

PLANNING COMMITTEE

Wednesday, 7 August 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, Annie Currier, Rebecca Longbottom, Bill Mara, Callum Roper and Calum Watt
Substitute members:	Councillors James Brown, Neil Murray and Emily Wood
Officers attending:	Simon Cousins, Democratic Services, Kieron Manning, Louise Simpson and Dave Walker

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.

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes -10 July 2024	To Follow
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. Works to Trees	5 - 12
5. Application for Development: 12 Queens Crescent, Lincoln	13 - 52

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.

SUBJECT:	WORKS TO TREES
DIRECTORATE:	COMMUNITIES AND ENVIRONMENT
REPORT AUTHOR:	ASSISTANT DIRECTOR, COMMUNITIES AND STREET SCENE

1. Purpose of Report

- 1.1 To advise Members of the reasons for proposed works to trees. These will be predominantly trees in City Council ownership, which is the main purpose of the report, but it may include others at times where special circumstances apply, and officers are both able to do so and think it helpful.
- 1.2 It is important to note that the attached list does not represent all the work undertaken to trees in Lincoln, in Council ownership or otherwise. It does however cover all the instances where a tree is in City Council ownership and identified for removal, or where a tree enjoys some element of protection under planning legislation, and thus formal consent is required.

2. Background

- 2.1 In accordance with policy, Committee's views are sought in respect of proposed works to trees, see Appendix A.
- 2.2 The responsibility for the management of any given tree is determined by the ownership responsibilities of the land on which it stands. Trees within this schedule therefore predominately relate to trees on land owned by the City Council, with management responsibilities distributed according to the purpose of the land (e.g. 'Housing trees,' 'Park trees'). However, it may also include trees that stand on land for which the City Council has management responsibilities under a formal agreement but is not the owner (e.g. County Council highway trees).
- 2.3 All cases are brought to this committee only after careful consideration and assessment by the Council's Arboricultural staff (together with independent advice where considered appropriate).
- 2.4 Although the Council strives to replace any tree that has to be removed, in some instances it is not possible or desirable to replant a tree in either the exact location or of the same species. In these cases, a replacement of an appropriate species is scheduled to be planted in an alternative appropriate location. This is usually in the general locality where this is practical, but where this is not practical, an alternative location elsewhere in the city may be selected. Tree planting is normally scheduled for the winter months following the removal.

3. Consultation and Communication

- 3.1 All relevant ward councillors are notified of the proposed works for their respective wards prior to the submission of this report.
- 3.2 The relevant portfolio holders are advised in advance in all instances where, in the judgement of officers, the matters arising within the report are likely to be sensitive or contentious.

4. Strategic Priorities

4.1 Let's reduce all kinds of inequality

It is important to the council that quality green spaces are accessible to all, and that everyone should enjoy the benefits that a greener environment brings.

4.2 Let's deliver quality housing

Housing is about more than providing a building. Houses represent 'home,' and this feeling is developed on a range of factors about the area of a house, including the environment in which it stands. Tree cover is a significant aspect of shaping how an area of housing feels, and thus the creation of homes.

4.3 Let's enhance our remarkable place

The Council acknowledges the importance of trees and tree planting to the environment. Replacement trees are routinely scheduled wherever a tree has to be removed, in-line with City Council policy. Lincoln's green spaces, including its tree cover, are an asset which has unquantifiable value; they are a key part of the City Council's strategic approach to improving the city for the benefit of all those who live, work or visit the city.

4.4 Let's address the challenge of climate change

The trees in Lincoln's parks and open spaces are often referred to as it's lungs. Care for the trees, and how the Council ensure a healthy quality tree cover, underpins and contributes to biodiversity improvements.

5. Organisational Impacts

5.1 Finance

The costs of any tree works arising from this report will be borne by the existing budgets. There are no other financial implications, capital or revenue, unless stated otherwise in the works schedule.

5.2 Legal Implications including Procurement Rules

As trees are assets in the public domain the Council has a legal duty to maintain them, in so far as is reasonably practicable, in a safe condition. This policy supports

that requirement, and would add weight to any defence against claims related to injury or damages arising from allegations of negligence of the tree stock.

The Environment Act 21 required an amendment to section 96 of the Highways Act 1980. This placed a duty on a local highway authority to consult the public on the removal of any highway tree (subject to a number of exemption clauses). As the highway trees are all in the ownership of the county council, this does not technically apply to city council owned trees. However, the city council, through this policy, commits to the same principles, and will always report the removal of any tree it owns to the Planning Committee. Where possible this will be in advance, for review, but may have to be retrospectively if circumstances dictate e.g. removal of a tree for health and safety reasons.

Exceptions to consulting via the Planning Report system will be applied as per the legislation and include:

- Trunk less than 8cm at 1.3m height.
- Planning permission has already been granted for its removal.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

This report does not negatively impact equality, diversity or human rights.

5.4 Significant Community Impact &/or Environmental Impact

It is recognised that tree works, not least removals, can impact a community. This is especially true when a large tree of note has to be removed.

Through the processes associated with delivering this report ward councillors are notified in advance, and thereby have the opportunity to request briefings/details relating to any issues of concern.

Whilst officers will always try to flag up any potentially contentious issues in advance, and address them sensitively, this extra level of consultation permits opportunity for members to highlight any concerns, and for these to be considered according.

5.5 Corporate Health and Safety Implications

All works arising from this report are undertaken by the City Council's appointed grounds maintenance contractor. The appointment of contractors is an in-dept and

considered process that will not permit the appointment of contractors who are not considered safe and competent. The assessments remain ongoing throughout the period of their appointment.

All staff are all suitably trained, qualified, and experienced.

6. Risk Implications

6.1 (i) Options Explored

For each tree listed, members may choose to agree, or refuse works. Where they refuse works, then this will have implications which must be understood, on a case by case basis. The preferred approach is agreement to the schedule proffered by arboricultural staff.

6.2 (ii) Key Risks Associated with the Preferred Approach

The work identified on the attached schedule represents the Arboricultural Officer's advice to the Council relevant to the specific situation identified. This is a balance of assessment pertaining to the health of the tree, its environment, and any legal or health and safety concerns. In all instances the protection of the public is taken as paramount. Deviation from the recommendations for any particular situation may carry ramifications. These can be outlined by the Arboricultural Officer pertinent to any specific case.

Where appropriate, the recommended actions within the schedule have been subject to a formal risk assessment. Failure to act on the recommendations of the Arboricultural Officer could leave the City Council open to allegations that it has not acted responsibly in the discharge of its responsibilities.

7. Recommendation

7.1 That the works set out in the attached schedules be approved.

Is this a key decision? Yes

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? One

List of Background Papers: None

Lead Officer: Dave Walker, Arboricultural Officer
Dave.walker@lincoln.gov.uk

**NOTIFICATION OF INTENDED WORK TO TREES AND HEDGES
RELEVANT TO THEIR CITY COUNCIL OWNERSHIP STATUS.
SCHEDULE No 4 / SCHEDULE DATE: 10/07/2024**

Item No	Status e.g. CAC	Specific Location	Tree Species and description/ reasons for work / Ward.	Recommendation
1	N/A	22 Hazlewood Avenue – Void housing property	<u>Birchwood Ward</u> 1 x Apple <u>Retrospective notice</u> This tree was removed due to its poor structural condition.	Replace with 1 x Oak; to be sited within the amenity grassland located adjacent to the Fulmar Road / Birchwood Avenue junction.
2	N/A	56 St Faiths Street – Housing property	<u>Carholme Ward</u> 1 x Lawson cypress <u>Remove to ground.</u> This tree is encroaching into the adjacent public footpath and also prevents usage of the front garden of the property.	Approve works. Replace with 1 x Rowan; to be located within St Faiths Street communal garden.
3	N/A	8 Cabourne Ave – Housing property Removal of the tree is intended to allow the establishment of a new pathway.	<u>Minster Ward</u> 1 x Cupressus <u>Remove to ground.</u> This tree has been poorly pruned which has resulted in significant encroachment onto the access pathway which is also being damaged due to the proximity of tree roots.	Approve works: Replace with 1 x Oak; to be sited within the grassland located adjacent to Nettleham Road and Searby Road junction.
4	N/A	37 Willingham Avenue	<u>Minster Ward</u> 6 x Cupressus 1 x Rowan <u>Remove to ground.</u> The rowan is of poor form due to heavy suppression.	Approve works Replace with 3 x Silver Birch and 4 x Swedish whitebeam.

