

## PLANNING COMMITTEE

**Wednesday, 20 March 2024**

**5.30 pm**

**Committee Rooms 1 and 2,  
City Hall, Beaumont Fee,  
Lincoln, LN1 1DD**

Membership:	Councillors Bob Bushell (Chair), Gary Hewson (Vice-Chair), Debbie Armiger, Chris Burke, Liz Bushell, Martin Christopher, Rebecca Longbottom, Bill Mara, Mark Storer, Edmund Strengiel and Dylan Stothard
Substitute members:	Councillors Councillor Natasha Chapman, Neil Murray, Clare Smalley, Aiden Wells and Joshua Wells
Officers attending:	Simon Cousins, Democratic Services, Kieron Manning and Louise Simpson

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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 the table at the relevant time.

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## A G E N D A

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SECTION A	Page(s)
1. Confirmation of Minutes	
(a) 31 January 2024	5 - 32
(b) 21 February 2024	33 - 36
2. Update Sheet	To be Tabled
3. 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.

- |   |                |
|---|----------------|
| 4. Confirmation of Tree Preservation Order 181              | <b>37 - 40</b> |
| 5. Application for Development - 1 Shearwater Road, Lincoln | <b>41 - 96</b> |

## **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 2023
  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 Bob Bushell (*in the Chair*),  
Councillor Gary Hewson, Councillor Debbie Armiger,  
Councillor Biff Bean, Councillor Chris Burke, Councillor  
Sue Burke, Councillor Liz Bushell,  
Councillor Natasha Chapman, Councillor David Clarkson,  
Councillor Thomas Dyer, Councillor  
Rebecca Longbottom, Councillor Bill Mara, Councillor  
Ric Metcalfe, Councillor Donald Nannestad, Councillor  
Lucinda Preston, Councillor Clare Smalley, Councillor  
Mark Storer, Councillor Naomi Twedde, Councillor  
Pat Vaughan, Councillor Calum Watt, Councillor  
Joshua Wells and Councillor Emily Wood

**Apologies for Absence:**

Councillor Alan Briggs, Councillor Martin Christopher,  
Councillor Matthew Fido, Councillor Adrianna McNulty,  
Councillor Neil Murray, Councillor Hilton Spratt, Councillor  
Rachel Storer, Councillor Dylan Stothard, Councillor  
Edmund Strengiel, Councillor Aiden Wells and Councillor  
Lorraine Woolley

**53. Update Sheet**

An update sheet was circulated in relation to planning applications to be considered this evening, which included additional information for Members attention received after the original agenda documents had been published.

RESOLVED that the update sheet be received by Planning Committee.

**54. Introduction/House Keeping Rules**

Councillor Bob Bushell, Chair of Planning Committee welcomed everyone present at tonight's meeting of the City of Lincoln Council Planning Committee.

He advised that the Committee was made up of democratically Elected Members who would be presented with a recommendation from a professional officer for each application on the agenda.

He explained that after each application had been presented, those interested parties who had registered to speak would then be given five minutes to verbally present their views.

Following this, the Committee would debate each proposal and make the decision having considered all relevant information. Clearly, the process of making the decision would inevitably cause some people to feel aggrieved, however, it was hoped that all interested parties would feel that their views had been considered as part of the process.

He requested that mobile phones be turned off or set to silent throughout the meeting and to please be refrained from attempting to speak from the public gallery unless having formerly registered to speak on an application. In which case, himself as Chair would call you to the speakers table at the relevant time.

Thank you.

**55. Declarations of Interest**

No declarations of interest were received.

**56. Applications for Development**

**57. Phase 1A (Parcels A1 and A1a), Western Growth Corridor, Skellingthorpe Road, Lincoln**

Kieron Manning, Assistant Director of Planning, presented a visual power point display in which he:

a) outlined the detail of the planning site location and proposal as follows:

- A hybrid planning application (2019/0294/RG3) was granted full planning permission and outline consent in January 2022 for the development of the Western Growth Corridor (WGC) Sustainable Urban Extension.
- The full element granted permission for the means of access to the development from Skellingthorpe Road and Tritton Road. Works to construct the Skellingthorpe Road access and the first section of the spine road was currently underway.
- The outline element granted consent for the development of up to 3,200 dwellings, a local centre, primary school, commercial uses, leisure uses, highway infrastructure and open space.
- This current application related to Phase 1A, which had outline consent to be developed with housing. The application proposed 52 two and three storey dwellings. These included detached, semi-detached and terraced properties of 2, 2½ and 3 storeys.
- The application sought to approve all of the reserved matters including the layout of the development, the scale of the dwellings, their appearance, means of access and landscaping. The application also included additional information to satisfy a number of conditions of the outline consent, as detailed in full within the officer's report.
- Phase 1A was located directly to the north east of Skellingthorpe Road, opposite the junction with Birchwood Avenue. This phase comprised parcels A1 and A1a, which sat to the north west and south east of the spine road respectively. Beyond the site to the north east was the Catchwater Drain and open land. To the south east were residential properties off Burghley Road and Haddon Close. To the north west were residential properties on Grosvenor Avenue, Roxborough Close and Belgravia Close. The Church of Jesus Christ of Latter-day Saints abutted the site to the west.
- This represented the first phase of residential development proposed on the WGC site, in accordance with the approved, indicative Masterplan (included within the officer's report), and phasing plan. The phasing plans also indicatively identified that parcels A1 and A1a would deliver 52 units, again, the proposal for 52 dwellings would be in accordance with this.
- The applicant and owner of the land was the City of Lincoln Council. For this reason the application was brought before Full Council acting as Planning Committee this evening.

- The usual statutory and public consultations had been undertaken by the Planning Department, including the consultation of over 500 properties in the vicinity, the display of site notices and the publication of a press advert. In addition to this the applicant and applicant's agent held a public consultation event in October 2023 at The Church of Jesus Christ of Latter-day Saints, providing the opportunity for local residents to view the plans.
  - Revised plans had been received during the course of the application to address comments received from Lincolnshire County Council (LCC) as Local Highway and Lead Local Flood Authority, as detailed in full within the officer's report.
- b) advised that the principle of the development had been established with the approval of the outline planning application and could not be reconsidered as part of the reserved matters application
- c) referred to the site history of the planning application as detailed within the officer's report
- d) also referred to the new Central Lincolnshire Local Plan (CLLP) adopted in April 2023 which:
- Introduced a range of policies relating to energy efficiency (S6 and S7), water usage (S12), electric vehicle (EV) charging (NS18) and the 10% Biodiversity Net Gain (contained within S61).
  - However, as the outline permission was granted pre-adoption of the new plan such matters were not considered, incorporated or conditioned at that stage.
  - Therefore, as this application was now for the approval of reserved matters relating to the approved outline, they could not reasonably be re-visited. These would be referenced where necessary under each respective heading within the officer's report.
  - The scheme, nonetheless, proposed a 32% improvement relating to energy efficiency and biodiversity net gain above that required by current building regulations
- e) provided details of the policies pertaining to the application, as follows:
- Policy S1: The Spatial Strategy and Settlement Hierarchy
  - Policy S2: Growth Levels and Distribution
  - Policy S21: Flood Risk and Water Resources
  - Policy S47: Accessibility and Transport
  - Policy S53: Design and Amenity
  - Policy S56: Development on Land Affected by Contamination
  - Policy S57: The Historic Environment
  - Policy S60: Protecting Biodiversity and Geodiversity
  - Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
  - Policy S66: Trees, Woodland and Hedgerows
  - Policy S68: Sustainable Urban Extensions
  - Policy S69: Lincoln Sustainable Urban Extensions
  - Policy S76: Residential Development on Sustainable Urban Extensions
  - National Planning Policy Framework

f) provided details of the issues pertaining to the application, as follows:

- Principle of development
- Developer contributions
- Visual amenity
- Residential amenity
- Access, parking and highways
- Drainage and flood risk
- Trees and landscaping
- Ecology and biodiversity
- Energy efficiency and sustainable transport
- Design and crime
- Contaminated land
- Archaeology
- Other matters

g) outlined the responses made to the consultation exercise

h) concluded that:

- The principle of the use of the site for residential purposes was established by the existing consent.
- The development accorded with the Design Code, it had its own identity and respected the local amenity.
- The well considered tree planting and landscaping would be of benefit to the scheme.
- The proposals would not result in harm to neighbour's amenity and the development would provide an acceptable level of amenity for future occupants.
- The removal of trees had been sufficiently justified and new tree planting would help off-set this loss.
- The tree planting, landscaping and the addition of bat and bird boxes would enable ecology and biodiversity to be enhanced.
- Other matters relating to parking and highways, drainage, flood risk, energy efficiency, contamination, archaeology, design and crime had been appropriately considered by officers and the relevant statutory consultees. These would be managed both by conditions of the original consent and those proposed to be attached to this permission.
- The proposals would therefore be in accordance with the requirements of CLLP Policies S1, S2, S21, S47, S53, S56, S57, S60, S61, S66, S68, S69 and S76 as well as guidance within the SPD and NPPF.

Richard Hall, local resident, addressed Planning Committee raising objections to aspects of the proposed planning application. He covered the following main points:

- He lived on a quiet cul-de-sac on Forest Park.
- He did not live in the area designated during the public consultation for the Western Growth Corridor (WGC).
- We were promised that all development would be from the new junction on Skellingthorpe Road.

- We and other residents were shocked to hear at the latest consultation event that three houses would have vehicular and pedestrian access from Grosvenor Avenue with at least one having a Grosvenor Avenue address.
- This was not appropriate as additional parking, traffic and footfall would result in increased hazards for residents, children, those with mobility and sensory difficulties, as well as increased pollution and negative impact on the local environment.
- At no time was it suggested that the new development would encroach or merge with Forest Park.
- In the past, the Planning Committee had turned down a request for infill building on Grosvenor Avenue the uniform design and its character would be undermined.
- He understood public money was used to acquire marginal land, anticipated for use as a buffer zone and potential wildlife corridor, instead of creating additional profit for the developer.
- The previous boundary fence and hawthorn shrubs at the bottom of Grosvenor Avenue had already been destroyed which meant we were sitting in a building site with no screening of any sort. (The photographs didn't show this). We asked it be replaced as soon as possible to support remaining wildlife and provide residents with much needed screening to the open views of the construction site. Additional planting to a place that had been lost was very important and necessary.
- The three houses proposed would mean the loss of at least three trees and another twenty should the buffer zone not be created.
- We did not want pedestrian or vehicular access to the development from the bottom of Grosvenor Avenue.
- We would request that the boundary fence and hedge screening be reinstated.
- This last point was very important. This was the only part of the development at the moment with no fence or screening of any sort. We were looking out on to a construction site which was obviously noisy and the reinstatement of the fence and hedge screening would be very helpful.
- He concluded by saying that his comments were not against the development itself, just those details highlighted.
- Thank you.

Mark Foster, representing Lindum Homes, addressed Planning Committee in support of the proposed planning application, covering the following main points:

- He introduced himself, a director with Lindum Homes and thanked everyone for allowing him the opportunity to address Committee today.
- It was now two years since he previously addressed Committee as part of the application team for the wider site.
- Since that time members would be aware of the great strides made to bring forward a very complex development.
- The new junction and access into the site from Skellingthorpe Road was moving towards completion later this year.
- Funding was also being secured to deliver the second access, the Tritton Road bridge.
- A further application to facilitate the construction of this bridge was to be considered within your agenda later this evening.
- This continuing upfront investment had been made predominantly to facilitate the building of much needed housing for the City.

- We were really pleased to be sat here this evening with a positive recommendation from your officers for the first phase of residential development of the site.
- As one of the gateways into the wider site, and the first residential development to be brought forward, we wanted to set the standard by which future proposals would be judged, whilst also responding positively to the constraints and opportunities of the site.
- As part of the design evolution of the scheme, we had held two separate public consultations, and worked with key stakeholders to arrive at the proposal before Committee this evening, including your officers, whose feedback and guidance had been critical in moving the scheme forward.
- The existing constraints did have a very specific impact on the lay out, and in particular there were existing features which needed to be positively responded to by the development. These being the Catchwater and the public rights of way to the north of the site, Skellingthorpe Road and Birchwood Avenue to the south, and finally the main development spine road which ran through the middle of the site, and where individual vehicular access was specifically restricted.
- These factors combined led us to the perimeter block layout we were proposing, creating active and predominantly car free frontages to the spine road, the Catchwater and Skellingthorpe Road, whilst also prioritising the views into and out of the wider site.
- The street scenes were defined by variations in scale, massing and detailing as displayed earlier this evening on the screen. These broke up the blocks, particularly along the main spine road, and created visual interest whilst preventing too much repetition, which was the key thing for the applicant.
- The overall design approach was modern, with some traditional features such as bays and dormers to help the development assimilate with its character in this part of the City in which we were building.
- It also had sustainability at its heart, significantly surpassing current building regulations, and even the anticipated 2025 future home standard, in terms of building performance and carbon reduction.
- We also wanted to create a landscape quality to the site, retaining key landscape features but also creating new public open space as well as new routes into and out of the site.
- These routes and connections were specifically important elements raised during our consultation events and had been incorporated into the design.
- We did recognise the concerns of neighbours, and had worked with residents over some time to try to address these where we could, accepting of course that most developments had some sort of impact.
- This had specifically seen the houses moved further away from existing residents on Burghley Road and Haddon Close, with boundary vegetation retained to improve the relationship here.
- We also appreciated the comments made by the residents at Grosvenor Avenue and Mr Hall's speech tonight. These issues were addressed in the officer's report, however, he would add that the turning head at the end of Grosvenor Avenue was unusual in that it already projected somewhat into the site and as such the development had to consider it. We felt that the proposals did respond positively to what was a constraint fronting this road, ensuring the development did not turn its back on Grosvenor Avenue which we felt would be harmful visually.
- Also the pedestrian connection to Grosvenor Avenue was an acclaimed public right of way, meaning a connection did have to be maintained here,

although we did hope in time that Grosvenor Avenue residents did benefit from improved access into the wider site and towards the city centre beyond.

- In conclusion, hopefully members would see that as an applicant team we had provided a comprehensive proposal which would complement the existing character of the area and was befitting of the sites gateway location.
- The aim if the development was approved tonight was for it to be built by Lindum Homes. We were a local housebuilder with our own local workforce and contract supply chain, meaning these houses would be built by local people for local people in what we all hoped would be a truly aspirational place to live.
- Thank you.

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

The following questions and comments were received from members and responded to by officers:

Councillor Hewson:

- He had been a Councillor for many years and took over a great deal of paperwork from former Councillor Pete Archer. This included a booklet called Swanpool against growth.
- There had always been a mooted awareness that there could be growth in that area. It had taken many years to achieve this growth and the additional housing was essential.
- We could finally vote tonight on the first stage of this much needed development. Officers worked hard with developers to bring forward schemes they considered suitable for planning permission to be received. As Planning Committee, we did not always agree with their advice but legitimate planning reasons for refusal must be established at all times.
- He believed the application in front of members tonight as the first stage of the development, with an impressive entrance to the site would be a gateway to attract people into further phases of the scheme. There was a great deal of green space within the proposals and attractive houses.
- Question: The update sheet included a response from a Mr Whiting regarding Pig Lane Haul Road between 1a Skellingthorpe Road and Phase 1b Tritton Road bridge. He noted that No 1 Skellingthorpe Road was near the Skellingthorpe Road/Boultham Road traffic island junction, which highlighted concerns as to how we numbered these houses, to avoid confusion with conflicting numbers at the further end of Skellingthorpe Road. Also, he requested that letter boxes not be positioned at the bottom of the doors.

Councillor Chris Burke

- He referred to the point made by Mr Porter regarding RAF remains, which had been responded to at Page 24 of the report by officer's and had answered his question. A local photographic historian Andy Blow had produced material around RAF Skellingthorpe area which may be usefully looked at in a supportive way.

Councillor Clarkson

- Question: He referred to Page 54 of the agenda pack Figure 11, which showed various routes and connections in different coloured dotted lines, however there was no key for the diagram?
- He referred to a comment from a resident regarding a three storey building located right at the front of the development, without any high buildings

near it either side. The resident had stated that this would spoil the protected view of the Cathedral. A single three storey building alone in that area would stand out 'like a sore thumb' and was not appropriate at the highest point of the development.

- He accepted that the development had approval and would be going ahead. He objected to the parking courts, which were his main concern. The police provided a response at page 96 of the agenda bundle about these, as they had also done at the time the development received approval two years previously. On page 24 of the report bundle, the applicant and agent stated that they felt positive responses had been made to the issues raised by the police. Having read the pack, and the police's comments he didn't believe this to be the case.
- Question: The parking courts were outside the boundaries of each property and not owned by the residents of the houses. They were screened from the housing by high fences and allocated to residents of the properties. He believed there were two parking spaces per property, although it wasn't very clear; what guarantee existed for use only by the allocated residents of the property?
- Question: Had any parking provision been made for visitors? There didn't appear to be spare capacity for this.
- Question: Leaf matter from local trees would likely build up over time. Who would be responsible for cleaning and maintenance of the parking courts?
- Question: For safety and security concerns, would the areas be well lit? Information on this was not provided.
- Question: Would delivery drivers be expected to drive round to the parking area and deliver to properties via the back door? Would residents be happy to receive callers at the back door? Most likely the delivery drivers would park on the spine road, deliver their parcel to the front door and move on to the next customer.
- He referred to a comment made within the agenda pack that people did not park cars in garages anymore. If garages were built to take modern cars, then people were likely to park in them.
- It was stated that an advantage of a parking barn as opposed to garages was that it held two spaces, one under and one in front. Garages fulfilled the same purpose, one inside and one outside.
- There was an aspiration that there would not be many cars in these places or no more than those that were parking. There was a standard set of an average of 1.5 car parking spaces per property throughout the whole development. This did not apply to the first phase which meant that if a further phase was built some homes would only have one car parking space.
- He referred to comments made by the County Council that there were only a small number of residents in the immediate area that didn't own two cars. This was a meaningless statistic as those people weren't likely to be buying these properties.
- The relatively newer areas not far from this junction at Fulmar Road and Birchwood Avenue could be seen cluttered with vehicles parked on driveways/pavements during the evening. Many families had children still at home with cars. This mode of transport was not going away.
- Car insurers always enquired where your vehicle was parked overnight. The best answer was in a locked garage or on the driveway of your property. A public parking area out of view of the premises was the worst answer to give.



