requested that a 20mph limit and traffic reduction be imposed on Greetwell Gate as it was felt that there was already excessive vehicle movement on the road;
- the Council's Vision 2020 and Vision 2025 strategic documents made reference to the quality of the local environment which made Lincoln special. This was fundamental to the lives of residents and visitors, which the proposal did not represent and was incompatible with the application which would degrade the area.

Matt Hillman addressed the Committee as applicant. The following points were noted:

- the site required investment, particularly in respect of the garages, removal of asbestos and re-surfacing and had suffered from illegal occupation, trespassing and fly tipping;
- the Council, in response to the coronavirus outbreak, had to adapt to new ways of working, adhering to new requirements in respect of revised legislation and standards from the Health and Safety Executive. As part of the Council's schedule of repairs, storage of welfare provision for staff together with storage of stock such as grit and sandbags via a mini-depot was required in this part of the city. Other sites had been investigated but were not fit for purpose;
- the mini-depot would essentially be used as a drop-down point for staff which would provide toilet facilities, hand washing facilities and somewhere to prepare drinks and food;
- the proposal would enhance the look and feel of the site which was currently in a poor state of repair. The site would be resurfaced, the garages renovated to include a new roof and doors and a new wall and

- gate was proposed on the boundary of the site, using materials and a design in keeping with heritage requirements;
- the site would only be in operation three weeks in every twelve weeks from 10am until 2.30pm, reducing the site's impact at peak times;
- occasional deliveries would be made to the site;
- a Team Leader would be located on the site and an email address would be provided in order that any concerns regarding use of the site could be reported;
- CCTV would also be used to monitor the operation of the site;
- vehicles would be able to drive forwards onto the site, which had enough space to enable the vehicle to turn around and drive out of the site in a forward gear;
- Covid-19 measures were fully in place by the Council in respect of its staff in order to minimise any risk to the public. There would therefore be no further risk to anyone in close proximity to the site in that respect;
- the Council had been working with the occupant and owner of the Morning Star public house on the proposal and no objections had been received from the establishment.

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

- the site was very run down and retracted from the environment. The Committee needed to be confident that the proposal would not make the site worse;
- it was expected that no more than 15 vehicles would use the site per day, on those days the site was in operation, which could enter and leave the site in forward gear;
- the operating period of the site was outside of school times and would only be used three weeks out of every twelve;
- no objections had been received from the County Council on highway or traffic grounds;
- the proposed welfare unit was not a portacabin and was much smaller in size, similar to a medium sized caravan;
- the application was temporary and had sufficient safeguards in place for its proposed operation;
- had the Civic Trust made any comments on the proposal?
- the application was for temporary use of the site as a pilot scheme to aid the City Council's operations in that part of the city;
- how had the calculation of 15 vehicles per day been made?
- it would be more concerning from a highways perspective if the proposed wall was located on the boundary line up against the footpath, however, the application sought to set this back, providing for more visibility in terms of vehicles leaving the site. This made it much safer in terms of other traffic and pedestrians;
- the site itself was dilapidated at the moment and did need to be improved;
- a concern was the size of delivery vehicles that would be required to access and leave the site;
- the use of the site as proposed was not right for the area, with the plot being an ideal location for a residential property;
- the site was very close to the Cathedral in a sensitive part of the city, located next to a popular public house and on a narrow road with very narrow footpaths. This did not seem an appropriate location for a Council depot;

- drivers tended to use the road as a cut-through and, anecdotally, speeding also occurred along this road;
- the National Planning Policy Framework stated that planning applications should take account of heritage assessments, with any new development demonstrating that it made a positive contribution to the character and distinctiveness of the area. This application would have a negative effect from that perspective;
- use of the site, despite there being a Team Leader in place when in operation and monitoring via CCTV, would be difficult to police;
- what would happen if a Council employee needed to use the facilities outside of the operating hours of the depot?
- what would happen if more than two vehicles sought to enter the site at any one time, in view of there only being enough room on the site to accommodate two parked vehicles?
- when would deliveries to the site occur?
- it was misleading to claim that the garages were redundant or unoccupied. They had been in regular use prior to the Council taking ownership of the land, with the current state of the site, including it being fenced off, being down to the actions of the applicant;
- was the operation of the site solely in relation to Covid-19?
- the proposed use of this site would reduce the number of vehicle movements by the Council across the city, with a depot located in the north of the city meaning that regular trips back and forward to Hamilton House were not necessary. This also had environmental benefits in terms of a reduced carbon footprint;
- there was nothing to stop the previous occupiers of the site having large vehicles provide deliveries or use the site, with the public house immediately next door also requiring its deliveries from large vehicles;
- the site struggled with anti-social behaviour as it was an open, un-used site so the fences were installed as a preventative measure.

The Assistant Director provided the following comments in response to the points and questions raised by members of the Committee:

- the Civic Trust had provided a response to the application, objecting to the use of the site but having a neutral view in respect of the proposed wall and gate;
- the calculation of fifteen vehicles per day was based on the number of operatives that would be permitted to use the site. This would be monitored by the on-site Team Leader;
- deliveries would be made by nothing larger than a 3.5 tonne flatbed transit vehicle. In view of the neighbouring public house, deliveries from similar sized vehicles were not uncommon in the area;
- in terms of the assessment of impact of the conservation area and heritage assets, a key aspect of consideration was also preservation as opposed to enhancement. It was the view of officers that the proposal would at the very least preserve the character of the conservation area;
- the site could only be in operation from 10.00am until 2.30pm, three weeks out of every twelve. Deliveries would be required to fall within these specified times of operation;
- in terms of previous use and condition of the site, consideration of the application had to be on the basis of the current condition and impact of the site;

- the application was temporary so, if approved, the operation of the site would cease at the end of March 2021 unless another subsequent planning application was submitted. A new application would need to be submitted and approved in order for the same operation to continue after March 2021.
- it was the understanding of officers that the Covid-19 pandemic had resulted in the Council having to change the way in which it managed its operations, so this proposal was both a pilot but also partly in response to the pandemic.

Further discussion ensued by members and additional comments were made as follows:

- the application should make a positive impact on the distinctiveness and character of the area;
- the addition of 15 vehicle movements entering and leaving the site would have a detrimental impact on that area of the city;
- the operation of the site was solely to assist in scheduled works, mainly to be used by staff at scheduled break and lunch times. The site would not be used as a main depot for the constant delivery and collection of stock or equipment. The work of the repairs team was pre-planned and strategic, meaning that all necessary equipment would be pre-loaded from the main depot at Hamilton House;
- the proposal was a temporary pilot scheme and would be managed properly by a designated Team Leader and monitoring via CCTV;
- residents should be canvassed as to whether operation of the site had been positive or negative;
- if an extension or more permanent arrangement was required by the applicant, a new planning application would need to be submitted and considered. The current application, if approved, would only allow operation on the site until 31 March 2021.

RESOLVED that the application be granted subject to the following conditions:

- The development must be begun not later than the expiration of three years;
- The development must proceed in accordance with the approved drawings;
- CCTV shall be installed at the site;
- Hours of operation for operative visits shall be between 10:00am and 2:30pm every three weeks out of twelve;
- The use shall be until 31 March 2021.

(c) Land Between 1 And 9-11 Greetwell Gate, Lincoln

The Assistant Director for Planning:

- a. described the location of the application site at land between 1 and 9-11 Greetwell Road, Lincoln, as follows:
 - it was located in the north of the city on Greetwell Gate, a one-way street running from Wragby Road to Eastgate;
 - to the east of the site was a public house whilst to the west was 1 Greetwell Gate, a Grade II listed house;

- to the south of the site were residential properties accessed from Winnowsty Lane and Mainwell Mews;
 - on the opposite side of the Greetwell Gate was a City Council owned car park and two semi-detached properties on the corner of Greetwell Gate and Langworthgate;
 - the site was located within the Cathedral and City Centre Conservation Area No. 1;
- b. advised that planning permission was sought for the construction of walls and gates to a Council-owned former garage site. The walls would sit at two varying heights with a lower wall to the front boundary with Greetwell Gate and part of the side boundary to the east. A higher wall and gates opening into the site would be positioned with a setback of 6.5 metres from the footpath to Greetwell Gate;
 - c. reported that the application was brought before Planning Committee as the proposal was made by the City of Lincoln Council on council-owned land;
 - d. provided details of the policies pertaining to the application, as follows:
 - Policy LP25 – The Historic Environment;
 - e. advised members of the main issues to be considered as part of the application to assess the proposal with regard to:
 - visual amenity and the impact on the character and appearance of the Conservation Area and adjacent listed building;
 - archaeology;
 - highway safety;
 - f. outlined the responses made to the consultation exercise;
 - g. concluded that the proposed wall and gates would be a visual improvement to the existing site and would therefore enhance the character and appearance of the conservation area in accordance with LP25 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Laura Devaney addressed the Committee in opposition to the proposal. The following points were noted:

- she was very disappointed that the Civic Trust had insinuated that the walls and gates were valid;
- the principle of her objection was about use of the site and the proposed walls and gates should not be used to justify the site's use;
- it was very obvious from the photographs and video clip shown at the meeting that they had not been taken during conditions she would refer to as normal. Traffic could be very bad along Greetwell Gate which the photographs and video did not reflect;
- the City Council's Archaeological Officer had confirmed that the site would be thoroughly assessed. Mrs Devaney would also make contact with the County Council's Archaeological Officer to seek further reassurances. The required works would hold up building works in respect of the walls and gate;
- properties in this part of the city sold for up to £1.5 million. It would be much better for the area if the site had been developed for residential purposes;
- a three foot wall at the front of the site could be dangerous in terms of school children who may climb on it;
- the conservation area would be enhanced by the walls and gates, but this should not justify the proposed use for the site;

- the lighting proposed to be used on the wall either side of the gates may be too bright, having a detrimental impact on the area, particularly to the Morning Star public house or the residents of number 1 Greetwell Gate;
- residents had not been consulted properly on the application, with some people being unable to provide responses until after the deadline had passed;
- the number of vehicles expected to use the site was concerning.

Matt Hillman addressed the Committee as applicant. The following points were noted:

- in respect of the boundary wall, advice had been sought from the Council's Conservation Officer. This had been reflected in the materials proposed for use, including the wall top, brick and mortar finish;
- the original proposal included a six foot wall on the boundary of the site, however, members of the community had raised their concerns in relation to this so the application had been amended to include a three foot wall enabling visibility to be improved in terms of vehicles leaving the site. Planting works would also take place to soften the landscaping of the area and its impact on the neighbourhood;
- Mr Hillman had been liaising with the owners and occupants of the Morning Star public house as part of the proposed development;
- all advice in relation to archaeology and the necessary processes that needed to take place would be followed. A desk based assessment to evaluate the area would be undertaken shortly.

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

- in relation to the previous application at the same site considered at this meeting and it's temporary nature, the erection of a wall and gate was a more permanent structure. What would the site be used for if the operation set out in the previous application ceased on 31 March 2021?;
- the site needed a wall and a protective boundary around it, particularly to prevent anti-social behaviour and ensure that the garages remained secure;
- this was a sensitive site in very close proximity to the Cathedral so from an archaeological perspective needed to be treated very carefully;
- the conservation area would be enhanced by the erection of walls and gates on this site, taking into account the design and materials proposed to be used;
- reassurance was sought following a claim that the public consultation process had been inadequate;
- the erection of the walls and gates would bring an improvement to the area;
- the applicant had been working with the Conservation Officer who was confident the walls and gates would be of good quality and in keeping with the area;
- the desktop archaeological assessment could take some time which would delay the building of the walls and gates;
- the walls and gates would be a vast visual improvement to the area.

The Assistant Director provided the following comments in response to the points and questions raised by members of the Committee:

- the two applications in relation to the site at Greetwell Gate had to be considered as two separate, standalone planning applications;
- whether or not the site continued to be used for the purposes set out in the previous application, this would not impact the specifics of the application before Committee in respect of the erection of walls and gates;
- with regard to archaeology, officers would ensure that this was dealt with properly;
- the consultation process went above and beyond what would normally be expected, given the sensitive location of the site. Site notices and press advertisements were put in place, with 60 houses in the surrounding area having been notified of the application.

RESOLVED that the application be granted subject to the following conditions:

- The development must be begun not later than the expiration of three years;
- The development must proceed in accordance with the approved drawings;
- Details of the bricks, coping stones, bond and mortar are approved before construction;
- Standard archaeology conditions.

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Application Number:	2020/0662/FUL
Site Address:	The Moorland Centre, 3 Moorland Way, Lincoln
Target Date:	29th January 2021
Agent Name:	Lichfields
Applicant Name:	LCS Property Limited
Proposal:	Demolition of existing building and redevelopment to provide a foodstore (Use Class E), two retail units (Use Class E) and a drive-thru restaurant (Use Class E), car parking and associated external works including landscaping

Background - Site Location and Description

The application is for the demolition of the existing Moorland Centre to provide a foodstore (Use Class E), two retail units (Use Class E) and a drive-thru restaurant (Use Class E). The application also proposes alterations to the existing car park, the creation of a new car park and associated external works, including landscaping.

The existing Moorland Centre building is vacant, formerly occupied by Downtown, and sits at the north corner of the application site with the existing car park to the south. The proposed foodstore, to be occupied by Aldi, and adjoining retail units will also sit towards the north corner of the site, but will have a significantly smaller footprint than the existing building. This will allow a new car park to be provided to the front, south east of the building and an additional access point from Moorland Way. The proposed drive-thru restaurant will be located beyond the car park, adjacent to the existing access. It is proposed that the works will be constructed in two phases; phase one comprising the Aldi foodstore, drive-thru restaurant and associated car park and landscaping works. Phase two, the two retail units, will be constructed at a later date once interest is confirmed.

The application site is located to the west of Tritton Road, accessed via Moorland Way. The 'entry only' access off Moorland Way also serves the Elite Fish and Chip Shop restaurant, located to the south east of the application site, as well as the M&S Foodhall and Co-operative Travel, located to the south west. The exit from the main car park, which can also be used as an access, is located to the west of the site, adjacent to M&S. The exit returns customers onto Moorland Way, which loops around the rear, north west and side, north east and of the application site.

Along Moorland Way are a number of mixed use industrial and commercial units. To the north east, off Moorland Close, is Lindis Retail Park, which accommodates Sainsburys, Matalan, the Food Warehouse (Iceland) and Bargain Buys, along with McDonalds and Dominos Pizza. To the south of the site are properties on Parksgate Avenue with further residential properties on Middlebrook Road, on the opposite side of Tritton Road.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 5th October 2020.

Policies Referred to

- Policy LP1 A Presumption in Favour of Sustainable Development
- Policy LP2 The Spatial Strategy and Settlement Hierarchy
- Policy LP6 Retail and Town Centres in Central Lincolnshire
- Policy LP13 Accessibility and Transport
- Policy LP16 Development on Land affected by Contamination
- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Policy context, principle and sequential test
- Visual amenity
- Impact on residential amenity and neighbouring uses
- Access, parking and highways
- Flood risk and drainage
- Contaminated land

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received
Environmental Health	Comments Received
Lincolnshire Police	Comments Received
Anglian Water	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Environment Agency	Comments Received

Public Consultation Responses

Name	Address
Mr Terry Skeet	29 Parksgate Avenue Lincoln Lincolnshire LN6 7HP
Ms Gloria David	21 Middlebrook Road Lincoln Lincolnshire LN6 7JU
Mr David Garner	130 Doddington Road Lincoln LN6 7HB
Ms Catherine Waby	St Mary's Guildhall 385 High Street Lincoln LN5 7SF
C K Dowson	Eastfield Ltd Moorland Way Tritton Road Lincoln Lincolnshire LN6 7JP
TPS Consultants	
Lincoln Welding And Engineering Supplies Ltd	Moorland Way Lincoln LN6 7JP
Miss M Bebbington	14 Middlebrook Road Lincoln Lincolnshire LN6 7JU
Hindles Of Lincoln Ltd	22 Moorland Way Lincoln Lincolnshire LN6 7JP

Consideration

Policy Context, Principle and Sequential Test

Policy LP1 of the Central Lincolnshire Local Plan (CLLP) advises that the authority will take a positive approach to development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). Planning applications that accord with the policies in this Local Plan will be approved without delay. Policy LP2 goes on to advise that the Lincoln urban area will be the principal

focus for development in Central Lincolnshire, including retail, and other employment development.

The site has no specific allocation within the CLLP proposals map. CLLP Policy LP6 is relevant and requires that development proposals for main town centre uses, such as those proposed, in out-of-centre and edge-of-centre locations will be required to demonstrate their suitability through a sequential site test in line with the NPPF.

Paragraph 86 of the NPPF advises that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centre sites be considered. The application site is located approximately 3.5km to the south west of Lincoln City Centre and therefore is an out of centre site in retail planning terms.

Paragraph 87 of the NPPF goes on to advise that, when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

Paragraph 89 of the NPPF advises that when assessing applications for retail development outside town centres local planning authorities should require an impact assessment if the development is over a threshold of 2,500m² of gross floorspace. This should include assessment of:

- a) The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- b) The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of these considerations, paragraph 90 advises that the application should be refused.

A Planning and Retail Statement accompanies the application, which also includes an assessment of impact on nearby centres. It states that the Moorland Centre is a large, vacant retail property. A small proportion of the building has most recently been occupied by Co-op Travel, which has now relocated to a unit adjacent to the M&S Foodhall. The centre had previously been occupied by Downtown, a home and fashion store which included a garden centre and coffee shop. It historically sold a range of goods including furniture, clothing, shoes and food. Permission was first granted in 1988 for the retail use, with no restrictions on the range of goods that could be sold.

The statement considers that the principle of retail development in this location has been established through the existing Moorland Centre. Indeed the proposal could operate from the existing premises without the need for planning permission. However, in order to provide a robust assessment of the current proposals for replacement retail units in this location, the statement also considers the proposal against the provisions of the NPPF and the CLLP policies.

To inform the sequential test the statement assesses the potential for vacant premises and sites within the city centre. Those considered include the former Boots premises on the High Street, the vacant premises on Free School Lane, the former Co-op store near City Square and vacant Jysk, Toys R Us and BHS stores at St. Marks. These have all been dismissed either due to their size, lack of servicing space, the absence of adjacent customer parking or that there is an approved planning permission for their re-development or use.

The sequential test also assesses potential sites within the district centres of Birchwood, The Forum and Hykeham Green, and the local centres of Bracebridge, Bracebridge Heath and North Hykeham (Newark Road crossroads). No sites were identified as being suitable given their size.

Key public car park sites have also been considered, but dismissed as being unavailable for development, as they are considered important facilities for the city, local residents and visitors. Public open space and recreation land has also been considered, none of which are vacant or underutilised and have therefore been dismissed.

The statement considers that the site is located within an existing retail destination with good accessibility, and therefore other out of centre locations will not form sequentially preferable locations. Officers are therefore satisfied that the proposals accord with the requirements of the NPPF in terms of the sequential test.

In terms of the retail impact the total retail floorspace proposed by the Aldi foodstore and the two retail units is 2,664 square metres, which is less than half the existing retail floorspace of the Moorland Centre, which is over 6,000 square metres. The statement suggests that re-occupying the existing property would be likely to have a higher turnover than the proposal, and therefore a greater retail impact. It is considered that a retail impact assessment is therefore not strictly necessary, but has been undertaken in order to provide a robust assessment of the proposed development.

The analysis concludes that the majority of trade will be diverted from out-of-centre stores including retail parks. The role and function of the city centre and other nearby centres would not be undermined as a result of the proposed development. There would therefore not be any harm to the vitality and viability of the centres in terms of the considerations of the NPPF. Officers are therefore satisfied that the proposals accord with the requirements of the NPPF in terms of retail impact.

It is therefore considered that the application meets both local and national policy tests. One comment of support has been received from an occupant on Middlebrook Road regarding the development, stating the community would benefit from the project, with another objecting on the grounds that there are too many food and household goods shops in the area. Officers have no issue in principle with the proposed uses in this location, particularly given the existing retail use of the vacant premises. Officers are currently in discussions with the agent regarding a condition to restrict the range of goods that can be sold from the retail units, in order to protect the retail offer in the city centre. This will be updated at committee.

The application would therefore be in accordance with the requirements of CLLP Policies LP1, LP2 and LP6, and guidance within the NPPF.

Visual Amenity

The vacant Moorland Centre (former Downtown retail unit) is a white metal clad and glass building, approximately 5m in height with tall feature entrances. The existing car park sits to the south with trees and landscaping softening the boundary with the residential properties beyond. Trees and bushes to the eastern edge of the site act as a semi-permeable buffer between Tritton Road and the site. The surrounding area is predominantly characterised by small and medium scale mixed use industrial and commercial units. The M&S and Co-op buildings are taller and more modern form. The Elite Fish and Chip Shop restaurant is a single storey brick built structure with the Lindis Retail Park to the north occupying a range of scales and designs, with the Sainsbury's having a large footprint and prominent form.

The Design and Access Statement (D&A) advises that the Aldi foodstore and adjacent retail units would address the new car park to the south east with their shop frontages, feature entrances and canopies. This will in turn mean that the back of house areas will face towards the service yard at the rear of the units to the north west of the site. This will improve the visual amenity for those entering the site from Tritton Road with the relocation of the current service yard area from the north east of the site along Moorland Way. The new drive-thru restaurant is orientated so that the shopfront and entrance face Tritton Road, addressing the access road into the site from Moorland Way.