			The Cupressus form a large and unmanaged hedgerow which is no longer suitable for retention.	To be sited within amenity grassland at Dunholme Court.
5	N/A	35 Welton Gardens – Void property	<u>Minster Ward</u> 1 x Cherry 1 x Sycamore <u>Retrospective notice</u> The garden of this property was in poor repair, the trees were likely to be self – set specimens which were in close proximity to the structural fabric of the residential building.	Replant with 2 x spindle; to be sited at suitable locations within the direct locality of the address.
6	N/A	21 Dunholme Court	<u>Minster Ward</u> 1 x Leyland cypress 1 x Laurel <u>Retrospective notice</u> Both trees were planted directly on the property boundary line. Both trees were of poor form and prevented suitable maintenance of the garden from being undertaken.	Replant with 2 x field maples; to be sited at suitable locations within the amenity grassland at Broxholme Gardens.
7	N/A	38 Holly Street – Void property	<u>Witham Ward</u> 1 x Cherry Plum <u>Retrospective notice</u> This tree was removed as it had considerable basal decay present with associated Ganoderma fruiting bodies.	Replace with 1 x Beech; to be planted within amenity grassland within the immediate area.
8	N/A	111 St Peters Avenue	<u>Moorland Ward</u> 1 x Willow <u>Remove to Ground</u> This tree is in close proximity to the external walls of the property and is of poor form.	Approve works: Replace with 1 x Alder; to be sited in a suitable location within Boultham Park.

			This species has a high-water demand and is associated with a high number of subsidence claims.	
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Application Number:	2024/0250/FUL
Site Address:	12 Queens Crescent, Lincoln
Target Date:	9th August 2024
Agent Name:	Mr James Stannard
Applicant Name:	Mr Mark Blagden
Proposal:	Change of use from flexible dwelling (C3) and HMO (C4) use to children's care home (C2) (Revised site boundary)

Background - Site Location and Description

The property is a two storey semi-detached property located on Queens Crescent.

The property has previously been used as a house in multiple occupation and has been granted a flexible C3/C4 use (2023/0382/C4).

The application proposes a change of use from C3/C4 to a children's home (C2).

Site History

Reference:	Description	Status	Decision Date:
2023/0382/C4	Application for change of use from existing HMO Class C4 to a flexible change of use to alternate between dwellinghouse (C3) and HMO (C4) for a period of ten years without the need to apply for planning permission.	Granted Conditionally	24th July 2023

Case Officer Site Visit

Undertaken on 24th July 2024

Policies Referred to

- Policy S1 The Spatial Strategy and Settlement Hierarchy
- Policy S2 Growth Levels and Distribution
- Policy S23 Meeting Accommodation Needs
- Policy S53 Design and Amenity
- National Planning Policy Framework

Issues

- Principle of Use
- Impact on Residential Amenity
- Highway Safety

Consultations

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

Statutory Consultation Responses

Consultee	Comment
West End Residents Association	Comments Received
Highways & Planning	No Objections
John: Lincolnshire Police	No Objections

Public Consultation Responses

Name	Address
Mr Richard Coxon	38 Richmond Road Lincoln Lincolnshire LN1 1LQ
Miss Charlotte Bell	21 Queens Crescent Lincoln Lincolnshire LN1 1LR
Miss Jessica Williams	10 May Crescent Lincoln Lincolnshire LN1 1LP
Mr James Roughton	6 Queens Crescent Lincoln Lincolnshire LN1 1LR
Mr Andrew Hodgson	21 Queens Crescent Lincoln Lincolnshire LN1 1LR
Dr Marc Hanheide	10 Queens Crescent Lincoln Lincolnshire LN1 1LR
Mr Martin Robinson	10 May Crescent Lincoln Lincolnshire LN1 1LP
Ms Michele Parrington	4 Queens Crescent Lincoln Lincolnshire LN1 1LR
Miss Sarah Jenkins	15 Queens Crescent Lincoln Lincolnshire LN1 1LR
Mrs Simone Baddeley	8 Queens Crescent Lincoln Lincolnshire LN1 1LR

Ms Gonia Poniatowska	11 Queens Crescent Lincoln Lincolnshire LN1 1LR
Dr Simon Smith	7 Queens Crescent Lincoln Lincolnshire LN1 1LR
Dr Julian Bartrup	19 Queens Crescent Lincoln Lincolnshire LN1 1LR
Ms Hazel Larkham-Jones	1 Queens crescent Lincoln LN1 1LR
Lloyd Jones MRTPI	LRJ Planning, Pen-y-Rhiw Redbrook Road Newport NP20 5AB
Mr Robin Lewis	22 York Avenue Lincoln Lincolnshire LN1 1LL

Consideration

Principle of Use

The National Planning Policy Framework (NPPF) sets out three overarching objectives (social, economic and environmental) to be pursued in mutually supportive ways. The overall planning balance must look across all three strands (paragraph 8), it states that development should be pursued in a positive way therefore at the heart of the framework is a presumption in favour of sustainable development.

Central Lincolnshire Local Plan (CLLP) Policy S2 advises that the Lincoln Urban Area will be the principal focus for development in Central Lincolnshire, including housing. CLLP Policy LP1 states that there should be a presumption in favour of sustainable development and planning applications that accord with the policies in the local plan will be approved without delay. This presumption in favour of sustainable development reflects the key aim of the NPPF.

Specifically, Policy S23 advises that "residential care accommodation, which is designed to accommodate those who need some form of on-site assistance, should be located in a settlement in levels 1 to 4 of the Settlement Hierarchy". CLLP Policy S1 identifies that the Lincoln urban area, defined as the current built up area of Lincoln, which includes the City of Lincoln, is tier 1 in the settlement hierarchy.

The principle of the use within an established residential area, such as the application property, is therefore supported by Policy S23.

Lincolnshire County Council, Children's Services were consulted on the proposal although made no official comments as they did not want to favour a particular private provider over another. They did, however, informally confirm to the planning officer that they use private providers to house looked after children, although the type of care home needed would depend on the child's needs at any given time. They also confirmed that there is a shortfall of provision in the market and a national shortage of offers available for looked after children. The applicant has also provided a publication by OFSTED in 2022 detailing the lack of provision of suitable places to keep children in care close to home. Furthermore, the Government issued a statement on 23 May 2023, which was clear that the planning system should not be a barrier to providing homes for the most vulnerable children in society.

Impact on Residential Amenity

There have been a number of objections to the proposal; these include the neighbouring property to the west and other properties beyond as well as properties on the opposite side of Queens Crescent. The adjoining neighbouring property No. 14 Queens Crescent operates as an HMO; no objections have been received from this property.

The representations are within the agenda in full although the main issues raised are:

Increased vehicle movements and parking requirements, lack of indoor and outdoor space, unsuitable business within a residential area, increased noise and disruption, concern regarding the possible change to another use class within C2, increased crime and anti-social behaviour and loss of community balance.