- We had already heard that the first 52 houses would set the high standard for future phases. Prospective buyers would expect a garage to be included.
- There were many security concerns listed by the police that related to having open parking areas around the back of properties providing opportunities for crime and other activities.
- This development would result in a disincentive for people to buy these properties without a garage.

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

- He deferred the question from Councillor Hewson regarding the haul road to the next planning application on the agenda this evening, the haul road itself.
- The request regarding siting of letter boxes was not a material planning consideration, however, the applicants were here this evening listening to the debate and he was sure they would take the matter of the design and layout of the doors implemented on the scheme into consideration.
- In relation to RAF remains, officers were on board with requirements in relation to archaeology. The City Archaeologist had been consulted and was satisfied with how things had progressed.
- He referred to Page 54 of the agenda pack Figure 11, and gave clarification to the various routes and connections displayed in different coloured lines on the diagram provided.
- The matter of the height of the corner building on the site and to whether or not it was considered to be inappropriate was a matter to be determined by members this evening. The officer view was that typically with a corner development, from an urban design perspective it could accommodate taller buildings to create a punctuated corner, particularly when there was a significant set back from that corner to dwellings/other development on the opposite corner. There was a considerable amount of space at this junction point, the land was lower and dipped down from Skellingthorpe Road into the site, and therefore it could accommodate some additional height. Officers did not consider the height of the corner building to be inappropriate for this reason.
- In relation to comments made that the corner dwelling would affect protected views of the Cathedral, a protected view of the Cathedral did not exist in policy terms, certainly not at this par. The planning authority was not able to protect a view, as members would be aware from regular member training sessions they had received.
- Parking courts/ police comments/safety concerns – Clearly this was something we had to balance in the overall scheme of the development, the benefits of delivering the scheme, the limitations we had and the type of layout. A balance had to be struck in terms of urban design and safe frontages to the scheme to set the tone for the rest of the development. Officers were comfortable that the risk of safety was not of a sufficient level to warrant refusal of planning permission. The police were not objecting to the scheme in that regard.
- Garages – We all had our individual views as to whether people tended to use garages or would use garages to park their cars in new developments, it was not material in terms of consideration of this application. The provision of car barns enabled two spaces to be provided for each property which was considered to be reasonable, and beyond which the Highway

Authority had requested for the scheme. Officers felt this was a suitable way to deal with the development.

- Inevitably with perimeter type developments, which were necessary to some extent in urban design terms, the workings to the development needed to be retained behind, with parking provided to the rear of properties.
- The car barns would be adjacent to each individual property, and would be within the curtilage and ownership of that individual property. The spaces between them off the main highway i.e. the shared access road, would be picked up as part of a management company agreement, yet to be resolved in terms of maintenance and care and repair of shared services.
- Delivery drivers – the main road through the development would not have parking provision, however there were inward routes behind the development which led to the parking courts, likely to be used by delivery drivers. As a Planning Authority we could not legislate as to whether people observed the Highway Code in terms of how they drove, including delivery drivers, however, safe provision existed and the Highways Authority had not raised issue with that. The main concern for us and the Highway Authority in terms of highway safety was the ability for a vehicle to get off the highway and back onto it in forward gear. Delivery drivers could do this by accessing and egressing the site via the routes behind the development which in phase 1 would act as a cul-de-sac.
- In terms of why car barns were the preferred option as opposed to garages, this was for ease of parking for residents and also from a design point of view. Whilst it could be argued it was not the most attractive thing to have a shared parking area, they were functional. Officers would rather see this type of car barn being more aesthetically pleasing than garage courts.

Questions and comments from Members continued.

#### Councillor Bean

- In relation to Pig Lane access, currently being used for all works traffic, the preferred option when the main road was open was for all works traffic to use the Bell mouth main entrance. Could this be conditioned or a strong assurance be given that once the main road was opened, Pig Lane would not be used for any access for works traffic?
- The people of Burghley Road had been very reasonable in tolerating works traffic till now, it would be helpful for the main road to be used for all works traffic going forward once opened.

#### Councillor Dyer

- Page 80 of the report contained a response from the Highway Authority stating that this phase of the development went above the desired number of parking bays per property at 2 per dwelling for this scheme. The Highway Authority's view was that as a Council we should be limiting parking provision to encourage sustainable forms of transport and connectivity. Whilst this was noble, and we should have a desire to ensure the availability of cycle links within the entirety of this development together with other sustainable forms of connectivity. He was concerned by the Highway Authority's line of a maximum of 1.5 vehicles per property throughout the entirety of the scheme. The applicant should challenge this moving forward. He did think new build developments should have adequate offroad parking facilities to stop vehicles parking anywhere and everywhere.

- Central Lincolnshire Local Plan – the updated plan was published after the outline planning application was passed. Given the significance of this application, its size and the reputation of the applicant, he was disappointed that the Central Lincolnshire Local Plan was not being adhered to at its fullest, although he accepted that steps had been taken that would not have been required when the original planning application was granted.
- Following Mr Hall's comments on the three houses which would have vehicular and pedestrian access from Grosvenor Avenue, he accepted the officer's response within the report and the reasoning behind that. However, it was a 'tad' cheeky given that we had been assured throughout the process there would only be two accesses to the site. He appreciated however that only three properties were involved. On balance, he was minded to support this application.

#### Councillor Watt

- He appreciated Councillor Hewson's comments regarding the siting of letter boxes, and more particularly the officer's and developer's view going forward. It was a relatively trivial issue but important to some people's health and wellbeing and he hoped it would be followed through by the developer.
- He appreciated the time taken by officer's to answer his queries regarding cycle routes, although he realised they were not material to this planning application, he hoped the developer would follow through what had been mentioned.
- He was pleased with this application on the basis of its commitment to energy efficiency. This was mentioned extensively in the outline planning permission. He was pleased the homes to be built would be ahead of the future Homes Standard and he hoped this would be carried through to the rest of the development.
- The use of attenuation ponds for drainage would start to address concerns of local residents and others regarding drainage on the site.
- Question: Could officers elaborate on the issues of screening for residents on the development as notified by one of the objectors and the developer during his speech?
- We should be setting good precedents for this development moving forward. It largely encompassed a big chunk of his ward and other streets such as Hartsholme Drive, which he didn't think in the outline planning permission were to have additional houses attached to them, so he had some sympathy for comments made about additional houses being attached to Grosvenor Avenue.
- Question: Could he have reassurance that additional houses were not going to be attached to other areas of the development or other roads abutting the site.
- He supported in principle Councillor Bean's suggestion that a condition should be imposed on Pig Lane once the main road was opened for it not be used for any access for works traffic unless there was a very good reason why not.

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

- In relation to Pig Lane, the Construction Management Plan stated that the new road would be the principle access for the site, which was conditioned on the outline planning permission consent. He would invite the Planning Team Leader to comment further within his presentation for the next

planning application on tonight's agenda on the haul road, as it was interrelated.

- There was a reason why 2 car parking spaces per household had been agreed for this first stage of the development, although it was intended to be 1.5 car parking spaces throughout the entirety of the scheme.
- This was because 1.5 spaces was a notable reduction in what was typically found on new schemes. Whilst moving towards modal shift was our ambition and where we needed to go, this needed to be supported by all the relevant infrastructure and changes that would happen across the City in general, which were not fully in place at this point in time. In this very first phase we needed to work as we were now, therefore, the two spaces per dwelling were considered to be appropriate and reasonable.
- This matter could be revisited on the original condition of outline planning permission, stage by stage for each reserved matters application, which could potentially vary as each application came forward dependent on the nature of the development and number of properties, typology etc. Some developments would require more parking and some less.
- In terms of the screening, there was a plan within the documentation as part of the proposal, which listed all the boundary treatments including additional screening from new planting, new trees, boundary walls and fence lines. As part of this proposal, at the end of Grosvenor Avenue a close boarded fence would be erected between the existing property at the end of the Grosvenor Avenue and the first of the new properties on Grosvenor Avenue. Officers were satisfied that adequate screening would be provided.
- From a planning point of view, there had never been any stipulation one way or another that any development should or should not be accessed directly from Grosvenor Avenue. Clearly because of the nature of the site, it would be somewhat odd if we didn't have a section of the site which didn't address Grosvenor Avenue, given its location. The change wasn't considered to be harmful although it was something the residents would notice. Only one of those properties had direct vehicular access from Grosvenor Avenue which should limit movements, with the remainder being served from the parking courts as described earlier.

Questions and comments from Members continued

#### Councillor Tweddle

- Question: Could an assurance be given that trees would be replaced within our policy of 2 to 1? She accepted that the trees to be removed were of relatively low standard, but they were trees nonetheless and they were important.
- In terms of wildlife it was pleasing to welcome bat boxes, bird boxes etc. We talked about climate change, cars, solar panels, and heat source pumps but wildlife was an important part of how we maintained our planet too. The development land was a green area which added to the carbon capture, and it was important it was given mention as well.
- Question: The design - She couldn't say she was overwhelmed by the design of some of the houses, which was a subjective view. For the initial stage of such a big project it would have been good to incorporate some real aspirational design types of houses. Was that due to function over form? Were we limited in how we designed some of these homes by climate credentials or could we make improvements moving forward later in the scheme?

- She disagreed with Councillor Clarkson. She thought the idea of taking cars away from the front of houses was quite important in terms of streetscape, creation of a sense of place, and responsibility to some extent. The area where she lived was very similar to the proposed development being very green, but cars were everywhere. There wasn't adequate parking provision. When it was built in the 1950's, people had less cars. Cars caused problems in terms of how an area looked and felt, grass became churned up and it was sometimes difficult to navigate paths, a pleasing streetscape added to the feel of the place and a community sense of belonging.
- She felt it was ironic to complain about parking spaces being at the rear of the houses, then equally complain about cluttered cars at the front of the homes. We couldn't opt for both choices and by taking the car parking spaces away from the main routes it offered more greenery, a better view and hopefully less cars.
- One of the images of the proposed street scene showed a grass verge straight on to the road, whilst others had paths, then the grass verge and then the road, or road, grass verge then path.
- Question: Had we considered mitigation measures to prevent cars parking on the grass verges; although it was great to see verges along roads, their openness/greenery had to be managed. Parking of cars there would detract from the area.
- The green credentials of the scheme were good, we must be entirely inspirational with what we did with this project. She agreed with Councillor Dyer's point. The applicant was a reputable builder and we needed to set a high standard. This development represented the first 52 houses only. She was aware of the restrictions placed on the first phase of development by the infrastructure required to be in place, and considered that the scheme was unique in its own way as a small start. However, if we were going to reach our climate targets and change the world in the way it was needed fairly urgently, we must be setting the standard in terms of our expectations from our houses and areas. In saying that, the scheme represented the greenest development she had ever seen on Planning Committee, and it was a good start as long as we never lost track of climate change ambitions and held this in high regard when moving forward with the rest of the project.

#### Councillor Clarkson

- Point of personal explanation: He wished it to be recorded that he was not against parking to the rear of properties, or advocating parking in front of properties, his main objection to the development was the use of parking courts collectively, and the fact that it went against some strong recommendations made by the police. He didn't want vehicles parked on the spine road, or vehicles parked in front of properties; what he did want to see was parking on properties rather than in open parking courts.

#### Councillor Preston

- She supported Councillor Tweddle's comments regarding biodiversity in ecology.
- She also agreed that compared to a lot of schemes she had seen in her lifetime, this was very impressive in terms of its environmental credentials and aims in terms of sustainability.
- Looking through the agenda papers, she highlighted some key points.
- One of these points related to biodiversity at page 22 of the bundle, where it stated that *'to further strengthen biodiversity, the agent had advised there was no objection to the provision of bat boxes on suitable mature trees, bat bricks within a selection of buildings, bird boxes in the fabric of*

*buildings and on suitable trees*’. Officers had suggested that this be conditioned on any grant of consent. Although overall she was very impressed with this application she did have small concerns. This statement did seem quite weak in terms of, for example, compensation for some of the losses, a ‘*selection of buildings*’ could be regarded as a subjective comment. For example, it could mean ‘two’.

- She requested reassurance be provided that proper thought would be given to a substantial amount of compensation for the loss of the other trees in terms of these bat boxes. Also, the bird boxes in the fabric of the buildings.
- She was not an expert on these matters, however, there had to be some sustainability to prevent these measures being put into houses, followed by alterations to the properties in 20-30 years’ time which resulted in there being hardly any bird boxes left. These bat and bird boxes needed to be a key part of the design of these buildings rather than just given ‘lip service’.
- She was also going to echo Councillor Tweddle’s concerns regarding the design of these buildings, some of which were better than others. Some attracted interest in terms of their arched windows, as shown at page 53 of the agenda bundle, however, it would be lovely to see some interesting brickwork around them.
- In terms of the white rendering on some of the properties, a block of flats in her ward with similar finish had tended to look tired a few years down the line and hadn’t aged well, which raised concerns.
- The property portrayed at the top of page 55 of the agenda bundle did not have very interesting lintels to the windows. There may be environmental design reasons for this, however, they looked somewhat similar to a ‘childlike’ drawing, with only a small piece of brickwork between some of the windows.
- Overall, these were lovely properties, with some needing a little more thought. She just wanted her comments to be recorded on paper.

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

- In terms of the trees, as members had seen as part of the documentation, a lot of the trees on site at the moment were in groups, and had been assessed by our tree officer as not worthy of retention and of low amenity value. However, there were a number of new extra heavy standard trees proposed as part of the landscaping scheme for the development. Officers considered this would qualify to offset the loss of those less valuable trees. The wider site also gave significant opportunities for considerable uplift and increase in tree planting biodiversity net gain, because of the nature of the site and the developable areas that would be available. We were satisfied as officers that the issue had been well and truly covered as part of the proposal.
- In respect of the verge issue, the specific details were covered in the full application approved at the same time as the outline planning application for the access into the site, and as such was determined in the consent already given. However, in order to allay concerns regarding some vehicles parking, he added that there were swales along the edge of the road to cause a significant dip which in itself would police all but the ‘avid off-roader’ in a car from parking there. Therefore, hopefully, this would not be a significant problem.
- From a design point of view, clearly the application in front of Committee this evening was for members to determine whether or not they considered

it was acceptable. As officers we were comfortable with the proposal in design terms. In relation to materials, render was suggested on some of these dwellings. All of the materials would be the subject of a planning condition; therefore officers had the opportunity to make sure the best quality possible materials were used. There were better products on the market these days in terms of coloured render which weathered better, was more robust and required less maintenance. Officers felt they could adequately cover this as part of the condition process as well.

- In terms of biodiversity elements and some of the measures proposed in relation to bat boxes, bird boxes, bat bricks, bird bricks etc, together with the reference to a 'selection' of the proposed properties, as required by a condition of the scheme to be delivered, we would consult with Lincolnshire Wildlife Trust to be advised on where the bird/bat boxes etc were most suitable to be located. He had limited knowledge in terms of elevation, where to place bird boxes, not liking to be faced south etc because it was too warm. It would not necessarily be appropriate on every building however, officers would deliver as much as we could through this consultation with the Wildlife Trust.

Councillor Tweddle asked whether the condition regarding rendering should be made more solidified to ensure the surface did not deteriorate in ten years' time?

The Assistant Director for Planning advised that from his perspective, he felt the existing condition covered it, and it was the remit of officers ourselves to make sure we paid due regard to this specifically, which we would do.

No further questions or comments were forthcoming from members.

The Chair moved to the vote.

*(Councillor N Chapman did not vote as she left the room before the vote was taken and had not been party to the full debate.)*

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

- Time limit of the permission
- Development in accordance with approved plans
- Samples of materials including hard surfacing
- Windows and doors to be set in reveal
- Location and sound level specifications for ASHPs
- Surface levels for the estate roads and footways
- Implementation of tree protection measures
- Implementation of tree planting and landscaping
- Scheme for the provision of bat boxes, bat bricks and bird boxes
- Programme of archaeological work completed in accordance with WSI

## **58. Western Growth Corridor, Skellingthorpe Road, Lincoln - Haul Road**

Simon Cousins, Planning Team Leader, presented a visual power point display in which he:

- a) outlined the detail of the planning site location and proposal as follows:

- Submission of access reserved matter was requested for the construction of a Haul Road between Phase 1A Skellingthorpe Road and Phase 1B Tritton Road relating to hybrid (outline) planning permission 2019/0294/RG3
  - Outline Planning Permission was granted for the Western Growth Corridor urban extension in January 2021 and at the same time full planning permission was granted for the first length of road and the junction with Skellingthorpe Road. The construction of this first length of road and the formation of the new junction was currently under way.
  - Full planning permission was also granted for the first length of road, the construction of the bridge over the railway and the formation of the junction with Tritton Road at the same time as the works detailed above and the application now before Planning Committee sought permission to build a temporary road, a Haul Road, from Skellingthorpe Road, across the length of the Western Growth Corridor site, to the west side of the railway line adjacent to Tritton Road.
  - This road would then be used to transport materials to and from the site of the road bridge over the railway to enable it to be constructed.
  - The east side of the railway could be accessed from Tritton Road and the commencement of works on that side of the railway did not need a further application in relation to access.
- a) referred to the site history to the planning application as detailed in full within the officer's report
- b) advised that the application for Outline Planning Permission assessed the proposals for the Western Growth Corridor Sustainable Urban Extension taking account of National and Local Planning Policy; the application for the approval of Reserved Matters should conform to the extant planning permission
- c) reported that:
- The application before the Council for consideration now was an application for the Approval of Reserved Matters – this meant the application sought to discharge, or partially discharge, conditions that were included on the Outline Planning Permission granted in 2021.
  - The 2021 planning permission was the most significant material consideration and the details of how this proposal accorded with that permission was the relevant consideration for Committee.
  - Equally, whilst the usual issues of visual and residential amenity were still relevant, the committee would have to decide how much weight to accord those issues whilst also considering the high level of weight to be attached to planning permission being in place for the new road and bridge which the haul road was intended to serve.
  - The conditions which were relevant to the consideration of this reserved matters application were as follows (the 2021 planning permission was attached as an appendix to the application that preceded this one on your agenda – 2023/0736/RM).