The overall height of the new Aldi foodstore and adjacent retail units ranges from approximately 5m at the rear to 8.5m at the ridge of the roof's mono-pitch to the front. The drive-thru restaurant is approximately 4m in height for the main volume of the building with the feature signage reaching approximately 7m.

When viewed from its frontage the overall height of the proposed building accommodating Aldi and the retail units is approximately 2m taller than the existing, however, the footprint is half the size. This opens up the site and it is considered by officers that the scale and position of the proposal is acceptable, particularly when viewed in the context of the M&S Foodhall, which measures 8m in height at the front with a sloped roof rising to 10m at the rear. The reduced mass and scale of the drive-thru restaurant would relate well to the Elite Fish and Chip Shop building, presenting a frontage to Tritton Road. Accordingly officers consider that the length, height and mass of the respective structures would not be out of character here.

It is therefore considered that the site is of a sufficient size to comfortably accommodate the proposed development along with the associated car parking, new access and service yard. Officers are therefore satisfied that the proposal would relate well to the site and surroundings in relation to the height, scale and mass, in accordance with CLLP Policy LP26.

With regard to the design the D&A advises that the new Aldi foodstore is a mono-pitched single storey building with the roof at its lowest to the rear, rising to a double height façade that faces the car park and Tritton Road. The building is wrapped in a combination of anthracite and silver metal cladding panels and also benefits from generous areas of curtain walling, particularly to the south west corner of the building, where a large glazed area and cantilevering anthracite canopy provide an active focus for the shopfront.

The two adjacent retail units will complement the Aldi foodstore in both their form and materiality. The mono-pitched form will be replicated, with the roof height being reduced

slightly so as to help reduce the apparent massing of the building by creating a visual break at ridge level. The same material palette will be continued for the main body of the building, with a slightly different approach being taken for the main feature entrance in order to reflect the form of the close-by M&S Foodhall and Lincolnshire Co-operative Travel.

Elevations have also been provided to illustrate the Aldi foodstore in advance of the phase two retail units being constructed, and officers are also satisfied with this in terms of both the mass and design.

The new drive-thru restaurant is a single story, flat-roofed unit. The materiality includes areas of vertical timber and cement board cladding. This is further complimented by large areas of curtain walling, both this and the entrance feature reflecting the main building. The building will have an active frontage to the road and drive-thru lanes with the material palette extended around the plant area.

Further details of the materials will be required by condition but there is no objection in principle to the palette suggested. Officers are therefore satisfied that the design and appearance of the proposals are acceptable. It is considered that the development would complement the architectural style of the local surroundings, in accordance with CLLP Policy LP26.

In terms of landscaping two of the existing mature trees to the Moorland Centre entrance at the east of the site are to be retained and the planting strip would be extended into the site and around the proposed drive-thru restaurant. The landscaped area will include low level shrubs and several new trees. Officers welcome this but would also want to see additional landscaping, where practicable, within the car parks. This matter will therefore be conditioned to require a landscaping scheme. Conditions will also ensure that the retained trees are protected during construction. The occupant of 29 Parksgate Avenue has questioned whether there are any plans to improve landscaping between the car park and Parksgate Avenue. However, the strip of land in question adjacent to the boundary is not within the application site and therefore will not be altered as a result of the development.

The service yards to the rear of the foodstore and the retail units will be enclosed with a black paladin security fence. Temporary ply faced timber hoarding will be located around phase two of the development, the retail units, until these are constructed.

The proposals would therefore be in accordance with CLLP Policy LP26 and paragraph 127 of the NPPF, which requires that developments should make a positive contribution to local character and distinctiveness.

Impact on Residential Amenity and Neighbouring Uses

The proposed Aldi foodstore and the drive-thru restaurant would be located over 70m and 55m respectively from the south west boundary of the site with properties on Parksgate Avenue. The boundary is defined by fencing along with a number of trees adjacent, which provide a degree of screening. Officers are satisfied that the separation is more than sufficient to ensure that the proposed structures would not appear overbearing, overlook or result in loss of light. Similarly, properties on Middlebrook Road, located on the opposite side of Tritton Road would be over 75m from the drive-thru restaurant. This would be obscured to a degree by the existing Elite Fish and Chip shop restaurant and the trees and

planting on/adjacent to the site frontage. Again, officers are satisfied that the occupants of these properties would not be unduly affected by the proposal.

The City Council's Pollution Control (PC) Officer has considered the application and raised no objections to the development in respect of noise subject to conditions to control the hours of opening, delivery hours and waste collection. He notes that noise from deliveries and waste collection can cause considerable noise problems during the noise sensitive hours for residential properties in the vicinity. The agent has no objection to the suggested hours of opening but there is ongoing discussion regarding the delivery and waste hours. These will, however, be agreed in consultation with the PC Officer and be conditioned on any grant of consent. Hours of construction will also be conditioned. Officers are therefore satisfied that neighbouring residents and uses will be appropriately protected from potential noise associated with the construction and also the operation of the development.

To further protect the amenities of neighbours the PC Officer has requested that details of any external lighting be conditioned for approval to ensure that this is appropriately designed to avoid any off-site impacts.

Finally, the PC Officer has noted that the development includes a drive-thru restaurant. He states that commercial kitchen extract systems can cause significant disturbance when located close to other sensitive development due to both emissions of odour and noise. Therefore a condition is recommended to require details of any systems prior to their installation.

The only representation received from neighbouring residents in respect of residential amenity is 29 Parksgate Avenue, querying whether the barriers at the car park entrance and exit are to remain, which prevent the late night use of the car park. The agent has confirmed that these will be retained.

In accordance with CLLP Policy LP26, it is therefore considered that the amenities which neighbouring occupants and uses may reasonably expect to enjoy would not be unduly harmed by or as a result of the development.

Access, Parking and Highways

The site is accessed from Moorland Way, via a left turn close to the junction with Tritton Road. The D&A advises that, although it is possible to drive around Moorland Way and enter the car park at its north west corner, the majority of customers use the first access point to the Elite Fish and Chip Shop restaurant and the existing car park. An additional vehicle entrance/exit further along Moorland Way is proposed, which would lead directly to the Aldi foodstore car park, which should help to ease potential congestion across the site. The application also proposes alterations to the north west access point, adjacent to the M&S Foodhall.

The existing 169 bay car park is to be re-configured enabling a further 64 new communal spaces to be provided here. The new car park serving Aldi, the retail units and the drive thru restaurant will accommodate 129 spaces. Across the whole site a total of 362 spaces will be provided, which includes disabled, parent and child and electric vehicle charging bays. Cycle stands are proposed adjacent to the Aldi foodstore and the drive-thru restaurant.

Service vehicles will not enter the car park, but rather they will proceed along the full

length of Moorland Way to access the new building's concealed service area to the rear, north west.

In terms of pedestrian access there is a footpath link into the car park directly from Tritton Road. This footpath separates at various junctions along the perimeter of the site, allowing pedestrians to access the site from multiple locations along Moorland Way. The site is located within easy walking distance of nearby residential properties and public transport links.

Objections have been received from 130 Doddington Road and 14 Middlebrook Road highlighting how poor and busy the existing junctions are, stating that this development will add further pressure to local traffic problems, queueing and highway safety. It is considered that the new access won't help traffic getting off Tritton Road because of the capacity of the network.

The adjacent businesses; Eastfield Enterprise, Hindles of Lincoln and Lincoln Welding & Engineering Supplied Ltd have also raised objection to the application. Concerns are raised regarding the access for large supply lorries. They state that M&S vehicles cannot get around the sharp bend on the north corner of the estate on their own side of the road, and have to drive around this blind corner on the wrong side of the road. The safety concern and the current queueing issues will be exacerbated by increased traffic numbers. An additional email and photographs from Hindles of Lincoln has also been submitted highlighting an incident where a lorry mounted the curb.

An objection has also been received from TPS Transport Consultants Ltd on behalf of ASDA Stores Ltd. This considers that the submitted Transport Assessment fails to demonstrate that servicing can be safely accommodated; there is no consideration given to the cumulative impact of the new use on highway capacity; and the junction to Tritton Road currently experiences heavy queueing. It is considered highly likely that the junction will experience capacity issues, to the detriment of the expeditious movement of traffic on Tritton Way.

The Lincolnshire County Council (LCC) in their capacity as Local Highway Authority (HA) has considered the application along with the accompanying Travel Statement and incorporated Travel Plan. Officers have also forwarded the TPS consultant's letter and highlighted the specific highway safety concerns raised by the objectors.

The LCC advises that the Transport Statement submitted is robust and the analysis of trip generation considers all trips to the site to be 'new' trips, as opposed to linked, pass by or diverted trips, as it can be reasonably expected that a proportion will be. The residual trip generation is lower than the consented fall-back use of the site at peak times. Due to the consented fall-back use of the site and associated higher trip generation, the LCC do not feel it is necessary to request further assessment of the cumulative impact of the proposed development on the surrounding network.

Whilst local stakeholders have referred to recent accidents and 'near misses', there has been no recorded Personal Injury Accidents in the vicinity of the bend on Moorland Way in the last five years. Again, the LCC note that the residual trip generation is lower than the consented fall-back use of the site, and that includes the use of the existing northern junction onto Moorland Way beyond the bend.

Swept path analysis has been provided demonstrating that articulated vehicles can use the service yard to the north of Moorland Way and access and egress the public highway in a forward gear.

There are good sustainable transport links to the site, including the shared footway/cycleway on Tritton Road, Hirebike station at the site frontage, regular bus services and proposed cycle parking provision within the site. The Travel Plan details the developer's commitment to sustainable transport, which is accepted.

The LCC conclude that it is not reasonable to raise an objection to the proposals in accordance with Paragraph 109 of the NPPF as the development will not have a severe impact on highway safety or capacity.

The LCC also raises no objection to the amendments to the north west access, adjacent to M&S Foodhall which requires stopping up and dedication of public highway. They note that this has been agreed by all parties.

Officers are therefore satisfied that the application and the objections relating to access, parking, highway safety and highway capacity have been thoroughly assessed by the LCC in their professional capacity as Local Highway Authority. On this basis officers would raise no objection to the application in this respect. The site is in a location where travel can be minimised and the use of sustainable transport modes maximised, in accordance with CLLP Policy LP13.

Flood Risk and Drainage

The application is accompanied by a Flood Risk Assessment. No objection has been raised to this by statutory consultees.

In terms of surface water drainage Anglian Water and the Upper Witham Internal Drainage Board have highlighted that the preferred method would be SUDs, and this should be agreed in consultation with the LCC as Lead Local Flood Authority and the Environment Agency (EA).

The EA has requested a condition to require that no drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters, to consider whether SUDs are appropriate given the potential risk of contamination.

The LCC in their capacity as Lead Local Flood Authority has raised no objection to the application subject to a condition requiring a surface water drainage scheme. This will be duly applied to any grant of consent and will incorporate the requirements of the EA to ensure that the proposed scheme also includes an assessment of the risks to controlled waters.

A condition requiring a scheme of on-site foul drainage works has been requested by Anglian Water, which will be applied to any grant of consent.

Contaminated Land

CLLP Policy LP16 advises that development proposals must take into account the

potential environmental impacts from any former use of the site. The City Council's Scientific Officer has advised that, due to past uses on the site, there is the potential for significant contamination to be present. The standard contaminated land conditions have therefore been requested, which will be attached to any grant of consent. These conditions would also include the requirements of the EA and their request for such conditions to also relate to the potential contamination to controlled waters.

Other Matters

Air Quality and Sustainable Transport

The application includes electric vehicle recharge points, a requirement highlighted by the City Council's PC Officer, in line with the recommendations of CLLP Policy LP13 and paragraph 110 of the NPPF. This proposed layout indicates two spaces although officers have advised the agent that further spaces are expected to be provided in accordance with the East Midlands' Air Quality Network guide on air quality and development. A scheme demonstrating an increased provision and providing the specification for the units will be conditioned on any grant of consent.

Design and Crime

A response from Lincolnshire Police raising no objections has been received.

Application Negotiated either at Pre-Application or during Process of Application

No.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of the uses on this unallocated site are considered to be acceptable and the application has demonstrated that it has met the policy requirements of the sequential and retail impact tests. The layout, scale and design of the development is acceptable, complementing the architectural style of the local surroundings. It is not considered that the amenities of neighbouring residential properties or neighbouring uses would be unduly harmed by the proposal.

Technical matters relating to highways, surface water drainage, foul water drainage and contamination have been appropriately considered by the relevant statutory consultees and can be dealt with as necessary by condition. The proposal would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies LP1, LP2,

LP6, LP13, LP16 and LP26 as well as guidance within the National Planning Policy Framework.

Application Determined within Target Date

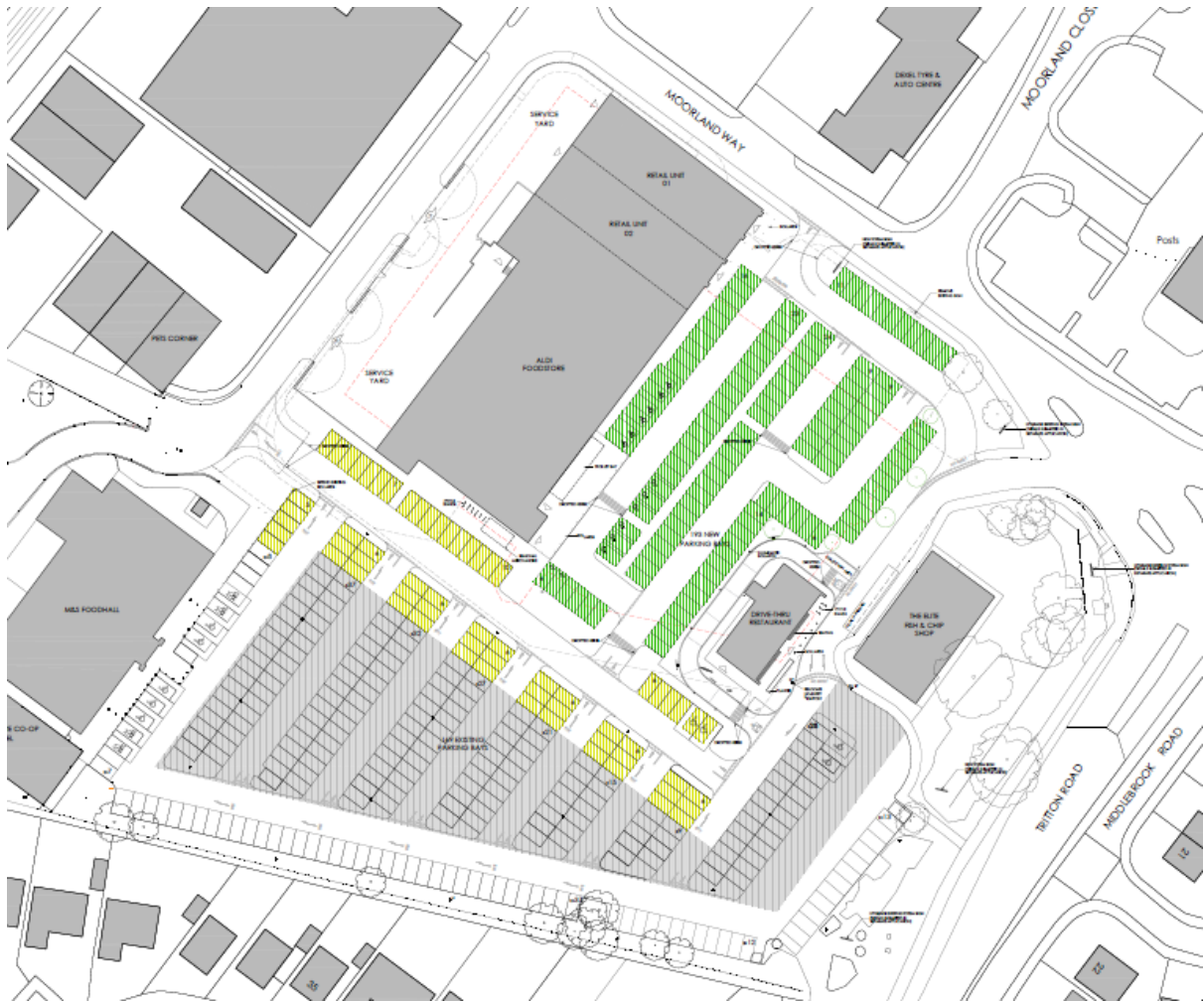
Yes.

Recommendation

That the application is Granted Conditionally subject to the following conditions:

- Time limit of the permission
- Development in accordance with approved plans
- Details of materials
- Site levels and finished floor levels
- Contamination
- Surface water drainage scheme
- Foul water drainage scheme
- Assessment of off-site impact of lighting
- Landscaping
- Tree protection measures
- Details of an electric vehicle charging scheme
- Details of any extraction/filtration systems associated with the drive-thru use
- Restriction on retail use (tbc)
- Restriction on opening hours of retail and drive-thru units
- Restriction on hours for delivery and waste collections
- Hours of construction/delivery

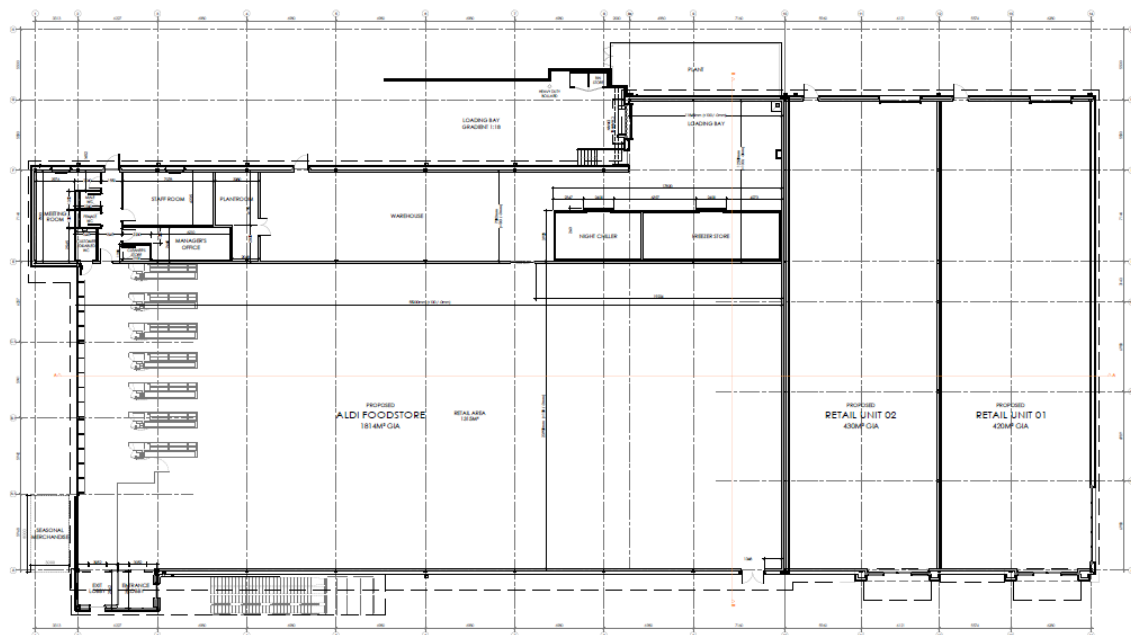
Site location plan



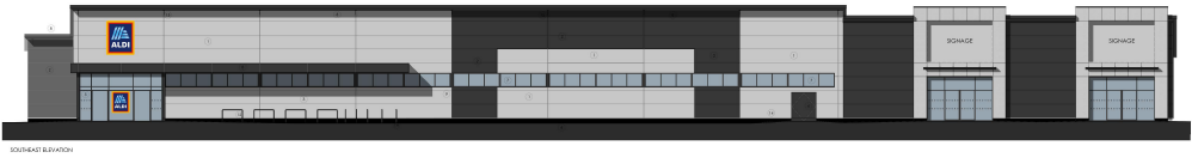
Proposed block plan



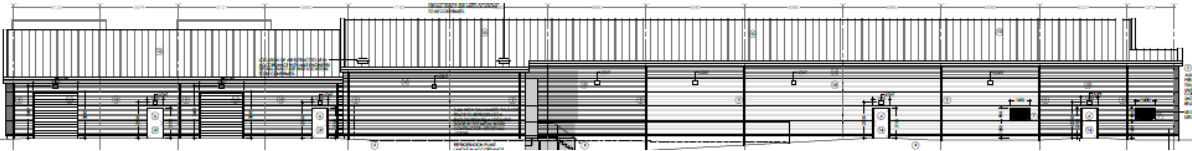
Proposed footprint overlaid on existing



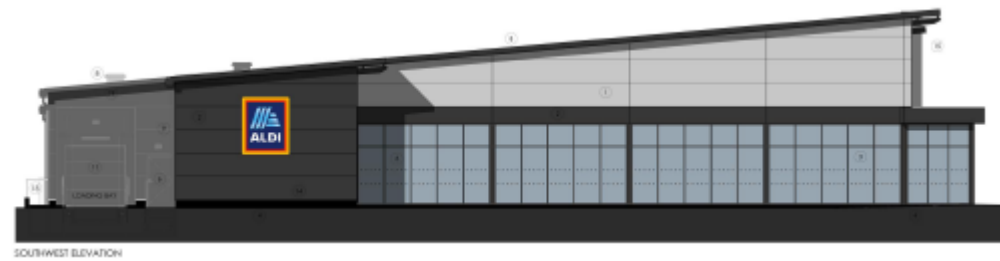
Floor plan of Aldi and retail units



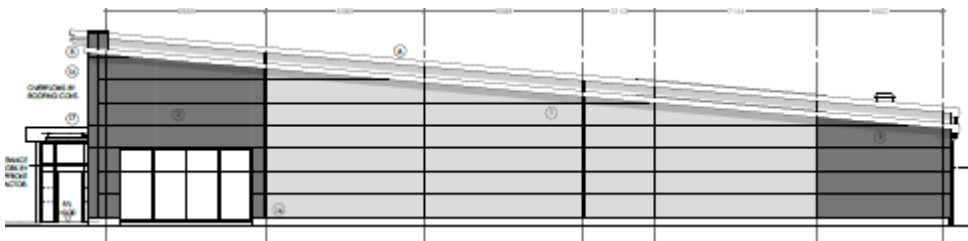
Front, south east elevation of Aldi and retail units