The property would be laid out with 3 child bedrooms on the first floor with a staff office and staff bedrooms on the ground floor. There would be a communal kitchen and living room on the ground floor and an outdoor rear yard. Some of the objections have raised concern with the small size of the outdoor space although given the boundary has not changed when operated as its previous C3/C4 use, I consider it would be unreasonable to resist the application on this point. Overall, the property offers a good level of amenity for future occupiers in accordance with S53 of the Local Plan.

The use will be required to be OFSTED registered and will offer accommodation for up to three children between age 7 and 17 at any one time. The staff will be on a rota with a maximum of 4 staff being on site at any one time. The statement submitted with the application details that an OFSTED visit would take place every 12 months and a visit from the Social Services Team every 6 weeks.

The documents submitted with the application state that the use would be operated by Spring Care For You which is a new company seeking to start providing social care for children in Lincolnshire and surrounding regions. Some objections have raised concern with the company being new; asserting that they may be lacking appropriate experience to operate the facility. However, planning permission is given to the property and not an individual. The operator, whether that is Spring Care for You or another provider, would have to undergo other rigorous assessments outside of the planning process. The care home would need to be registered as a children social care provider and as part of this registration they would be assessed on their capability to provide appropriate social care services.

It is a material consideration to assess the potential noise and disturbance between the proposed C2 use and the existing C3/C4 use. However, the planning system does not judge the potential behaviour of individual occupants because of their age or background. Therefore, in planning terms this application is required to be considered in general terms and objections which focus on the specific problems that children might suffer from, and public fear about how this might affect how their behaviour and cause amenity/safety issues are not material planning considerations. Although planning policy states planning decisions should not undermine quality of life or community cohesion, the presumed behaviour of the occupants is not a material reason resist this application.

The proposal is for a maximum of 3 children and 4 care staff at any one time and a condition to restrict the number of children to 3 would control the scale of the care operation. The previous C4 use had the potential for up to 6 unrelated individuals to reside at the property or as a C3 use have a family which could include 3 (or more) children. It is also worth noting that C3b, within use class C3, includes up to 6 occupants living together as a single household receiving care. This would have a similar level of comings and goings from care staff to that of the proposed C2 use and would not have needed planning permission. Having regard to the above, it is not considered that the potential noise and disturbance of a C2 use, at the scale proposed would be substantially different to that of the authorised use.

It has already been considered that the principle of the use is appropriate in this location. Any potential concerns associated with the day-to-day operation are a management/OFSTED issue and outside of the planning remit. However, it is noted, ultimately, if a statutory nuisance is demonstrated in the future, which has a harmful impact on residential amenity, there is other legislation, outside of planning legislation that can be used to deal with this matter such as the Environmental Protection Act 1990. In addition, if any crime or anti-social behaviour did arise from the property, it would be a matter for the police under a separate regime and for the operator's experienced team of care workers to resolve on a case by case basis. Lincolnshire Police has raised no objections to the development and the City Council's Pollution Control Officer, who would usually offer comments in relation to noise, has confirmed that he has no objections or observations to make regarding the application

Officers are therefore satisfied that the use should not result in adverse noise or result in undue harm to neighbour's amenity, in accordance with the requirements of CLLP Policy S53.

In order to control the use, the applicant has agreed to conditions to restrict the number of children to 3 at any one time and to restrict the use to a children's care home only and no other use within use class C2.

Highways

The premises is within a residents parking area where 2 passes are allocated per property. In the event of the change of use being granted, the premises would still only be allocated 2 passes therefore the use wouldn't increase demand within the residents parking area.

The Planning Statement submitted with the application discusses encouraging carpooling amongst staff and the applicant also states they envisage staff will take advantage of nearby public car parks. In any case, given that the amount of parking passes would not increase from the existing to the proposed use, the impact on parking would not change. Concern has been raised regarding drop offs at the property although given that there are double

yellow lines outside the application site, stopping in this location would be prohibited as with any property located within a parking restricted area. Such unauthorised parking would be a matter for the County Council's Parking Enforcement if it were to arise. The highway authority raises no objections to the proposal in terms of highway safety or parking in accordance with paragraph 115 of the NPPF.

Other Issues

No external alterations which require planning permission are proposed and therefore it is not considered there would be an impact on the character and appearance of the conservation area.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

In planning terms, the proposal is for residential accommodation in a residential area, albeit for care purposes and as a business enterprise. There are no planning policies which prevent such uses from being located within residential neighbourhoods, in fact policy resists such uses in isolated locations. In this case the number of children and the use can be controlled by conditions so that it is considered appropriate and compatible with the residential area.

The use, when appropriately managed, should not result in undue harm to the amenities of neighbouring occupants. The LCC has raised no objections in terms of parking or impact upon highway safety. Officers are therefore satisfied that the use would meet the requirements of CLLP Policies S2, S23 and S53 and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally

Standard Conditions

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

Reason: As required by Section 91 of the Town and Country Planning 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 drawings listed within Table A below.
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.

- 03) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 (SI 2010/653) or any Order amending, revoking or re-enacting that Order, no more than 3 children shall at any time occupy the property whilst it is in use as a C2 children's care home.

Reason: In order to protect amenity.

- 04) The premises shall be used for a children's home within Use class C2; only and for no other purpose (including any other use within Class C2 to the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any subsequent amendment or re-enactment thereof).

Reason: In order to protect amenity.