- Each condition listed below required details to be submitted and/or compliance with existing approved details on the original permission:
  - i. 12. Details of access, appearance, landscaping, layout, scale (the reserved matters) – the temporary haul road is relevant to the matter of access;
  - ii. 19. Development in accordance with the Flood Risk Assessment;
  - iii. 20. Up to date ecological appraisal;
  - iv. 21. Written Scheme of Investigation in relation to archaeology;
  - v. 22. Construction Management Plan;
  - vi. 25. Construction Environmental Management Plan;
  - vii. 29. Implementation of appropriate archaeological works;
  - viii. 34. Highway Construction Management Plan;
  - ix. 51. Air Quality Assessment;
  - x. 66. No removal of trees or hedgerows during bird nesting season;
  - xi. 69. Scheme for recruitment of workers from the local area.

d) outlined the responses made to the consultation exercise

e) referred to the Update Sheet circulated at this evening's Planning Committee which included an additional response received in respect of the proposed planning application

f) detailed measures within the officers report to address all of the above conditions as follows:

- The application for the haul road was a necessary consequence of the original approval of the road bridge over the railway at the eastern end of the site. The bridge and embankment/abutment could not be put in place entirely from the Tritton Road side of the railway.
- The detail submitted with the application indicated that the work in respect of the temporary haul route was programmed to commence before the new road and junction that formed Phase 1a of the development was completed.
- This road and junction work was currently under way and it was proposed that this would be the route into the site for the construction traffic once it was available.
- In the interim it was proposed that the haul road would be accessed from Pig Lane, which was an unsurfaced lane to the west of Burghley Close.
- It was proposed that the lane would be upgraded with a bounded surface suitable for the construction vehicles that would use it, and other temporary works would also be undertaken to facilitate the use of this route.
- Once the Phase 1a road became available traffic would switch to this point of access and then meet with the route of the haul road within the site.
- The applicants had submitted a Construction Management Plan and a Construction Highways Management Plan that detailed how the works would be undertaken and how the construction traffic would be managed, particularly where it entered and left the public

highway on Skellingthorpe Road. These details had been checked and validated by the County Council as Highway Authority.

- The applicants had also provided details as to how the traffic would be managed along the route of the haul road. Pig Lane was also used as a footpath route and also served the property known as Roe Deer House located close to the Catchwater Drain on the northern edge of Western Growth Corridor.
- The haul road would also cross public footpaths and so the management of the construction traffic, as carefully detailed in the documents accompanying the application would be important.
- The route of the haul road across the wider site, had been designed to minimise effect on standing trees and hedgerows and the applicant had submitted an up to date ecological assessment of the impact of the haul road. This also included an assessment of impact where the road would cross ditches and other potential habitat. The detail submitted was comprehensive and provided the necessary reassurance that any significant impact on biodiversity was mitigated.
- The applicants had undertaken an archaeological evaluation of the area of the haul road and the new connecting bridge, which had demonstrated that the Swanpool Roman Industrial site did not appear to continue into the area that would be affected by the proposed works.
- However, the evaluation did identify undated archaeological remains in a number of trenches, and it would therefore be prudent that monitoring and recording of groundworks be required to ensure that any finds or features could be recorded appropriately, especially in the light of Historic England's concerns regarding impacts to the nearby Roman remains, as set out in their letter dated 19/12/23.
- A written scheme of investigation which addressed these issues was currently in preparation in accordance with condition 21 of the outline permission and would be dealt with by planning condition as part of the consent granted.
- The applicants had submitted an assessment of air quality as required by condition 51. One neighbour consultee response had questioned the validity of part of that assessment and their representation was copied in full. The haul road was a significant distance from the nearest residential properties except for where it would utilise Pig Lane or the new signalised junction, and the hours of work would be restricted to 7am to 6pm Monday to Friday and 8am to 1pm on Saturdays. This would be a significant mitigation on the effects of noise on any residents.
- With regard to the scheme of local recruitment there was a condition on the original consent that required that a scheme of recruitment and employment by the contractors for each phase of development should be submitted with each reserved matters application, to demonstrate what measures would be taken to recruit workers from the local area. A statement accompanied the application which satisfied this requirement.

g) concluded that:

- The haul road was a necessary early part of the development which would facilitate the construction of the new road bridge over the railway from Tritton Road.
- The applicants had satisfactorily demonstrated that the impact of this haul road would be appropriately managed and mitigated.

Debbie Grant, local resident addressed Planning Committee raising objections to the proposed planning application. She covered the following main points:

- Good evening ladies and gentlemen.
- She thanked Members for allowing her the opportunity to address Planning Committee this evening.
- She was here to express her deep concerns and objections regarding a development near Lincoln Holiday Retreat, which was not only her home, but also the location of her family business.
- The retreat was nestled at the very end of Pig Lane. It was a haven of tranquillity and natural beauty.
- Its unique selling point lay with providing a retreat location amidst a natural habitat, allowing her guests to unwind in private in hot tubs with the Lincoln skyline view.
- We took pride in offering space through relaxation, exploration through lovely walks, bird watching and creating a pet friendly environment for all to enjoy.
- Over the years we had built a reputation for being a serene escape from the hustle and bustle of city life.
- Our location was a mile walk from Lincoln City Centre or the pub on the riverbank.
- We were an attraction for the wildlife enthusiasts and those seeking the wonder of our beautiful gardens and grounds.
- No longer the modest cultivation of land surrounded us now though. Now in the melancholic air of the sub-let fields, mud was being driven up and down the lane constantly, and degradation had occurred rapidly.
- It was unfair on authorised vehicles and pedestrians.
- Pig Lane, once a lovely journey had turned into navigation through a construction site and many entrances.
- Unfortunately this had impacted her enjoyment, her guest experience and every day running of her business, and consequently, her reputation regarding her means of access
- To cope with the adverse side effects of this, she employed someone seven days a week for two hours a day to clear mud and pot hole fill.
- She stressed that she was not opposed to progress or development, however, the current situation was causing her significant anxiety, frustration and loss of income.
- Despite assurances that businesses would not suffer and support would be provided, the reality was starkly different.
- Attempts had been made to discuss these concerns with the Chief Executive of Lincoln City Council, but they had met with delays.
- This left her as an isolated business owner with services and others reluctant or refusing to use Pig Lane.
- If the haul road crossing Pig Lane would all become a bonded surface, the issue of dry or wet mud would be a growing concern and both brought hazards.
- A sweeper was used on Skellingthorpe Road to disperse mud accumulation and debris, should Pig Lane not have the same respect?.

- The traffic laws were not being adhered to. The sweeper faced a challenge as it could not keep mud clear if the area being treated was not a bonded surface.
- The centre section of Pig Lane was made up of tarmac chippings, the Council obtained a quote for a bonded surface, however this work was not completed before construction work started.
- Clear and visible signage to the Retreat should remain on post to avoid confusion, and in principle, the presence of marshals was welcome to play a crucial role in addressing issues promptly and maintaining control.
- Availability of use should align with the operational hours of any site deliveries and priority should be given to her Retreat guests.
- The verge and dyke maintenance was important to protect the local wildlife, especially the Roe Deer jumping out, to prevent accidents and promote the well-being of the surrounding eco system.
- A security key pad gate was vital to stop unwanted visitors and nuisance experienced since the development started.
- The noise was a concern due to the nature of her business. HGV's cut corners at Pig Lane and mounted the pavement.
- We experienced heavy traffic and long waits, exiting was difficult.
- Increased haulage to the site would impact on the Retreat.
- She would further like to ask if borough pits would be connected to the haulage road alongside the gardens and the lane, this was very concerning and inconsiderate to her business.
- Due to many issues with the water supply of which the Council were aware since the development started, could she have a new water supply before the haulage road was installed.
- The contract farmers now entered and exited Skellingthorpe Road in convoys to access the sub-let fields. Would they also use this haulage road and then in the future drive through the new estate roads?
- She asked for a bridge at Main Drain to be relocated to stop driving through.
- *(Five minutes speaking time now ended)*

Alistair Lewis, representing the Applicant addressed Planning Committee in support of the proposed planning application. He covered the following main points:

- Good evening everyone.
- He was a Contracts Director with Graham Construction the applicant for the reserve matters application for this temporary haul route.
- Graham Construction were a U.K wide civil engineering contractor with considerable experience in the highway and rail sectors.
- Graham was appointed by the City of Lincoln Council in May last year to develop the design proposals for the new road and pedestrian bridges over the railway from Tritton Road.
- This part of the scheme availed from significant Central Government investment via the Levelling Up Fund.
- The construction of a temporary haul road was one of the first activities to be commenced as part of the construction phase of the project, and was essential for its success.
- Without boring the audience too much on why the haul road was essential;
- The new access bridge over the railway was located next to Chieftain Way as detailed on the map during the PowerPoint presentation.

- The bridge would provide access to the eastern end of the overall scheme, and future development of the 1b site, both of which already had planning permission granted.
- The Eastern approach to the bridge would be constructed directly off Tritton Road, however, access to the western side was currently restricted by the railway line and the Catchwater.
- The temporary haul road from Phase 1a to the rail over bridge, some 2 kilometres in length, was essential to build the western abutment and substructure ahead of the main bridge components being delivered.
- The bridge deck beams would not require access via the haul road as they would be lifted in place from the eastern side.
- Significant amounts of granular fill material would also be required to build the approach embankments. We intended to source this from within the site to avoid the need for significant deliveries, utilising the haul road.
- Phase 1a development adjacent to Pig Lane was well underway.
- The new access road from Skellingthorpe Road through the Phase 1a site was due to be completed later this summer.
- As construction of the haul road commenced before Phase 1a was available for use, vehicle access may initially be via Pig Lane. This shared access of Pig Lane was necessary to deliver the materials and equipment to construct the haul route.
- Once Phase 1a roads were completed, vehicular access would switch to the new infrastructure and interface to Pig Lane would be via a single crossing point.
- The route of the haul road had been carefully planned; preconstruction, environmental, geotechnical and archaeological investigations had helped its route to be determined.
- Moreover, the route had been selected to skirt along the existing hedge boundaries wherever possible. This avoided severance of agricultural lands into unsuitable field parcels and also minimised disturbance to the hedge lines and utilised existing field gates.
- The retention of the hedges helped to screen the existing properties from nearly all of the haul route. At its closest point, the Haul road was situated over 200 metres from the residential housing south-west of the Catchwater and over 800 metres south of the Lincoln Holiday Retreat.
- 'At the closest point' represented the start of the haul road, therefore, as the construction of the haul road continued that distance was actually increased.
- To construct the haul road a relatively small workforce would be required, plus some supervisory staff. This was due its linear nature providing limited work performance at any one time.
- A detailed Construction Environmental Management Plan had been developed for the project, including mitigation measures for construction related noise.
- In summary, the successful delivery of the bridge project required access to the western side of the railway via this temporary haul road, in order to build the western approach embankment and abutment prior to the main bridge components being installed.
- The haul road and its location, like the entire project, had been carefully planned to consider ecology, the environment, cultural heritage and stakeholders, to minimise any impact.
- *(Five minutes speaking time now ended)*

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

The following questions and comments were received from members and responded to by officers:

Councillor Bean

- Thank you. His question went back to his previous question. The haul road mentioned words such as 'as soon as possible' This didn't mean a great deal for local residents. More accurate timings on this were required because he had honestly thought unless he had missed it, that once the bell mouth was opened up, all works traffic would go through there, including any road traffic that was going to go through to the new bridge.
- Question: The Pig Lane road was obviously going to cost quite a sum of money to become a bonded road, together with other necessary provisions he was sure. Why was this money not being used in the first stage of the main road that was going to be built eventually?
- He was concerned for residents because they had already had a year of this, and were going to have to cope with more traffic, even though the bonded road would make a difference, possibly making it quieter with less dust, etc.
- There was a current issue of vibration which was being investigated, and consultations were being held with residents of some of the houses regarding this, together with cracks to their buildings. He was concerned that this application would get the go-ahead before the problems had been discussed and sorted with residents.
- Question: He didn't see why couldn't go through the main road to build this road. He also needed reassurance on timings; it could be 2, 3 or 4 years which was no good for residents. We needed a cap on the timeframe as a matter of urgency and respect to local residents.

Councillor Clarkson

- Three questions first please.
- Question 1: Was any consideration given to routing the temporary haul road along the proposed route of the Spine Road? Would that have resulted in any mitigation on the final cost of the Spine Road and speeded it along?
- He had listened to the reasons why the route of the haul road had been picked and fully appreciated it was essential to the completion of the project. Without it the bridge could not be built and Phase 1a, 1b could not go ahead, and little else without it.
- Question 2: What was the expected completion date for the new junction and the new road? He walked past it every day and had seen significant progress certainly in the last couple of weeks. As we had been told, that would be the main access once ready. When was it expected to be fully functional with permanent traffic lights and pedestrian crossings, signal controlled on each of the four legs?
- On page 109 of the pack, a Construction Vehicle Movements Plan was available, which gave a histogram of expected vehicle movements. He assumed these were return journeys, so 260 per week were actually 130 return journeys. This linked in with Councillor Bean's comments and the letter we were presented with at the start of the meeting from the residents of 1 Burghley Road, and the problems they had been suffering already.
- The plan started 6 May, week commencing 13 May right through to the week commencing 29 July, it projected 150 vehicle movements per day, then in August we moved up to 260. Taking the work timings that were given in the plan, from 7.00am to 6.00pm, 5 days a week and then the half day on Saturdays, through a working week 150 vehicles per week

represented 27 vehicle movements per day, or nearly 2.5 per hour, every 25 minutes or so. When it rose to the maximum of 260 per week, this was 47 movements per day, 4.3 per hour, every 14 minutes. That was significant movement.

- While Pig Lane was being used as the main entry and exit point from there, there was a real safety concern with the current positioning of the temporary traffic lights in that the entry to Pig Lane was within those traffic lights. In other words, it was not controlled by traffic lights. As you approached from the Hartsholme Lake end, when the lights changed colour to green in that direction, people waiting to come out of Pig Lane would either rush to jump the queue that they had just seen moving, or wait and tag on to the end of it. The next point to go green would be Birchwood Avenue, which often led to traffic that appeared to have jumped the lights, however, it was the traffic coming out of Pig Lane tagging on the end.
- Question 3: While Pig Lane was being used as the main exit route from the site, with these considerable number of vehicle movements, plus any other construction related traffic, would there be any additional traffic control onto that point of entry onto Skellingthorpe Road, which was not controlled by traffic lights?
- With 47 movements per day on top of any other construction traffic, that was significant, and created a significant disturbance for residents of Burghley Road and Haddon Close.
- Thank you.

Councillor Dyer

- He was broadly supportive of this application. It was clear we needed the access roads to build a bridge which was desperately needed as part of the development. Unless he had missed it, there wasn't a direct response within the report documents to the concerns raised by Mrs Grant and it was hard not to be moved by what she said regarding the impact of the development on herself and her business. He appreciated the applicants were not here to speak, so hopefully the officers were able to respond to the concerns raised by Mrs Grant. If not, he would find it very hard to support this scheme, specifically as the proposals were impacting not just a local resident, but local business as well.
- There was some comments made within her statement about the Authority not perhaps being as responsive as he would like from a public body. There were other various concerns raised about how the applicant was acting as a neighbour to their most impacted neighbour.
- Question: Could the Planning Authority provide a response to Mrs Grant?
- Question: Was there any condition that could be imposed to ensure that the applicant and developers kept Pig Road clear etc to positively respond to Mrs Grants concerns.? We wouldn't be doing our job as a Planning Committee if we didn't dig a little deeper into the comments that had been put in the report and raised here by Mrs Grant this evening.

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

- In response to Councillor Beans comment and that of Councillor Watt earlier, we were not party to the detailed construction timetable for the development as such. However, there was a clear intention within the Construction Environmental Management Plan for both this application and the previous application, together with a condition on the outline

planning permission, that when the new road was available it would be the principle source of access into the site.