Rear, north west elevation of Aldi and retail units



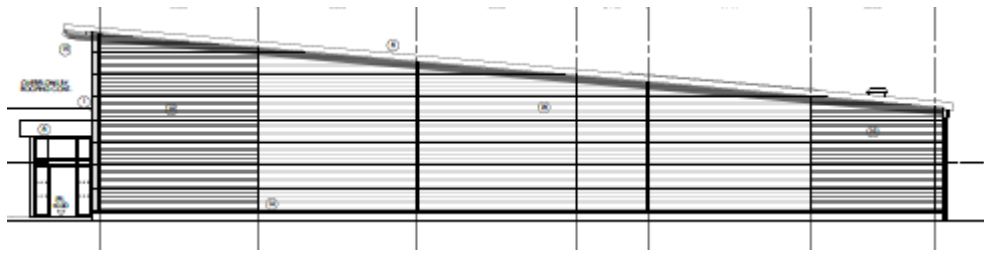
Side, south west elevation of Aldi and retail units building



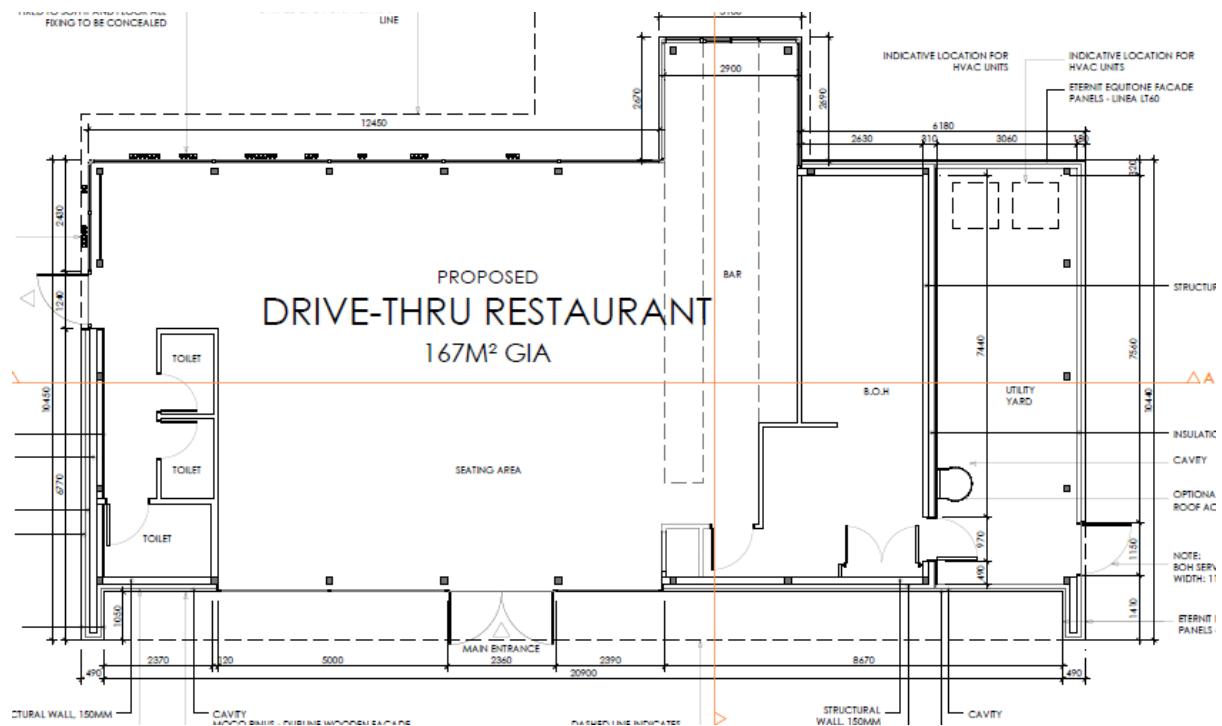
Side, north east elevation of Aldi and retail units building



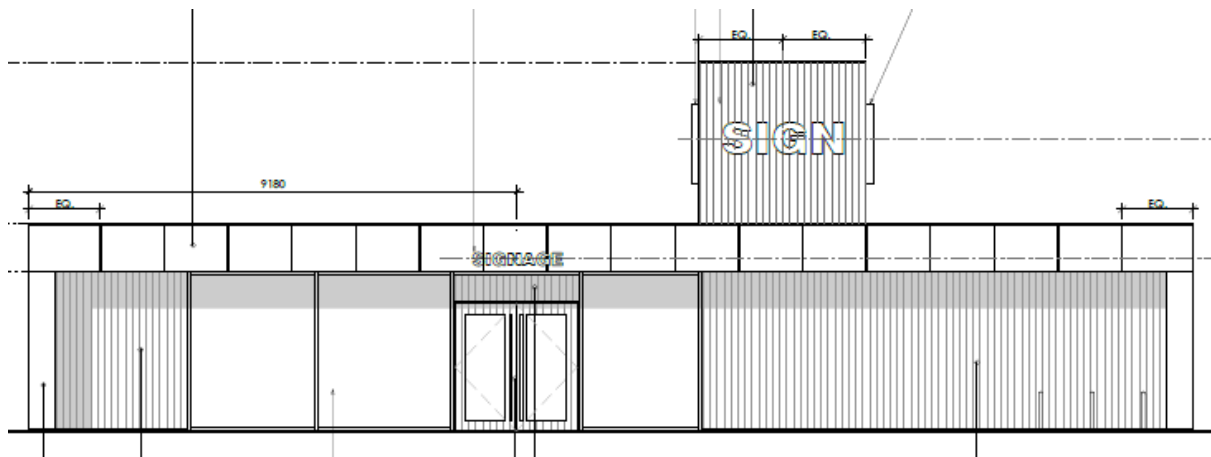
Front, south east elevation of Aldi, without retail units



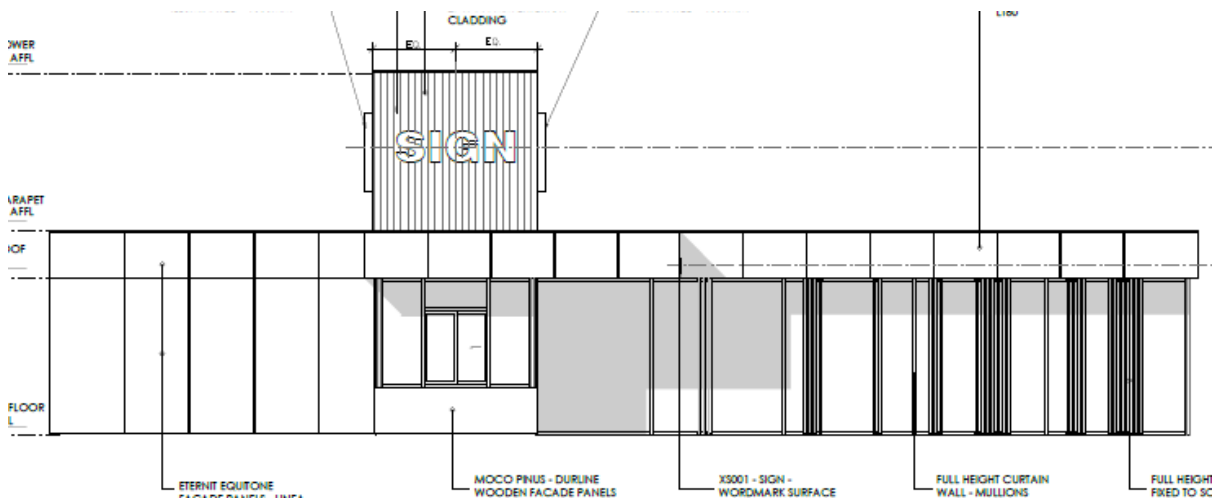
Side, north east elevation of Aldi, without retail units



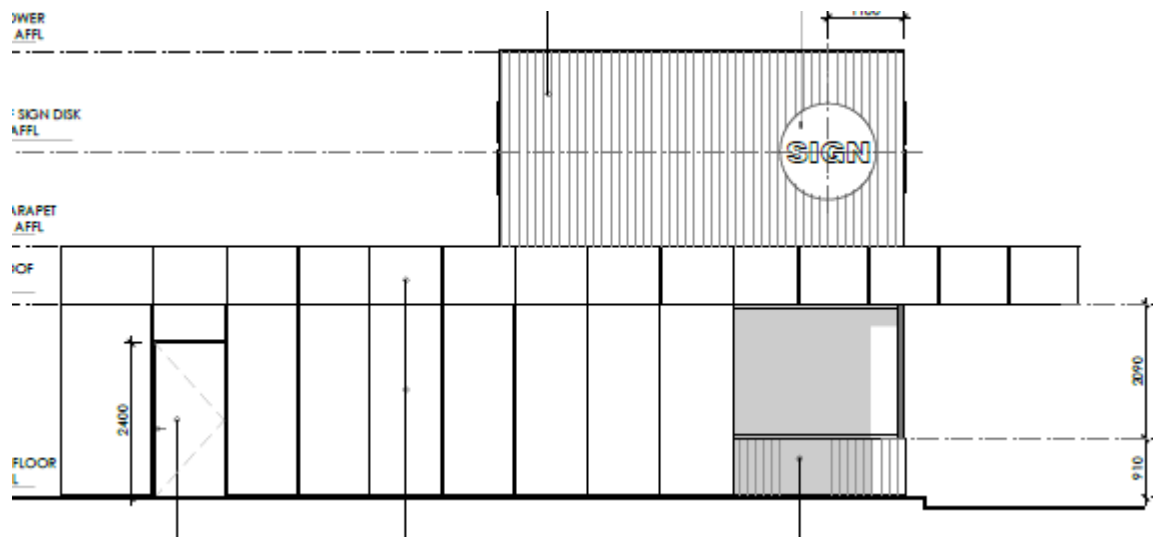
Floor plan of drive-thru restaurant



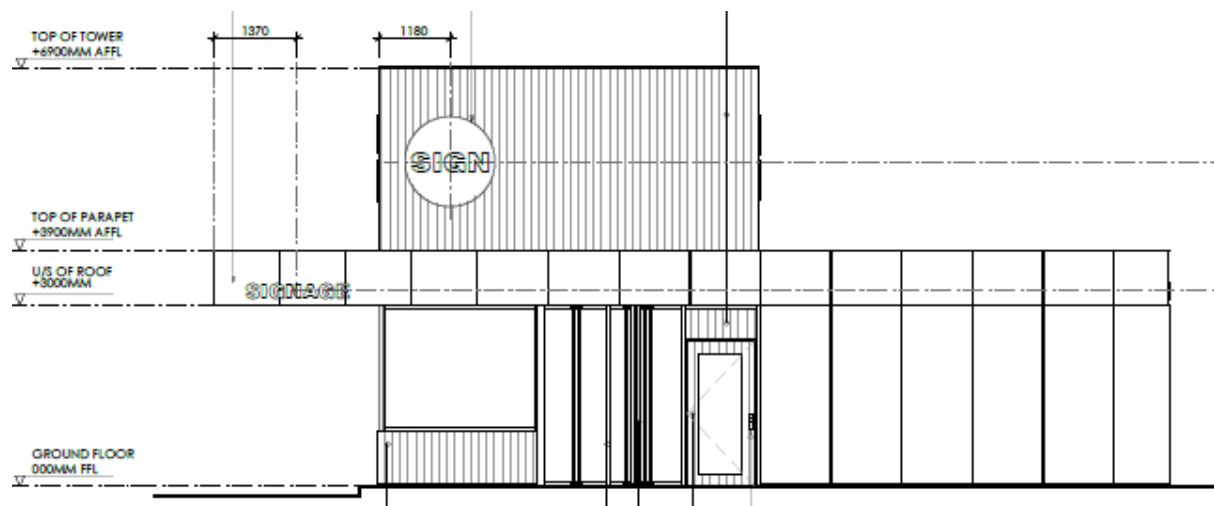
Front, south east elevation of drive-thru



Rear, north west elevation of drive-thru



Side, north east elevation of drive-thru



Side, south west elevation of drive-thru



Existing Moorland Centre building



Elite Fish and Chip Shop restaurant with existing Moorland Centre adjacent



Existing car park with M&S Foodhall and Co-operative Travel in the background



Existing car park and south boundary with properties on Parksgate Avenue



Existing access/exit point to the north west with units on Moorland Way beyond



View along Moorland Way of north west boundary towards access/exit



North corner of site looking south east along Moorland Way



Additional view looking south east towards Tritton Road showing the existing service yard entrance



Tritton Road/Moorland Way junction and site entrance



View of site from Tritton Road looking north

Moorland Centre- consultation responses

Customer Details

Name: Ms GLORIA DAVID

Address: 21 Middlebrook Road Lincoln LINCOLN

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am a landlord residing in Moorland Ward. I have seen the proposal & would support the proposal.

It would be a good initiation for the area.

My property (buy to let) is on 149 Moorland Avenue, Lincoln LN6 7HR.

The community would benefit from this project. Moorland Avenue is deprived & is surrounded by council estates. This project would help the community develop have more facilities within the vicinity of their homes.

Customer Details

Name: Mr David Garner

Address: 130 Doddington Road Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This southern area of Tritton Road is already under pressure with local traffic movements and traffic visiting the existing retail developments on both sides of Moorland Way. Traffic at certain times of day is queued back from McDonalds causing queues on Tritton Road both north and south bound as well as restricting free flowing traffic along Doddington Road. Traffic is queued through blocking the controlled pedestrian crossings at the junctions of Doddington Road/Tritton Road and Tritton Road / Moorland Way making these junctions dangerous for persons to use due to the road network leading in to Moorland Way or the Sainsburys Access being oversaturated. Has there been any traffic assessment and if so does it cover weekends when this area is at its busiest and worst for traffic volume? It says a new access will be created off Moorland Way but how does that help if traffic can't get to the access and is just sat on Tritton Road and Doddington Road because the capacity of the network here is already over saturated. Has an environmental study taken place with an emissions survey of the toxic fumes from the traffic just sat not going anywhere which this development will surely add to.

Customer Details

Name: Mr Terry Skeet

Address: 29 Parksgate Avenue Lincoln

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Dear Sirs

We have now received the plan for an addition to our local amenities with a new supermarket, 2 retail outlets and a drive through restaurant. These additions whilst welcome bring with them a certain amount of pressure on our lives in Parksgate Avenue. There is no way that this development can be stopped but hopefully my comments will be considered before full planning is given.

It is imperative the barriers at the car park entrance and exit remain. Before they were erected the properties that back onto the car park had many problems with boy racers in the car park late at night and in the early hours. Now, with the barriers in place and working normally only occasionally do we have problems.

The landscaping between Parksgate Avenue and the car part in in a terrible state and I would like to know when was the last time someone from the top floor has been to see it. It is almost 30 years old years and very little time and money has been spent on it. When the plans were approved for the M&S Foodhall there was a small amount of work done with a 1 metre cut back and 8 or 9 saplings were planted. Sad to say none of the saplings ever had a leaf on them, they were all dead when planted. I contacted the Co-op and Banks Long for the name of the company that planted them, the Co-op never replied and Banks Long said sorry, we have no details! Ive only mentioned this to show that instructions associated with planning approval are sometimes never carried out, is anybody instructed to monitor them.

Following on from the last chapter that are of landscaping needs to be fully replanted with evergreen trees and shrubs leaving some of the trees and shrubs that have matured over the

years. Hopefully that will stop the brambles and ivy's from growing into our gardens. The evergreen trees and shrubs will offer us a year long buffer between our properties in Parksgate Avenue and the increase in traffic noise this new development will bring.

Terry Skeet

From: Terry Skeet
Sent: 20 October 2020 16:11
To: Smyth, Marie (City of Lincoln Council)
Subject: Planning Ref: 2020/0662/FUL

Mr T W Skeet
29 Parksgate Avenue
Lincoln
LN6 7HP

Dear Ms Smyth

I have just received the acknowledgement from Lincoln Council of my comments regarding the development at 3 Moorland Close.

The acknowledgement rightly states that I do support the development but it does come with reservations. The main one being the barriers to prevent the boy racers late at night or in the early hours. Another issue that I didn't address in my comments and that is restricting the drive through restaurant to a non 24 hours operation.

If this email is to be displayed to the general public I would prefer my contact details deleted.

Terry Skeet

EASTFIELD

ENTERPRISES LTD

Moorland Way, Tritton Road, Lincoln LN6 7JP Tel: 01522 705050 Fax: 01522 500499

City of Lincoln Council
Directorate of Communities & Environment
City Hall
Beaumont Fee
Lincoln LN1 1DF

12 October 2020



Dear Sir/Madam

Application for Planning Permission - Ref: 2020/0662/FUL
Moorland Way, Lincoln LN6 7TN

This Company is one of the main landowners on Moorland Way and we also provide employment for around 20 people. We are concerned about the potential development of an Aldi store, a coffee drive thru and two further retail units on this industrial estate.

We fear that large articulated Aldi supply lorries will add to the problem we already see with the M&S supply vehicles which cannot get round the sharp bend on the northern corner of the estate on their own side of the road and they therefore drive round this blind corner on the wrong side of the road into the path of oncoming vehicles and cycles. This creates a safety issue and although we haven't witnessed any accidents yet, increased traffic levels and more large vehicles could change this. Furthermore, the sight lines round this corner are bad with the existing high fencing and shrubs. In winter, as the road is not gritted, we have had numerous cars unable to negotiate the sharp and shaded bend in icy conditions and they end up in our fence. With increased traffic and supply lorries severe accidents could result especially if pedestrians are involved.

Are there any plans to widen and improve the Moorland Way junction on to Tritton Road please? The vast majority of traffic queues out of McDonalds, Sainsburys and Matalan on to Moorland Way to turn right at the traffic lights on to Tritton Road. The road is not wide enough by McDonalds to enable vehicles to turn left out of Moorland Way on to Tritton Road when the queue to turn right is not moving due to the level crossing being down on Doddington Road or there just being heavy traffic.

We look forward to hearing from you.

Yours faithfully

CK Dowson
Eastfield Ltd

Hindles of Lincoln Ltd

SHEET METAL WORKERS & ENGINEERING CONTRACTORS

22 Moorland Way · Lincoln LN6 7JP · Tel: 01522 683000
Fax: 01522 500127 · Website: www.hindles.com



City of Lincoln Council
Directorate of Communities & Environment
City Hall
Beaumont Fee
Lincoln LN1 1DF



9 October 2020

Dear Sir/Madam,

Application for Planning Permission - Ref: 2020/0662/FUL
Moorland Way, Lincoln LN6 7TN

As one of the main businesses on Moorland Way that has been operating from this location for over 30 years employing in excess of 30 people, we would like to make you aware of our concerns regarding the potential development of an Aldi store, a coffee drive thru and two further retail units on this industrial estate.

We are particularly concerned about the access for lorries to the proposed service yard at the rear of the Aldi store which will be opposite our premises. Large articulated Aldi supply lorries will add to the problem already evident with the M&S supply vehicles which cannot manoeuvre round the sharp bend on the north side of the estate without driving on the wrong side of the road into the path of oncoming vehicles. This creates a safety issue for other drivers, as well as for pedestrians and cyclists. In addition to the radius of the bend being very tight, this is also a blind corner due to high solid fencing and shrubs around the perimeter of the development site in question. We also note with dismay that the Aldi supply lorries will then have to make a sharp turn back on to Moorland Way after dropping off their goods which will cause further congestion, safety issues for other traffic, bikes and pedestrians, damage to the road surface as well as noise and air pollution.

Currently Moorland Way is not gritted in bad weather so in addition to the figures for road accidents included in the Transport Statement we have witnessed numerous small incidents where drivers cannot negotiate the bend in icy conditions and end up with damage to vehicles and perimeter fencing. On some days this can happen many times but is obviously not reported. With additional HGVs on Moorland Way the possibility of cars and bikes sliding into them in poor weather conditions could make these accidents far more severe.

We would also like to make the case for improving the Moorland Way junction on to Tritton Road. Most traffic queues out of McDonalds, Matalan and Sainsburys to turn right at the traffic lights on to Tritton Road. This makes it very difficult for any vehicles to turn left out of Moorland Way on to Tritton Road as the road by McDonalds is not wide enough for left turning vehicles to get past the queues turning right on to Tritton Road.

Please acknowledge receipt of this letter and keep us informed of developments.