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Metres



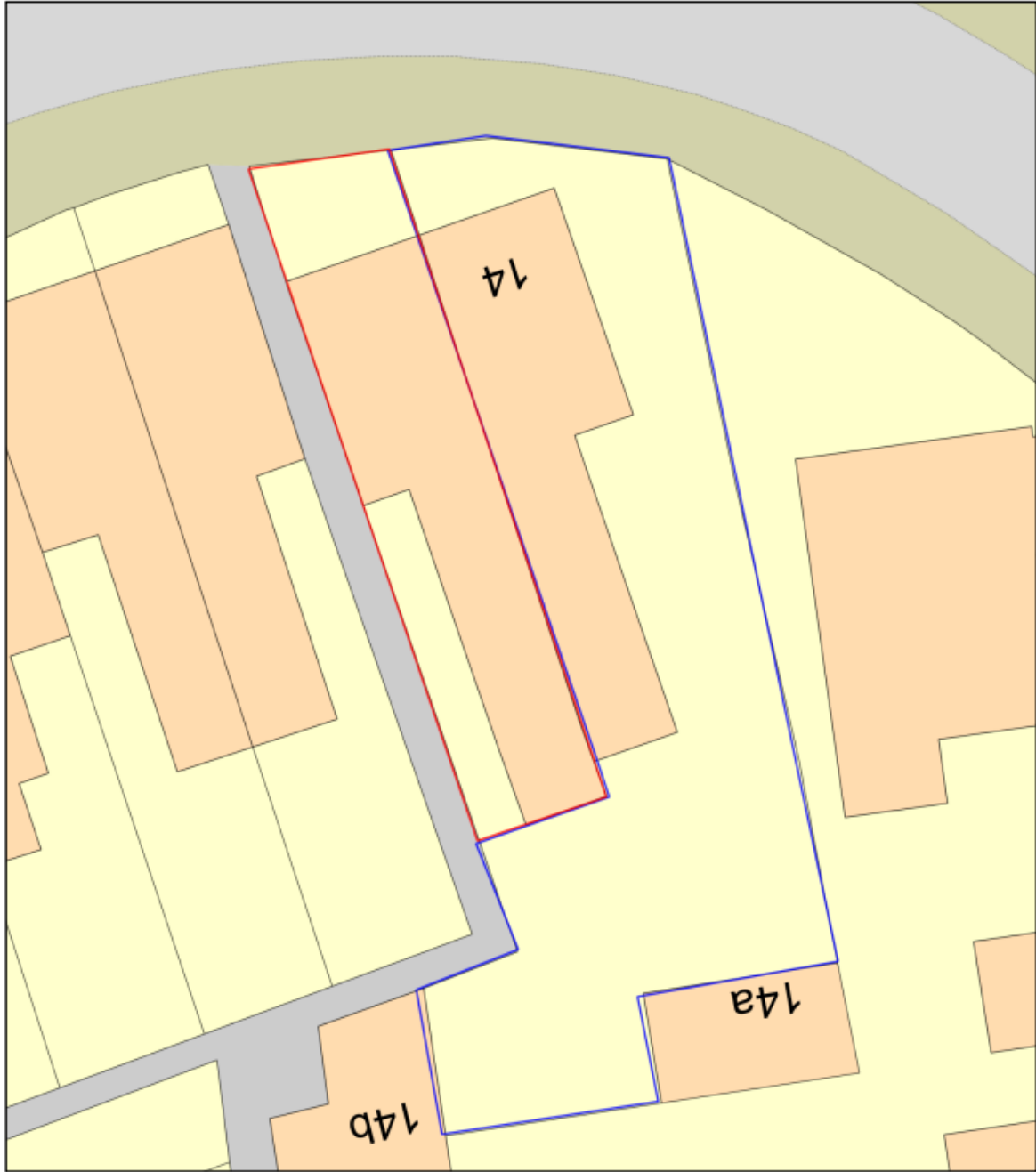
Plan Produced for: Mr and Mrs Blagden

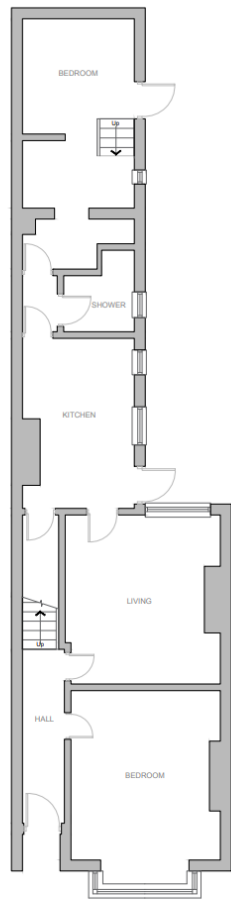
Date Produced: 22 May 2024

Plan Reference Number: TQRQM24110160513234

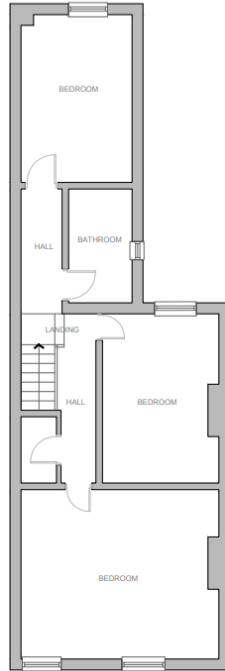
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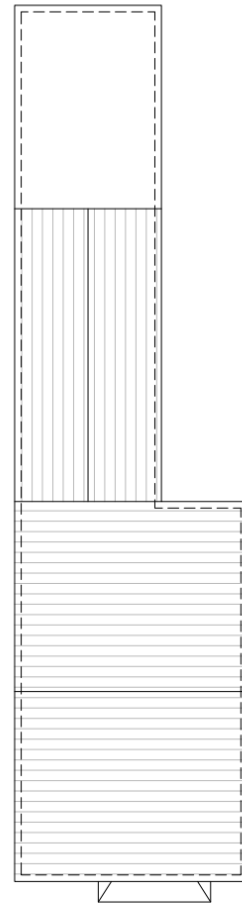




Ground Floor Plan
Scale 1:50

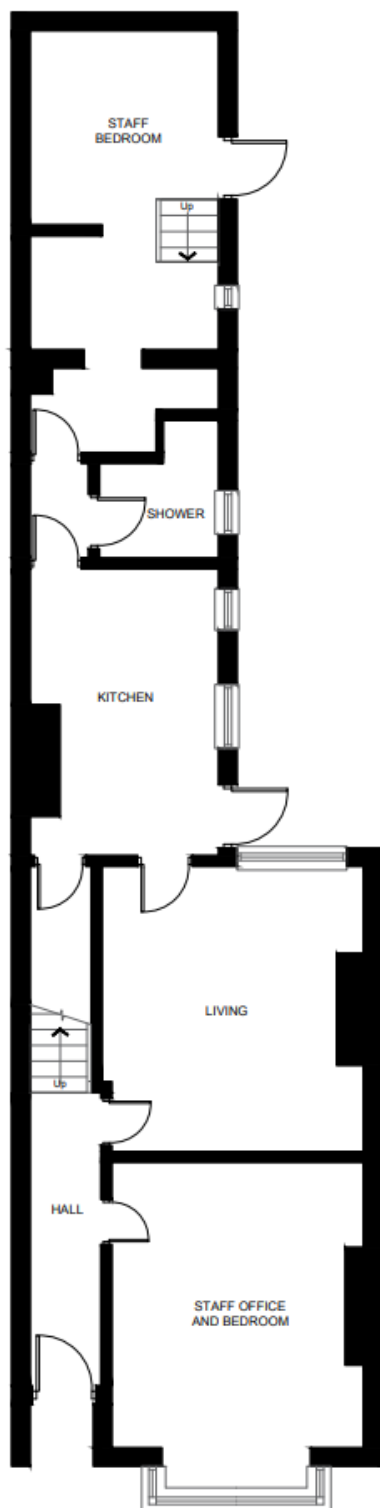


First Floor Plan
Scale 1:50

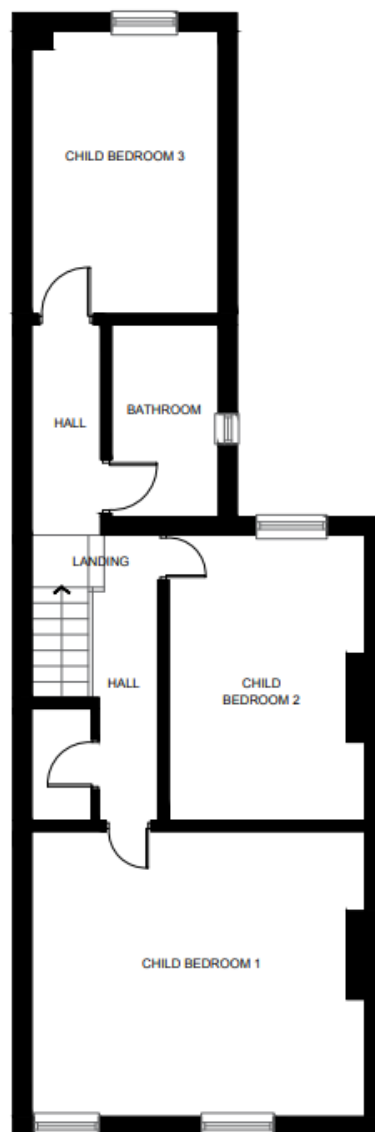


Roof Plan
Scale 1:50

Existing plans



Ground Floor Plan
Scale 1:50



First Floor Plan
Scale 1:50

As proposed







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Public Consultation Responses

Name

Mr Richard Coxon

Address

38 Richmond Road, Lincoln, Lincolnshire, LN1 1LQ

Date Received:

11th May 2024

My objection is that this is inappropriate for a quiet residential area. The noise and disruption caused by children with behavioural problems in an area where a number of retired people live is unacceptable. There is already enough noise and disruption from the neighbouring junior school. The risk of the premises being used to house a bail hostel which I understand is in the same category is also unacceptable. The policing in the area is already inadequate.

Name

Miss Charlotte Bell

Address

21 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received:

11th May 2024

This application is it clear on the residential status .
No or little outdoor area for children.
Multi occupancy equals massive impact on parking. Already over populated .