- The graph referred to by Councillor Clarkson which talked about traffic movements indicated work would commence on the haul road in May/June time. In consultation with the applicant, we were expecting the new road into the site to be completed during the summer. While it was difficult to be absolutely definitive, discussion with the applicants again had suggested as a pessimistic view that it would be six months before that road was available. He was not sure from a planning point of view he could say any more than that.
- In terms of comments made by Councillor Clarkson in terms of the haul road relative to the Spine Road, as shown on the Masterplan, the Spine Road was an indicative route and subject to change through the master planning process which had recently started for the wider site. As mentioned by the applicants, the line of the haul road was chosen essentially as the line of least resistance across the site, to avoid ecological features and archaeological points of interest.
- The haul road was a substantial construction, the applicants were certainly aware of this and were considering how it could be utilised in the future were it not to be part of the line of the Spine Road through the site i.e. cycleways, footways across the development were being considered.
- In terms of the junction completion date he had mentioned this as the summer, although we didn't have a definitive date from a planning point of view. It was always difficult with these types of work, opening up a development was expensive and complicated Whilst we would all like the stars to line up perfectly, in terms of the new road being available in time for commencement of the haul road, that may not be the case. This was what the applicants were proposing and we were satisfied that there would be an element of overlap, clearly we would want this to be as short as possible.
- In terms of the histogram diagram referred to, together with traffic movements, the temporary traffic lights, traffic control on Skellingthorpe Road; in discussion with the Highways Authority those traffic controls would need to be adjusted for the volume of traffic mentioned. Ideally, by the time the significant numbers of traffic peaks hit the site, the new road would be available which would be fully traffic signalised and controlled.
- He understood Councillor Dyer's comments and the point he was making. He had listened and read Mrs Grants comments with interest. There was a lot of detail that he hadn't reported within the application from the applicant, in respect of how traffic would be managed along Pig Lane, how a significant element of it would be resurfaced to a level that was much improved from its current status, also times of work, and marshalling of the traffic.
- As the applicant had stated, at the closest point the haul road was 800 metres away from Mrs Grants property, which was a significant distance to giving reassurance in terms of noise and air quality. Equally, there was a control in terms of hours of operation. It would be difficult to add another condition stipulating that the road be kept clear, as there was already a requirement on the outline planning permission that access along Pig Lane and to the property to the north was maintained at all times. This was put on the outline planning consent originally, to ensure Mrs Grant would have access to her property and business, and to be able to operate successfully at all times.



#### Councillor C Burke

- He referred to the letter from Historic England at page 119 of the agenda bundle, relating to the Roman ceramic industry, the significant remains of which were present on the site. He also referred to and our response as a Council on page 104, paragraphs 5 and 6. The significant part mentioned that a written scheme of investigation which addressed these issues was currently in preparation in accordance with condition 21 of the outline planning consent and would be reported in the update sheet if received before the meeting, otherwise a condition could be added.
- Question: Could officers give guidance as to whether or not a condition needed to be added this evening?

#### Councillor Smalley

- She felt a little bit disappointed, although she understood we needed change and new homes as a city. It was disappointing to hear from Mrs Grant that actually as a Planning Authority and a developer, we seemed to be letting people down.
- Whilst she was sure Mrs Grant appreciated at the start of the development that there would be some kind of impact, Councillor Smalley was not sure we were being entirely fair to how Mrs Grant had suffered a loss of income, and additional expenditure when reading the letter and looking at the detail of how much it was affecting her. Mrs Grant had reached out and not had much of a response. Councillor Smalley was concerned she wasn't getting a duty of care and felt we had clearly let her down there.
- Supporting Councillor Dyer's comments, we were happy to clean the road which obviously we should, however, when there were other businesses and people refusing to use the road at Pig Lane, we should be making sure that it was safe to use as well.
- Question: She wondered whether any further support or suggestion could be offered as to how we could assist?

#### Councillor Bean

- Question: Could the planning officer clarify his statement relating to a 'pessimistic view' that it would be six months before the new road into the site would be available, when did that six months start?
- Question: Where did this bring us to as regards to Pig Lane being able to return to its original use if there was no definitive date specified?
- This made it hard for him to vote at this stage of the planning application.
- In all his dealings in the local vicinity with local residents to the scheme, all the residents had been positive towards the contractors, Lindum, saying they had been very helpful and answered all their questions. He wished to put on record that many residents had been happy with the contractors responses to their concerns

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

- In response to Councillor C Burke, a condition was suggested on page 105 of the agenda bundle in terms of the archaeological written scheme of investigation that was referred to within the report. The condition dealt with any concerns that the City Archaeologist may hold, and dealt with the issues and representation made by Historic England.
- In terms of the concerns raised again by Councillor Smalley regarding the impacts on Mrs Grant and her business in particular, as previously stated we had a condition on the outline planning permission that Pig Lane

remained open at all times in order she could maintain access, and the two Construction Environmental Management Plans also reiterated this.

- The planning process could go so far in ensuring that a person's business was unaffected by development, and equally as members would appreciate, the applicants were in the room listening to the debate, he had no doubt that they would take away the comments and concerns raised, and we would seek to deal with them.
- In terms of a definitive date for the new road to be available, which he was reluctant to give and could not do so, the graph as part of the agenda bundle indicated a May start for the haul road, therefore six months from then was a pessimistic view of when the main road into the site would be available. It was hoped it would be ready by summer. Six months from May was November, which was why it represented a pessimistic view.

Questions and comments from members continued.

#### Councillor Clarke

- Could the planning officer offer a point of clarification. He walked past this junction every day and had seen significant progress on the Birchwood Avenue side of the development. The opposite side of the road seemed to be completed, however, since the hoarding fences were erected a few weeks ago it was impossible to see into the site.
- Question: Was as much progress being made behind the hoarding for the road that would lead to the temporary bridge as was visible at the Birchwood Avenue junction?
- Looking at the Birchwood Avenue junction it was hard to think it would be six months before it was completed. They were putting in the sub strata, bringing up the levels, laying the curbing and it looked as if they just needed to complete the fill out of the hole and lay the tarmac.

The Planning Team Leader advised that progress was moving forward rapidly, which was why he had used the word 'pessimistic' over six months. It was difficult to say for certain as unexpected things could happen. He felt that summer was the most likely completion timescale which was earlier than November.

No further comments or questions were forthcoming.

The Chair moved to the vote.

*(Councillor N Chapman and Councillor D Armiger did not vote as they left the room before the vote was taken and were not party to the full debate.)*

RESOLVED that:

That the application be granted subject to the following condition:

#### Condition

1. Submission of an archaeological scheme of investigation should it not be received before a decision is taken on the application.

### **59. Western Growth Corridor, Skellingthorpe Road, Lincoln - Substation**

*(Councillor Metcalfe and Councillor Smalley left the meeting at this stage in the proceedings. They took no part in the discussions or vote on the final matter to be determined.)*

Simon Cousins, Planning Team Leader, presented a visual power point display in which he:

- a) outlined the detail of the planning site location and proposal as follows:
  - A hybrid planning application (2019/0294/RG3) granted full planning permission and outline consent in January 2022 for the development of the Western Growth Corridor (WGC) Sustainable Urban Extension.
  - The full element granted permission for the means of access to the development from Skellingthorpe Road and Tritton Road. Works to construct the Skellingthorpe Road access and the first section of the spine road were currently underway.
  - The outline element granted consent for the development of up to 3,200 dwellings, a local centre, primary school, commercial uses, leisure uses, highways infrastructure and open space.
  - A reserved matters application for 52 homes within Phase 1A was being presented to Members for consideration tonight. Phase 1A was located to the north east of Skellingthorpe Road, opposite the junction with Birchwood Avenue.
  - This application sought full planning permission for the erection of two substations, which were required to facilitate the delivery of the housing proposed within Phase 1A.
  - One of the substations was located within Phase 1A, at the north corner of the development site, adjacent to the Grosvenor Avenue turning head. The other was located to the north east of the development boundary and the Catchwater Drain, to the south east of the spine road.
- b) referred to the site history to the planning application as detailed in full within the officer's report
- c) provided details of the policy pertaining to the application, as follows:
  - Policy S53: Design and Amenity
- d) provided details of the issues pertaining to the application, as follows:
  - Visual amenity
  - Highways and drainage
- e) outlined the responses made to the consultation exercise
- f) concluded that:
  - There was no objection to the position of the substations or to their simple, functional design.
  - They would not cause harm to the wider context.
  - Matters relating to highways and drainage had been appropriately considered by the relevant statutory consultees.

- The proposals would therefore be in accordance with the requirements of CLLP Policy S53.

No comments or questions from members were forthcoming.

The Chair moved to the vote.

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

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

**Present:** Councillor Bob Bushell (*in the Chair*),  
Councillor Gary Hewson, Councillor Debbie Armiger,  
Councillor Alan Briggs, Councillor Chris Burke, Councillor  
Liz Bushell, Councillor Martin Christopher, Councillor  
Rebecca Longbottom, Councillor Mark Storer, Councillor  
Edmund Strengiel and Councillor Dylan Stothard

**Apologies for Absence:** Councillor Bill Mara

**61. Confirmation of Minutes - 24 January 2024**

RESOLVED that the minutes of the meeting held on 24 January 2024 be confirmed.

**62. Update Sheet**

There was no update sheet for tonight's meeting.

**63. Declarations of Interest**

No declarations of interest were received.

**64. Applications for Development**

**65. Lincoln Central Market, Sincil Street, Lincoln**

The Planning Team Leader:

- a) advised that the application sought advertisement consent for the installation of signs to the exterior of Lincoln Central Market, Sincil Street, Lincoln, a grade II listed building
- b) reported the location of the site within the Cathedral City Centre and Conservation Area No 1
- c) advised that the application was brought before Planning Committee as the Central Market was owned by the City Council who was also the applicant.
- d) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy NS55: Advertisements
- e) provided details of the issues to be assessed in relation to the planning application, as follows:
  - Local and National Planning Policy
  - Visual Amenity
  - Highway Safety
- f) outlined the responses made to the consultation exercise

g) concluded that:

- The proposed signage would not be detrimental to either visual amenity or highway safety.
- The signs were therefore in accordance with local and national planning policy.

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

**Standard Conditions**

- 01) The express consent hereby approved is valid for a period of five years beginning with the date of this permission.

Reason: By virtue of Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 02) The consent hereby given is for the particular advertisements described in Part I above and should be displayed in full accordance with the details shown on the application form and the accompanying drawings.

Reason: Pursuant to paragraph 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007 and in the interests of the visual amenity.

- 03) 1. Before any advertisement(s) is/are displayed on land in pursuance of this express consent the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.  
2. All advertisements displayed, and any land use for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.  
3. Any hoarding or similar structure, or any sign, placard, board or devices erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Council.  
4. Where advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: Required to be imposed by paragraph 14 and Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

**Conditions to be discharged before commencement of works**

None.

**Conditions to be discharged before use is implemented**

None

**Conditions to be adhered to at all times**

None.

**66. Lincoln Central Market, Sincil Street, Lincoln (LBC)**

The Planning Team Leader:

- a) advised that the application sought listed building consent for the installation of a package of signs to the interior and exterior of Lincoln Central Market, Sincil Street, Lincoln, a grade II listed building
- b) reported the location of the site within the Cathedral City Centre and Conservation Area No 1
- c) advised that the application was brought before Planning Committee as the Central Market was owned by the City Council who was also the applicant
- d) highlighted that the signs were part of the wider redevelopment and refurbishment of the Central Market building which was nearing completion
- e) gave details of the history to the application site as detailed within the officer's report
- f) provided details of the policies pertaining to the application, as follows:
  - National Planning Policy Framework
  - Policy S57: The Historic Environment
- g) provided details of the issues to be assessed in relation to the planning application, as follows:
  - Local and National Planning Policy
  - Effect on the Special Architectural Character and Historic Interest of the Listed Building
- h) outlined the responses made to the consultation exercise
- i) concluded that:
  - The proposal was considered to be in accordance with the duty contained within section 16 (2) of the Planning (Listed building and Conservation Areas Act) 1990, in considering whether to grant listed building consent for any works the LPA or SoS shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

**Standard Conditions**

- 01) The Works must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details submitted with the application. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

**Conditions to be discharged before commencement of works**

None.

**Conditions to be discharged before use is implemented**

None.

**Conditions to be adhered to at all times**

None.



**SUBJECT: CONFIRMATION OF TREE PRESERVATION ORDER 181**

**DIRECTORATE: COMMUNITIES AND ENVIRONMENT**

**REPORT AUTHOR: KIERON MANNING, ASSISTANT DIRECTOR - PLANNING**

## **1. Purpose of Report**

- 1.1 To have confirmed one (temporary) Tree Preservation Order, made by the Planning Manager under delegated powers. The order currently provides 6 months of temporary protection for the trees but is required to be confirmed by the Planning Committee to provide long term future protection.

## **2. Executive Summary**

- 2.1 A Tree Preservation Order gives statutory protection to trees that contribute to the amenity, natural heritage or attractiveness and character of a locality.
- 2.2 The making of any Tree Preservation Order is likely to result in further demands on staff time to deal with any applications submitted for consent to carry out tree work and to provide advice and assistance to owners and others regarding protected trees. This is, however, contained within existing staffing resources.
- 2.3 The making of Tree Preservation Orders reduces the risk of losing important trees, groups of trees and woodlands. It further allows the Council to protect trees that contribute to local environment quality.

## **3. Background**

- 3.1 Tree Preservation Order 181 was made on 15 November 2023 protecting 1no. Tilia x Europaea (European Lime) tree in the grounds of 16 Drury Lane, Lincoln, LN1 3BN.
- 3.2 The tree is considered to contribute to the visual amenity of the area and the unauthorised removal of the tree would be considered to be detrimental to visual amenity.
- 3.3 The initial 6 months of protection would end for the Tree Preservation Order on 15<sup>th</sup> May 2024.

## **4. Consideration**

The reason for making a Tree Preservation Order on this site is as a result of an application to fell the tree. The tree is located within a conservation area which is why consent was required. The request to fell the tree was made due to damage to an adjacent boundary wall, allegedly caused by this tree, however there was no evidence such as a structural engineers report, submitted to support this. On this basis, a Tree Preservation Order was sought to prevent this tree being felled.

Following a 8-week consultation period (to account for the Christmas and New Year period) no objections have been received to the order.

## **5. Strategic Priorities**

- 5.1 Confirmation of Tree Preservation Order 181 would ensure that the tree would not be removed or worked on without the express permission of the Council which would be considered detrimental to visual amenity and as such the protection of the tree would contribute to enhancing our remarkable place.

## **6. Organisational Impacts**

- 6.1 Legal Implications – Anyone who wishes to carry out works to the tree will require consent from the City of Lincoln Council first.

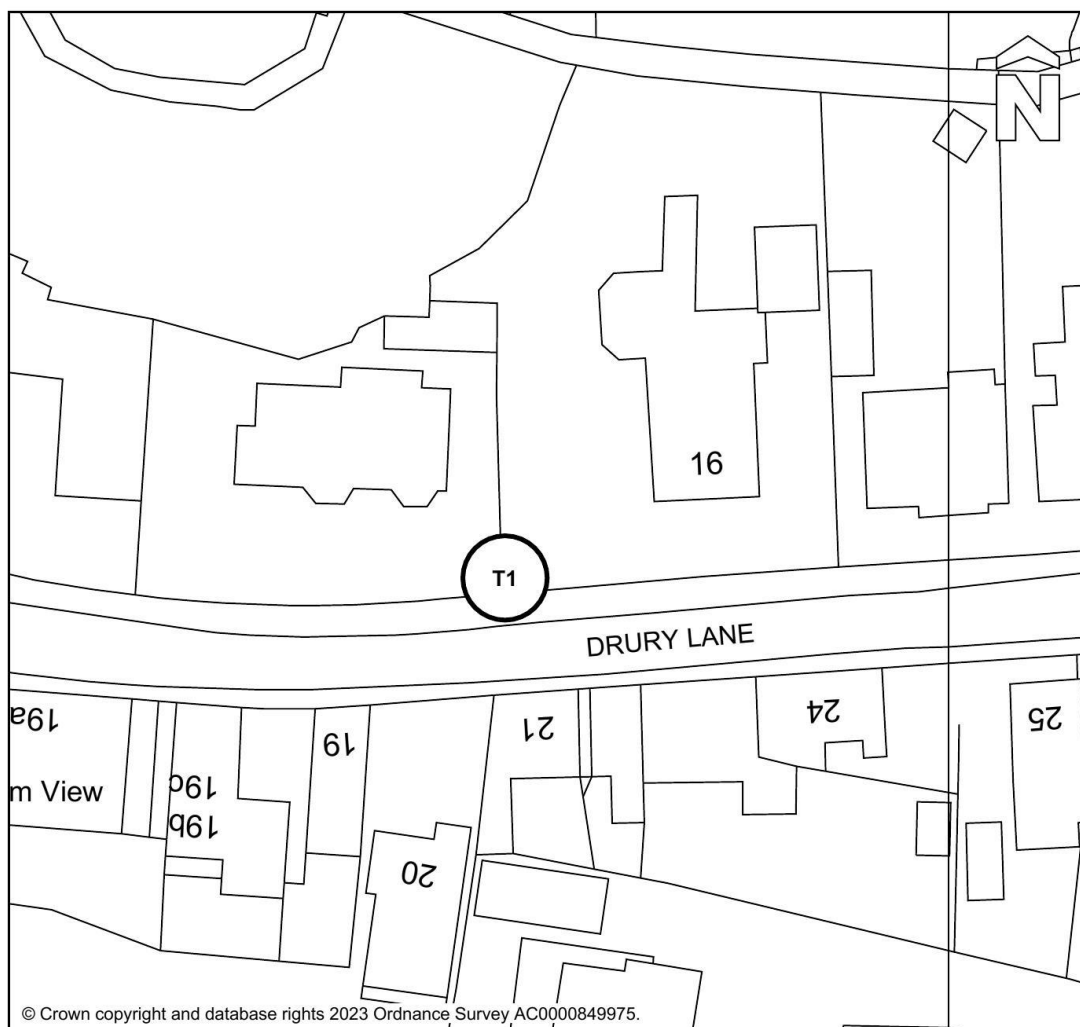
## **7. Recommendation**

- 7.1 It is recommended that Members confirm the Tree Preservation Order without modifications, and that the Officer carries out the requisite procedures for confirmation.