Yours faithfully



Neil Sewell
Hindles of Lincoln Ltd

Lincoln Welding and Engineering Supplies Ltd

Moorland Way, Lincoln LN6 7JP

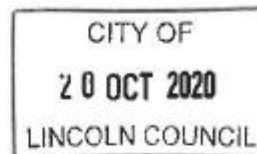


Tel: 01522 501134

Mob: 07733 264485

City of Lincoln Council
Directorate of Communities & Environment
City Hall
Beaumont Fee
Lincoln LN1 1DF

13 October 2020



Dear Sir/Madam

Application for Planning Permission - Ref: 2020/0662/FUL
Moorland Way, Lincoln LN6 7TN

This Company operates on Moorland Way and we felt we should voice our concerns regarding the potential development of an Aldi store, a coffee drive thru and two further retail units on this industrial estate.

Although we have only been here a few years we have seen numerous accidents on the sharp bend of the road that is Moorland Way. The road is not gritted and in icy conditions vehicles drive too fast up to the bend, cannot negotiate it and slide straight on into the pavement and fence. Any development that increases traffic and pedestrians will make these accidents far worse and more frequent than they already are. This is also a blind corner and we see M&S lorries drive round it on the wrong side of the road into the path of oncoming traffic, Aldi supply vehicles will increase the frequency that this happens thereby creating safety problems.

We would also like to bring the City Council's attention the problems of queuing traffic on Moorland Way which sometimes hardly moves when the lights on to Tritton Road are green. Visitors to Sainsbury's, McDonald sand Matalan tend to use the Moorland Way exit to get to Doddington Road and beyond. Traffic is frequently queued from outside McDonalds all down Moorland Way to the traffic lights which means our employees and others wishing to turn left out of Moorland Way on to Tritton Road are unable to squeeze past to make the turn. At especially bad times when the train crossing is down on Doddington Road or when there are more shoppers on Fridays or at holiday times it can take up to 15 minutes to get out of Moorland Way. We believe these problems should be addressed with this planning permission.

Yours faithfully

A black rectangular box redacting the signature of Nick Scafton.

Nick Scafton
LWES Ltd



14 Middlebrook Road,
Lincoln,
LN6 7JU
16.10.20

Dear Sir,

Re: Development of the Moorland Centre, 3 Moorland Way,
Lincoln

I am not in favour of this proposed development for the following reasons:

1. There is already a drive thru restaurant off Moorland Way (MacDonalds).
2. There are 2 other food outlets - Elite fish & chip restaurant and takeaway and Domino's Pizzas.
3. There is already a large supermarket (Sainsbury's) nearby and Iceland Food Warehouse.
4. There is also the successor to Poundland selling cheap household goods.
5. There are already a lot of other supermarkets in this area - Morrisons, Asda, Co-op, Lidl - as well as smaller shopping areas - The Forum, The Junction on Boutham Park Road, the shops on Turner Ave.

I don't feel we need any more food and household goods shops round here. (A bank would be much more useful.)

Tritton Road and Moorland Way are already very busy roads. The access to Moorland Way is poor - the entry lane is not very long and I regularly see cars trying to change lanes at the last moment when drivers realise they are in the wrong one.

Yours

Miss M. Bebbington

Marie Smyth
City of Lincoln Council
Directorate of Communities & Environment
City Hall
Beaumont Fee
Lincoln
LN1 1DF



Sent via: developmentteam@lincoln.gov.uk

12th November 2020

Dear Marie,

2020/0662/FUL - Demolition of existing building and redevelopment to provide a supermarket (Use Class E), two retail units (Use Class E) and a drive thru restaurant (Use Class E), car parking and associated external works including landscaping. The Moorland Centre 3 Moorland Way Lincoln Lincolnshire LN6 7TN.

On behalf of ASDA Stores Ltd. (ASDA), TPS Transport Consultants Ltd (TPS) has reviewed the Transport Assessment and associated plans, prepared by SLR in support of the above application for an Aldi food store, two non-food retail units and a drive thru restaurant at The Moorlands Centre, Lincoln.

Following our review of the Transport Assessment we have concerns regarding the highways impact of the proposals, specifically in regards to highway capacity and road safety. These concerns form the basis of ASDA's formal objection to the application and are summarised below.

We would note that a number of objections have been submitted by neighbouring business, which cite similar concerns in regards to road safety, reflecting on-site observations.

Site Location

The development site is located to the west of Tritton Way, approximately 4.6km to the south west of the centre of Lincoln. It is occupied by The Moorland Centre, which has a gross external area of 6,186sqm. The building, which is vacant, benefits from an open A1 consent (with no restriction on the range of goods that can be sold, including food).

On the wider site, within the land ownership of the Moorlands Centre, there is an M&S Foodhall, which opened in November 2017, along with the Lincolnshire Co-op Travel Shop (which opened more recently) and Elite Fish & Chip restaurant.

Customer access to the site is via a left-in only junction from Moorlands Way, to the east of the site, and an all movements junction to the west, adjacent to the aforementioned M&S Foodhall; the latter principally operates as a left-in / right-out arrangement (with all traffic egressing the site at this location). The proposals see a new all-movements access provided on the northern site boundary, to the east of the existing access, and the existing all movements access on the western boundary, relocated to the north by c.5m and upgraded to a priority junction.



It is proposed that servicing will be from Moorland Way, on the western façade of the new buildings; previously, servicing was from Moorland Way on the northern boundary of the site.

Figure 1 confirms the access and servicing arrangements.

Figure 1 – Site Access Arrangements



Servicing Arrangements

As the above plan indicates, it is proposed that servicing access is to be relocated from the northern boundary of the site, to the western boundary. This is considered to introduce road safety concerns related to forwards visibility at the 90-degree bend on Moorland Way, particularly given the intensification of this route, as a consequence of the development / change of use of neighbouring plots, to the west.



The images below illustrate that visibility around the bend is compromised by the fence line of the development site, as well as mature planting.

The relocation of the servicing access means that HGVs associated with the current application will be required to manoeuvre around this bend (having previously accessed the servicing yard, prior to reaching the bend).

The submitted information includes swept path analysis of a HGV accessing / egressing the service yard (and turning within it). However, tracking of the movement around the bend on Moorland Way has been omitted. It is our assertion (corroborated by the submissions from neighbouring premises in response to the application) that a HGV manoeuvring around the bend would take up the majority of the carriageway, encroaching into the path of oncoming vehicles, with very limited inter-visibility. This gives rise to significant safety concerns.

We would respectfully request that swept path analysis is undertaken to illustrate that the manoeuvre can be undertaken safely.

Moorland Way – Westbound



Moorland Way - Northbound



Cumulative Impact

A search of planning portal indicates that, in addition to the M&S Foodstore and Co-op Travel Agency, permission was granted in January 2020 for a change of use of an industrial warehouse unit to an indoor sporting venue with three artificial grass pitches.

With reference to the submitted Design & Access Statement (DAS), the operator indicates that the grass pitches will have a likely maximum capacity of 40 players per hour (plus staff); at the cross-over



of matches, therefore, there would be up to 40 inbound trips and 40 outbound trips (within a concentrated window that coincides with the start and end of matches). It is not unreasonable to assume a significant proportion of these trips would be by car.

The DAS confirms the anticipated peak times of operation for the sporting venue will be from 6pm – 10pm on a weekday and 9am – 12noon on Saturdays. In the weekday PM peak, therefore, vehicles will arrive to the sporting venue within the busiest hour for the proposed development. This also coincides with the likely busiest weekday period for the M&S Foodhall.

No consideration has been given to the cumulative impact of the consented and proposed uses. This is concerning given that the Transport Statement submitted alongside the M&S Foodhall application (2016/0843/FUL) identified that in the 2021 design year with the M&S Foodhall traffic added, the Moorland Way / Tritton Way signal controlled junction (through which all traffic associated with the current development proposals would travel to reach the site) had a practical reserve capacity of just 0.6% in the AM weekday peak and 3.6% in the weekday PM peak. With additional background growth to 2025, the junction is likely to experience capacity issues (taking account of the additional trips associated with the Travel Agency and sports venue).

A full assessment of the cumulative traffic impacts should, therefore be undertaken, giving consideration to the uplift in trips occurring as a result of the subsequent consents for the Co-op Travel Agency and the indoor sporting venue, coupled with the current development proposals, not least because the Moorland Way / Tritton Way traffic signals are observed to operate with queues extending back from the signals on the Moorland Way arm to Moorland Close (which serves a number of retail units).

Given that a new access is to be introduced in the vicinity of this junction, there is a need to ensure that queuing does not extend back past this access and, moreover, that the cumulative impact of the proposed and neighbouring uses does not negatively impact on the operation of the junction, to the detriment of traffic on Tritton Way.

Whilst it is accepted that, in isolation, the proposals will not generate more traffic than the open A1 consent (based on floor area), consideration should be given to the significant uplift in traffic flows that has occurred on the wider site in recent years and the implications of this on highway capacity; specifically at the Moorland Way / Tritton Way junction.



Summary

Following our review of the Transport Assessment, prepared by SLR to accompany the planning application for a Aldi food store at The Moorland Centre, Lincoln, we have identified a number of concerns and consider that further work is required to allow the Highway Authority to make an informed decision on the planning application:

- The assessment fails to suitably demonstrate that servicing can be safely accommodated; specifically the route to the service yard involves HGVs manoeuvring around a 90-degree bend on Moorland Way. The forwards visibility at this location is particularly poor and it has not been shown that a HGV could make this manoeuvre without using the majority of the road width (and thereby potentially travelling headlong into on-coming traffic);
- No consideration has been given to the cumulative impact of the intensification of use / new development being brought forward to the west of the development on highway capacity. Specifically, a new indoor sports venue is proposed (in addition to an M&S Foodhall and Co-op Travel Agency, which have been brought forward in recent years). The busiest times of operation for these uses, coincide with that of the proposed development and all take access from the Moorland Way / Tritton Way signal controlled junction;
- The junction already operates with queuing that extends beyond Moorland Close and the TS for the M&S Foodhall identified there was very limited reserve capacity in the junction in a design year of 2021. With the addition of background traffic growth to 2025 and the inclusion of traffic associated with the Co-op Travel Agency, consented indoor sports venue and the proposed development, it is considered highly likely that the junction will experience capacity issues, to the detriment of the expeditious movement of traffic on Tritton Way.

In light of the above, we would request that the applicant provides additional swept path analysis to address the concerns raised in regards to road safety and gives further consideration to capacity assessments at the Moorland Way / Tritton Way junction.

We would suggest that at this stage (and in the absence of the above) insufficient information has been submitted to allow the Council to arrive at a sound decision on the impact of the development proposals and, therefore, the application should be refused on highway grounds.

Yours sincerely
Georgina Stares

Director

From: Neil S

Sent: 27 November 2020 14:01

To: Smyth, Marie (City of Lincoln Council)

Subject: 2020/0843/FUL

Hello

Please find some photographs taken on the twenty sixth of November showing the tracks of a very large articulated Lorry which mounted the Path on the North side of Moorland way to avoid oncoming traffic heading from the south on Moorland Way.

This is happening regularly as the corner of the road is not designed for articulated lorries to turn without either mounting the curb or crossing the white line into oncoming traffic.

Hindles have raised this safety issue in our letter to the Development team dated 11th August 2020.

We are very concerned about the safety issues on this corner.

Thank you

Neil Sewell

Works Director|







Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email planningliaison@anglianwater.co.uk.

AW Site Reference: 164528/1/0104815

Local Planning Authority: Lincoln District (B)

Site: The Moorland Centre 3 Moorland Way
Lincoln Lincolnshire LN6 7TN

Proposal: Demolition of existing building and redevelopment to provide a supermarket (Use Class E), two retail units (Use Class E) and a drive thru restaurant (Use Class E), car parking and associated external works including landscaping

Planning application: 2020/0662/FUL

Prepared by: Pre-Development Team

Date: 13 October 2020

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. A full assessment cannot be made due to lack of information, the applicant has not identified a discharge rate or connection point. We therefore request a condition requiring phasing plan and/or on-site drainage strategy (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

UD-5343-2020-PLN

Dear Sir/Madam,

REFERENCE: 2020/0662/FUL

DEVELOPMENT: DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT TO PROVIDE A SUPERMARKET (USE CLASS E), TWO RETAIL UNITS (USE CLASS E) AND A DRIVE THRU RESTAURANT (USE CLASS E), CAR PARKING AND ASSOCIATED EXTERNAL WORKS INCLUDING LANDSCAPING

LOCATION: THE MOORLAND CENTRE, 3 MOORLAND WAY, LINCOLN, LINCOLNSHIRE, LN6 7TN

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

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. Where 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.

Regards,

Richard Wright

Engineering Services Technician

Witham First District Internal Drainage Board
Witham Third District Internal Drainage Board
Upper Witham Internal Drainage Board
North East Lindsey Drainage Board

City of Lincoln Council
Development Control
City Hall Beaumont Fee
Lincoln
LN1 1DF

Our ref: AN/2020/130979/01-L01
Your ref: 2020/0662/FUL
Date: 20 October 2020

FAO Marie Smyth

Dear Marie

**Demolition of existing building and redevelopment to provide a supermarket (use class E), two retail units (use class E) and a drive thru restaurant (use class E), car parking and associated external works including landscaping
The Moorland Centre, 3 Moorland Way, Lincoln, LN6 7TN**

Thank you for your consultation of 6 October 2020 regarding the above application.

Environment Agency position

Available mapping indicates that the site is underlain by a historic landfill site, named 'Moorland Avenue Industrial Estate'. As such, the previous use of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary A aquifer.

We consider that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if planning conditions are included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it could not be guaranteed that the development would not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Ceres House, Searby Road, Lincoln, LN2 4DW
Customer services line: 03708 506 506
Email: LNplanning@environment-agency.gov.uk
www.gov.uk/environment-agency

Cont/d..

Calls to 03 numbers cost no more than national rate calls to 01 or 02 numbers and count towards any inclusive minutes in the same way. This applies to calls from any type of line including mobile.

We acknowledge that the wider retail land use is also developed over the landfill site. However, we do not have any records on the history of the Moorland Avenue Industrial Estate landfill site, what waste may be present below the site or what remedial work has previously been undertaken (if any) to allow safe development of the area. As such, we consider that the first phase in assessing the potential risk to controlled waters should be a Phase 1 (desk study) assessment.

Condition 1

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Advice to the applicant

We recommend that developers should:

- Follow the risk management framework provided in '[Land contamination: risk management](#)' when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed

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- Refer to the [contaminated land](#) pages on gov.uk for more information

Condition 2

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

The presence of a historical landfill site below the proposed development site presents a potential risk of contamination that could be mobilised by surface water infiltration from any proposed sustainable drainage system (SuDS). This could pollute controlled waters. Soakaways should not be constructed in potentially contaminated ground. In light of the above, we do not believe that the use of infiltration SuDS is likely to be appropriate in this location.

Advice to the applicant – waste

All movements of waste must follow the Environmental Protection (Duty of Care) Regulations 1991. Waste arising from activities on site must be kept safe and dealt with responsibly.

Proper classification of waste ensures compliance and enables the correct onward

Cont/d..

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handling treatment to be applied. With waste produced on a site with a historic landfill, we strongly recommend appropriate testing to take place on all wastes produced to ensure the proper classification.

If materials that are potentially waste are to be used on site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Non-waste activities are not regulated by us (i.e. activities carried out under the CLARE Code of Practice); however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive).

The 'Is it waste?' tool allows you to make an assessment and can be found here: <https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

You can find more information on the Waste Framework Directive here: <https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

More information on classification can be found here: <https://www.gov.uk/how-to-classify-different-types-of-waste>

The Duty of Care code of practice can be found here:

<https://www.gov.uk/government/data/waste-duty-care-code-practice-2016.pdf>

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

Nicola Farr
Sustainable Places - Planning Advisor

Direct dial 02030 255023

Direct e-mail nicola.farr@environment-agency.gov.uk

Place Directorate
Lancaster House
36 Orchard Street
Lincoln, LN1 1XX
Tel: (01522) 782070

To: Lincoln City Council

Application Ref: 2020/0662/FUL

Proposal: Demolition of existing building and redevelopment to provide a supermarket (Use Class E), two retail units (Use Class E) and a drive thru restaurant (Use Class E), car parking and associated external works including landscaping

Location: The Moorland Centre, 3 Moorland Way, Lincoln, Lincolnshire, LN6 7TN

With reference to the above application received 1 October 2020

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

Requests that any permission given by the Local Planning Authority shall include the conditions below.

CONDITIONS (INCLUDING REASONS)

Highway Informative 03

The permitted development requires the formation of new and amended vehicular accesses. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk

Highway Informative 08

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.

Highway Condition 33

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;

- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the permitted development shall commence operation until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development.

Note to Officer

Please note that the proposed amendments to the northern-western access (directly adjacent to M&S Foodhall) require stopping up and dedication of public highway, which has been agreed by all parties.

The Transport Statement submitted is robust and the analysis of trip generation considers all trips to the site to be 'new' trips, as opposed to linked, pass by or diverted trips, as it can be reasonably expected that a proportion will be. The residual trip generation is lower than the consented fall-back use of the site at peak times. Due to the consented fall-back use of the site and associated higher trip generation, we do not think it is necessary to request further assessment of the cumulative impact of the proposed development on the surrounding network.

Whilst local stakeholders have referred to recent accidents and "near misses", there has been no recorded Personal Injury Accidents (PIA) in the vicinity of the bend on Moorland Way in the last 5 years. Again, we note that the residual trip generation is lower than the consented fall-back use of the site, and that includes the use of the existing northern junction onto Moorland Way beyond the bend.

Swept path analysis has been provided demonstrating that articulated vehicles can use the service yard to the north of Moorland Way and access and egress the public highway in a forward gear.

There are good sustainable transport links to the site, including the shared footway/cycleway on Tritton Road, Hirebike station at the site frontage, regular bus services and proposed cycle parking provision within the site. The Travel Plan details the developers commitment to sustainable transport, which is accepted.

It is not reasonable to raise an objection to the proposals in accordance with NPPF Paragraph 109 as the development will not have a severe impact on highway safety or

capacity.

Case Officer:
Becky Melhuish
for Warren Peppard
Head of Development

Date: 21 December 2020



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. 2020/0662/FUL

2nd October 2019

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

Town and Country Planning Act 1990
Consultation on Planning Permission

Address of the proposed development:
The Moorland Centre, 3 Moorland Way, Lincoln, Lincolnshire, LN6 7TN

Demolition of existing building and redevelopment to provide a supermarket (Use Class E), two retail units (Use Class E) and a drive thru restaurant (Use Class E), car parking and associated external works including landscaping

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

Lincolnshire Police has no objections 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)

Customer Details

Name: Ms Catherine Waby

Address: St Mary's Guildhall, 385 High Street, Lincoln LN5 7SF

Comment Details

Commenter Type: Amenity Group

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

Comment Reasons:

Comment:NO Objection

Comment: In this energy conservation environment that we have entered, we note that there is no mention of the main roof being either built from material that acts as a solar panel or covered in solar panels. We would like to suggest that all major developments such as this one, should now embrace the principle of solar panels. In an attempt to break up the stark industrial nature of the site, we would further like to suggest that the landscaping proposal be improved.

Application Number:	2020/0785/RG3
Site Address:	Land To Rear Of Rookery Lane And Hainton Road, Lincoln.
Target Date:	5th February 2021
Agent Name:	John Roberts Architects Ltd
Applicant Name:	Mrs Maria Clayton
Proposal:	Erection of 36 dwellinghouses and 6 apartments facilitated by the demolition of 89 and 93 Rookery Lane. Associated external works including parking, access roads and landscaping. (Revised Plans)

Background - Site Location and Description

The application site is a 1.3ha area of land located on the western side of Rookery Lane. The site would be accessed via a new access road following the demolition of No. 89 and 93 Rookery Lane. The site is owned by the City of Lincoln Council who are also the applicants on the application.

The site is identified in the Central Lincolnshire Local Plan 2017 for housing (CL4394-Land North of Hainton Road, Lincoln). The site currently consists mostly of grassland and overgrown vegetation.

The site is bounded on three sides by housing. To the north of the site is Rookery Park, a housing development with Nos 1- 7 backing on to the site. To the east are properties fronting Rookery Lane as well as a development of four bungalows to the rear of No. 75 Rookery Lane. To the south are properties on Hainton Road with their rear gardens backing onto the application site. The western boundary of the site is defined by dense woodland, an area defined as Important Open Space within the Local Plan.

The site would be developed for 100% Affordable Housing. The application proposes 42 dwellings with a breakdown of:

- 20 no. two-bedroom houses for Affordable Rent
- 10 no. three-bedroom houses for Affordable Rent
- 2 no. four-bedroom houses for Affordable Rent
- 4 no. two-bedroom bungalows for Affordable Rent
- 6 no. one-bedroom flats for Affordable Rent

Contributions for Off-Site Impact

Education -Lincolnshire County Council's Strategic Development Officer has confirmed that no contribution is required towards education in the local area as there is currently sufficient capacity in primary school places in the area for the proposed development.

Health- Consultation has also been undertaken with NHS Lincolnshire as part of the planning process although they have confirmed no contribution will be required towards healthcare in this case.

Contributions will be required for Strategic Playing Field and Local Green Infrastructure (children's play space) which are to be collected on issue of decision notice. This would normally be payable via a Section 106 legal agreement although as the applicant is the City Council, this is not possible.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 11th January 2021 and during pre-application stage.

Policies Referred to

- 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

Issues

In this instance the main issues relevant to the consideration of the application are as follows:

- 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

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

All representations received on the application are copied in full at the end of this report and are available to view on the website:

<https://development.lincoln.gov.uk/online-applications/applicationDetails.do?activeTab=neighbourComments&keyVal=QJA4LFJFISD00>

Following the original consultation, officers discussed concerns with regard to some of the relationships between existing and proposed properties; this is discussed later in the report in more detail. Consequently, the proposal has been amended and a re-consultation was

undertaken. The table below shows all the representations received as part both consultation processes.