Name

Miss Jessica Williams

Address

10 May Crescent, Lincoln, Lincolnshire, LN1 1LP

Date Received:

13th May 2024

I live a few door down to this property and would like to object against this application.

This is a quiet residential street with mainly residential properties and a small number of HMOs. Article 4 directive prohibits further HMO development to protect the balance within the area.

I strongly believe that the introduction of a business within the area will negatively impact this residential area, with the property not being a sufficient size nor having a garden or private parking which leads me to also have concerns over how parking would be managed when the street is already overloaded.

Name

Mr James Roughton

Address

6 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 29th May 2024

I am a new resident of Queens Crescent having recently purchased and moved into a property in the community.

Despite this recency, it is immediately apparent to me that application property is wholly inappropriate for the proposed use and I concur with all objections submitted.

My partner has many years experience of child social care and she agrees that the property poses more problems than solutions for all involved, including staff, neighbours, traffic management, the community in general and most importantly the children in care. I support a rejection of this planning application.

Name

Mr Andrew Hodgson

Address

21 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 30th April 2024

I strongly object to this proposal

Name

Dr Marc Hanheide

Address

10 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 15th May 2024

We are direct neighbours to the property the planning permission has been applied for. As most grounds for objection have already been made by others, I only briefly reiterate the main points of our concern:

- * Change of character of the neighbourhood and risk to social cohesion

- * Loss of scarce family accommodation

- * Lack of evidence that property is suitable as a children care home (e.g. in and outdoor spaces)

- * Concern that the business making the application is only incorporated recently, in appears for the purpose of this development. Neither the business nor the directors have experience in care provision it appears.

There is concern that this is a facade and the real intended use (or future use of C2) may be different.

- * Concern about parking and access at staff peak and change-over times in particular

- * The current owner of the property has failed to carry out necessary repairs to the perimeter fence, permitting unauthorised access to the backyards of the properties on Queens and May Crescent, despite multiple prompts.

- * Depending on the exact development and use of a C2 permit, we see significant risks that could lead to higher demand in policing

In summary, we believe that the location as well as the property are unsuitable for the proposed c2 residential institution, and we object in strongest terms.

Name

Mr Martin Robinson

Address

10 May Crescent, Lincoln, Lincolnshire, LN1 1LP

Date Received: 13th May 2024
I would like to object against this application.

I live on this street, which is a residential area that we hope to protect and keep safe. This application raises issues and concerns over anti social behaviour, parking issues and worries over the property not being able to support the wishes in the application without affecting those around it who live here.

Name
Ms Michele Parrington

Address
4 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 11th May 2024
I object to this application. It would be inappropriate for a business to be run from a house in this neighbourhood. It is also possible that once the planning category is changed for this property that its future use could be changed without needing further consultation. It is also inappropriate for a quiet residential area to have the noise and disruption that an establishment with children/young people with emotional and behavioural issues would bring. There is no outside area associated with the property for the young people and there would be issues with parking for the proposed 4 staff as well as difficulties with drop off and pick up. It is also not clear from the documents available to view how many children might be accommodated at any one time.

Name
Miss Sarah Jenkins

Address
15 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 7th May 2024
I wish to object to this planning application.

Firstly The Local Authority has not publicised (to date) this proposal as is a requirement under The Town and Country Planning Act 1990. This is a legal requirement and will have significant impact on the knowledge of this application within the local community.

I object to this proposal for the following reasons.

This property has both HMO and Flexible dwelling use (C3) and has up until recently has been occupied by a family. The change of use will reduce the number of properties available within the local areas for the use by families. Such rental properties are sought after in the area.

The immediate location is fully residential and the introduction of a business to the area will significantly impact on the social environment, traffic and parking.

The street is a quiet residential street with mainly residential properties and a small number of HMOs. Article 4 directive prohibits further HMO development to protect the balance within the area.

I strongly believe that the introduction of a business within the area will negatively impact on the social balance, with an increased risk of anti-social behaviour.

The property itself has insufficient garden (only has a rear yard) to cater for the requirements of 3 young people and up to 4 adults who will be living at the property.

The street is a single lane (two cars cannot pass) with limited residents parking to one side of the street only.

Parking is street parking with the requirement of Residents Parking Permit which is already oversubscribed. The Statement of Purpose (PG 3) submitted with this planning application states that the property benefits from a drive at the back of the house. The property does not have vehicular access to the rear so vehicles would be required to park on the road. The Design & Access Statement (PG 7.12 - 7.15) wrongly assumes that currently the property has 5 residents under the HMO provision, each with a car. When the property has been tenanted by HMO residents previously these have often been students who do not own cars due to vicinity of the universities. I have already indicated this property has been tenanted recently by a family under the C3 flexible dwelling provision.

Running a business from the property would bring a high turnover of staff, the documentation indicates a maximum of 4 staff at any one time and the use of a pool car. The street simply cannot accommodate 5 cars. This aside, the constant comings and goings of the staff through out the day/night would have a negative impact on the neighbourhood and the noise created from the running of such a business.

The plans indicate the residents of the property will be up to the ages of 17 and have social emotional and behavioural difficulties. I can see that under the Design and Access Statement (PG 7.24) that crime and antisocial behaviour are stated as a management issue, however these won't just be a management issue they will be an issue that significantly impacts the whole of the neighbourhood. Impacting on the ability for residents to enjoy what should be a quiet residential area.

I do not believe that Queens Crescent is not the correct location for Secure Local Authority Accommodation.

I also have concerns that C2 use can readily be used for young offenders, short-term holding centre, ex offenders and Drug and Alcohol rehabilitation without any additional planning permission.

The desperate need for family accommodation in this area, the negative impact to the social environment and the already overstretch parking situation should lead you to refuse this application.

Name

Mrs Simone Baddeley

Address

8 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received:

16th May 2024

I strongly object to this proposal. I don't believe that Queen's Crescent would be suitable for a development of this nature. Family homes are already in short supply and parking is incredibly overcrowded and difficult.

Name

Ms Gonia Poniatowska

Address

11 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 7th May 2024

Its quite concerning that a company with no track record and no ties to the community and region is planning on setting up a children care home in a neglected HMO building. This is an already overcrowded area with poor parking facilities and the impact of multiple staff (i read staff rota and proposed car sharing) attending daily is concerning. The change of use to c2 could result in the future use that would severely impact the current community which is a peaceful residential street - who is to say that this property wont in future be used for more disturbing c2 purpose ie halfway house, secure residential facility or a facility housing alcohol or drug dependent/recovering adults. This would severely impact life in the neighbourhood, would affect safety and wellbeing of current resident and most likely affect property values. I wholeheartedly object.

Name

Dr Simon Smith

Address

7 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received: 13th May 2024

I am a resident of Queens Crescent, and I have several concerns with this planning application. My concerns are centred on two main themes: (i) the road cannot cope with the increased traffic and parking, and (ii) the home is not suitable for the intended purpose of the planning application.

The house (12 Queens Crescent) is a narrow terrace house located on a narrow residential street (two cars cannot pass) with existing significant problems with parking and traffic. Queens Crescent and its neighbouring streets are used by dog walkers wishing to access the common and parents driving their children to St Martins School, as well as residents. It is already often impossible to find resident's parking spaces if you arrive home from work around 6:00-7:00pm --- this last month I have failed to find a parking space around 50% of the time and had to park on double yellow lines. Any planning application that increases the traffic or parking pressure on Queens Crescent should be rejected.

The proposed changes to 12 Queens Crescent would result in places for 3 children in the C2 residential institution. Their three families will be visiting the home for contact visits or other transport will be used to take the children to contact appointments with family (in Appendix 5 the applicant claims there will be a "pool car" at the home for this purpose --- this "pool car" will need to be parked somewhere). In addition, according to the submitted document Appendix 4 ("staff rota"), there will be at least 2 and sometimes 3 people working in the home at any one time. These staff will need places to park.