**How many appendices does the report contain?** None

**List of Background Papers:** None

**Lead Officer:** Kieron Manning, Assistant Director - Planning  
[Kieon.manning@lincoln.gov.uk](mailto:Kieon.manning@lincoln.gov.uk)



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### Drury Lane (No. 16) Tree Preservation Order No.1 2023

T1 - Prunus

	<p>CITY OF <b>Lincoln</b> COUNCIL</p>
<p>City Hall, Beaumont Fee, Lincoln, LN1 1DD</p>	
<p>Website: <a href="http://www.lincoln.gov.uk">www.lincoln.gov.uk</a></p>	
<p>Scale: 1:500 at A4</p>	
<p>Version 1: 28-Sep-2023</p>	





<b>Application Number:</b>	2024/0040/HOU
<b>Site Address:</b>	1 Shearwater Road, Lincoln, Lincolnshire
<b>Target Date:</b>	23rd March 2024
<b>Agent Name:</b>	Brayford Designs
<b>Applicant Name:</b>	Mr Quyen Truong
<b>Proposal:</b>	Erection of outbuilding and installation of dropped kerb on Skellingthorpe Road to create new access.(Resubmission from planning application 2023/0711/HOU).

### **Background - Site Location and Description**

The application seeks permission for a detached outbuilding and a new dropped kerb.

The property is a detached house located on the corner of Skellingthorpe Road and Shearwater Road. The property is accessed from Shearwater Road although the application proposes an additional access from Skellingthorpe Road and associated works including a dropped kerb, remodelling of the existing boundary wall and gates to create an opening. In addition, the application also proposes an outbuilding within the rear garden adjacent to the boundary with No. 5 Shearwater Close and the rear boundary of the application property.

A previous application was refused because of the outbuilding's position close to a protected tree within the garden. The resubmission proposes a repositioning of the access and the outbuilding.

### **Site History**

Reference:	Description	Status	Decision Date:
2023/0711/HOU	Erection of outbuilding and installation of dropped kerb on Skellingthorpe Road to create new access (Part-retrospective).	Refused	20th November 2023

### **Case Officer Site Visit**

Undertaken on 6<sup>th</sup> March 2024.

### **Policies Referred to**

- National Planning Policy Framework
- Policy S53 Design and Amenity
- Policy S66 Trees, Woodland and Hedgerows

### **Issues**

- Impact on residential amenity
- Impact on protected trees
- Highway Safety



## **Consultations**

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

The application has resulted in an unusually large number of comments and objections for the scale and type of proposal. Some of these comments have been redacted due to issues being raised which are not in relation to the current application and are of a personal nature to the applicant or involve investigations outside of the planning process.

Many of the objections have raised concern with the use of the main property. Since 2016, a number of visits have been made to the property by Council Officers to establish whether the property is being occupied as a house in multiple occupation. In each case, the owner has maintained that the property is occupied by family members and there has been no evidence to disprove this when the site has been visited by your Planning Enforcement Officers. A Housing Standards Enforcement Officer has also visited the property within the last year and he was also satisfied that the property was not a house in multiple occupation under the Housing Act definition.

The material considerations for this application are the impacts of the dropped kerb and erection of the outbuilding only. Comments regarding the use of the main property, the need for the proposals or motives of the applicant are not relevant and should not be given any weight in the planning balance.

Material comments raised during the consultation period include: highway safety, increased noise, impact on trees, over shadowing and impact on character. The comments are appended to this report and can be seen online at <https://planning.lincoln.gov.uk/online-applications> using the application reference number.

## **Statutory Consultation Responses**

Consultee	Comment
Highways & Planning	Comments Received

## **Public Consultation Responses**

Name	Address
Mr John Williams	3 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mrs Janine Williams	3 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr Mark Morley	3 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Rob Whiley	2 Shearwater Road Lincoln Lincolnshire LN6 0XX
Karen Gerrard	1 Shearwater Close Lincoln Lincolnshire LN6 0XU
Miss Joanne Wells	5 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr Graham West	12 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Alan Ward	14 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr David Bishop	6 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Jason Brewer	5 Shearwater Road Lincoln Lincolnshire LN6 0XX

Mr Colin Brewer	6 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mrs Maxine Azzopardi	263 Wragby Road Lincoln Lincolnshire LN2 4PZ
Mrs Maxine Morley	3 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Raymond Peters	12 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr Nigel Cobbold	10 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Keith Hayes	4 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mrs Anne Gordon	8 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mrs Sue Brown	7 Goldcrest Close Lincoln Lincolnshire LN6 0UX
Julie Abel	5 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr Keith Hayes	4 Shearwater Close Lincoln Lincolnshire LN6 0XU



Mr Richard Geddes	8 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Kenneth Foster	2 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr Brian Harding	11 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr David Condon	41 Burghley Road Lincoln Lincolnshire LN6 7YE
Mrs Susan Mary (Sue) Brown	7 Goldcrest Close Lincoln LN6 0UX
Mr Quyen Truong	1 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mrs Geraldine Geddes	8 Shearwater Road Lincoln Lincolnshire LN6 0XX
Mr Darren Juggins	14 Sturgate Close Lincoln Lincolnshire LN6 0NY
Mr Raymond Peters	12 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mr Alan Ward	14 Shearwater Close Lincoln Lincolnshire LN6 0XU
Mrs Ruth Chapman	9 Shearwater Close Lincoln Lincolnshire LN6 0XU

## **Consideration**

### **Principle of the Development**

With regard to National Planning Policy, Paragraph 174 of the NPPF states, among other things, that planning policies and decisions should protect and enhance valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

With regard to Local Policy, Central Lincolnshire Local Plan (CLLP) Central Lincolnshire Local Plan (CLLP), Policy S53 'Design and Amenity' covers all new development. The policy permissive of alterations to existing buildings providing they achieve a high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Extensions should reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style and should not result in harm to people's amenity either within the proposed development or neighbouring through overlooking, overshadowing, loss of light or increase in artificial light or glare.

With regard to Policy S66 it states that "Development proposals should be prepared based on the overriding principle that: o the existing tree and woodland cover is maintained, improved and expanded. Where the proposal will result in the loss or deterioration of a tree protected by a Tree Preservation Order or a tree within a Conservation Area, then permission will be refused unless: c) there is no net loss of amenity value which arises as a result of the development; or d) the need for, and benefits of, the development in that location clearly outweigh the loss."

### **Consideration of Issues**

#### **Impact on Amenity from the Outbuilding**

The outbuilding would measure 6 metres long and 3.6 metres wide and would be approximately 2.4 metres to the eaves with a total height of 3.5 metres, positioned within the southern corner of the site adjacent to the boundary with No. 5 Shearwater Close. The outbuilding requires planning permission because it is higher than 2.5 metres within 2 metres of a boundary, therefore without the pitched roof, the structure would be permitted development.

The structure would be positioned approximately 20 metres from the rear elevation of the closest neighbouring property No. 5 Shearwater Close. Taking account of this relationship, it is not considered the single storey structure would be unduly harmful to residential amenity in terms of having an overbearing impact or cause undue overshadowing. Windows would be positioned in the north and east elevations of the outbuilding and therefore overlooking would not be caused by the proposal.

The application states that the outbuilding would be used for storage; concerns have been raised by neighbours with regard to the future use of the outbuilding. As with all householder developments, the applicant will be able to use the building for purposes which are incidental to the enjoyment of a dwellinghouse which have been held to include those connected with the running of the dwellinghouse or with domestic and leisure activities of the persons living

in it. Officers propose a condition to ensure the outbuilding is used in line with the above and ancillary to the main property.

With regard to visual amenity, the outbuilding would be positioned approximately 16 metres away from Skellingthorpe Road. Given the set back and the side and rear boundary fences, the structure will not appear overly prominent. In any case, the structure would be constructed of wood cladding, concrete roofs tiles and UPVC windows. Officers consider that such a construction would not be an unusual addition within the grounds of a dwelling and would not be unduly prominent when viewed from the wider area. It is therefore considered the outbuilding is appropriately designed and would not cause harm to visual amenity in accordance with Policy S53 of the CLLP.

It is not considered there are any other properties in the vicinity that would be affected by the outbuilding and officers are therefore satisfied that the outbuilding would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy, in accordance with Policy S53 of the CLLP.

### Impact on Trees

With regard to the impact on trees within the area, the majority of the trees within the rear garden are protected under the Skellingthorpe Road No. 5 Tree Preservation Order. An Arboricultural Method Statement (AMS) has been submitted with the application detailing how the proposal can be constructed without harm to the trees. The proposed outbuilding infringes into the root protection area (RPA) of G1, which consists of two trees within the neighbouring property (No. 5 Shearwater Close) by approximately 16%. The City Council's Arboricultural Officer has been consulted on the proposal and considered that as the percentage is below the maximum incursion of 20% as recommended by BS 5837:2012 and the foundations are to be installed using a no dig method, he raises no objections to the proposed siting / construction of the proposed structure.

G2 was considered within the AMS which advises these are to be removed to accommodate the proposal. G2 consists of a group of young holly, beech and Leyland cypress trees growing in close competition. The City Council's Arboricultural Officer also has no objection removal of these given the minimal impact on visual amenity and the young age of these specimens. Officers have spoken to the applicant regarding replanting and he has stated that he wants to keep the trees in situ if possible. Officers are supportive of either approach but propose a condition that if the group of trees are removed, they are replaced elsewhere in the site. The applicant is agreeable to such a condition. There would also be some pruning works required to an Oak tree (T4) within the site, the City Council's Arboricultural Officer considers this pruning work to be in line with BS3998 : 2010 recommendations and therefore has no objection to this pruning work.

Officers propose a condition that the development will be carried out in accordance with the recommendations of the Arboricultural Method Statement.

Overall, subject to the conditions detailed above, it is not considered that the outbuilding would result in amenity loss from impact on trees as a result of the development in accordance with Policy S66 of the Central Lincolnshire Local Plan.

### Impact of Dropped Kerb

With regard to the impact on trees within the site from the dropped kerb, new driveway and wall/gates, the driveway would be within the RPA of T4, T5, T6, and G1 although a cellular

confinement system is proposed to prevent damage to tree roots. Areas which require digging, such as the adjustment of the boundary wall, would need to be hand dug as detailed within the AMS which will be conditioned accordingly. Subject to this condition, it is considered that the dropped kerb, new driveway and modifications to the wall can be undertaken without causing harm to the roots of the trees on the site.

With regard to increase noise and disturbance from the access, the property is located adjacent to Skellingthorpe Road where passing traffic noise can be heard throughout the immediate area. It is not considered that the access would increase noise and disturbance above and beyond the existing background noise already experienced from the traffic on Skellingthorpe Road.

With regard to highway safety, many local residents have made representations regarding the safety of the new access, including concerns regarding visibility splays, proximity to a public footpath into Hartsholme Park and concern regarding its position. The access would be directly onto Skellingthorpe Road, a B road with a 40MPH speed limit. Skellingthorpe Road has various access roads to housing estates and unclassified roads accessed from it as well as driveways to dwellings which are directly accessed from the road both within the 30 MPH and 40 MPH areas.

The proposal has been developed in accordance with highway advice and amended accordingly to provide turning space within the site to ensure vehicles can leave the site in a forward gear, the proposed gates are sufficiently set within the site to ensure a vehicle would not overhang the highway when entering the site and the boundary wall has been modified to ensure appropriate visibility splays when leaving the access. Given the above has been incorporated, the highway authority has raised no objections to the proposal subject to an informative stating that the applicant should also seek consent from the County Council before works commence.

Overall, given the likely slow speed a vehicle will enter and leave the site and the mitigation measures put in place regarding turning and visibility, it is not considered that the proposal would have highway safety implications that would constitute a severe impact in accordance with Policy S47 of the Central Lincolnshire Local Plan. Officers do, however, propose a condition to ensure that the boundary wall is modified before the access is brought into use to ensure appropriate visibility.

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

Yes.

#### **Financial Implications**

None.

#### **Legal Implications**

None.

#### **Equality Implications**

None.

## **Conclusion**

The scale and design of the proposed outbuilding is acceptable and the design would sympathetically complement the local architectural style. The proposals would not cause undue harm to the amenities which occupiers of neighbouring properties may reasonably expect to enjoy. Matters in relation to highways and impact on trees have been appropriately considered. The application would therefore be in accordance with the requirements of Central Lincolnshire Local Plan Policies S47, S53 and S66 and guidance within the National Planning Policy Framework.

## **Application Determined within Target Date**

Yes.

## **Recommendation**

That the application is granted conditionally:

- Tree planting scheme – for any trees within G2 which are removed
- No dig solution for outbuilding and driveway
- Recommendations of the method statement implemented
- Use of the outbuilding remains incidental to the main dwellinghouse
- Before the access is first brought into use, the wall shall be modified as proposed on the drawing

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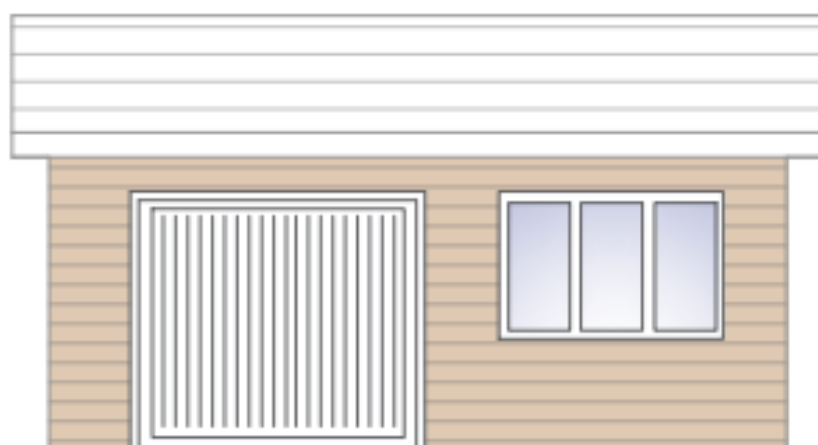
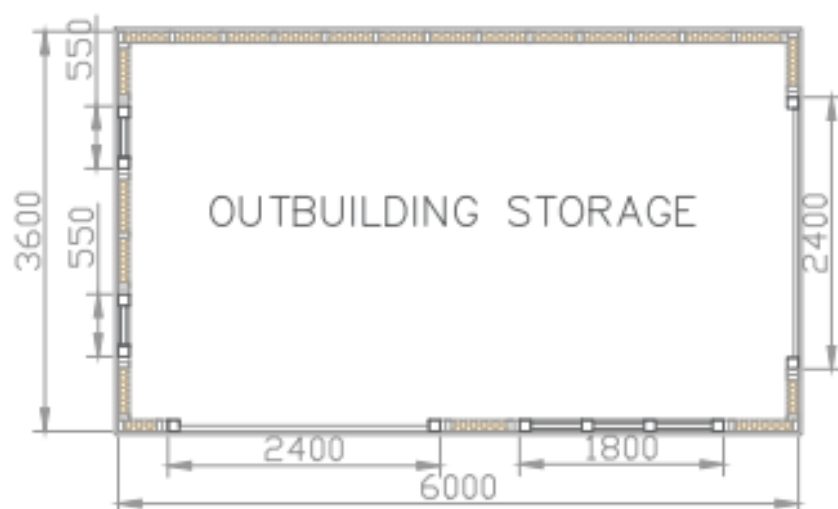


**Existing Site Plan 1:500**



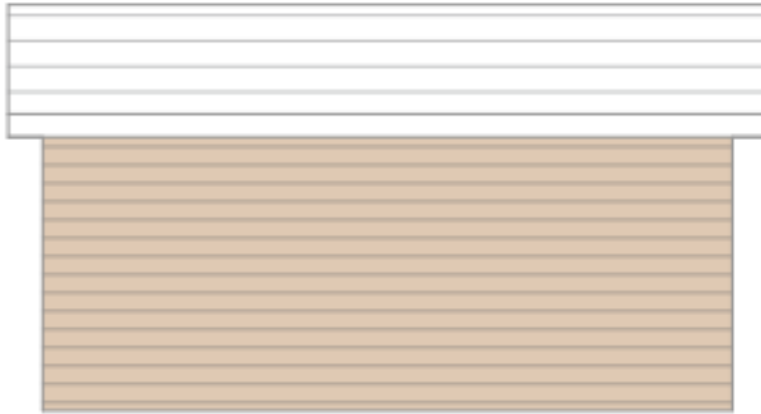
**Proposed Site Plan 1:500**

## Floor Plan 1:50



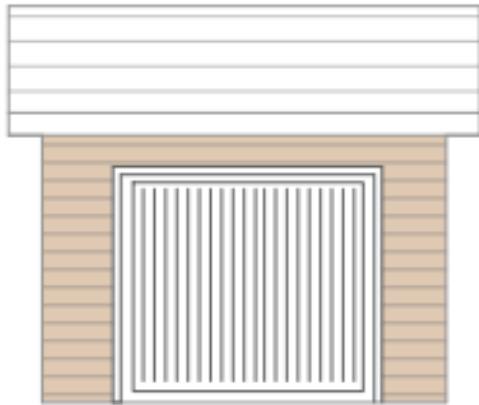
PROPOSED NORTHERN ELEVATION



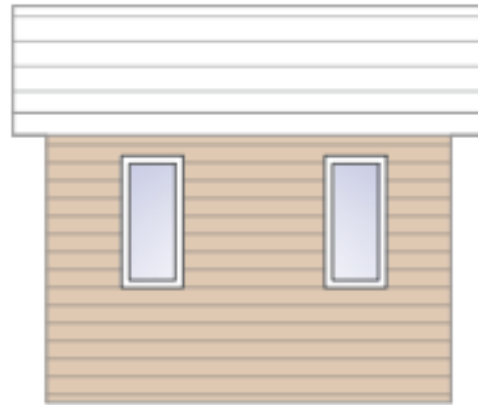


PROPOSED SOUTHERN ELEVATION

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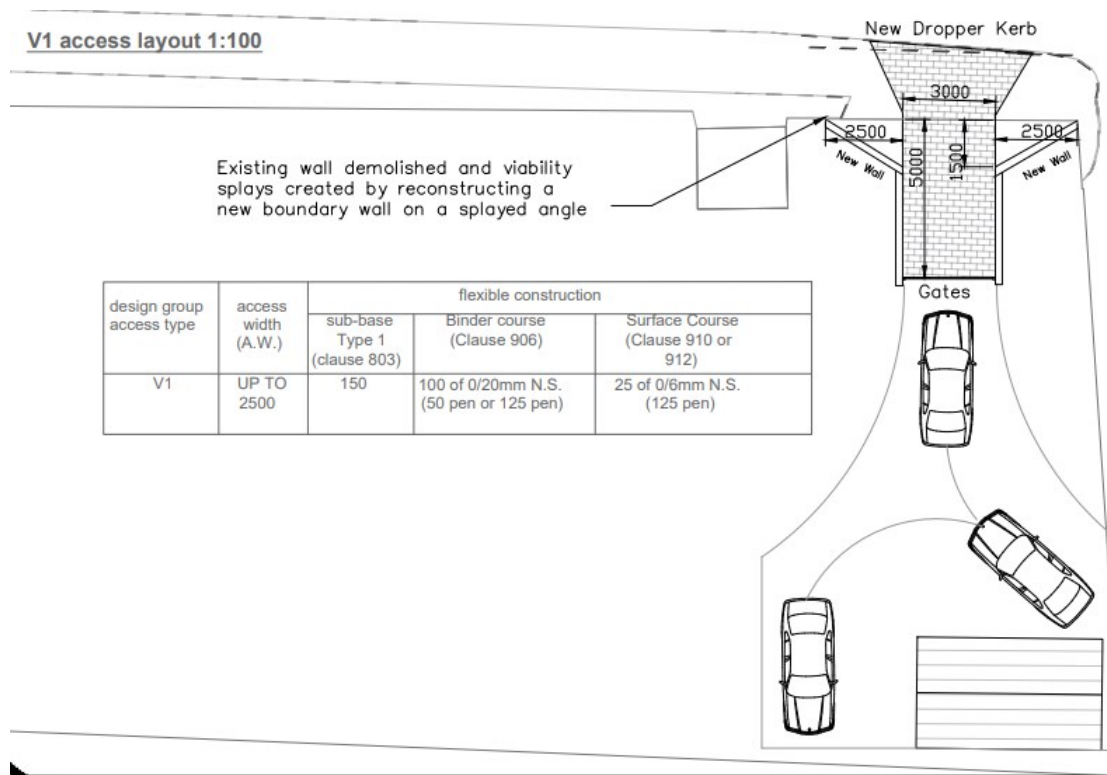