The main concerns raised include:

- Access and general increased traffic/congestion
- Air pollution
- Flooding/drainage
- Ecology
- Loss of Green space
- Pressure on doctors/schools
- Parking
- Overlooking/ loss of light/impact on existing properties

These representations are included at the end of this report in full.

Some of the representations have stated that they have not been able to access the material submitted with the planning application. This has been investigated by officers and it appears that a letter from the applicant team to residents submitted at the same time as the planning consultation, contained a website link that unfortunately did not work. It was not an issue with the planning pages and those residents who contacted the planning case officer with problems accessing the drawings were directed to the relevant information for the application on the Planning website. Planning consultations were originally sent out 6th November 2020 for 21 days then a further consultation was undertaken on the revised layout from 8th December 2020 for 30 days (additional time to cover the Christmas period). Consultation requirements have therefore exceeded those required by the Town and Country Planning (Development Management Procedure) Order 2015.

Statutory Consultation Responses

Consultee	Comment
Anglian Water	Comments Received
Environment Agency	No objection
Education Planning Manager, Lincolnshire County Council	Comments Received
Highways & Planning	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Lincolnshire Police	Comments Received
Lincolnshire Wildlife Trust	No Response Received

Natural England	Comments Received
Upper Witham, Witham First District & Witham Third District	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Natural England	Comments Received

Public Consultation Responses

Name	Address
Mr And Mrs Lee	95 Rookery Lane Lincoln Lincolnshire LN6 7PP
Mr Phill Millar	36 Hainton Road Lincoln Lincolnshire LN6 7PR
Mr Stephen John Lambert	81 Rookery Lane Lincoln LN6 7PP
Miss Elaine Lambert	28 Hainton Road Lincoln Lincolnshire LN6 7PR
Mr Phil Scully	83 Rookery Lane Lincoln Lincolnshire LN6 7PP
Mr Chris Brown	75C Rookery Lane Lincoln Lincolnshire LN6 7PP
Mrs E Swires	1 Rookery Park Lincoln Lincolnshire LN6 7BY
Miss Elaine Lambert	28 Hainton Road Lincoln Lincolnshire LN6 7PR

Mr Michael Kirk	10 Hainton Road Lincoln Lincolnshire LN6 7PR
Mr Stewart Alexander	52 Hainton Road Lincoln Lincolnshire LN6 7PR
Miss Sophie Blake	52 Hainton Road Lincoln Lincolnshire LN6 7PR
Miss Lynne Baker	Chez Rookery 113 Rookery Lane Lincoln Lincolnshire LN6 7PW
Mrs Heather Dickinson	85 Rookery Lane Lincoln Lincolnshire LN6 7PP
Mr Tim Sullivan	79 Rookery Lane Lincoln Lincolnshire LN6 7PP
Mrs E Swires	1 Rookery Park Lincoln Lincolnshire LN6 7BY
Mr And Mrs A Garner-Jones	24 Hainton Road Lincoln Lincolnshire LN6 7PR
David & Teresa Purser	75B Rookery Lane Lincoln Lincolnshire LN6 7PP
Mrs M Crombie	26 Hainton Road Lincoln Lincolnshire LN6 7PR
Mr Derek Mould	4 Rookery Park Lincoln LN6 7BY

Mrs Janet Mumby	50 Hainton Road Lincoln Lincolnshire LN6 7PR
Miss Susan Windsor	34 Hainton Road Lincoln Lincolnshire LN6 7PR
Mr Peter Burrows	34 Hainton Road Lincoln Lincolnshire LN6 7PR
Miss Adele Millar	36 Hainton Road Lincoln Lincolnshire LN6 7PR
Mr Stewart Alexander	52 Hainton Road Lincoln Lincolnshire LN6 7PR

Consideration

The Principle of the Development in Accordance with Policy

Paragraph 11 of the National Planning Policy Framework states that at the heart of the framework is a presumption in favour of sustainable development.

LP1 of the Central Lincolnshire Local Plan (CLLP) echoes the presumption in favour of sustainable development as stated in the NPPF whilst Policy LP2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing.

The level of need for affordable housing is evidenced in the Strategic Housing Market Assessment (2015). The findings suggest that across Central Lincolnshire, there is a need for 17,400 affordable homes between 2012-2036. Policy LP11 of the Central Lincolnshire Local Plan requires all developments on housing on sites of 11 or more dwellings to provide 25% affordable homes. The development exceeds this requirement, providing 100% affordable units on site (42 dwellings).

The site is allocated as a housing site within the CLLP. The development of the site therefore accords with Policy LP49 and is wholly acceptable in principle.

The requirements for developer contributions has been assessed and due to the development providing 100% affordable housing, the proposal is not CIL liable. Consultations have also been undertaken with the NHS and Lincolnshire County Council and both have confirmed they do not require contributions to health services or for the provision of primary school places in this instance.

Contributions for local green infrastructure and play space will be transferred upon issue of

the decision notice as this cannot be required by way of the usual S106 agreement as the Council own the land and cannot enter into an s106 agreement with itself.

Visual Amenity

The proposal is for a mix of house types including semi-detached and terraced houses, semi-detached bungalows and self-contained apartments.

The layout of the site has been discussed during both pre-application discussions and during the application with particular regard to relationships with existing neighbouring properties. This is detailed further in the residential amenity section of the report.

The access into the site is taken from Rookery Lane where No 89 and 93 are currently positioned. The access would turn the corner into the site and terminate after splitting into two cul de sacs. The access would be a shared surface and each plot would have a parking space. A SUDS feature and an area of Public Open Space have been introduced towards to south west of the site.

Each plot would have its own public and private amenity space. The internal layouts of the dwellings have been designed to satisfy the Lifetime Homes Standards (excluding the first floor apartments).

The established character of the area is varied including bungalows and two storey properties which are both semi-detached and detached. The proposal includes five house types which would offer variety throughout the development whilst maintaining consistent design principles. The new dwellings would be constructed either of red brick or buff brick with grey tiled roofs and the proposal offers a simple, clean, modern design which would sit comfortably in this location. In order to add light and shade to the elevations, a minimum of 75mm deep window reveal has been negotiated by officers to be included throughout the development.

With regard to landscaping, the site is adjacent to a dense belt of woodland to the west. The application is accompanied by an Arboricultural Assessment identifying the trees within the site for removal. 11 individual specimens and 9 groups of trees would be removed to accommodate the development although most of these are valued as lower/poor quality specimens whilst only two can be categorised as 'moderate quality'. There is a mature Oak tree subject to a Tree Preservation Order (TPO) within the site and this would be incorporated within the public open space. Another oak elsewhere has been incorporated within the garden of Plot 11 as well as some trees on the southern boundary. A group of willow trees on the western boundary also have TPO status although these are surrounded by other self-set specimens. The layout has been designed to ensure that the self-set low quality trees can be removed and enable the healthy trees within the TPO group to remain on the western boundary of the site. This approach has been subject to consultation with the City Council's Arboricultural Officer during the pre-application stage.

Some new planting has been incorporated on the site where possible, namely in front of the proposed apartments and further planting has been added to the northern boundary with Rookery Park, through officer negotiation during the application process.

Officers propose a pre-commencement condition to require the submission of an Arboricultural Method Statement with details of how the remaining trees on the site will be protected during construction. The City Council's Arboricultural Officer has raised no

objections to the proposal.

Overall, it is considered that the layout and design of the proposed development is appropriate for its context. The development would therefore be in accordance with Policy LP26 and also paragraph 127 of the NPPF, which requires that developments should make a positive contribution to local character and distinctiveness.

Residential Amenity

Negotiations have taken place throughout the application process which has resulted in a revised layout. The amended layout was sought in order to improve relationships with the proposed development and those existing properties surrounding the site. The amendments include the movement of Plots 3-8 further to the west of the site. This amendment improved the relationship of Plot 3 with the rear garden of No. 95 Rookery Lane, with particular regard to privacy. Plots 18-20 and 30-37 were also re-positioned. This amendment essentially ensured that the bungalows on the site were positioned adjacent to existing bungalows behind No. 75 Rookery Lane to minimise the impact on these properties.

The rear of the properties on Rookery Park are positioned beyond the northern boundary of the site. The rear of the proposed properties would be positioned between 18-19.5 metres from the rear elevations of the existing properties. Whilst it is acknowledged that this will introduce a new relationship to the gardens/rear windows of 1-7 Rookery Park that are currently overlooking an empty site, it is not considered that this introduces an unduly harmful overlooking relationship. Additional planting has been introduced on this boundary at your officer's request, which will assist to minimise the impact. As Plot 3 and 4 have been moved further west, this ensures an appropriate relationship with the rear gardens of both No. 95 and No. 87 Rookery Lane.

Plots 34-40 line the access road on the eastern boundary of the site and the rear of these proposed properties would back onto the rear gardens of No. 79-85 Rookery Lane. There would be approximately 54 metres window to window separation here, an appropriate separation to ensure overlooking would not be unduly harmful.

To the south of the application site are the rear gardens of properties fronting Hainton Road. These properties benefit from large gardens which are approximately 40 metres long from the rear of these properties to the boundary with the application site. The proposed properties adjacent to the southern boundary have been angled to ensure direct overlooking would not be an issue. Plots 30-33 within the south east corner of the site are bungalows therefore the boundary treatment would ensure privacy would be maintained between them and the properties on Hainton Road. Similarly, the bungalows have been re-positioned where they are closest to rear gardens of existing bungalows No. 75a-d Rookery Lane. The original drawings proposed two storey properties in this location and it is considered the revised proposal now ensures an appropriate relationship with these properties.

It is not considered that any of the proposed dwellings would introduce relationships which are overbearing, cause undue loss of privacy or harmfully overshadow existing neighbouring properties. However, given the proximity to neighbouring properties, a construction/delivery hour's condition has been proposed at the request of the City Council's Pollution Control Officer in order to protect residential amenity via limited hours of work while construction takes place.

In summary, it is considered that the proposal can be accommodated on the site without having a detrimental impact on surrounding properties. The proposal would therefore be in accordance with the requirements of Policy LP26 in terms of impact on residential amenity.

Ecology

The site itself is not subject to protection in terms of its ecological value although is adjacent to an area designated as Important Open Space in the CLLP. This area is occupied by dense woodland and the large Important Open Space allocation stretches to the north and south and continues to the west, linking to Moorland Avenue.

A Preliminary Ecological Appraisal/ Roost Assessment and Species Specific Survey Report has been undertaken at the site to assess potential impact on ecology. With regard to the demolition of No. 89 and 93 Rookery Lane, the survey recorded no roosting activity by bats. Similarly, no trees capable of supporting bat roosting were recorded within the application site. Water samples were taken from waterbodies within 500 metres of the site boundary and recorded negative for great crested newts.

However, three badger setts were identified at the site. The setts were recorded as being intermittently used by a single badger. The setts identified as 'outliners' rather than a main sett. The report concludes that retaining the setts on the development site would lead to isolation and disturbance to the badger population. The applicants therefore propose to close these setts. Badgers and their setts are protected under the Protection of Badgers Act 1992 and there are restrictions on when sett closure can take place. An A24 License will be required from Natural England for their closure and this normally takes place once planning permission has been obtained. Sett closure is normally restricted between July-October unless under exceptional circumstances and this will be subject to a separate process and consideration by Natural England. Given that the likely location of the main sett is within the large expanse of land to the west site and their closure is subject to Natural England consent, it is considered that the development can be achieved without harm to the species and this should not warrant refusal of planning permission.

The report recommends measures for opportunities on the site and these will be incorporated as conditions of the proposal. These include: Bird/bird boxes and a landscaping scheme which incorporates native species.

Natural England have raised no objections to the proposals and no comments have been received from Lincolnshire Wildlife Trust.

Whilst the proposal would result in a loss of some, mostly poor and self-set trees, within the site, the protected trees are maintained. The scheme also offers opportunities for new tree planting and installation of bird and bat boxes for enhancement and protection of the natural environment in accordance with paragraph 170 of the NPPF.

Access and Highways

The access road servicing the development has been designed as a shared surface with permeable block paving which would be accessed directly from Rookery Lane. The road would be adopted by the Highway Authority on completion of the development. Parking spaces within the site are provided at a ratio of 1 per dwelling of 2 to 3 bedrooms and 2 per dwelling of 4 bedrooms in accordance with pre application discussions with the

Highway Authority and Planning Officers.

A Transport Statement has been submitted with the application and assessed by the Highway Authority. The Highway Authority have requested further technical details but have not raised objections to the proposal.

Access for vehicles (and pedestrians) is from Rookery Lane. The new junction to Rookery Lane is designed to meet LCC Highway Authority requirements and has a 5.5m carriageway width and 2m wide footway to the north with a landscaped service margin to the south. Upon entering the site there is a change in the nature of the road from a standard 5.5m wide tarmac road to a shared surface – where pedestrians and vehicles share the same route; this is an acknowledged approach to reduce traffic speeds and reduce the dominance of vehicles. The central section of this shared surface is 4.5m wide with further 0.5m wide refuge strips to both sides giving a total width of 5.5m. Access and turning for larger vehicles (i.e. refuse trucks, delivery vehicles, etc.) has been incorporated into the site with turning heads included at the end of each length of road.

Overall, the site has good access to local facilities and public transport, the transport assessment shows access can be taken safely from Rookery Lane. Notwithstanding that, the site is in a location where travel by car can be minimised and the use of sustainable transport modes maximised, in accordance with CLLP Policy LP13.

Flood Risk and Drainage

The site is within Flood Zone 1 and therefore is at low risk of flooding. The Lincolnshire County Council in their capacity as Lead Local Flood Authority (LLFA) has considered the application with regard to drainage and at this stage have requested further technical details to be submitted regarding surface water drainage based on sustainable urban design principles. This information has been submitted by the applicants and is currently being considered by the LLFA. Their final comments will be reported to committee.

Other Matters

Contaminated Land

Policy LP16 advises that development proposals must take into account the potential environmental impacts from any former use of the site. A Ground Investigation Report has been submitted with the application although the City Council's Scientific Officer has noted that further investigations will be required to inform potential remediation and therefore recommended pre-commencement conditions which are proposed accordingly.

Air Quality and Sustainable Transport

The City Council's Pollution Control Officer has advised that, whilst it is acknowledged that the proposed development, when considered in isolation, may not have a significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted.

The proposed development will include off street parking and it is therefore recommended that the applicant be required to incorporate appropriate electric vehicle recharge points into the development in line with the recommendations of CLLP Policy LP13. These details

can be required as part of a condition.

Archaeology

A Desk-based Assessment and Geophysical Survey have been submitted with the application to assess the likely impact on Archaeology. The Geophysical survey identified little of archaeological interest due in part to the large amount of magnetic noise across the majority of the site. However, it did identify the small potential of a kiln being present on site therefore the City Archaeologist recommended further trenching work to be carried out. The trenching was carried out by Allen Archaeology during the application process and no evidence of archaeological remains were present. The City Archaeologist has therefore confirmed that no further evaluation will be required.

Application Negotiated either at Pre-Application or During Process of Application

Yes, meetings with officers at pre-application stage.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The principle of developing this site for residential development is acceptable and is an allocated housing site within the Central Lincolnshire Local Plan. The proposal is appropriately designed to sit well within its context whilst respecting the amenity of adjacent neighbours. It is therefore considered that the proposed development is 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.

Application Determined within Target Date

Yes.

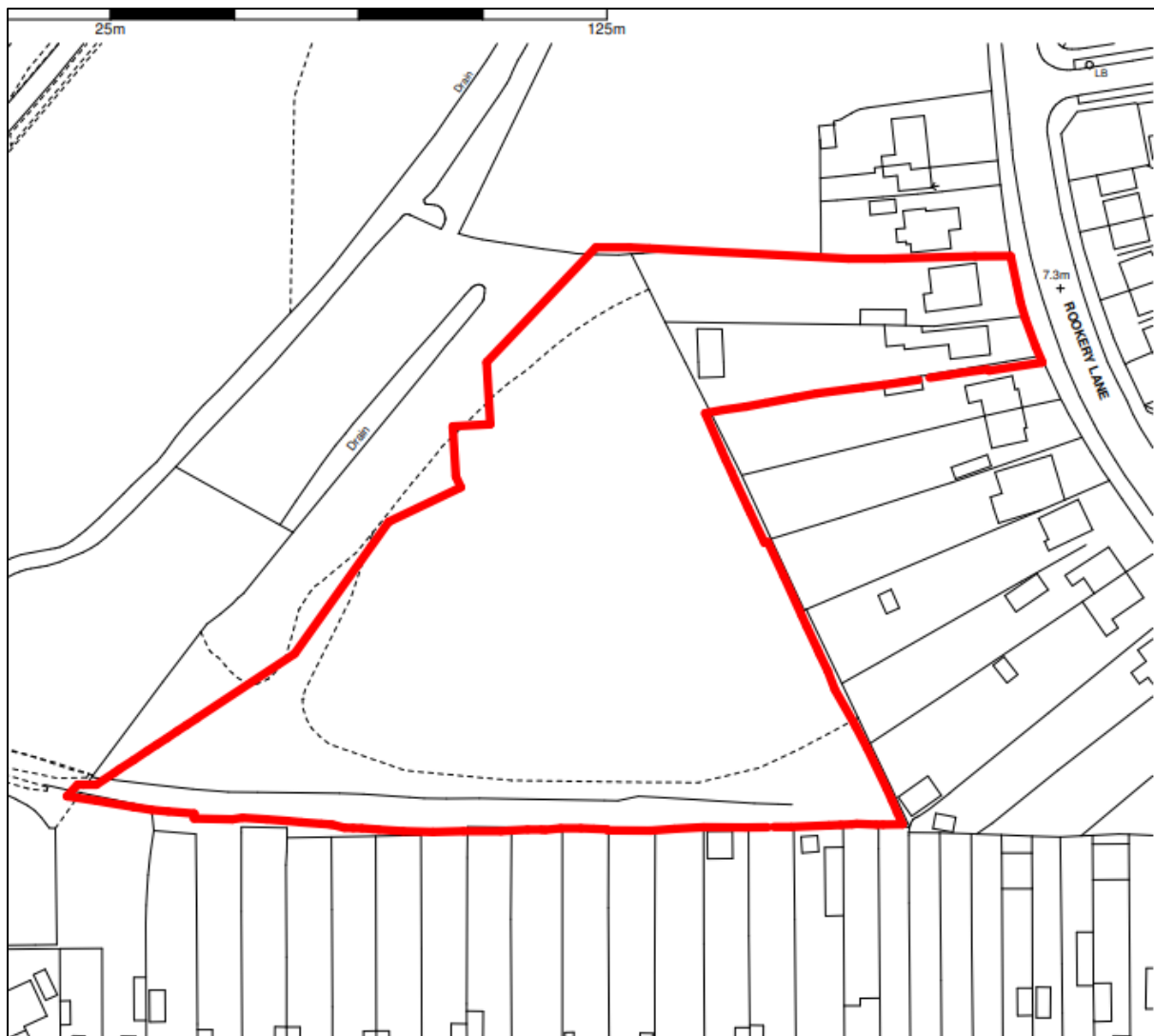
Recommendation

That the application is granted subject to the following conditions:

- 3 year condition
- Accordance with plans
- Land levels to be as submitted
- Landscaping details

- Boundary walls and fences
- Materials – to be as submitted – including window reveal
- Arboricultural method statement – including tree protection measures
- Details of affordable housing
- Highway construction management plan
- Estate roads shall be laid out before any dwelling is occupied
- Surface water drainage scheme to be submitted
- Bat/bird boxes to be implemented
- Electric vehicle charging points
- Construction/delivery hours condition
- Contaminated land
- Additional surface water/highway conditions if required