If approved this home will result in a significant increase in traffic and parking

pressure on a small residential road that is already unable to cope with the current levels of traffic and parking. In Appendix 5 the company making the application claim they will encourage both the resident children, their families and their employees to cycle, walk or use public transport rather than drive, but if the application is approved there is no way to later enforce this.

I have experience with C2 residential institutions for children with significant educational needs, and they are complex institutions that require outdoor space for the resident children (e.g. a large garden) and parking for staff and visitors. Sometimes in-home medical attention is needed and space should be reserved also for parking for this purpose. Children in these institutions often need to be assessed or supported by experts (social workers, psychologists, etc) and sometimes, depending on the child's needs, these take place in the home. Often there are noise issues for neighbours, so some space between the C2 residential institution and neighbours is needed. In my experience the most suitable venues are detached houses with a large drive or forecourt and a sizeable garden. The narrow terrace house (12 Queens Crescent), squeezed together with other narrow terrace family homes on a crowded residential street is wholly unsuitable for a C2 residential institution accommodating three children. Of particular concern are the following:

1. There is very little outdoor space (from the document "location plan" it appears there is no outdoor space at all for the residents)
2. There is no indoor area for the children except their own small bedrooms (from the document "Proposed floor plans"). No living room, relaxing room, sensory room, etc. The children will be confined to their small rooms at all times.
3. The proposed floor plan looks so unsuitable for the stated purpose that I looked up the company making the application "Spring Care For You Ltd" (Company number 15609580). It seems the company was only incorporated on 2nd April 2024, so there appears to be no track record of them running such a complex institution. (<https://find-and-update.company-information.service.gov.uk/company/15609580>).

Both the road and the house are thoroughly unsuitable locations for the proposed c2 residential institution and I strongly encourage for the proposal to be rejected.

Name

Dr Julian Bartrup

Address

19 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

Date Received:

14th May 2024

As a resident of Queens Crescent, I am very concerned with the proposal to turn no. 12 Queens Crescent into a care home for children with social, emotional and behavioural difficulties. Other comments already submitted have detailed many of the valid problems likely to occur with parking, traffic problems from visitors and deliveries and the entirely inappropriate nature of the property for a business of this type. In particular, the total lack of garden space associated with the property suggests this would not be suitable for looking after vulnerable children.

The agent for the applicant has made several statements regarding why

parking would not be an issue, suggesting that the present use could potentially result in 5 cars being associated with the property, while apparently being unaware, as mentioned by WERA, that no property can have more than 2 on street parking permits, so that argument is not valid.

My greatest concern with the request to change the use to C2 is the potential for its use to move towards other forms of business use with little or no additional consultation. C2A can include use as secure residential institutions such as for recently released prisoners or adults with severe mental health problems. Should this proposal be approved, I would request that a restriction be put in place to ensure that any further changes cannot go ahead without a full consultation process taking place.

I note that the attached property, no.14 is under the same ownership and fear that, should this application be approved, a similar proposal will be submitted for no.14. I acknowledge that there is a shortage of family style care home accommodation for children and that Government is offering financial incentives to improve that situation. However, the properties in the West End are not suitable for this use without impacting the residential nature of our area.

Name

Ms Hazel Larkham-Jones

Address

1 Queens crescent, Lincoln, LN1 1LR

Date Received: 14th May 2024

We are concerned regarding the impact to the prices to our properties if this proposal goes ahead. Also the parking is already challenging. If the use of the proposed property is changed. We don't feel the property is adequate for the purpose proposed.

Name

Mr Robin Lewis

Address

22 York Avenue, Lincoln, Lincolnshire, LN1 1LL

Date Received: 28th May 2024

For a number of reasons I believe this to be a wholly inappropriate development to be allowed in what is essentially a quiet residential area. Parking and traffic issues generally are a major issue in the area surrounding this property and this would only get significantly worse with the comings and goings the proposed development would undoubtedly generate.

Also there is no real clarity in the application in terms of the likely ages and backgrounds of the children who would be living there.

In my opinion there is a huge difference in the potential for disruptive or anti-social behaviour if the children were 7 years old or if they were 17 years old. I am aware that there is a family with young children currently living in very close proximity to the address of this application and if older children in care were living close by this could be a very unsatisfactory situation. I also believe there is no suitable outdoor space for children at the property which I consider to be a huge negative.

I fully appreciate that there is a need for accommodation for children from a variety of backgrounds but I have very serious reservations that this address is an appropriate place and I therefore object

City of Lincoln Council
Planning Department

14 May 2024

Dear Sir/Madam

Objection Letter – Planning Reference: 2024/0250/FUL

Proposal – Change of use from flexible dwelling (C3) and HMO (C4) use to children's care home (C2)

Site Address - 12 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR

LRJ Planning Ltd has been instructed to review and draft a formal objection response to the above planning application on behalf of Mr Philip Dixon-Smith who lives at 27 Queens Crescent, Lincoln, Lincolnshire, LN1 1LR that has been lodged with the Council.

Following a comprehensive review of the submitted plans and documents with my client, it is evident that the proposal will result in significant harm to the adjacent and wider residential area. As a result, my client has serious concerns with the application proposed and therefore strongly **OBJECTS** to the application for reasons that will be detailed below.

My client's property at No.27 Queens Crescent is located to the north east of the application site as evidenced in the image overleaf.



Relationship between application site and No.27 Queens Crescent



1.0 BACKGROUND

The applicant, Spring Care for You Limited UK Ltd lodged the planning application (planning reference: 2024/0250/FUL) with the Council on 19th April 2024. It is requested that the application is reported to Planning Committee and my client respectfully request that once the committee report has been published that further representations can be made.

2.0 SUMMARY GROUNDS OF OBJECTION

The following sets out the nature of my client's objection to this insensitive proposal:

- i) This change of use with result in the loss of a family sized home, which in turn will impact on community balance and social cohesion;



- ii) **The intensification and nature of the use will result in severe harm on the residential amenity of neighbouring properties, through an unacceptable increase in noise, disturbance and increase in risk of fear of crime and anti-social behaviour;**
- iii) **The increased in occupation of the property along with associated support services will increase the level of traffic to and from the property, and lead to an increase in parking on surrounding streets. This will be detrimental to highway and pedestrian safety on a part of a highway network that is already busy.**

3.0 PLANNING POLICY CONTEXT

In December 2023, the Government published the latest version of National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and sets out how they are expected to be applied. The NPPF took immediate effect.

Paragraph 2 of the NPPF states that *"Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."*

Paragraphs 7 and 8 confirm that the purpose of the planning system is to contribute to the achievement of sustainable development, which comprises economic, social and environmental dimensions.

The NPPF retains a presumption in favour of sustainable development. Paragraph 11 reaffirms that *"applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise."*

The Courts have held that Central Government's policy is a material consideration that must be taken into account by the decision maker, as are relevant appeal decisions. The



development plan consists of the Central Lincolnshire Local Plan. A summary of the policies that are relevant to this objection letter are exhibited at **Appendix A**.

4.0 DETAILED GROUNDS OF OBJECTION

i) Loss of Family Home and Community Balance

It is evident that the lawful use of the property is one of a family dwelling or a HMO. Typically, at its maximum such a property could be occupied by two adults and three children. The proposal for a care home will result in the following occupation levels:

Four unrelated children between the ages of 7- 17.

At least two unrelated adults to manage the care home;

Support services undertaking regular visits.