**PROPOSED WESTERN ELEVATION**



**PROPOSED EASTERN ELEVATION**

**V1 access layout 1:100**







Rear garden of application site





Rear garden of application site





Position of proposed outbuilding









Boundary towards Skellingthorpe Road





Boundary towards Skellingthorpe Road





View east down Skellingthorpe Road





View west down Skellingthorpe Road





Side boundary showing pedestrian access to Hartsholme Park





Side boundary to Skellingthorpe Road





Side boundary to Skellingthorpe Road







**Appendix 4:     Site Images**

	
Image 1 – T1	Image 2 – Left to right: T5, T4, T3, T1, T2
	
Image 3 – T6	Image 4 – T7
	
Image 5 – G1 in foreground	Image 6 – G2

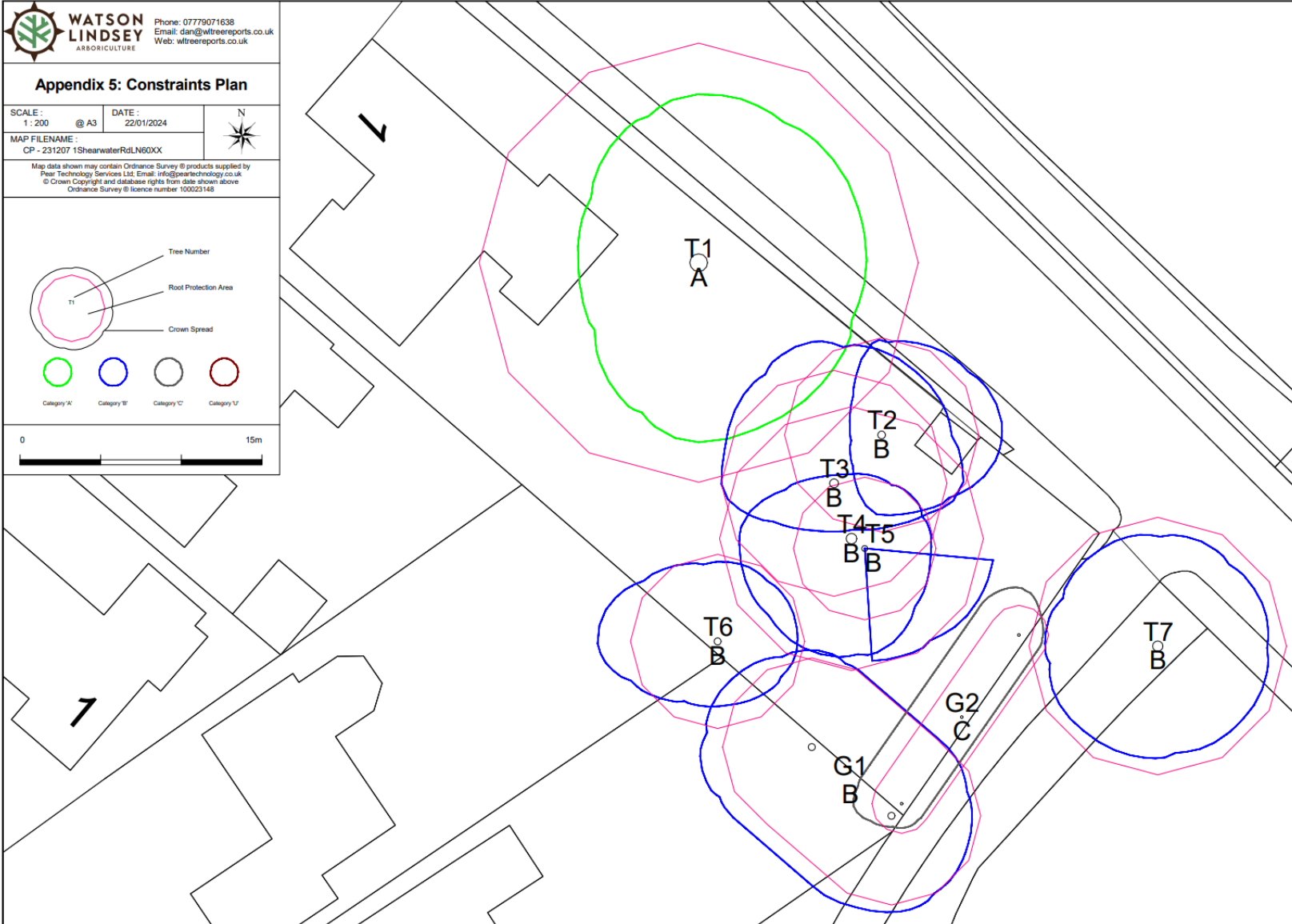
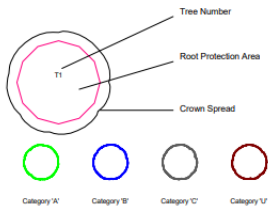


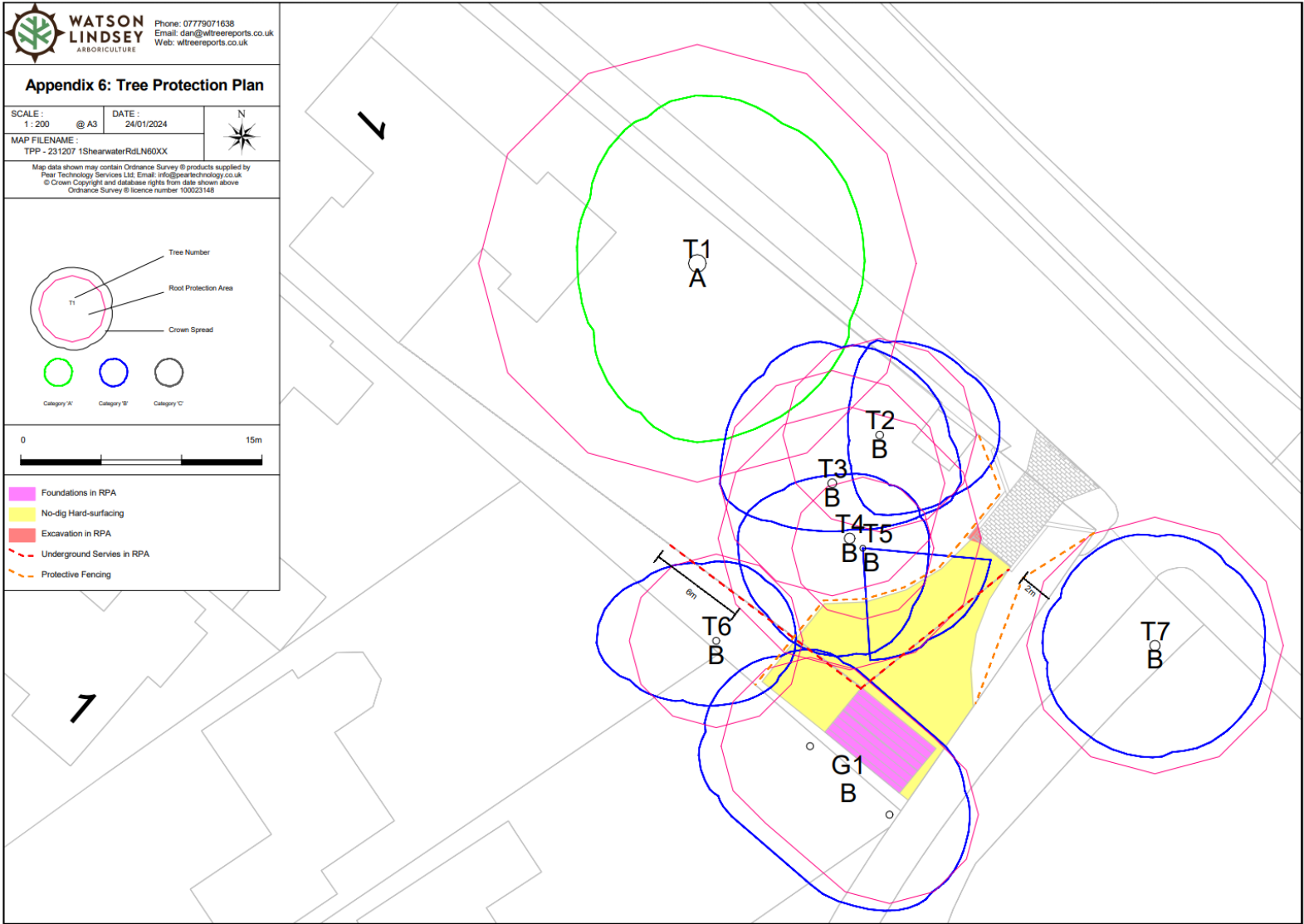
Image 7 – G2



**Appendix 5: Constraints Plan**

SCALE : 1 : 200 @ A3 DATE : 22/01/2024  
MAP FILENAME : CP - 231207 1ShearwaterRdLN60XX  
Map data shown may contain Ordnance Survey © products supplied by  
Pear Technology Services Ltd. Email: info@peartechnology.co.uk  
© Crown Copyright and database rights from date shown above  
Ordnance Survey © licence number 100023148





<b>Application Number:</b>	2024/0040/HOU
<b>Site Address:</b>	1 Shearwater Road, Lincoln, Lincolnshire
<b>Target Date:</b>	23rd March 2024
<b>Agent Name:</b>	Brayford Designs
<b>Applicant Name:</b>	Mr Quyen Truong
<b>Proposal:</b>	Erection of outbuilding and installation of dropped kerb on Skellingthorpe Road to create new access.(Resubmission from planning application 2023/0711/HOU).

### **Public Consultation Responses**

#### **Name**

Mr John Williams (Some points redacted)

#### **Address**

3 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

#### **Date Received:**

2nd February 2024

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

The damage to the trees in the garden that have TPOs.

Danger to life from the entry gate onto Skellingthorpe Road, taking in to account that this road will have increased traffic from the new housing development.

The owner of No1 Shearwater Close has for years disregarded their neighbours and council. There is a balcony still up in the rear garden that does not have planning permission and was to be taken down.

He has several lodgers when the last application for a HMO was rejected.

I was told after the last conversion with the council that a Donna Morris would call me to discuss this. Not a single response from her.

This application cannot get ahead as this is an area the residents admire and look after. It's not an area when you can run a business from your back garden with total disrespect to those properties around it.

There will be significant damage to the trees not only above ground but to the root systems. Also the wildlife will be affected.

There is a danger to life with the proposed gate location onto Skellingthorpe Road, especially with the increase in traffic.

**Name**

Mrs Janine Williams

**Address**

3 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

2nd February 2024

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

The damage to the trees in the garden that have TPOs.

Danger to life from the entry gate onto Skellingthorpe Road, taking in to account that this road will have increased traffic from the new housing development.

The owner of No1 Shearwater Close has for years disregarded their neighbours and council. There is a balcony still up in the rear garden that does not have planning permission and was to be taken down.

He has several lodgers still there when the last application for a HMO was rejected.

This application cannot get ahead as this is an area the residents admire and look after. It's not an area when you can run a business from your back garden with total disrespect to those properties around it.

There will be significant damage to the trees not only above ground but to the root systems. Also the wildlife will be affected.

There is a danger to life with the proposed gate location onto Skellingthorpe Road, especially with the increase in traffic.

**Name**

Mr Mark Morley

**Address**

3 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

(Some points redacted)

I would also like to include and raise every single point from my neighbours and include these in my objection for your consideration in this case. Please see below.

Previous application 2023/0711/HOU was rejected due to trees. It seems the structure, and consequently the access to the road has now moved in an attempt to bypass this. In moving the location of the exit onto Skellingthorpe Road as a result of this, there is arguably a significant increase in risk associated with lack of vision when exiting and not exiting into the slip road for Shearwater Road.

it is very apparent that the proposed access will not comply with these requirements. I have paced out 65 metres east along Skellingthorpe Road from the proposed access point and there is no way that the required visibility can be achieved. The property boundary is not even parallel to the road at this point causing further difficulty.

This is in addition to the fact that it has to cross a very narrow shared footpath and cycleway along which many schoolchildren travel every day.

When approaching the junction in a vehicle there is already an issue with cyclists who do not stop when crossing Shearwater Road at some speed, so are less likely to be aware of this exit which will be obscured.

All this is aside from our collective suspicions that the owner wishes to extend his current business empire operating (illegally) from the property.

#### ROAD SAFETY PEDESTRIANS/ CYCLISTS/ TRAFFIC

The proposed entrance and dropped kerb to allow access to No1 Shearwater Road is accessed across the combined footpath and cycle track, the slip road for Shearwater Road from Skellingthorpe Road ( the B1378 ) and is at 90 degrees to the slip road, not Skellingthorpe Road.

Westbound traffic on Skellingthorpe Road turning in to this entrance will have to turn through more than 90 degrees.

There are many risks to be considered when the left turn is greater than 90 degrees. Positioning, slowing, stopping on Skellingthorpe Road, the slip road and the dropped kerb which would include the pavement and cycle path are all potential hazards. All at the inconvenience and danger to other road users, pedestrians and cyclists.

It is slightly easier for Eastbound traffic although the manoeuvre itself has the same associated dangers as in the previous paragraph.

The proposed 'storage facility' in the garden does not say that it is for domestic use only. Commercial use of such a facility might incur the use of commercial vehicles which may have to reverse in, with the associated dangers or even worse, reverse out.

On visual inspection it would appear that the drive-way of No1 Shearwater Road could accommodate the entering and exiting to the rear of the property of motor cars or even light commercial vehicles like a Transit Van. Perhaps allowing access to the storage facility via the existing drive would inconvenience the residents ( plural ), the owner and the cars they park in the environs of No1.

There is always an eclectic mix of vehicles on the drive and the coming and going suggest that the house is being used as a HMO but not in an approved or authorised capacity, as I am aware the application for this has been previously dismissed.

This doesn't seem to have stopped the owner having several house guest that are of permanent residence at the property with vehicles parked on the

roadside, driveway and lawn area to the front of the property which is visible on most occasions.

The request for rear access off a busy 40mph road, seems unnecessary unless it is to utilise the rear of the property for additional parking, associated with his illegal HMO operation or it is in preparation for additional accommodation to the rear of the property in the extensive garden used to store disused cars which are now visible due to the trees being removed.

I also understand a building has been erected with out prior planning permission that is now being removed.

Skellingthorpe Road has a 40mph speed limit at the point at which there is an exit slip on to Shearwater Road which serves around 110 homes as well as being a busy pedestrian/cycle route through to Nightingale Crescent and the Birchwood estates. This slip road allows vehicles to decelerate before they turn into Shearwater Road. The area is particularly dark at night time.

The proposal to instal a dropped kerb and driveway at the start of the slip road would increase the likelihood of there being KSIs (killed and serious injuries) at this point, as:-

(i) To obtain a line of sight from the exit of the proposed new driveway would necessitate the front of an exiting vehicle to encroach on the existing footpath/cycleway, since sight is limited by a wall to the right and a wall and an electricity sub-station to the left.

(ii) Traffic from the Hartsholme direction following a vehicle indicating to turn left into the new driveway, would not anticipate there being a driveway on a slip road and assume that the vehicle was going to turn into Shearwater Road and not expect it to come to a halt before turning into the proposed driveway. Hence a collision could occur.

(iii) Likewise, from the Birchwood direction, traffic following a vehicle indicating to turn right would assume that the vehicle had intended to turn right into Shearwater Road but had overshot the junction and would not expect the vehicle to come to a halt several yards beyond the junction. Another possibility of a collision occurring.