2020/0785/RG3 – Land to the rear of Rookery Lane and Hainton Road



Site Location Plan

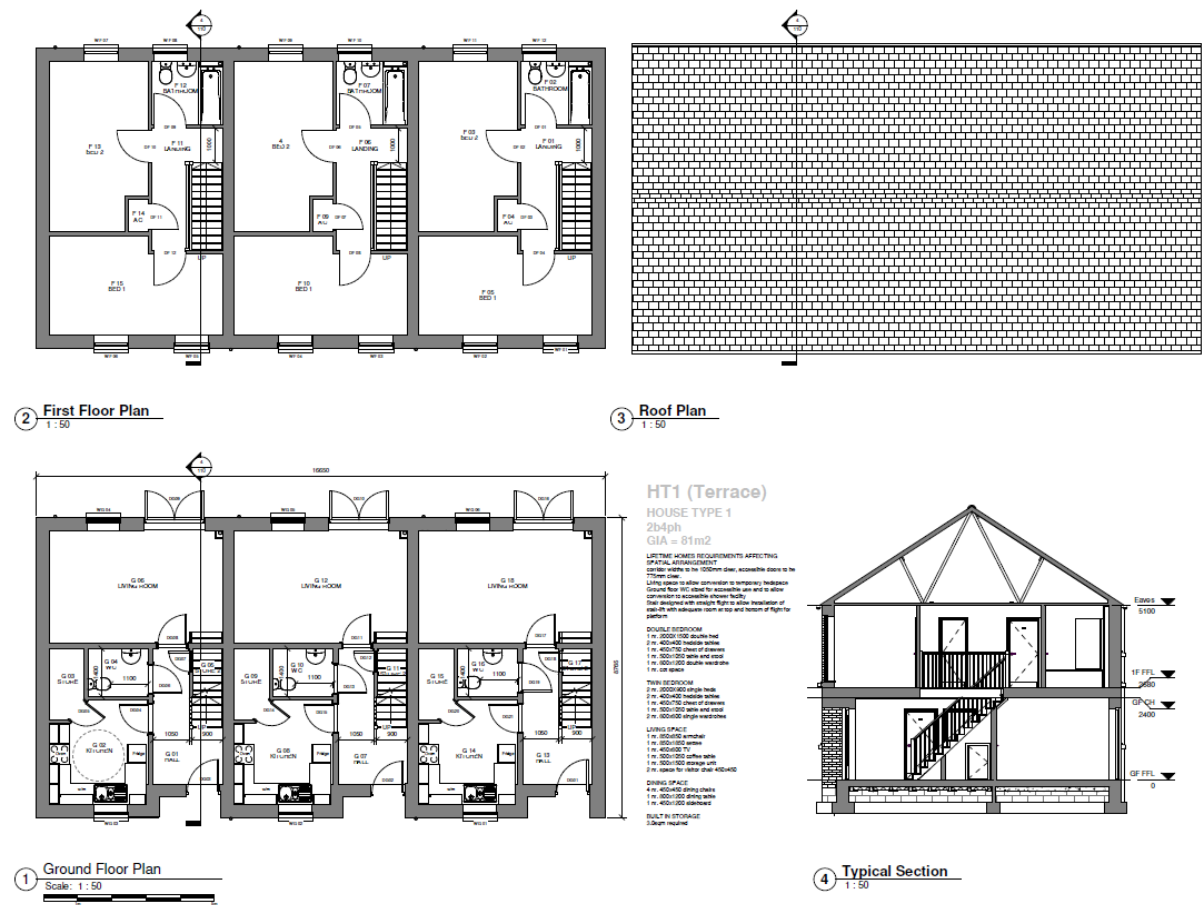


Site Layout Plan



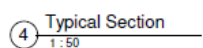
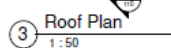
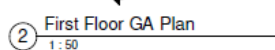
Proposed boundary treatments

House Type 1 Terrace





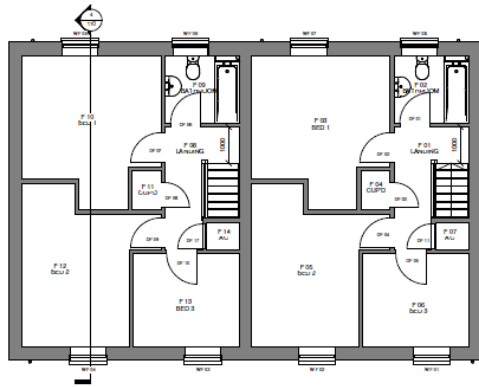
House Type 1 Semi



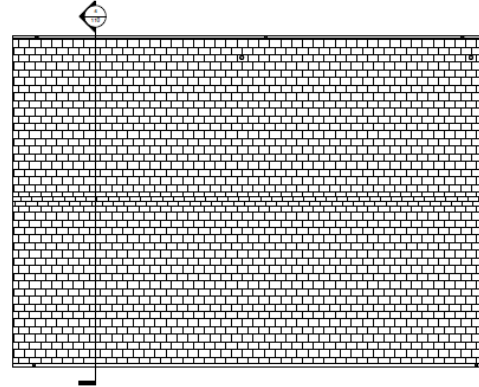
GRAPHIC 5



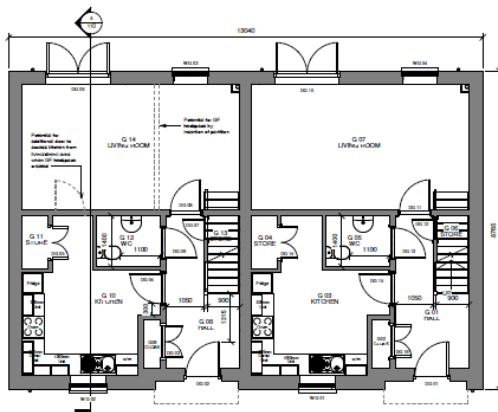
House Type 2



2 First Floor Plan
1:50



3 Roof Plan
1:50



1 Ground Floor Plan
1:50

HT2 (Semi)

HOUSE TYPE 2

3b5ph

GIA = 96m²

LIFETIME HOMES REQUIREMENTS AFFECTING SPATIAL ARRANGEMENTS:
 Access width to be 1500mm clear, accessible doors to be 1700mm clear.
 Living space to allow conversion to temporary independent living space for 10% of the accessible area and to allow conversion to accessible shower facility.
 Bath designed with straight flight to allow installation of rails in with adequate room at top and bottom of flight for platform.

DOUBLE BEDROOM

1. 1000/1000 double bed
 2. 400/400 double wardrobe
 1. 400/1000 double wardrobe
 1. 1000/1000 double wardrobe
 1. 1000/1000 double wardrobe

TWIN BEDROOM

1. 1000/1000 single beds
 2. 400/400 double wardrobe
 1. 400/1000 double wardrobe
 1. 1000/1000 double wardrobe
 2. 1000/1000 double wardrobe

SINGLE BED ROOM

1. 1000/1000 single beds
 2. 400/400 double wardrobe
 1. 400/1000 double wardrobe
 1. 1000/1000 double wardrobe
 2. 1000/1000 double wardrobe

LIVING SPACE

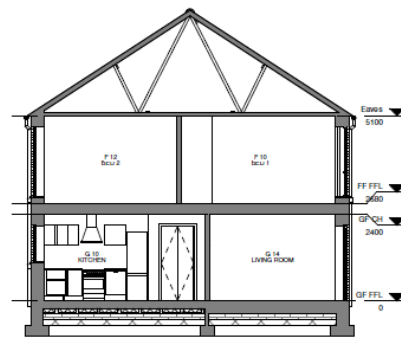
1. 1000/1000 armchair
 1. 1000/1000 armchair
 1. 1000/1000 armchair
 1. 1000/1000 armchair
 1. 1000/1000 armchair
 2. 1000/1000 armchair

DINING SPACE

1. 1000/1000 dining chair
 1. 1000/1000 dining chair
 1. 1000/1000 dining chair
 1. 1000/1000 dining chair
 1. 1000/1000 dining chair

BUILT IN STORAGE

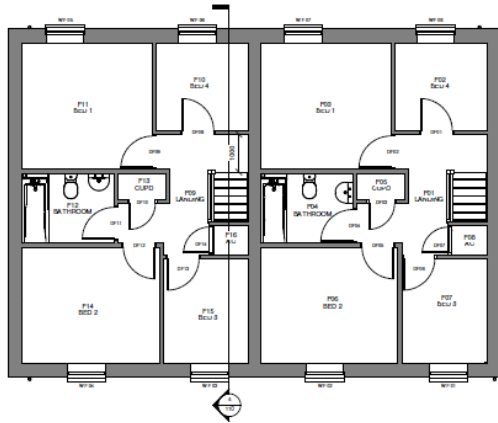
1. 1000/1000 built in storage
 1. 1000/1000 built in storage
 1. 1000/1000 built in storage
 1. 1000/1000 built in storage
 1. 1000/1000 built in storage



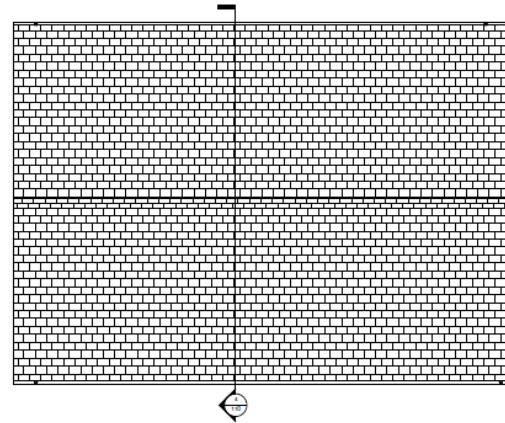
4 Typical Section
1:50



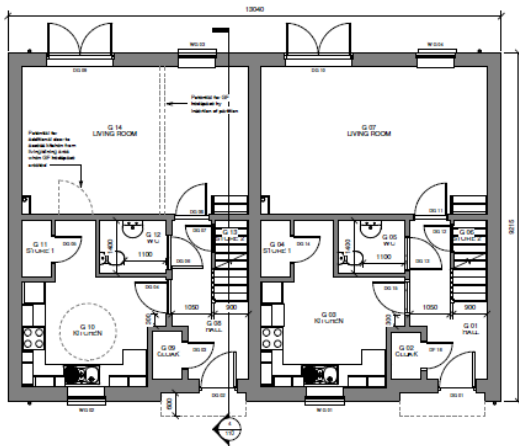
House Type 3



2 First Floor Plan
1:50



3 Roof Plan
1:50



1 Ground Floor Plan
Scale: 1:50

HT3 (Semi)

HOUSE TYPE 3

4b6ph

GIA = 101m²

UPSTAIR WORKS REQUIREMENTS AFFECTING
OPTIMAL ACCESSIBILITY
Caravan vehicle to be 100mm clear, accessible above to be
750mm clear.
Living space to allow conversion to temporary residence
Ground floor WC closed for accessibility use and to allow
conversion to accessible shower facility.
Rear designed with straight flight to allow installation of
stairs with adequate room at top and bottom of flight for
platform.

DOUBLE BEDROOM
1 m. 1000x1100 double bed
2 m. 400x400 bedside table
1 m. 400x1700 chest of drawers
1 m. 1000x1200 wardrobe and stool
1 m. 1000x1200 double wardrobe
1 m. car space

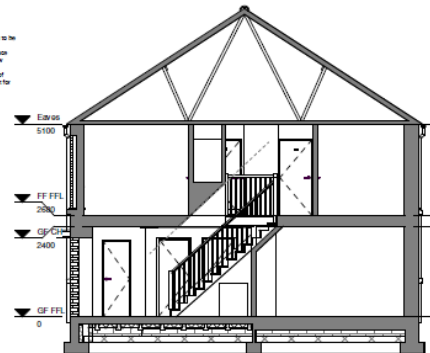
TWIN BEDROOM
2 m. 1000x1100 single beds
2 m. 400x400 bedside table
1 m. 400x1700 chest of drawers
1 m. 1000x1200 wardrobe and stool
1 m. 1000x1200 single wardrobe
1 m. car space

SINGLE BEDROOM
1 m. 1000x1100 single bed
2 m. 400x400 bedside table
1 m. 400x1700 chest of drawers
1 m. 1000x1200 wardrobe and stool
1 m. 1000x1200 single wardrobe
1 m. car space

LIVING SPACE
2 m. 1000x1100 sofa
1 m. 400x400 coffee table
1 m. 400x1700 chest of drawers
1 m. 1000x1200 wardrobe and stool
1 m. 1000x1200 single wardrobe
1 m. car space

DINING SPACE
2 m. 1000x1100 dining table
1 m. 400x400 dining chairs
1 m. 400x1700 chest of drawers
1 m. 1000x1200 wardrobe and stool
1 m. 1000x1200 single wardrobe
1 m. car space

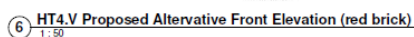
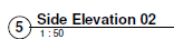
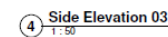
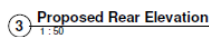
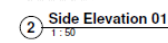
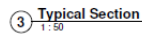
BUILT-IN STORAGE
4.0m required



4 Typical Section
1:50



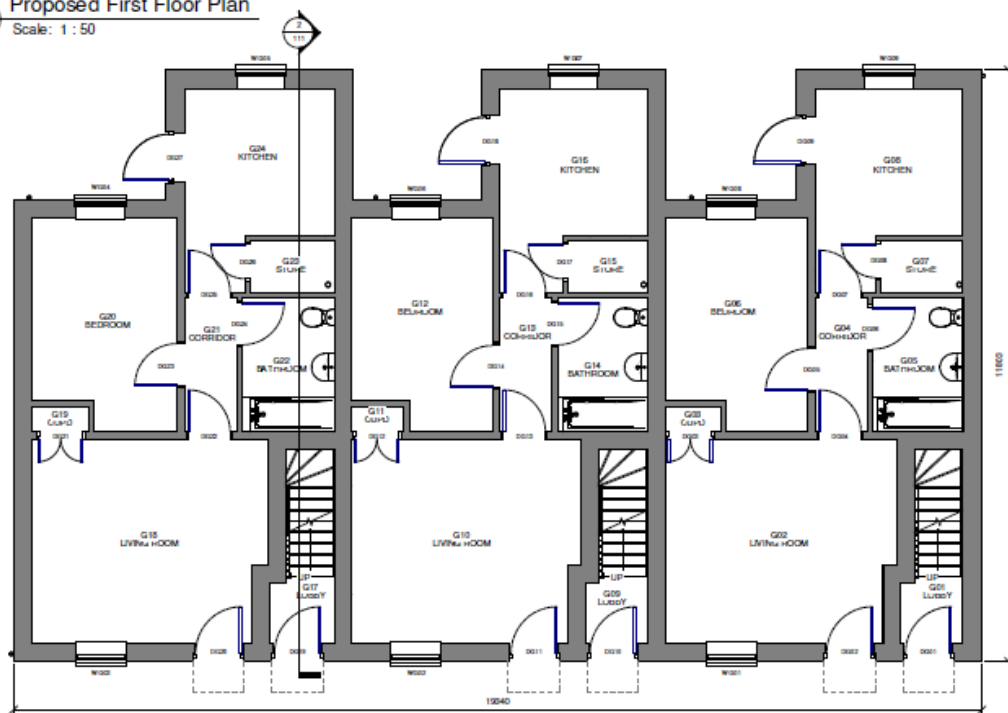
House Type 4



House Type 5 –Apartments



2 Proposed First Floor Plan
Scale: 1 : 50



1 Proposed Ground Floor Plan
Scale: 1 : 50



① Proposed Front Elevation
Scale: 1 : 50

③ Proposed Side Elevation 01
Scale: 1 : 50



② Proposed Rear Elevation
Scale: 1 : 50

④ Proposed Side Elevation 02
Scale: 1 : 50



Tree drawing (Trees to be removed in red)



1 Street Elevation 10 - Blocks 15 & 16
1 : 100



2 Street Elevation 9 - Blocks 12-14
1 : 100



3 Street Elevation 8 - Blocks 11 & 12
1 : 100



1 Street Elevation 1 - Block 1- 4
1 : 100



2 Street Elevation 2 - Block 5
1 : 100



3 Street Elevation 3 - Block 17
1 : 100



1 Street Elevation 4 - Block 6
1 : 100



2 Street Elevation 5 - Block 7 & 8
1 : 100



3 Street Elevation 6 - Block 9
1 : 100



4 Street Elevation 7 - Block 10 & 11
1 : 100

Site photos



No 89 and 93 Rookery Lane



View towards the south



No. 89 and 93



View further north



View from garden of No. 93 towards rear of Rookery Park



View looking from north to south at rear of Hainton Road with Rookery Lane properties on left



View showing the western boundary with dense woodland

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Mr Phil Scully 83 Rookery Lane Lincoln LN6 7PP (Objects)

Comment submitted date: Mon 11 Jan 2021

The comments we made on the initial application still pertain to the revised plans. Sadly, from the amount of work being carried out on the site and on Rookery Lane at the present time, it would appear that the Directorate of Communities & Environment has already made its mind up and that this project will be granted full planning permission. I wonder who will take responsibility for (and indeed who will be accountable for) the inevitable traffic congestion that will ensure as a result of this ill-conceived project. It would be useful to know contact details in order to report the traffic issues that are self-evidently going to be created. We also wonder whether the agencies tasked to carry out environmental and ecological surveys on the site were operating in a totally transparent and independent manner when the surveys were carried out. We have our doubts given that it would appear that no results were found that could jeopardise the project despite the self-evident ecologies that exist on the proposed site. I also understand that a comment was made by the developers that the site has been used as a dumping ground for local residents to offload rubbish over recent years. Of course, had the council erected a perimeter fence to deter this alleged dumping, then the problem would not exist to anywhere near the same extent. Please forgive my cynicism but it really does look like you have already approved this project. A huge shame.

Miss Elaine Lambert 28 Hainton Road Lincoln Lincolnshire LN6 7PR (Objects)

Comment submitted date: Sat 09 Jan 2021

I am resubmitting my objections due to the reconsultation letter and plans that has been sent to surrounding neighbours. Again we object to the proposed development plans. With the new plans, my property will now have bungalows at the bottom of our garden. There will still be a large amount of homes (bungalows, flats and houses) built. We enjoy and my neighbours enjoy complete privacy. The properties will be close enough that residents will be able to see into my own and my neighbours bedroom windows resulting in a loss of privacy. The deeds to the property inform that no building can take place within 5ft of the boundary and this would include the construction of a dividing wall or fence separating the proposed development from the northern boundary of the Hainton Road properties (although the plans do not appear to show how the proposed development will be separated from the border of the existing properties, something I'm assuming the developer would need to do). The proposal to build two story properties next to our border would also result in a loss of sunlight in a garden which is north facing.

Approximately 4ft from the northern boundary we have a tree which is approximately 65 years old and whose roots could extend up to 20ft or further beyond the boundary. The tree is approximately 50ft tall and I would suggest that the proposed building work directly behind our property could cause the tree to become unstable.

There are documents showing what is locally referred to as the "cart track" which I believe is a public right of way running the entire length of the northern boundary of the Hainton Road properties.

The proposal to place new buildings properties so close to my boundary along with the other proposed buildings and associated traffic will cause significant noise pollution in an area that is currently silent with the ability to currently enjoy this silence contributing to the wellbeing of my family and that of my neighbours.

The introduction of traffic associated with the proposed plan will also lead to further

noise pollution as well as an increase in air pollution.

Traffic using Rookery lane is already often 'bumper to bumper' with queuing traffic for the entire length of Rookery Lane and this already causes difficulties in trying to access Rookery lane from Hainton Road. The traffic survey was done in October 2020 and I don't believe this reflects a true picture of usual, huge amount of stationary traffic that is usually on Rookery Lane due to the current pandemic and many people working from home etc. As the development shows parking for only one car per property I believe that the area near the proposed entrance will become an unofficial car park with visitors to the proposed estate parking the length of Rookery lane causing a hazard for both pedestrians and traffic.

The development will also have an environmental impact with the proposed site containing frogs, newts, foxes, hedgehogs and badgers many of which make their way into my garden. It was only last week our next door neighbour had a muntjac deer in his garden. I also believe that the pikes drain area immediately adjacent to the proposed site is a protected area for environmental reasons with the local authority being in possession of reports that indicate that too many small parcels of land such as the proposed site have been lost to building developments.

The site identified for development is also subject to regular flooding with the plans proposing that SUDS direct water to the south of the development which borders the northern boundary of the Hainton Road properties and could lead to an increased chance of flooding for these properties.

I also believe that there will be no pavements on the proposed site with the road acting as a shared space for cars, pedestrians and cyclists having equal priority in a bid to ensure cars travel slowly, I would question the safety of this and ask if this has been done as there simply isn't the space for the proposed amount of buildings if pavements for pedestrians were provided.

We also like the quietness of our street and area, whereas with so many properties, there will be a huge increase in noise from homes, people and vehicles. The development will also have street lighting and lights from homes which again will encroach on our lives. At the moment, the development land is dark and peaceful and this will be destroyed with the current plans.

I strongly believe that the plans to place 3 bedroom, two story properties so close to the borders of the properties on Hainton Road and the bungalows on Rookery lane will have a negative impact on the wellbeing of my own family and those of my neighbours affected by this development and object to the proposed plans.

Regards

Miss Sophie Blake 52 Hainton Road Lincoln Lincolnshire LN6 7PR (Objects)

Comment submitted date: Thu 07 Jan 2021

Object to both original and revised plans. Residents living in this area already have to contend with high volumes of traffic and long queues on Rookery Lane without an additional housing estate adding to the problem not to mention the extra disruption a lengthy building project would cause. I love the array of wildlife that currently resides in the area you plan to build on which would force them out of one of the only places in the area where they can be protected from human interference.

baker

**Mr Stewart Alexander 52 Hainton Road Lincoln Lincolnshire LN6
7PR (Objects)**

Comment submitted date: Thu 07 Jan 2021

We have commented previously regarding the original plans but it falsely shows that we are neutral which we would like to be amended as we object to both original and revised plans. Rookery Lane is already busy enough with long traffic queues without anymore additional housing creating extra congestion for residents already living in the area to have to contend with. The new dwellings would push out the array of wildlife that live there, wildlife that we enjoy and who already have limited undisturbed areas for them to escape and not be affected by human intervention.

**Mr Stephen John Lambert 81 Rookery Lane Lincoln LN6
7PP (Objects)**

Comment submitted date: Wed 06 Jan 2021

I would just like to say that the road planning have made a poor decision to demolish two substantial properties when access to the site could have been made through rookery park and through the rear of Blackburn road rather than the proposed bend on rookery Lane which is at times a bit of a race track. The interruption to the wildlife is also of great concern possible noise and air pollution from the substantial increase in traffic. Concerned resident thank you

**Mrs E Swires 1 Rookery Park Lincoln Lincolnshire LN6
7BY (Neutral)**

Comment submitted date: Wed 06 Jan 2021

I made earlier comment but would like to reinforce my concern over traffic along Rookery Lane which seems to get worse by the day.