The application describes that will provide care for young person will complex needs. No detail has been provided on where these young people will come from. It is not clear if this is as a result of illegal immigration, coming from war zones, recently exiting the prison system, drug use, or severe disabilities autism. In addition, it is also not clear the specific level of care that will be required in terms of what medical and holistic treatment will be required. The level of care required appears to be one that is very specific and require the input of several agencies. The application is seriously deficient to allow a sound planning decision to be made. The scale of the use proposed is one that is not acceptable in this village, which has limited access to any relevant clubs for teenagers or transport facilities to the wider area.

With regards to the provision of a Care Home (C2 Use), policy S23 is relevant with regards to meeting accommodation needs and it identifies that:

“Developers are expected to provide housing solutions that contribute to meeting the housing needs of the housing market area, as identified in the latest Central Lincolnshire Housing



Needs Assessment and in any other appropriate local evidence. This means new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

Proposals which deliver housing at the higher access standards of Part M Building Regulations (Access to and use of buildings) to M4(3) standard will be encouraged.

Residential care accommodation, which is designed to accommodate those who need some form of on-site assistance, should be located in a settlement in levels 1 to 4 of the Settlement Hierarchy. If a demonstrable need is identified away from these settlements, then the proposal must demonstrate that access to a range of services and facilities is possible, taking account of the likely occupants of such accommodation. Isolated accommodation in the countryside will not be permitted.”

In the explanation of the above policy, it is identified that:

“A variety of housing types, sizes and densities are required in Central Lincolnshire so that people can access a home that they can afford and that meets their needs.

The accommodation needs of specific groups in the community must be considered, including the needs of older people and of disabled people, the needs of Gypsies and Travellers, Travelling Showpeople, and student accommodation needs.

It is recognised in the Housing Needs Assessment (HNA) that Central Lincolnshire has an ageing population which will lead to specific accommodation needs. Improved space standards are gradually being introduced through building regulations to ensure that housing has adequate space to meet wider needs and can be adapted easily to meet changing needs. These optional standards, specifically M4(2) (accessible and adaptable buildings) and M4(3) (wheelchair user dwellings), are already being delivered in developments.”



Turning to national planning policy, Paragraph 60 of the NPPF states that *"to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community."*

Paragraph 63 of the NPPF adds that *"within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes."*

It is clear from the wording of the above policy that the overriding need for the provision of a home that people can afford, as well housing for older people and family homes, as well as the provision of housing for an ageing population. It is evident that the provision of a residential care home for up to four looked after young persons does not align with the requirements of the above policy, and will result in the loss of a much needed family home, as well as a home that could be adapted to meet the needs of the ageing population in this area. The scale and intensity of the occupation proposed is one that is not suitable or commensurate to this residential area. The level of care the young persons will require is one that is extremely specialised and not one that is appropriate within this residential area.

From the evidence provided within the supporting statement, it has not set out that there is a clearly an identified need for such provision. It is understood that there are already a number of children's homes in the Borough that satisfy the need. Are the young persons already residents of the City of Lincoln Council or are they currently living elsewhere. There is a distinct



lack of detail available.

The proposal will lead to a significant increase in the use of the property and external areas, which will fundamentally alter the makeup of this community. The provision of essentially at least 6 unrelated children/staff along with the input of other agencies within this property will lead to a loss of community spirit. It is widely accepted that such uses with the demographic that is catered for can create a sense of abandonment within the local community that can impact on social interactions, surveillance, local facilities and services. Given this position the proposal will result in a loss of community spirit as permanent populations are replaced by transient ones. It is contended that the proposal would severely damage the social and physical character of this street and wider residential area.

Overall, local and national planning policy seeks to prevent the loss of family housing and provide housing for an ageing population, such as that at the focus of this application. Moreover, insufficient evidence has been provided on the need for the care home and any compelling evidence of the extensive site selection process that has been carried out by the applicant or whether the young persons are existing residents in the City of Lincoln. Future occupants will be transitorily, leading to a further fragmentation and unbalancing of the local permanent community to the further detriment of the general amenities of the local area. The proposal would, therefore be contrary to the intentions of local and national planning policy.

ii) Residential Amenity

In relation to the safeguarding of the amenity of the occupants of existing houses, Paragraph 135 of the NPPF states:

"Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;



- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users (our emphasis); and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.***

This principle is reflected in Policy S53 (Design and Amenity) of the CLLP sets out the design and amenity criteria against which all development proposals will be assessed to ensure the development contributes positively to (inter-alia) local character, and supports diversity, equality and access for all. This policy provides a clear set of standards and considerations, and in this application the focus is directed towards Uses. Under this subheading, the proposal will be expected to meet the following criteria:

- a) Create or contribute to a variety of complementary uses that meet the needs of the community;
- b) Be compatible with neighbouring land uses and not result in likely conflict with existing uses unless it can be satisfactorily demonstrated that both the ongoing use of the neighbouring site will not be compromised, and that the amenity of occupiers of the new development will be satisfactorily with the ongoing normal use of the neighbouring site;
- c) Not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources.



A Noise Impact Assessment has not been provided in support of the application. It is also contended that such an assessment should assess not only whether a suitable internal living environment can be created for future occupants, but how the proposed intensification of the use at the property will have on my client's right to peace and quiet within their neighbouring home.

A significant increase in occupation within the property and external space is not commensurate to the nature of the surrounding land uses.

Noise with such uses are a common concern. In this case this is compounded as essentially nine unrelated persons will be living/working within the property will severely affect the amenity of my client's property. My client is also concerned that the proposal will result in a higher incidence of anti-social behaviour, particularly at unsociable hours and increases in crime and fear of crime.

The use of a property as a children's home can often have a distinctly different relationship with the residential character of an area and neighbouring living conditions when compared with a single-family dwelling. For example, a care home at the intensity proposed will increase the density of occupation as is illustrated by the proposed layout, which indicates a staff room/staff bedroom, as well as a further staff bedroom.

Occupants within a care home and staff working at the property in shifts would often have individual lifestyles resulting in comings and goings at different times of the day and night when compared with a single-family dwelling. Such activity will increase the potential for noise and disturbance and be detrimental to the residential character of an area. Where this occurs early in the morning or late in the evening, this can be a cause of particular nuisance. Moreover, it is also typical for other agencies and support services to undertake regular visits which will compound this. Given that my client's property is in a C3 use the proposal increases the potential for such activity to be clearly perceptible and unacceptable.



Critically, no management plan that has been submitted in support of the application to demonstrate how the property and external areas will be managed, as well as the procedure which will be in place for supervision of teenagers at weekends, evenings and during school holidays. Due to the trauma experienced, will these young persons be accompanied when leaving the property? In particular no detail has been provided as to how the communal areas would be cleaned, the responsibility for the front and rear area or the overall up-keep and maintenance of the property.

Overall, the proposal would have a significant adverse effect on the level of amenity enjoyed through an increase in noise and disturbance attributed, through the intensification in the use and essentially at least 7 persons living/working the property at any one time. There is a lack of specific detail on where the young persons will come from and the level of trauma they have been subject to. The absence of a management plan is concerning. The proposal would infringe on my client's right to a private family life and home under Article 8 of the Human Rights Act 1998. The proposal is contrary to the NPPF and local planning policy.