(iv) The proposed driveway is situated adjacent to the pedestrian/cycle entry/exit to Hartsholme Park and crosses a shared footpath/cycleway which is used extensively throughout the day by school children attending local schools. Again, the sight line for an exiting vehicle is poor and children suddenly emerging from Hartsholme Park could be missed. Similarly, a vehicle entering the driveway may frequently have their sight line obscured by stationary traffic. In both cases the possibility of a serious collision.

(v) There is no valid reason for a second driveway when the existing driveway serves both the front and the back of the house, there being wide double wrought iron gates allowing full access and which is, currently, and always has been used to park and store vehicles to the rear of the property.

(vi) An application for an HMO for 1, Shearwater Road was refused, yet the occupier still uses it as such, there frequently being up to six or more vehicles being parked both to the front and the rear of the property.

For the above reasons, we wish to object to this proposal.

I don't understand the reasoning for an extra entrance when the front entrance is more than adequate for access should you just be looking to access an outbuilding/shed. The proposed entrance is so close to the pedestrian entrance and over an existing slip road it really does feel like an accident waiting to happen.

I have children and a small dog and regularly myself and my friends walk past the property and into the park, I really fear for someone getting hurt and highways would be very irresponsible to even consider this.

We object on the grounds that a new access to the rear of the property would result in a high risk of an accident occurring

To have an exit off a slip road and onto a pavement that is used by cyclists and pedestrians would be highly dangerous. This property already appears to have plenty of parking to the front and side of the property so would question the motives behind this request

Safety criteria:

1 The dropped kerb is at the confluence of the B1378 ( Skellingthorpe Road ) and the slip road for Shearwater Road.

2 The dropped kerb sightline to the 'east' is greater than 90 degrees.

3 Both pedestrian and cycle traffic enter and exit Hartsholme Park less than 4 metres from the proposed dropped kerb.

4. The existing entrance at No1 to the proposed Storage facility in the garden appears more than adequate.

Skellingthorpe Road is a very busy, fast road and will become even more so with the advent of vehicles from the new housing development at the junction of Birchwood Avenue. This planning application includes a further entrance to the property with dropped kerb on to Skellingthorpe Road, adjacent to the pedestrian entrance/exit to Hartsholme Park. It is already hazardous getting out of the Park via this exit, due to the pathway being a cycle path and visibility from both directions is poor. Therefore, if cars entering/exiting this proposed second entrance were added to the mix,

together with cars accessing Shearwater Road via the slip road, then this would make the area even more hazardous than it already is to both cyclists and pedestrians.

There are already many cars parked on the drive at the front of 1, Shearwater Road and also two parked in the garden at the rear of the property, which must have gained access via the front and side of the house.

Why therefore is there a need for a further entrance? Also, what will the outbuilding be used for that warrants a second entrance?

Further to my original objections to the planning permission for 1, Shearwater close I would also like to add, why does the owner want a driveway directly off Skellingthorpe road into his rear garden when he has sufficient access for vehicles to gain access to his rear garden via the side of his property via Shearwater road.

At this moment he already has 2 derelict vehicles in his back garden?

Regards

Keith Hayes

#### Description of Proposed Works

Construction of a timber outbuilding and a new vehicle access off Skellingthorpe Road.

##### 1) Timber outbuilding

Has the work already been started without consent? "No." Work appears to have been started without consent. The roofline was visible from Skellingthorpe Road but has now been partially disassembled.

Purpose not stated. Is this for occupation, business use or storage? What impact will there be on noise or pollution?

Will there be a breach of any existing covenants or limitations to be imposed on use?

What is the potential impact on services such as power, water supply, drainage and disposal?

##### 2) New vehicle access



Section 8.0 in the Guidance for Applicants Vehicle Crossings over Footway and Verges Section 184 Highways Act 1980 states that:

"Only one crossing to a property will be approved. Separate 'in' and 'out' crossings are not normally permitted. If a second access is desired, the specific justification should be included when applying."

There is ample parking and a dropped curb at the front of the building and there appears to be further access at the side of the house. What is the specific justification?

The entrance point is at the beginning of the slip into Shearwater Road, which will become busier with the new development underway at the Birchwood Road junction. Any vehicle reversing out of the proposed new access onto Skellingthorpe Road will present a danger to itself and all other road users.

The proposed new access onto Skellingthorpe Road crosses an already busy and hazardous point in the footpath /cycleway. This is a key route for cyclists and pedestrians, especially school children, between the Birchwood Road junction and Hartsholme Park /Tritton Road. It is two-way and narrows to approximately one metre just past the Hartsholme Park side entrance adjacent to the proposed new access.

Surely, this would be an accident waiting to happen?

There are already a number of residents and associated vehicles residing at this address, which I understand does not have HMO status. And this raises concerns that a further number of vehicles would be added related to the new out building at the rear of the property? Else, why is this new access actually needed? The new dropped kerb access would be at the beginning of a busy slip road entering into Shearwater Road. On using the junction, this would be an additional distraction. Also, the new dropped kerb would be located adjacent to the footpath entrance into the park, used by walkers and cyclists alike.

All authorities must have joined up thinking regarding this proposal.

Many mistakes have recently been made by allowing unsuitable development and subsequently those affected, left to regret the impact on safety. The access to the park entrance must remain safe and clear at all times with young children coming out of a blind access point onto the pavement.

Approx 4 years ago 1 shearwater road applied for HMO status which the council rejected. This was ignored and multiple occupancy has been in operation to this day with upwards of 5 vehicles being parked on the front driveway and lawn area.

Why is an access to the rear garden via Skellingthorpe road required?, I feel its to allow parking of cars by prospective customers so that the

property can continue as a HMO without so many vehicles being parked to the front of the property.

Finally, I feel it would be highly dangerous to have access from the property directly onto Skellingthorpe road which is a very, very busy road.

This application would without doubt cause excessive danger to pedestrians and cyclists using the footpath on this very busy B class road. This would particularly apply to those using the non vehicular park entrance/exit to which this dropped kerb would be exactly adjacent. Also, the confusion, danger and further congestion at the start of the junction pull in to Shearwater Road would be unnecessary and worrying. The house at no. 1 has many vehicles using its drive which in itself is only just an acceptable distance in from the junction.

I believe this request will cause endangerment to the public using the Skellingthorpe Road footpath adjacent to Hartsholme park as the request for a parking entry is right between a public footpath entry and a the Hartsholme car parking entry which is already a very busy area, especially on weekends and bank holidays.

This individual seems to have some kind of Airbnb establishment at his home with multiple vehicles and comings and goings which already causes enough distress to the local area without having additional outhouses, holiday/ short term accommodation lets and a parking lot right by one of Lincoln's most appreciated and frequented assets as is Hartsholme park.

This area / road is already highly congested and will be more so with the housing development already underway in the vicinity. Surely this request cannot be allowed?

The dropped kerb and entry requires access across a public footway and cycle path along Skellingthorpe at one of its narrowest points and adjacent to a Harstholme Park entrance/exit and will be an accident waiting to happen especially with the new housing development on the flood plain opposite and already increased volume of traffic which can and will only get much worse onto a very busy 40mph road and this area has poor visibility and poor lighting for the park entrance/exit and entrance into Shearwater Rd due to queuing traffic which backs up way past and across this junction and completely blocks this pedestrian access to the park.

A poorly thought out scheme by someone who doesn't care and seems to do what he wants and gets away with it.

There will be damage to trees which apparently have intermittent TPO protection when it suits the council or not when it suits the council and the environment which which again should be protected

The applicant at 1 Shearwater Road had already erected this "proposed" wooden structure before this application and like his previous application for an HMO I objected on the grounds of increased traffic into Shearwater Road due to the amount of vehicles now required to be parked on this properties drive/ front garden.

This view has not changed.

This latest and again amended application for this part built structure with now a dropped kerb adjacent to the park entrance and across the public footway and now approved cycle way at I might add its narrowest point

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

The damage to the trees in the garden that have TPOs.

Danger to life from the entry gate onto Skellingthorpe Road, taking in to account that this road will have increased traffic from the new housing development.

The owner of No1 Shearwater Close has for years disregarded their neighbours and council. There is a balcony still up in the rear garden that does not have planning permission and was to be taken down.

He has several lodgers still there when the last application for a HMO was rejected.

This application cannot got ahead as this is a area the residents admire and look after. Its not an area when you can run a business from your back garden with total disrespect to those properties around it.

There will be significant damage to the trees no only above ground but to the root systems. Also the wildlife will be affected.

There is a danger to life with the proposed gate location onto Skellingthorpe Road, especially with the increase in traffic.

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

The damage to the trees in the garden that have TPOs.

Danger to life from the entry gate onto Skellingthorpe Road, taking in to account that this road will have increased traffic from the new housing development.

This application cannot go ahead as this is an area the residents admire and look after. It's not an area when you can run a business from your back garden with total disrespect to those properties around it.

There will be significant damage to the trees not only above ground but to the root systems. Also the wildlife will be affected.

There is a danger to life with the proposed gate location onto Skellingthorpe Road, especially with the increase in traffic.

What do we all need to do to create a win-win for our great local neighbourhood? I am open to a conversation with all parties to discuss how we all move forwards and if you require any further information please do get in touch.

**Name**

Mr Rob Whiley

**Address**

2 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:**

6th February 2024

There are already a number of residents and associated vehicles residing at this address, which I understand does not have HMO status. And this raises concerns that a further number of vehicles would be added related to the new out building at the rear of the property? Else, why is this new access actually needed? The new dropped kerb access would be at the beginning of a busy slip road entering into Shearwater Road. On using the junction, this would be an additional distraction. Also, the new dropped kerb would be located adjacent to the footpath entrance into the park, used by walkers and cyclists alike.

**Name**

Karen Gerrard

**Address**

1 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

7th February 2024

Skellingthorpe Road is a very busy, fast road and will become even more so with the advent of vehicles from the new housing development at the junction of Birchwood Avenue. This planning application includes a further entrance to the property with dropped kerb on to Skellingthorpe Road, adjacent to the pedestrian entrance/exit to Hartsholme Park. It is already hazardous getting

out of the Park via this exit, due to the pathway being a cycle path and visibility from both directions is poor. Therefore, if cars entering/exiting this proposed second entrance were added to the mix, together with cars accessing Shearwater Road via the slip road, then this would make the area even more hazardous than it already is to both cyclists and pedestrians.

There are already many cars parked on the drive at the front of 1, Shearwater Road and also two parked in the garden at the rear of the property, which must have gained access via the front and side of the house.

Why therefore is there a need for a further entrance? Also, what will the outbuilding be used for that warrants a second entrance?

**Name**

Miss Joanne Wells

**Address**

5 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

11th February 2024

With regard to the proposed site of the building i am extremely against this development. There are a number of reasons for this

Loss of Privacy: The proposed outbuilding's size and location could significantly compromise the privacy of my property. Its proximity to our boundary means that it could overlook our garden and living spaces, directly impacting our enjoyment of our own home.

Overshadowing and Loss of Light: Given the outbuilding's proposed dimensions and position, there is a substantial risk that it will cast a shadow over my property. This could detrimentally affect natural light within my home and garden, impacting our quality of life and potentially the health of garden plants, grass and the trees. The trees and privacy were a determining factor on choosing to live in this property and this will block the views and disturb the wildlife

Impact on the Character of the Area: The design and scale of the proposed outbuilding are not in keeping with the surrounding area's character. Our community values its open, green spaces and the balance between built and natural environments. The introduction of a large, imposing structure could disrupt this balance, adversely affecting the visual amenity of the area. Particularly the view from my garden.

Increase in Noise and Disturbance: The use of the outbuilding could lead to increased noise and activity, particularly if it is intended for workshops, machinery, or as an entertainment space. This would significantly affect the peaceful enjoyment of my property and those of my neighbours. The house already has a number of individuals that live there particularly at weekends. The music and noise is often anti social, particularly if the weather is nice. This will only increase our stress around these times leaving our gardens areas that could no longer be enjoyed.

Two of the trees in the area that are on the report by Watson Lindsey are on my property and im in no doubt that having a structure of that stature will destroy and harm the tree root system and damage my trees. The owner has already removed a large number of trees from the site which has already reduced the amount of wildlife we had.

**Soil Compaction:** Construction activities can lead to soil compaction around a tree's root zone. Heavy machinery and the storage of building materials on the soil surface compress the soil, reducing pore space. This decreases the soil's ability to hold air and water, making it difficult for roots to grow and absorb nutrients and moisture effectively.

**Alteration of Water Drainage:** Construction can change the natural drainage patterns of a site, potentially leading to either waterlogging or drought conditions for trees. Excessive water can suffocate roots by displacing oxygen from the soil, while insufficient water can lead to dehydration and stress.

**Reduced Mycorrhizal Associations:** Construction disturbance can disrupt the symbiotic relationships between tree roots and mycorrhizal fungi, which help trees absorb water and nutrients. This disruption can further stress the trees and diminish their vitality. This structure would harm and impact not only mine, my families and my neighbours quality of life and the enjoyment in our garden but also the animals and birds that live in the trees and that side of Hartsholme park. Also having consulted the councils technical team all trees in No 1 Shearwater garden are under a TPO and we have asked them also to object on our behalf.

**Air pollution:** If this was to be used as a workshop of some kind there would be added air pollution which again would ruin the enjoyment of our garden.

**The dropped kerb:** There is already access to the rear of 1 Shearwater close which can be clearly seen from the number of cars in that area already. So I beg you to ask the question why would you need another access point if there wasn't another plan to rent/Air BnB or build another dwelling after planning is received. This would again cause more stress and anxiety to the neighbours. Given that the house already has several tenants which the council are aware of and received complaints about already this is possible.

**Security:** Opening up the wall would present significant security risks to the houses currently backing on to number 1 Shearwater road as this would allow access to the back of our gardens. This would again impact us directly and negatively. Safety is a big concern and this would put us at risk.

**Highway safety:** A separate email has been sent to the highways agency with our concerns. The access on to Skellingthorpe should be rejected of safety grounds alone.

**Safety Concerns:** The proposed location for the dropped kerb is on a section of road known for its high volume of traffic. Introducing a new access point here increases the risk of accidents, not only due to the additional vehicle movements but also because it could potentially compromise pedestrian safety. This area is frequented by school children, elderly, residents, people visiting Hartsholme park, whose safety should be paramount. The path is also a cycle path and cars coming out of the access would not be able to see either side, partly due to the substation box.

**Traffic Flow Disruption:** Adding a dropped kerb on a busy road may lead to significant disruptions in traffic flow, especially during peak hours. This could result in increased congestion, longer delays, thereby affecting the wider community. The dropped kerb is situated on a slip road into Shearwater road a car turning in or out would block the path and the road. Cyclists, pedestrians and anyone walking would have to go around the vehicle thus putting themselves in harm's way.

**Impact on Public Transport Services:** The proposed location is on a cycle

path which could negatively impact the safety of cyclists. Altering curb lines might create hazards for cyclists, also public transport could be held up which are contrary to the council's policies promoting sustainable transport options.

Environmental Considerations: The construction required to install a dropped kerb could potentially damage the existing streetscape and any nearby green spaces. Preserving the character and environmental quality of our area is crucial and this development isn't required.

Proximity to the entrance to Hartsholme Park: The side entrance to harsholme has a significant amount of foot traffic and the paths are narrow and adding this additional hazard to an already problematic stretch of path and road would be negligent of the council.

I ask the council to consider how the outbuilding and droppped kerb will be detrimental to not only the houses but also the people living in the area because if these plans are granted you it would impact a large number of people negativly.

**Name**

Mr Graham West

**Address**

12 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:**

5th February 2024

All authorities must have joined up thinking regarding this proposal. Many mistakes have recently been made by allowing unsuitable development and subsequently those affected, left to regret the impact on safety. The access to the park entrance must remain safe and clear at all times with young children coming out of a blind access point onto the pavement.

**Name**

Mr Alan Ward

**Address**

14 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

7th February 2024

Description of Proposed Works

Construction of a timber outbuilding and a new vehicle access off Skellingthorpe Road.

1) Timber outbuilding

Has the work already been started without consent? "No." Work appears to have been started without consent. The roofline was visible from Skellingthorpe Road but has now been partially disassembled.

Purpose not stated. Is this for occupation, business use or storage? What impact will there be on noise or pollution?

Will there be a breach of any existing covenants or limitations to be imposed on use?

What is the potential impact on services such as power, water supply, drainage and disposal?

## 2) New vehicle access

Section 8.0 in the Guidance for Applicants Vehicle Crossings over Footway and Verges Section 184 Highways Act 1980 states that:

"Only one crossing to a property will be approved. Separate 'in' and 'out' crossings are not normally permitted. If a second access is desired, the specific justification should be included when applying."

There is ample parking and a dropped curb at the front of the building and there appears to be further access at the side of the house. What is the specific justification?

The entrance point is at the beginning of the slip into Shearwater Road, which will become busier with the new development underway at the Birchwood Road junction. Any vehicle reversing out of the proposed new access onto Skellingthorpe Road will present a danger to itself and all other road users.

The proposed new access onto Skellingthorpe Road crosses an already busy and hazardous point in the footpath /cycleway. This is a key route for cyclists and pedestrians, especially school children, between the Birchwood Road junction and Hartsholme Park /Tritton Road. It is two-way and narrows to approximately one metre just past the Hartsholme Park side entrance adjacent to the proposed new access.

Surely, this would be an accident waiting to happen?

### **Name**

Mr David Bishop

### **Address**

6 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

### **Date Received:**

9th February 2024

I am obliged to object to this application on the grounds of safety.

Having read

Lincolnshire

Vehicle Crossings over

Footway and Verges

Section 184

Highways Act 1980

Guidance for Applicants

it is very apparent that the proposed access will not comply with these requirements. I have paced out 65 metres east along Skellingthorpe Road from the proposed access point and there is no way that the required visibility can be achieved. The property boundary is not even parallel to the road at this point causing further difficulty.

This is in addition to the fact that it has to cross a very narrow shared footpath and cycleway along which many schoolchildren travel every day.