Is there any possibility to make another entrance/exit to this estate, looking at the map provided, exiting/entering from the LOWER LEFT corner of the proposed estate, using the football field/bowling green access road to Newark Rd or possibly via Chancery Close?

Please look into this aspect as it is a real concern with the traffic along and accessing Rookery Lane from existing driveways and roads.

As a pedestrian, I more often than not, struggle to cross the road (when not in lockdown).

I am taking the 'Neutral' stance only because I know housing is required somewhere but do not support putting so many properties in such small places and without adequate parking.

**Mrs M Crombie 26 Hainton Road Lincoln Lincolnshire LN6
7PR (Objects)**

Comment submitted date: Tue 05 Jan 2021

You will find a copy of these comments in the documents tab.

Comment submitted date: Tue 24 Nov 2020

I object to this application for the following reasons -

SURVEY - When the Survey was carried out on this land, it was during the month of March 2020 and we had, had a long dry spell of decent weather.

I am sure if these tests were carried out now, there may well be a different outcome on

the results!

FLOODING and DRAINING ISSUES - Where the proposed developments are going to be built, it has had flooding and draining problems for many years!
A SuDS feature so close to our boundaries is a massive worry!

RIGHT OF WAY - I believe at the back of Hainton Rd boundaries there is a public right of way, which originally went from Rookery Lane to the woodlands behind Moorland avenue.

SAFETY ISSUES - The plans for this development only has parking for one Vehicle per household, most families these days have more than one vehicle, not to mention, friends and extended family visits.

It was proposed that the excess cars can be parked on Rookery Lane, this would be a Massive Hazzard!!!

Rookery lane is very congested at the best of times ,not to mention families also parked up for the use of Boultham Park.

At peak times, cars are bumper to bumper down Rookery Lane in both directions which will be a SAFETY ISSUE to consider!

NO PAVEMENTS ON THE DEVELOPMENT - Not every driver, drives slowly, that is unrealistic and these proposed developments are family orientated.

WILDLIFE - There are many animal habitats on that wasteland -: Foxes, Hedgehogs, Squirrels, Bats, Grass snakes, Moles, Newts (protected species) and Frogs
The wasteland is a lovely natural wildlife habitat!

WEB SITE - We have tried different options to access this Planning Documentation of the development site and there seems to be nothing!
Unfair!

NOTIFICATION LETTER - We received this planning letter 10 days after it was sent - I know COVID!
But it has eaten into our time to consider this matter!

Finally - I hope you will work to resolve these issues and find a resolution.

Miss Susan Windsor 34 Hainton Road Lincoln Lincolnshire LN6 7PR (Objects)

Comment submitted date: Mon 14 Dec 2020

Good morning

I notice on the list of matters that you have provided nothing has been considered re the local wildlife this is a very important matter and needs to be given the highest of consideration and respect.

Thank you

Susan Windsor

Comment submitted date: Sat 28 Nov 2020

We object to this development a deciding factor when we bought our property was that we were categorically assured 100% nothing would ever be built at the bottom of our gardens as the land was marsh land and totally unsuitable for building on . Building there will cause even more traffic congestion on Rookery Lane as access is limited. The wildlife we are lucky to have in our garden will totally be destroyed at present we have

muntjacs,foxes ,owls woodpeckers,jays these and their habitats should be preserved. The local GP surgeries are already over prescribed so we don,t need more families in this area. There are plenty more "Brown " areas for new developments without using a totally unsuitable "green" one. Also on many occasion we have had "unsavoury " trespassers " using our gardens to try to cut through to Rookery Lane from the Westwick/ Moorland this would happen even more despite trying to keep them out.It is not fair to hide behind Covid and not let our neighbourhood have the Community Meeting they are entitled too.

Mr Derek Mould 4 Rookery Park Lincoln LN6 7BY (Supports)

Comment submitted date: Wed 09 Dec 2020

I do not object to the proposed development.

I wish to make several observations.

I note that the site plan has been amended to take account of various submissions which I support and I applaud this modification.

This is a peaceful location and it is to be hoped that new residents will appreciate and maintain it's ambience with respect and courtesy.

I note that trees T30 and T37 in Retention Category B are to be removed and that existing trees on the boundaries are to be retained. This is an opportunity for our Council to remove the profligate and parasitic Russian Vine and the dead trees to the North-West boundary which are unsightly and to engage suitable stewardship for the adjacent woodland and wildlife.

Ground to the rear of No's 1 to 7 Rookery Park rises some 1 to 2 metres to the South aspect in the gardens of No's 93 and 89 Rookery Lane so our gardens are some 2metres lower than the retained concrete base of the now demolished wooden building in the garden of No. 89. I am concerned that the elevation of the proposed T1 housing at Blocks 2, 3 and 4 might be somewhat intimidating and intrusive and Vice Versa and therefore suggest that the existing fir tree boundary hedge and associated decorative trees could be retained and maintained, at not less than the existing height, in the interest of privacy and ambience.

I cut this hedge and removed the waste myself earlier this year but in future perhaps it might be easier for our Council to engage access and maintenance of this ambient boundary feature as a Quid Pro Quo service for residents?

I suggest that all utilities and conduits are installed during the construction phase and before paving is laid in order to eliminate subsequent inelegance, inconvenience and expense.

I suggest the application of Green Home Energy and Efficiency principles, EV plug-in technology and Heat Pump installation if possible.

Notwithstanding my lay capacity, in my estimation the average household now has 1.5 vehicles so there could be up to 60 vehicles present on the completed development, which number perhaps and with respect the architect might consider and incorporate within the site plan in order to reflect Health & Safety issues.

The documentation accompanying the application is comprehensive, impressive and informative.

Thanks. Much appreciated.

Miss Lynne Baker Chez Rookery 113 Rookery Lane Lincoln Lincolnshire LN6 7PW (Objects)

Comment submitted date: Sun 29 Nov 2020

Traffic and parking is an issue already on this lane. I can't get out of my drive safely due to the speed of drivers and cyclists on the pavements. This will only get worse.

Mr Phill Millar 36 Hainton Road Lincoln Lincolnshire LN6

7PR (Objects)

Comment submitted date: Sat 28 Nov 2020

Decreasing in the wildlife decreasing in value of property extra traffic on rookery Lane and Newark Road extra parking issues people using the field to come through onto hainton Road Tress passing through Hainton Road house Gardens

Miss Adele Millar 36 Hainton Road Lincoln Lincolnshire LN6

7PR (Objects)

Comment submitted date: Sat 28 Nov 2020

Told when bought when the house they was to be no building at back of garden as land unsuitable, access would cause more traffic congestion on rookery lane, the lost if built on of the wildlife and their habitats. We are unable to register at local doctor surgeries as they are over prescribed so why should other families come to this neighbourhood and be able to. There is also a strong possibilities that building a council estate at the bottom of our gardens will devalue our property's. Roadside parking has already caused numerous problems as has trespassing through our gardens to reach rookery lane/ Newark road. I feel that covid is just a excuse to stop us having a community and be able to put our points across clearer.

Mr Peter Burrows 34 Hainton Road Lincoln Lincolnshire LN6

7PR (Objects)

Comment submitted date: Sat 28 Nov 2020

We object to this development a deciding factor when we bought our property was that we were categorically assured 100% nothing would ever be built at the bottom of our gardens as the land was marsh land and totally unsuitable for building on . Building there will cause even more traffic congestion on Rookery Lane as access is limited. The wildlife we are lucky to have in our garden will totally be destroyed at present we have muntjacs,foxes ,owls woodpeckers,jays these and their habitats should be preserved. The local GP surgeries are already over prescribed so we don,t need more families in this area. There are plenty more "Brown " areas for new developments without using a totally unsuitable "green" one. Also on many occasion we have had "unsavoury " trespassers " using our gardens to try to cut through to Rookery Lane from the Westwick/ Moorland this would happen even more despite trying to keep them out.It is not fair to hide behind Covid and not let our neighbourhood have the Community Meeting they are entitled too.

Mr Tim Sullivan 79 Rookery Lane Lincoln Lincolnshire LN6

7PP (Objects)

Comment submitted date: Sat 28 Nov 2020

We are objecting to the proposed development for the following reasons:

Our property will be overlooked and our privacy will be lost. The bungalow will have the light reduced making it very dark and be overlooked, the peace and quiet spoilt.

The plans do not show our bungalow at the bottom of our garden nor the 4 bungalows behind the properties of 75 and 77 Rookery Lane, so we believe the plans that have been used are out of date. This means 3 bungalows will have their light reduced and feel that they have not been taken into consideration.

Why are so many properties being constructed in a small area without suitable parking and pavements.

Concerns about the boundary fencing being of wooden construction as from previous experience this rots very quickly unless maintained on a regular basis - who will be responsible for the maintenance?

We also have concerns about the water table on this land as it is always very boggy and marshy. With all the extra hard standing being laid where will the water escape to; this will increase the risk of flooding in this area. There are concerns about the deep excavations for the sewer work close to our boundary as we are in the furthest corner.

With another new junction being constructed after the demolition of two properties on Rookery Lane; this will bring the total of four junctions in close proximity to each other in a very short distance. There are also twelve driveways included in this area. Rookery Lane is already a very busy road and footpaths with a lot of pedestrians and mobility scooters using the pavements to go to school shops and to the park. Main safety concerns about construction vehicles parking on the pavements along Rookery Lane which we have already witnessed this during the initial survey and tree works .

Two years of construction work, extra traffic heavy plant machinery noise dust pollution and congestion. Whilst construction of the entrance and digging for various services; how many times will temporary traffic lights have to be used reducing an already very busy road to one lane. The amount of heavy vehicles which will be required to deliver the plant machinery and materials to the site and to take away the surplus soil and vegetation. Will there be a road sweeper cleaning Rookery Lane of all the mud that will be transferred by the vehicles leaving site.

We feel during the works this will leave our properties very vulnerable.

We feel bungalows in this corner would be more suitable than houses due to the fact that existing dwellings are bungalows.

Our garden has always been a safe and quiet space for us to enjoy. We are both in our 60s and spend a lot of time in the garden especially in the summer.

We feel there should be more consultation with the people of Rookery Lane and Hainton Road.

Mr Stewart Alexander 52 Hainton Road Lincoln Lincolnshire LN6 7PR (Neutral)

Comment submitted date: Sat 28 Nov 2020

Object to planned building works.

Mrs Heather Dickinson 85 Rookery Lane Lincoln Lincolnshire LN6 7PP (Objects)

Comment submitted date: Sat 28 Nov 2020

I think all the valid points have been made already and I hope that the council will actually address them. Whilst I am sure you will be going ahead whatever we say all I ask is that you can reassure us as a community that our worries are unfounded.

I would like to address a few things however. Firstly, the website address you put on the letter, as other residents have said, is wrong. This is an issue I have already had on another application and I find it pretty unprofessional that none of you have thought to double check the link. For that reason, I'm assuming you'll need to give us an extension to object or accept the application so that the residents can be given an opportunity to actually see the plans.

Secondly, the traffic report was done in October 2020. I feel it is important to say that any surveys done on levels of traffic are made entirely redundant when they are being done during a pandemic and therefore not as many people are at work. You could have also been doing it during half term? I'd hope not as that would be shortsighted. But again, that would reduce the amount of traffic and I would assume you'd need to do another survey on a more 'normal' day.

Thirdly, I understand the need for more housing, I don't think any of us are disputing that. However, I want to know if you're thinking in the long term. It would appear not as you keep building and yet not increasing the number of gp's, dentists, schools etc. It's already near impossible to get a gp appointment and we won't even talk about dentists... I can't speak for schools as my child is not yet at school age but I imagine they are close to bursting too. Lincoln is not built for this many homes, the roads already do not support the amount of traffic coming and going. The eastern bypass is currently being built in an attempt to divert traffic away from Newark road. However if you then build more and more houses in the city centre (including rookery lane) then does this not defeat the purpose?

Lastly, we were informed by workers at the site that they had found 3 badger setts on the site but these were not mentioned on the report?

I think everyone on here is objecting for the reason that we want the best for the community. Whilst housing is important and I cannot object to people having shelter we want this project to have people's best interests at heart and without an increase in the infrastructure I can't see how that could be the case.

I hope you take all our comments into consideration and give us a detailed reason as to why you will go ahead should you choose to.

Thank you for your time.

Miss Elaine Lambert 28 Hainton Road Lincoln Lincolnshire LN6 7PR (Objects)

Comment submitted date: Wed 25 Nov 2020

I am objecting to the proposed development for a number of reasons. My property will be overlooked by four two story three bedroom properties and at the moment I and my neighbors enjoy complete privacy. The properties will be close enough that residents will be able to see into my own and my neighbors bedroom windows resulting in a loss of privacy. The deeds to the property inform that no building can take place within 5ft of the boundary and this would include the construction of a dividing wall or fence separating the proposed development from the northern boundary of the Hainton Road properties (although the plans do not appear to show how the proposed development will be separated from the border of the existing properties, something I'm assuming the developer would need to do). The proposal to build two story properties next to our border would also result in a loss of sunlight in a garden which is north facing.

Approximately 4ft from the northern boundary we have a tree which is around 65 years old and whose roots could extend up to 20ft or further beyond the boundary. The tree is approximately 50ft tall and I would suggest that the proposed building work directly behind our property could cause the tree to become unstable.

There are documents showing what is locally referred to as the "cart track" which I believe is a public right of way running the entire length of the northern boundary of the Hainton Road properties.

The proposal to place four, three bedroom properties so close to my boundary along with the other proposed buildings and associated traffic will cause significant noise pollution in an area that is currently silent with the ability to currently enjoy this silence contributing to the wellbeing of my family and that of my neighbors.

The introduction of traffic associated with the proposed plan will also lead to further noise pollution as well as an increase in air pollution.

Traffic using Rookery lane is already often 'bumper to bumper' with queuing traffic for the entire length of Rookery Lane and this already causes difficulties in trying to access Rookery lane from Hainton Road. As the development shows parking for only one car per property I believe that the area near the proposed entrance will become an unofficial car park with visitors to the proposed estate parking the length of Rookery lane causing a hazard for both pedestrians and traffic.

The development will also have an environmental impact with the proposed site containing frogs, newts, foxes, hedgehogs and badgers many of which make their way into my garden. I also believe that the pikes drain area immediately adjacent to the proposed site is a protected area for environmental reasons with the local authority being in possession of reports that indicate that too many small parcels of land such as the proposed site have been lost to building developments.

The site identified for development is also subject to regular flooding with the plans proposing that SUDS direct water to the south of the development which borders the northern boundary of the Hainton Road properties and could lead to an increased chance of flooding for these properties.

I also believe that there will be no pavements on the proposed site with the road acting as a shared space for cars, pedestrians and cyclists having equal priority in a bid to ensure cars travel slowly, I would question the safety of this and ask if this has been done as there simply isn't the space for the proposed amount of buildings if pavements for pedestrians were provided.

I strongly believe that the plans to place 3 bedroom, two story properties so close to the borders of the properties on Hainton Road and the bungalows on Rookery lane will have a negative impact on the wellbeing of my own family and those of my neighbors affected by this development and object to the proposed plans.

Regards

Mr And Mrs A Garner-Jones 24 Hainton Road Lincoln Lincolnshire LN6 7PR (Objects)

Comment submitted date: Wed 25 Nov 2020

I have been trying all over the weekend to try and access the website your letter stated but not accessible. The letter we have been sent dated 6th. November we only received last week about the 16th. not giving us much notice.

Both my husband and myself are pensioners my husband is disabled so doesn't go out to maintain the land outside of our wall at the bottom of our garden as he used to up to a few years ago but we built the wall with planning permission what happens to the access for the maintenance of the wall and the painting of the gate if you build at the back of it as looking at the plans there isn't going to be a lot of land between us and the

houses. Which we are not happy about bungalows yes but not houses because of privacy and noise as they are family homes.

Are the plans old as they don't show the four bungalows that are already built on the boundary of my neighbours garden.

Traffic is very busy on Rookery Lane especially morning and evening time with another housing estate it will be more chaotic with people having to park on Rookery Lane as an overflow it gets congested with people parking to visit Boutham Park now .

How can you guarantee the drainage system you are planning won't affect our property as the land gets very soggy when it rains heavily.

Another nice view sadly going along with all the wild life that roams around in there.

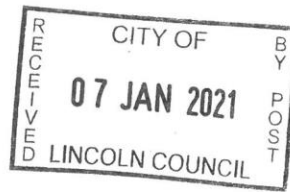
Mr. Mrs. A. Garner Jones

24, Hainton Road

Lincoln

LN6 7PR

4.1.2021



DEAR MR. MANNING

I AM WRITING THIS

LETTER TO YOU IN REPLY TO THE EMAIL REGARDING THE PROPOSED DEVELOPMENT ON ROOKERY LANE. I HAVE LOOKED AT THE REVISED PLANS AND WE ARE PLEASED TO SEE TO SEE THAT THE BUNGALOWS HAVE REPLACED THE HOUSES AT THE BACK OF OUR PROPERTY. IT IS A RELIEF TO KNOW THAT, AS WE HAVE TWO GLASS GREEN HOUSES OUR SIDE OF THE WALL AND WE HAD THE WORRY OF CHILDREN'S FOOTBALLS COMING OVER THE WALL AND BREAKING THE GLASS ROOFS.

WE ARE BOTH STILL CONCERNED AS TO WHAT THE BOUNDARY IS GOING TO BE, AND ALSO WHAT IS IT GOING TO LOOK LIKE? HOW IS ACCESS GOING TO BE GAINED BY US TO DO MAINTENANCE OF THE WALL?

THE WATER DRAINAGE IS STILL A CONCERN

2

AS RECENTLY WE HAVE HAD A LOT OF RAIN THE LAND WILL BE VERY WET AND SOGGY CAN THIS BE CONTROLLED BY THE SUB'S FEATURE?

THE WILD LIFE ALSO IS OF CONCERN TO US AS I KNOW THERE ARE LOTS OF DIFFERENT TYPES OF ANIMAL SPECIES LIVING IN THAT PLOT OF LAND.

ROOKERY LANE IS A VERY BUSY ROAD ESPECIALLY AT SCHOOL TIMES ALSO EVENING TIME. THERE IS NOT A LOT OF PARKING FACILITIES ALONG THE ROAD FOR CAR PARKING. ON THIS NEW ESTATE IF EVERY PROPERTY HAS A CAR WHERE ARE THEY ALL GOING TO PARK?

AS A GRANDPARENT I WORRY ABOUT YOUNG CHILDREN CROSSING ROOKERY LANE. WITH A NEW ESTATE AND ROOKERY PARK THERE WILL BE LOTS OF YOUNG CHILDREN CROSSING THE ROAD. THEY WILL HAVE TO WALK TO THE NEWARK ROAD END OF ROOKERY LANE OR WALK ACROSS WESTWICK DRIVE TO REACH THE PEDESTRIAN CROSSINGS.

3/

THOSE ARE MY MAIN CONCERNS.

Yours Sincerely

ALLAN & ANNETTA GARNER-JONES

**Mr Chris Brown 75C Rookery Lane Lincoln Lincolnshire LN6
7PP (Objects)**

Comment submitted date: Tue 24 Nov 2020

Objection to proposed development rear of Hainton Rd / rear of Rookery Lane Lincoln

I am writing to voice my objection of the proposed development 2020/0785/RG3

I live at 75c Rookery Lane, Lincoln which is part of a 4 bungalow development situated between and to the rear of 75 and 77 Rookery Lane. These bungalows are occupied in the main by retired residents.

I note to my dismay that this development does not feature and cannot be seen on any of the development plans. I presume that your plans pre-date the development of the four bungalows in 2016. This is particularly relevant as these bungalows border the site, whereas those on Hainton Avenue have large gardens to separate them from the new site. The bungalows on Rookery Lane do not have this luxury.

This omission is particularly relevant to the proposed Block 14 as this is a pair of 2 storey semi detached houses. The proposed siting of block 14 is not only close to our boundary but is within a few metres of our bungalow. I do not believe the author of the proposed development would have put a 2 storey house so close to a set of bungalows if they had been aware of our property.

This however could be easily fixed to the satisfaction of both bungalow residents, the developers and The City Council if Block 14 would be changed from a 2 storey house to bungalows.

I have other concerns:

The traffic during rush time is often queued back to Boultham Park from the Newark Rd traffic lights. The suggestion on the plan that the new residents would use cycles is quite bizarre. Apart from school children, for as long as I have lived here I have seen very few cyclists using Rookery Lane. There is no cycle lane.

The road is seen as shortcut from the town and the by-pass area to get to Brant Road, and is always extremely difficult to turn onto Rookery Lane from our bungalow during 8 to 9am and from 2:45pm onwards.

I note from the submission that there are no plans to increase the info structure of the area. It is almost impossible to get a doctors appointment now, let alone when new 42 properties are constructed. Being retired I cannot comment on school places.

Conclusion

In conclusion despite my objections, I am aware of the need to increase housing and am sure that this will go ahead whatever comments you receive from existing residents, especially those whose properties do not appear on the site plan !

In order to satisfy people in the bungalows that would appear to have been totally missed by the developers, I would stress again that with the slight amendments, change Block 14 from 2 storey houses to bungalows, that most of the objections would be satisfied.