iii) Adverse Impact on Highway and Pedestrian Safety

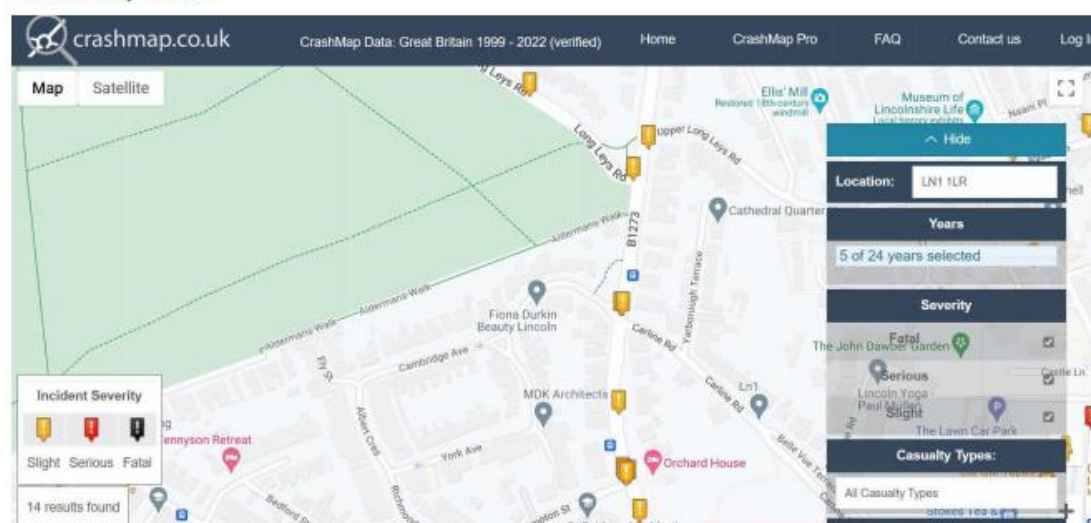
Paragraph 114 of the NPPF states that in assessing applications for development it should be ensured that adequate opportunities to promote sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. It goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 115).

The proposal will lead to a significant increase in traffic to and from the site. The submission



is silent on the number of daily visits that will be undertaken to the property from other support services and agencies. There is simply not the level of parking available to meet the parking demand generated by the proposal.

Crashmap Data



The use of this access poses a significant risk to all users of the highway network, in an area that has as evidence from the crashmap data above experienced a number of highway related incidents.

The proposed site plan is again ambiguous as it does not illustrate on how cars can access, park and turn safely within the site. In addition, no details on how larger vehicles will be able to access the site. No tracking plans or details of the access arrangements have been provided in respect of the application. The proposal will lead to an intensification of movements on to this part of the highway network to the detriment to the safety and free flow of traffic.

The proposal would mean that vehicles would have to use reversing manoeuvres on to the



pavement and public highway. This is an extremely busy highway. Agreeing to this as laid out in the Planning Application would be disregarding legality as specified within The Road Safety Act'. This would prejudice the safety and free flow of traffic on this part of the highway network to the detriment of highway and pedestrian safety.

Overall, there are a significant number of shortcomings within the application. The proposal will increase the pressure for parking on surrounding streets that are already oversubscribed. Vehicles are unable to access/egress the site that further compounds the highway harm and poses a danger to all road users and pedestrians. Ultimately the proposed development would have a severe residual and cumulative impact on highway and pedestrian safety.

5.0 SUMMARY

There are compelling reasons why the application should be refused as the proposal comprises inappropriate development. The nature of the care home proposed is at an intensity, which is not appropriate within this residential area and lead to the fragmentation of this community.

The provision of a care home with at least 7 people and staff living/working at the property who will be unrelated will result in an intensification of use that is at odds with the neighbouring dwellings. The proposal will lead to an increase in noise and disturbance, as well as anti-social behaviour.

Finally, the proposed development would have a severe impact on highway and pedestrian safety through lack of on site parking, the inability to access and egress the site in a forward gear, as well as impacting on the safety and free of traffic on the highway network.

The proposal is contrary to both local and national planning policies and does not comprise sustainable development.

There are a significant number of inaccuracies within the planning application, as well as missing information that means the Council is unable to make a sound planning decision that will withstand any legal challenge.



I would be grateful if you can confirm safe receipt of this objection letter.

Yours faithfully

Lloyd Jones MRTPI
Director



APPENDIX A – RELEVANT PLANNING POLICIES

Central Lincolnshire Local Plan (Adopted April 2023)

- S1 – The Spatial Strategy and Settlement Hierarchy
- S2 – Growth levels and distribution
- S13 – Reducing Energy Consumption in Existing Buildings
- S23 – Meeting Accommodation Needs
- S47 – Accessibility and Transport
- S49 – Parking Provision
- S53 – Design and Amenity
- S54 – Health and Wellbeing

West End Residents Association

Comment Date: Mon 13 May 2024

West End Residents Association strongly objects to this planning application.

This property is unsuitable in amenities as well as location. Firstly, it has no garden, which would be vital for the physical exercise of children as well as their mental wellbeing. Located on a narrow, congested street, there has been an under-estimation of the number of journeys that there will be to this property on a weekly basis.

The Planning, Design and Access statement point 4.15 states that there will be a Social Services staff visit once every 6 weeks. However, it is Lincolnshire Children's Services policy that EACH child is visited by their social worker every 6 weeks. In addition to this there are many more frequent visits when a child is newly placed, or when there are difficulties. There may also be visits by Placement Support workers, tutors arranged by the Virtual School service as additional support for particular curriculum subjects, or in place of attendance at school for those students for whom a place has not yet been identified. Point 4.20 mentions that children will be able to walk to local Primary or Secondary schools. However, it is Lincolnshire Children's Services policy that, where at all possible, children remain at their original school, in their home area. Due to distance, this involves them being taxied to school on a daily basis, frequently in minibuses that collect multiple children. For those children with social, emotional and behavioural difficulties, as it has been stated that the children occupying this home will probably be, they will attend specialist schools to cater for their needs, but which also are a taxi-ride away. This means that there could be up to 6 pick-ups and drop-offs daily, each being possibly by minibus, which will be blocking the road whilst waiting, and whilst loading and unloading its passengers.

A great deal has been mentioned about the Public Transport and Car Sharing incentive scheme for staff, point 4.17, as well as 'local public car parks', point 4.18. Public transport from the nearest car parks, which are in the city centre, to Queens Crescent, is almost non-existent. The notion of car sharing for the staff members on the rota is nonsensical, as they are all arriving and leaving at different times. The probability of staff members living viably close to one another to car share in such a large county as Lincolnshire is also highly improbable. Point 4.19 also references a 'Pool car'. The maximum number of parking permits available for each property situated in the Residents Parking Zone is two. Therefore, it would make unworkable to run such a home as outlined in the PDA statement, based on the sample staff rota.

Much has been made of the supposition that student occupants of the property when it was being used as an HMO (C4) would have a car each, and that these cars would be used daily to travel to the university. The same restriction would exist for these students 'only two parking permits are allowed. They are not allowed to park vehicles on the university campus, and so they would be unlikely to be using five cars for daily journeys. C3 residential use would also only be allowed 2 permits.

So, in fact, it would seem that there would be many MORE daily journeys associated with the use as a Children's Care Home than when it was either a C4 or C3 property.

This property is not suitable in amenity or location to become a C2 Children's Care Home. The number of vehicle movements, and associated parking issues, would seriously impact traffic congestion in an already cramped street. Therefore WERA objects to this application.

West End Residents Association

Comment Date: Mon 03 Jun 2024

Although this is a re-consultation, there appears to be little new information provided. The "new site boundary" is actually of the next door house, which is a completely separate property. WERA's previous comments in objection, about there being no outdoor recreation space for the residents of this children's home, still stand.

If it was hoped that vehicles visiting no 12 Queens Crescent could park on the driveway for no 14, then there is still a massive problem with this. There are two small dwellings in the rear of no 14, which each have a parking space. Any vehicles parking in the driveway, ie at the side of no 14, would prohibit access to and from these properties. At best there would be a lot of "car shuffling" going on, which would be a hazard to road users and pedestrians alike, with cars reversing in and out, to say nothing of the noise associated with this.

WERA still considers this to be an extremely unsuitable location for the anticipated use of this property at 12 Queens Crescent.

John Lincolnshire Police

Comment Date: Fri 31 May 2024

No objections.

Highways & Planning

Comment Date: Fri 10 May 2024

No Objections

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