When approaching the junction in a vehicle there is already an issue with cyclists who do not stop when crossing Shearwater Road at some speed, so are less likely to be aware of this exit which will be obscured.

All this is aside from our collective suspicions that the owner wishes to extend his current business empire operating (illegally) from the property.

### **Name**

Mr Jason Brewer



**Address**

5 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:**

9th February 2024

Previous application 2023/0711/HOU was rejected due to trees. It seems the structure, and consequently the access to the road has now moved in a vain attempt to bypass this. In moving the location of the exit onto Skellingthorpe Road as a result of this, there is arguably a significant increase in risk associated with lack of vision when exiting and not exiting into the slip road for Shearwater Road.

**Name**

Mr Colin Brewer

**Address**

6 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

9th February 2024

This house has a driveway on Shearwater Road. The driveway goes down the left hand side of the hose and continues into the rear garden area. Vehicles and a large trailer are regularly parked in the rear garden area. Any outbuilding/garage or workshop could be accessed by the existing driveway.

Also, due to the angle of the slip road where the dropped kerb is proposed would be in a blind spot for traffic turning left off Skrellingthorpe Road into Shearwater Road and vehicles exiting the property onto Skellingthorpe Road would not be able to see oncoming traffic.

**Name**

Mrs Maxine Azzopardi

**Address**

263 Wragby Road, Lincoln, Lincolnshire, LN2 4PZ

**Date Received:**

2nd February 2024

I believe this request will cause endangerment to the public using the Skellingthorpe Road footpath adjacent to Hartsholme park as the request for a parking entry is right between a public footpath entry and a the Hartsholme car parking entry which is already a very busy area, especially on weekends and bank holidays.

This individual seems to have some kind of Airbnb establishment at his home with multiple vehicles and comings and goings which already causes enough distress to the local area without having additional outhouses, holiday/ short term accommodation lets and a parking lot right by one of Lincoln's most appreciated and frequented assets as is Hartsholme park.

This area / road is already highly congested and will be more so with the housing development already underway in the vicinity. Surely this request cannot be allowed?

**Name**

Mrs Maxine Morley (Some points redacted)

**Address**

3 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 8th February 2024

I don't understand the reasoning for an extra entrance when the front entrance is more than adequate for access should you just be looking to access an outbuilding/shed. The proposed entrance is so close to the pedestrian entrance and over an existing slip road it really does feel like an accident waiting to happen.

I have children and a small dog and regularly myself and my friends walk past the property and into the park, I really fear for someone getting hurt and highways would be very irresponsible to even consider this.

**Name**

Mr Raymond Peters

**Address**

12 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 2nd February 2024

I had not completed my earlier objection!)

The dropped kerb and entry requires access across a public footway and cycle path along Skellingthorpe at one of its narrowest points and adjacent to a Harstholme Park entrance/exit and will be an accident waiting to happen especially with the new housing development on the flood plain opposite and already increased volume of traffic which can and will only get much worse onto a very busy 40mph road and this area has poor visibility and poor lighting for the park entrance/exit and entrance into Shearwater Rd due to queuing traffic which backs up way past and across this junction and completely blocks this pedestrian access to the park.

A poorly thought out scheme by someone who doesn't care and seems to do what he wants and gets away with it.

There will be damage to trees which apparently have intermittent TPO protection when it suits the council or not when it suits the council and the environment which which again should be protected .....

Ray Peters

No 12 Shearwater Close

**Name**

Mr Nigel Cobbold

**Address**

10 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 4th February 2024

This application would without doubt cause excessive danger to pedestrians and cyclists using the footpath on this very busy B class road. This would particularly apply to those using the non vehicular park entrance/exit to which this dropped kerb would be exactly adjacent. Also, the confusion, danger and further congestion at the start of the junction pull in to Shearwater Road would be unnecessary and worrying. The house at no. 1 has many vehicles using its drive which in itself is only just an acceptable distance in from the junction.

**Name**

Mr Keith Hayes

**Address**

4 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

4th February 2024

Approx 4 years ago 1 shearwater road applied for HMO status which the council rejected. This was ignored and multiple occupancy has been in operation to this day with upwards of 5 vehicles being parked on the front driveway and lawn area.

Why is an access to the rear garden via Skellingthorpe road required?, I feel its to allow parking of cars by prospective customers so that the property can continue as a HMO without so many vehicles being parked to the front of the property.

Finally, I feel it would be highly dangerous to have access from the property directly onto Skellingthorpe road which is a very, very busy road.

**Name**

Mrs Anne Gordon

**Address**

8 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

12th February 2024

I would like to echo all the comments already made. From my personal point of view I regularly walk that stretch of path with my small grandchildren as I enter and leave the park. I already feel nervous when doing so as the path is narrow and is also a cycle way not to mention a busy road right next to the path, so leaving the park is always potentially hazardous as many cyclists do not slow down. Adding another possible hazard does not seem to be a good idea. Cars/vans leaving the driveway would have to pull onto the path in order to have vision of the road therefore putting pedestrians/cyclists at risk.

**Name**

Mrs Sue Brown

**Address**

7 Goldcrest Close, Lincoln, Lincolnshire, LN6 0UX

**Date Received:**

19th February 2024

This applicant does all he can to run an HMO at this address. There are far too many cars at the address already & numerous visiting vehicles throughout the day, which cause congestion at the junction of Skellingthorpe Road and Shearwater Road. This application will involve even more vehicles. When approaching the junction in a vehicle there is already an issue with cyclists who travelling at speed along the narrow cycle lane shared as a footpath, do not look or stop when crossing Shearwater Road, so they are less likely to be aware of an additional entrance/exit which will be obscured from the cycle path, particularly when riding in a westerly direction. I have observed many near misses & 1 incident involving cyclists on the cycle path and vehicles turning into or coming out of Shearwater Road (especially many children returning home from The Priory School) as it is now due to the bad visibility and confusion with the foot path & cycle path.

I have read 'Lincolnshire Vehicle Crossings over Footway and Verges - Section 184 Highways Act 1980 Guidance for Applicants'. It is impossible that the required visibility can be achieved. The boundary of No1 Shearwater is not parallel to the road at the proposed point causing further line of sight difficulty exiting from the proposed access point. There is a brick wall hiding

view of the cycle & footpath. As the proposed access will not comply with these requirements it must be refused.

There is already access to this property from Shearwater Road which allows vehicular access to the rear of the property. Why is a second access required? My suspicion is it so that once a new access is established and a new construction in the back garden it can be sectioned off and another property built?

I must object to this application on the grounds of safety.

This is in addition to collective neighbouring suspicions that the applicant wishes simply to extend his current business as a HMO which is clearly (illegally) operating from the property even though permission has previously been denied.

**Name**

Julie Abel

**Address**

5 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 14th February 2024

No 1 Shearwater are applying to build a building where there are lots of trees. I am worried about the two very big trees at the bottom of my where it joins theirs. I'm not happy about the root system being disturbed or other trees being removed that I believe are protected. Do you have a map of which trees are protected please.

**Name**

Mr Keith Hayes

**Address**

4 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 7th February 2024

Further to my original objections to the planning permission for 1, Shearwater close I would also like to add, why does the owner want a driveway directly off Skellingthorpe road into his rear garden when he has sufficient access for vehicles to gain access to his rear garden via the side of his property via Shearwater road.

At this moment he already has 2 derelict vehicles in his back garden?

Regards

Keith Hayes

**Name**

Mr Richard Geddes

**Address**

8 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 7th February 2024

Safety criteria:

1 The dropped kerb is at the confluence of the B1378 ( Skellingthorpe Road ) and the slip road for Shearwater Road.

2 The dropped kerb sightline to the 'east' is greater than 90 degrees.

3 Both pedestrian and cycle traffic enter and exit Hartsholme Park less than

4 metres from the proposed dropped kerb.

4. The existing entrance at No1 to the proposed Storage facility in the garden appears more than adequate.

**Name**

Mr Kenneth Foster

**Address**

2 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 7th February 2024

We object on the grounds that a new access to the rear of the property would result in a high risk of an accident occurring

To have an exit off a slip road and onto a pavement that is used by cyclists and pedestrians would be highly dangerous. This property already appears to have plenty of parking to the front and side of the property so would question the motives behind this request

**Name**

Mr Brian Harding

**Address**

11 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 8th February 2024

Objection to planning application 2024/0040/HOU, 1 Shearwater Road, Lincoln

Skellingthorpe Road has a 40mph speed limit at the point at which there is an exit slip on to Shearwater Road which serves around 110 homes as well as being a busy pedestrian/cycle route through to Nightingale Crescent and the Birchwood estates. This slip road allows vehicles to decelerate before they turn into Shearwater Road. The area is particularly dark at night time.

The proposal to instal a dropped kerb and driveway at the start of the slip road would increase the likelihood of there being KSIs (killed and serious injuries) at this point, as:-

(i) To obtain a line of sight from the exit of the proposed new driveway would necessitate the front of an exiting vehicle to encroach on the existing footpath/cycleway, since sight is limited by a wall to the right and a wall and an electricity sub-station to the left.

(ii) Traffic from the Hartsholme direction following a vehicle indicating to turn left into the new driveway, would not anticipate there being a driveway on a slip road and assume that the vehicle was going to turn into Shearwater Road and not expect it to come to a halt before turning into the proposed driveway. Hence a collision could occur.

(iii) Likewise, from the Birchwood direction, traffic following a vehicle indicating to turn right would assume that the vehicle had intended to turn right into Shearwater Road but had overshoot the junction and would not expect the vehicle to come to a halt several yards beyond the junction. Another possibility of a collision occurring.

(iv) The proposed driveway is situated adjacent to the pedestrian/cycle entry/exit to Hartsholme Park and crosses a shared footpath/cycleway which is used extensively throughout the day by school children attending local schools. Again, the sight line for an exiting vehicle is poor and children

suddenly emerging from Hartsholme Park could be missed. Similarly, a vehicle entering the driveway may frequently have their sight line obscured by stationary traffic. In both cases the possibility of a serious collision.

(v) There is no valid reason for a second driveway when the existing driveway serves both the front and the back of the house, there being wide double wrought iron gates allowing full access and which is, currently, and always has been used to park and store vehicles to the rear of the property.

(vi) An application for an HMO for 1, Shearwater Road was refused, yet the occupier still uses it as such, there frequently being up to six or more vehicles being parked both to the front and the rear of the property.

For the above reasons, we wish to object to this proposal.

Brian and Janet Harding  
11 Shearwater Close

**Name**

Mr David Condon

**Address**

41 Burghley Road, Lincoln, Lincolnshire, LN6 7YE

**Date Received:** 11th February 2024

Skellingthorpe road is used by pedestrians and cyclists. The road is heavily over used and the paths are narrow. Adding a dropped kerb to this area is asking for a major accident to happen. There is no line of sight when leaving the access on to skellingthorpe road. There is a slip road which could potentially cause accidents as a car slows down to turn into the new access to 1 shearwater road. The entrance to the park is close by and you would put people in danger if you let this go ahead. Cyclists and pedestrians would have to stop and go around cars leaving the access which would also put them in danger. School children would be affected by this as they walk to and from schools.

The structure propose is also an eyesore not in keeping with the area and as keep park goer this would disturb wildlife and the trees in the area.

**Name**

Mrs Susan Mary (Sue) Brown

**Address**

7 Goldcrest Close, Lincoln, LN6 0UX

**Date Received:** 19th February 2024

This applicant does all he can to run an HMO at this address. There are far too many cars at the address already & numerous visiting vehicles throughout the day, which cause congestion at the junction of Skellingthorpe Road and Shearwater Road. This application will involve even more vehicles.

When approaching the junction in a vehicle there is already an issue with cyclists who travelling at speed along the narrow cycle lane shared as a footpath, do not look or stop when crossing Shearwater Road, so they are less likely to be aware of an additional entrance/exit which will be obscured from the cycle path, particularly when riding in a westerly direction. I have observed many near misses & 1 incident involving cyclists on the cycle path and vehicles turning into or coming out of Shearwater Road (especially many

children returning home from The Priory School) as it is now due to the bad visibility and confusion with the foot path & cycle path.

I must object to this application on the grounds of safety.

I have read 'Lincolnshire Vehicle Crossings over Footway and Verges - Section 184 Highways Act 1980 Guidance for Applicants'. It is impossible that the required visibility can be achieved. The boundary of No1 Shearwater is not parallel to the road at the proposed point causing further line of sight difficulty exiting from the proposed access point. There is a brick wall hiding view of the cycle & footpath. As the proposed access will not comply with these requirements it must be refused.

This is in addition to collective neighbouring suspicions that the applicant wishes simply to extend his current business which is clearly (illegally) operating from the property.

**Name**

Mrs Geraldine Geddes

**Address**

8 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:**

9th February 2024

ROAD SAFETY PEDESTRIANS/ CYCLISTS/ TRAFFIC

The proposed entrance and dropped kerb to allow access to No1 Shearwater Road is accessed across the combined footpath and cycle track, the slip road for Shearwater Road from Skellingthorpe Road ( the B1378 ) and is at 90 degrees to the slip road, not Skellingthorpe Road.

Westbound traffic on Skellingthorpe Road turning in to this entrance will have to turn through more than 90 degrees.

There are many risks to be considered when the left turn is greater than 90 degrees. Positioning, slowing, stopping on Skellingthorpe Road, the slip road and the dropped kerb which would include the pavement and cycle path are all potential hazards. All at the inconvenience and danger to other road users, pedestrians and cyclists.

It is slightly easier for Eastbound traffic although the manoeuvre itself has the same associated dangers as in the previous paragraph.

The proposed 'storage facility' in the garden does not say that it is for domestic use only. Commercial use of such a facility might incur the use of commercial vehicles which may have to reverse in, with the associated dangers or even worse, reverse out.

On visual inspection it would appear that the drive-way of No1 Shearwater Road could accommodate the entering and exiting to the rear of the property of motor cars or even light commercial vehicles like a Transit Van. Perhaps allowing access to the storage facility via the existing drive would inconvenience the residents ( plural ), the owner and the cars they park in the environs of No1.

**Name**

Mr Darren Juggins

**Address**

14 Sturgate Close, Lincoln, Lincolnshire, LN6 0NY

**Date Received:** 9th February 2024

As a member of the local community, I frequently pass this house when visiting friends.

There is always an eclectic mix of vehicles on the drive and the coming and going suggest that the house is being used as a HMO but not in an approved or authorised capacity, as I am aware the application for this has been previously dismissed.

This doesn't seem to have stopped the owner having several house guest that are of permanent residence at the property with vehicles parked on the roadside, driveway and lawn area to the front of the property which is visible on most occasions.

The request for rear access off a busy 40mph road, seems unnecessary unless it is to utilise the rear of the property for additional parking, associated with his illegal HMO operation or it is in preparation for additional accommodation to the rear of the property in the extensive garden used to store disused cars which are now visible due to the trees being removed.

I also understand a building has been erected with out prior planning permission that is now being removed.

It would seem that everything that is being said by this resident needs to be thoroughly investigated and his previous lack of abiding by the rules needs to be addressed before even considering this request and then refusing it.

**Name**

Mr Raymond Peters

**Address**

12 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 2nd February 2024

The applicant at 1 Shearwater Road had already erected this "proposed" wooden structure before this application and like his previous application for an HMO I objected on the grounds of increased traffic into Shearwater Road due to the amount of vehicles now required to be parked on this properties drive/ front garden.

This view has not changed.

This latest and again amended application for this part built structure with now a dropped kerb adjacent to the park entrance and across the public footway and now approved cycle way at I might add its narrowest point

**Name**

Mrs Ruth Chapman

**Address**

9 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU



**Date Received:** 11th February 2024

We object to planning application 2024/0040/HOU, 1 Shearwater Road, Lincoln for the erection of an outbuilding and installation of dropped kerb on Skellingthorpe Road to create new access, on the grounds of safety.

The slip road off the Skellingthorpe Road leads onto Shearwater Road which is a hazardous turning for vehicles, cyclists as well as pedestrians and school children in particular. With the large new housing development currently in progress this will also increase the volume of traffic and safety issues.

The location of a proposed exit onto Skellingthorpe Road slip road does not meet with the requirements listed in the Highways Act 1980.

We fully agree and support our neighbours' comments and concerns regarding this proposed building application and use of the property for HMO and also disregard for planning laws.



## **LINCOLNSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

District: Lincoln City Council

Application number: 2024/0040/HOU

Application Type: Householder

Proposal: Erection of outbuilding and installation of dropped kerb on Skellingthorpe Road to create new access (Part-retrospective).(Resubmission from planning application 2023/0711/HOU)

Location: 1 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

Response Date: 5 February 2024

This report includes the Substantive response of the Local Highway and Lead Local Flood Authority to a planning consultation received under the Development Management Order and includes details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement.

### **General Information and Advice**

Please note that although the Definitive Map and Statement proves the existence of any recorded rights of way, there may be further or higher rights that are not shown on this document that the County Council is not currently aware of. This would be especially relevant where the public has had informal access to the site or where there are references to routes across this in maps or other historic documents. As the County Council has received no application to recognise further rights of way affecting the site, no more informed guidance can be offered at this stage.

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Application number: 2024/0040/HOU  
Application Type: Householder  
Location: 1 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

### **Highway and Lead Local Flood Authority Report**

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

#### **Recommendation: No Objections**

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network and therefore does not wish to object to this planning application.

#### **Comments:**

The proposal is for the erection of an outbuilding and installation of dropped kerb on Skellingthorpe Road to create a new access, there is turning available within the site so that a vehicle can access and egress in a forward gear and the gates are set back so that a vehicle would not overhang or cause an obstruction on the footway/cycleway. Therefore the proposal does not have an unacceptable impact on the Public Highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

#### **Informatives**

##### **Highway Informative 03**

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:  
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Officer's Name: Laura Rowett  
Officer's Title: Senior Development Management Officer  
Date: 5 February 2024

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