Mrs Janet Mumby 50 Hainton Road Lincoln Lincolnshire LN6 7PR (Objects)

Comment submitted date: Mon 23 Nov 2020

I have concerns about the infrastructure not coping with extra traffic . Rookery Lane is often congested, especially at rush hour times . The land behind Hainton Road is boggy and that may cause poor drainage. There is also a lot of wildlife. . There is a fox den and in Spring / Summer a dog fox regularly transverse my garden. This year I had a vixen and cub drinking out of my pond and muntjac deer also appear , sometimes a deer and fawn . Buzzards breed there and one often hears owls in the trees . For all these reasons I oppose the application

Mr Phil Scully 83 Rookery Lane Lincoln Lincolnshire LN6 7PP (Objects)

Comment submitted date: Sun 22 Nov 2020

Dear all,

We write with reference to your Proposed Residential Development Off Rookery Lane, Lincoln. We are residents in one of the houses that directly overlooks the site of the proposed project and have been since 1987. We trust, therefore, that our comments below will be taken into consideration and not dismissed as mere nimbysm. It is also worth pointing out at this stage that the residents in a similar position to us were originally promised a full consultation prior to any works of any sort being carried out. This has not happened given that over the last several months there has been a significant amount of heavy plant machinery carrying out work on the site. We submit our comments in the expectation that they will be diligently considered by the Directorate of Major Developments at the City Council and not simply 'noted' and subsequently disregarded. In truth, we submit these comments in hope rather than in expectation. The site under consideration has, since the 1980s and probably well before that date, been a haven for wildlife of all varieties and has been undisturbed by planners and the like for that time. The idea that the Council is about to concrete over the site and thereby remove all the ecology therein seems somewhat reckless.

The information we received recently in the post from the Council suggested that "ecological surveys have been undertaken to identify and assess the presence of any ecology on the site" and that "the site returned negative for the presence of reptiles and amphibians". This confuses us. The area to the west of the site, near a significant area of shrubs and small trees, has always been waterlogged and will have provided, therefore, and will continue to provide an ideal habitat for such water-loving creatures. By concreting over the site you will inevitably be depriving them of an ideal habitat. The notion that a "survey" found no presence of wildlife in this regard is difficult to fathom. The information you sent also mentioned the absence of bat roosting sites. Regardless

of the survey you commissioned, the facts are simple to understand. Every evening between the months of April and September, we see a small number of bats feeding off the flying insects that are clearly present over our back garden. This is not our impression, nor is it our imagination. The bats are very real. This would obviously suggest the proximity of bat roosting sites on the area you are planning to build on. Your information also makes reference to the "suitable native species landscaping plan" you intend to implement "within the scheme designed to enhance biodiversity within the site". This is almost comical in its ambition. In our back garden alone (and we cannot speak for other residents' back gardens but they are no doubt similar) the list of "native species" that you are intending to "enhance within the proposed site" is huge. We see on a regular basis in our back garden all of the following: house sparrows, tree sparrows, dunnocks, blue tits, coal tits, great tits, bullfinches, chaffinches, greenfinches, jays, rooks, crows, ravens, field mice, kestrels, sparrowhawks, magpies, blackbirds, song thrushes, mistle thrushes, lesser-spotted woodpeckers, green woodpeckers, foxes, grey squirrels, muntjac deer and, indeed, many other species and you appear to be suggesting that this significant range of "native species" do not nest or roost or feed anywhere on the proposed site. We have no way of knowing how your ecological surveys were carried out nor by whom but if the conclusion they reached were that such wildlife will not be affected by this proposed development then it is difficult to believe the survey was a meaningful one.

Our garden will inevitably be overlooked by this development thereby removing one of the main advantages of living in such a property. We hardly need to say that the risk of flooding to the properties on Rookery Lane is significantly increased by the amount of concrete to be used on the proposed site. As for the congestion that will also be caused on Rookery Lane alone, it strikes us as self-evident that it will deteriorate even further as a direct consequence of the proposed development. Has anyone from the Council stood on Rookery Lane between the hours of 3.00pm and 5.30pm in order to witness the stationary line of traffic heading towards Newark Road? If so, is increasing the volume of this traffic really such a good idea? Are you simply planning to ignore this issue and hope it will be resolved somehow?

We would also point out that the Rookery Park development further down Rookery Lane (opposite Boultham Park) was completed relatively recently and that development also has its own access road off Rookery Lane. The lack of joined-up thinking now means that yet another access road in the close vicinity will be needed off Rookery Lane if the proposed new development goes ahead. The Council will have known that such a new development was in the pipeline and therefore forward planning might have been a reasonable endeavour in order to create one access road that could serve both developments. Regrettably, such forward planning did not take place.

We understand the need for new housing developments, both social and private. We also understand the need for Councils to generate income from such developments (but hope that income generation is not the only motive for the building proposals). The point we would like to make, however, is that this particular site is not suitable for such a development given both the ecological and the environmental impacts that will ensue.

Regards,

Mr and Mrs Scully

**Mrs E Swires 1 Rookery Park Lincoln Lincolnshire LN6
7BY (Neutral)**

Comment submitted date: Thu 19 Nov 2020

1) Regarding the letters sent out, the council should ensure the owners of the rented properties [especially along my side of Rookery Park] be informed. Some renters will just put this in the bin resulting in the owners being unaware of this application.

Addressed to The Occupier/Owner is not sufficient. The council knows who lives in the properties since we all pay Council Tax. This would make the reading of and acting on by tenants, more likely if addressed personally. A note could also be included in capitals at the top of the letter - IF YOU ARE NOT THE OWNER OF THIS PROPERTY, PLEASE ENSURE YOU PASS IT ON TO YOUR LETTING AGENTS/OWNER OF THE PROPERTY.

2) In paragraph titled 'Timescales', it says commencement date May/June 2021 with overall completion by Dec 2022 which does not equate to 63 months.

3) I am very concerned about the extra traffic this will bring to Rookery Lane, not to mention overflow parking that will be created by completely insufficient parking spaces ie 42 homes and 44 parking spaces. Cars will be parked all over the pavements on that new 'estate' and in desperation, they will park along Rookery Lane as well. While it says 'more wherever possible', I cannot see this happening otherwise this would already be in the plans plus there is just not sufficient space.

4) I am concerned about flooding. I'm no expert, but with that whole area being open land, excess rainwater has been able to flow freely into the ground. If this is all built up, it could well make a big negative difference.

5) I am not happy about the dust this will create in the summer months especially for the homes adjoining these proposed building works.

Because of comments (1) and (2), I think the Council should resend these notices with the correct names and information.

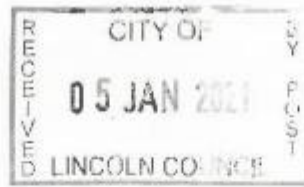
**Mr Michael Kirk 10 Hainton Road Lincoln Lincolnshire LN6
7PR (Objects)**

Comment submitted date: Wed 11 Nov 2020

I think the amount of traffic increase would have a detrimental effect on Rookery lane. There are already large queues each day to exit the Newark road junction, this could in effect add around 70 cars to an already busy road. Whilst I appreciate new houses need to be built, I think there are better sights that do not have such an impact on the current road.

Mrs Crambie
26 Hanton Rd,
Lincoln,
LN6 7PR

3/1/21



Ref 2020/0785/RG3
Proposed development-
Rear of Rookery Lane
And Hanton Rd
Lincoln

Dear Julie Mason,

I have considered the revised proposed site plan changes, that were made on 22/12/20.

I still object to this application for the following reasons -

① Congestion on Rookery Lane, most households have more than one car, it's not realistic to propose that bikes will be a good alternative for the new development.

Safety issues - I feel the road infrastructure in this area (Rookery Lane) is at full capacity (In normal circumstances), Without having a higher volume of traffic from the new development.


② Flooding & Drainage - Where the proposed developments are going to be built, it has had flooding and drainage problems for

many years. A Suds feature so close to our boundaries is a massive worry.

- Noise pollution, is another concern considering how close the new dwellings will be to our boundaries.

Finally I hope you will work to resolve these issues and find a resolution.

Yours Sincerely

A solid black rectangular box used to redact the signature of the sender.

-----Original Message-----

From: anne lee [REDACTED]
Sent: 17 November 2020 19:15
To: Mason, Julie (City of Lincoln Council) <julie.mason@lincoln.gov.uk>
Subject: Proposed housing development Rookery Lane

With reference to your visit at our home today, 95 Rookery Lane, I am outlining our concerns about the proposed development as you requested.

We live in a small bungalow, the ground here lowers a level from next door (part of the proposed site) and we feel we will be swamped amongst houses.

The plans show houses being built halfway down to the side of our rear garden which up to now has been quiet and private. On buying the property privacy was one of our main priorities and we would not have purchased the bungalow had we known there was a chance that land next door would be developed.

We have spent a lot of time and money on our home over the last six years and the most recent expense being a conservatory to the rear which will be overlooked if houses built. Bungalows would be a much preferable option to us and quieter too. Houses will probably bring young families and the noise with it. [REDACTED] [REDACTED] respectively and this was to be our retirement home near to Boultham Park.

The thought of all the dust and noise to come is already stressing us out.
There will be a lot more traffic too with the access road being near to us and it is going to be a long process to completion of the dwellings.

We feel the value of our property will go down.

Can we ask who will be responsible for the maintenance of the new boundary fencing?

If the decision to build the houses near our boundary cannot be overturned can plot 3 be moved to the end of our boundary rather than halfway down?

Thankyou for your time and please keep us updated.
Trevor and Anne Lee
Sent from my iPad

Objection to the position of Block 14 on the plan 2020/0785/RG3

Background to the objection

75b Rookery Lane is one of a tight group of four bungalows built in 2016, to the rear of 73a, 75 & 77 Rookery Lane (Reference 6). These are numbered 75a, 75b, 75c and 75d (*Bungalows #75*). All are effectively retirement homes, with elderly residents.

Reviewing all of the 'Architectural Plans' available on line, it is notable that *Bungalows #75* is missing from all of them, e.g. *Proposed Site Plan* (Reference 1). Nor are they referred to in the text of the *Design and Access Statement* (Reference 3), despite being visible on the photographic image: *Aerial View of Site at Rookery Lane* (Reference 3, page 2). The only place I did find it is on the 'MAP' tab of the *Lincoln Council Planning* web-page (Reference 2), visible at the SE corner of the proposed site boundary. Unfortunately, the proposed new buildings are not shown on this map, just an empty boundary line. To summarise, not one single map in the collection actually shows the proposed plan layout together with the *Bungalows #75* layout.

Concerns about the Proposed Layout (refer Attachments 1 and 2 for clarity)

Considering this background, it seems prudent to wonder whether the architects were even aware of *Bungalows #75* when the scheme layout was determined? The placement of Block 14 on the *Site Plan* (Reference 1) is what leads us to such conjecture. Block 14 (Reference 4) is a pair of semi-detached, two story houses, the corner of which is positioned just 7.5 meters from the rear wall and sole lounge windows of 75b Rookery lane. The roof-ridge of the block is 8 meters high, placed in close proximity to a bungalow whose walls are a mere 2.3m high. As the lounge windows face just north of west, the bungalow will inevitably lose a large portion of afternoon sunlight, also meaning a general reduction in average light levels to all rear facing rooms. We can also envisage a loss of up to 40% of blue sky from the vista of the lounge windows looking outwards. Whilst I do not have the expertise to quantify these statements, 4 years experience of living here is sufficient to give us that certainty.

Note: I have zero expertise in architecture. However, I have marked the 25 and 45 degree lines on the attachments, these may be of use to the Planning Committee, or not? They were done for my guidance and understanding, following research indicating that it is a common requirement in many UK council planning strategies (Lincoln unknown): e.g. "The 45-degree rule is a common guideline used by local planning authorities to determine the impact from a housing development proposal on sunlight and daylight to the neighbouring properties".

To compound the above concern, the close proximity of Block 14 will give the bedroom windows of that building some close oversight into our lounge, main bedroom, and small (currently) sunny patio. The obverse is also true, of course.

The current peace and tranquillity of the *Bungalows #75* retired community, and 75b in particular, has endured throughout their 4 year existence. Why then, would it would seem reasonable to place the patio of a younger family home just 4.4 meters from the patio doors of the main living area of a bungalow? With a combined life experience of 150 years, we do not find it hard to envisage our summers disrupted by boisterous children playing on their own patio: imagine trampolines, or balls flying over the fence, whilst we relax by open patio doors? Yes, it is planned to be that close! and worse, immediately opposite our (lounge) patio doors!

Objection to the position of Block 14 on the plan 2020/0785/RG3

Finally, it is notable that there are bungalows (reference 5) on the estate that would be appear to be eminently more suited to the position allocated to Block 14. These not only have similar building elevations to our home, causing less light blockage, but in all probability, have a similar type of occupants. Would not this retain peace, and tranquillity, and privacy to the better benefit of all residents?

Summary

The complete lack of *Bungalows #75* in the architectural plans and maps gives concern that no consideration at all was given to our existing development at the site layout stage. It is hard to see the current plan arising had there been that awareness.

The combination of Block 14's dimensions and its close proximity to the mutual boundary of 75b Rookery Lane will lead to a general loss of light and serious overshadowing to our property throughout the afternoon.

We also feel that privacy not only relates to the overlook, but also the relationship between areas of amenity space in terms of noise and activity. For instance: is a children's play area conducive with a very-close, unrelated open-door lounge?

Finally, to give absolute clarity, this objection relates only to Block 14 and its position on the planning map (Reference 1). In all reasonableness, logic dictates that a bungalow in place of Block 14 would have a minimal impact on our property and lifestyle. It would also negate, at a stroke, all of our concerns raised within this document. Should this prove not feasible however, then we urge the Planning Council to amend the current plan in any other way that may reduce or negate the impact that Block 14 will have on number 75b, Rookery Lane.

Objection raised by:

David Purser & Teresa Jennifer Purser

19 November 2020



75b, Rookery Lane,
Lincoln,
LN6 7PP

Objection to the position of Block 14 on the plan 2020/0785/RG3

Attachments:

Attachment 1:

Plan view of *Bungalows #75* overlaid on the S.E. corner of Proposed Site Plan (Reference 1). Whilst not a CAD drawing, it was assembled to scale in a computer graphics program, by matching the outlines of surrounding plots on Rookery Lane & Hainton Road. small measurement errors are due to map resolution. (*Apologies if breaking any copyright, intended only for the Planning Committees' convenience*).

Attachment 2:

Rear & Left Hand side-projection of 75b Rookery Lane, with scaled outlines of proposed Block 14, overlaid as at the planned ground position.

References:

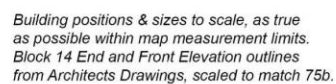
1. 2020_0785_RG3-PROPOSED_SITE_PLAN-609167.pdf
2. 2020/0785/RG3 Lincoln Council on-line planning application page.
3. 2020_0785_RG3-DESIGN_AND_ACCESS_STATEMENT-609171.pdf
4. 2020_0785_RG3-HOUSE_TYPE_2_SEMI-DETACHED_PROPOSED_ELEVATIONS-609158
5. 2020_0785_RG3-HOUSE_TYPE_4_BUNGALOW_PROPOSED_ELEVATIONS-609154
6. 2015/0696/F | Erection of 4 detached bungalows with garages. |
Land To Rear Of 73A, 75 & 77 Rookery Lane Lincoln LN6 7PP

Attachment 1

Plan view with overlaid Property outlines.
(Ground Maps, building positions & sizes to scale,
as true as possible within map measurement limits)



75b Rookery Lane. Rear And Left Elevations with proposed Block 14 outlines positioned as per Attachment 1 (plan view).





Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email planningliaison@anglianwater.co.uk.

AW Site 166180/1/0107783
Reference:

Local Lincoln District (B)
Planning
Authority:

Site: Land To Rear Of Rookery Lane And
Hainton Road Lincoln

Proposal: Erection of 36no. dwellinghouses and 6no.
apartments facilitated by the demolition of
89-93 Rookery Lane. Associated external
works including parking, access roads and
landscaping

Planning 2020/0785/RG3
application:

Prepared by: Pre-Development Team

Date: 13 November 2020

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Canwick Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: RLHS-BSP-ZZ-XX-RP-C-0001-P03 Flood Risk Assessment & Drainage Strategy dated 30 October 2020 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (3) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (4) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

UD-2780-2016-PLN

Dear Sir/Madam,

REFERENCE: 2020/0785/RG3

DEVELOPMENT: ERECTION OF 36NO. DWELLINGHOUSES AND 6NO. APARTMENTS FACILITATED BY THE DEMOLITION OF 89-93 ROOKERY LANE. ASSOCIATED EXTERNAL WORKS INCLUDING PARKING, ACCESS ROADS AND LANDSCAPING.

LOCATION: LAND TO REAR OF ROOKERY LANE AND HANTON ROAD, LINCOLN

Amended Drawings

Thank you for the opportunity to comment on the amended drawings on the above application. The site is within the Upper Witham Internal Drainage Board district. The Board has no further comments to add over and above our previous comment made on the 20th November 2020.

Previous comment:-

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. The suitability of new soakaways/SuDS, 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.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Richard Wright

Operations Engineer

North East Lindsey Drainage Board

Upper Witham Internal Drainage Board

Witham First District Internal Drainage Board

Witham Third District Internal Drainage Board

Place Directorate

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



To: Lincoln City Council

Application Ref: 2020/0785/RG3

With reference to this application dated 5 November 2020 relating to the following proposed development:

Address or location

Land To Rear Of Rookery Lane And Hainton Road, Lincoln

Date application referred:
6 November 2020

Type of application: Outline/Full/RM/
FM

Description of development

Erection of 36no. dwellinghouses and 6no. apartments facilitated by the demolition of 89-93 Rookery Lane. Associated external works including parking, access roads and landscaping.

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

Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

ADDITIONAL INFORMATION REQUIRED

Following the revised information submitted 9 December 2020, we wish to make the following comments;

- A Construction Management Plan and SuDS Method Statement should be submitted, or alternately can be conditioned as a pre-commencement condition. Guidance on the production of a CMP can be found on LCC's website.
- Could a plan please be provided demonstrating the secure cycle parking in front of the flats as indicated in the Transport Statement.
- Can the link footway behind plots 21, 22 and 23 please be extended alongside plot 21 to connect back onto the shared surface.
- The section of footway at the junction with Rookery Lane should be extended slightly past the tarmac carriageway transition to block paving to allow a ramp down onto the shared surface.
- Note that made ground will require removal under adoptable roads.
- We are awaiting the final groundwater monitoring reports. If the groundwater level is high as expected, then in order to demonstrate that permeable paving is feasible the

applicant should provide a long section of the adoptable permeable roads throughout the development indicating where land is to be raised, finished floor levels, the depth of road construction to LCC adoptable specification and the groundwater level.

- Please note that the streetlighting column at the site frontage may require relocation and this will be at the applicant's cost.
- Could a detailed drawing showing the proposed junction in relation to the driveway of 87 Rookery Lane please be provided.
- We intend to request that a tactile crossing point be provided near 111 Rookery Lane across to Boutham Park.

For information, we have approximately estimated that the S38 bond for this site will be £487,500 with a Development Road Fee of £39,000.

Case Officer:

Date: 21 December 2020

Becky Melhuish

for Warren Peppard

Head of Development



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. 2020/0785/RG3

11th December 2020

Development & Environmental Services

City Hall, Beaumont Fee
Lincoln, LN1 1DF

Town and Country Planning Act 1990 Re-consultation on Planning Permission

Land to Rear of Rookery Lane And Hainton Road, Lincoln

Erection of 36no. dwelling houses and 6no. apartments facilitated by the demolition of 89-93 Rookery Lane. Associated external works including parking, access roads and landscaping (Revised Plans)

Lincolnshire Police do not have any objections to this re-consultation application.

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

Please refer to *Homes 2019* which can be located on www.securedbydesign.com Homes 2019.

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)



Thu 10/12/2020 15:01

LN Planning <LNplanning@environment-agency.gov.uk>

RE: Reconsultation on Planning Application 2020/0785/RG3

To ☐ Technical Team (City of Lincoln Council)

We removed extra line breaks from this message.

Dear Sir/Madam

The Environment Agency does not wish to make any comments on this application. It does not appear to meet any of the criteria listed on our External Consultation Checklist and it was therefore not necessary to consult us.

However, if you believe you do need our advice, please call me on the number below.

Kind regards

Nicola Farr

Sustainable Places - Planning Specialist Lincolnshire & Northamptonshire Area, Environment Agency Currently working from home

nicola.farr@environment-agency.gov.uk

External: 020 302 55023

UNIFY



Fri 04/12/2020 14:15

Property Strategy <Property_Strategy@lincolnshire.gov.uk>

RE: Consultation on Planning Application

To ☐ Technical Team (City of Lincoln Council)

Helen Turney

Hi Julie

Many thanks for the below consultation. The County Council has no comments to make on this application in relation to education as there is sufficient capacity in the locality for the 4 primary and 4 secondary age children that the scheme will generate, taking into account the demolition of 2 properties.

Kind regards

Simon

Simon Challis
Strategic Development Officer
Corporate Property

Lincolnshire County Council | County Offices | Newland | Lincoln | LN1 1YL




Tue 24/11/2020 15:22

LINCS-SECTION106 (NHS LINCOLNSHIRE CCG) <lccg.lincs-section106@nhs.net>

RE: Consultation on Planning Application - reference 2020/0785/RG3

To ☐ Technical Team (City of Lincoln Council)

Tania Spinks

 We removed extra line breaks from this message.

Hi

I can confirm that NHS Lincolnshire CCG will not be submitting a bid for this application.

Kind regards

Sadie

Sadie Wild /Emily Turk
S106 Administrators

NHS Lincolnshire CCG
Cross O'Cliff Court,
Bracebridge Heath, Lincoln, LN4 2HN
Tel: 01522 515347