

## 8 Top Lodge Close: consultation response

### **Customer Details**

Name: Mr Mike Maloney

Address: 4 Top Lodge Close Lincoln

### **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This close can't accommodate this proposed change of use, we are a family oriented Close of nine houses. The families vary from the old to the young including children, Allowing this to proceed in this area will not help anybody. The proposed dwelling was build to house a family, the reason people moved here was because its a close with a families (A FEELING OF SAFETY) , allowing this change off use is not right for this small close. With 7 Bedrooms comes vehicles, you can;t park more then 4 cars without going onto the road, its a corner plot so parking on the bends will cause a issue for the other 7 Houses leaving and entering. There a numerous issues we could list from looking at the proposed plans. Also surly you must take into account house values, sale ability of our homes in the future if this is granted. I welcome your response, and would also like to point out that the application when in on the 31/01/2019, the client has already started the changes internally this is not helping matters, (i understand its add hie own risk) it just makes it look like theres no point in contact you as its going to happen anyway. I await your response by return , as a side note the residents are holding a meeting on the 14/2/2019 7pm at number 9. please feel free to contact me if you would like to attend.

**Customer Details**

Name: Mr Philip Thompson

Address: 12 Swaythling Close, Lincoln, Lincolnshire LN6 3DD

**Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 1. My property joins No 8 Top Lodge Close where the side of my property joins the rear of No. 8.

2. The original application requested the that the property be changed from a Dwelling-house (C3) to Residential Institution (C2). Where 7 people receiving care, e.g. Supported Housing Scheme such as those with learning disabilities or mental problems. I am informed by Planning Officer Marie Smyth that this has been revised to a House of Multiple Occupancy (HMO).

3. I see several problems with this proposal.

a. Car parking will be an issue. The property can support 4 cars closely parked. There will be no internal garage so any vehicles coming onto the property will only be able to use this space. There is very little room for "off road" parking as the property is on a bend and will restrict drivers coming off Doddington Road.

b. The rear of the property is only 19.5 metres from a large lake. It would be very easy for a person who is mentally impaired to gain access to the lake and cause injury or even death to themselves..

**Customer Details**

Name: Mr David Spraggins

Address: 7 Top Lodge Close Lincoln

**Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I OBJECT to this application at 8 Top Lodge Close LN6 3JA for the following reasons:

I feel that this type of service that is being applied for is completely wrong for the area; the location is out of the way from local amenities with little public transport to get to and from places.

There will be insufficient parking for such a dwelling. The applicant has already started developing the site and has removed the double garage facility for cars, which alone will impact on parking, due to them reducing the car parking at the premises.

The road is only wide enough for a car at a time, so other cars visiting, or parking, will have to park on the footpath illegally, and there is very limited space for vehicles to turn.

The house was originally designed for 6 bedrooms only, but the submitted plans show an annex to include a 7th bedroom.

There is a disabled man living in the close next to the property in question and this will impact on his ability to move freely if cars are parked illegally.

There is a health and safety issue here, as Doddington Road is very busy and at times fast moving, which is a risk for vulnerable people.

I have concerns for the very small children within the Close due to the increased traffic that would be a result of the application, and also their health and safety in respect of the potential tenants who would be living there unsupervised.

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This type of development contravenes the deeds policy, which states that there can be no business use at the premises.

**Customer Details**

Name: Mr Sammy Liu

Address: 6 Top Lodge Close Lincoln

**Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the proposed development of number 8 Top lodge Close. An objection without prejudice.

The primary factor in our objection is the added volume of traffic in which the proposed change of use will bring to the unadopted road.

The revised changes from the original application requested that the property be changed from a Dwelling-house to Residential Institution will significantly increase the volume of traffic entering and parking at the close. The plot was originally designed for the support of a maximum of 4 family vehicles and is being converted to increase the number of beds but removing spaces for vehicles to park. The close has limited areas to park and with the expected increase in vehicles I worry about the safety of my young children who often play on the private road. In addition the likelihood of emergency vehicles needing to access the close will be restricted should vehicles park alongside the kerb.

Thankyou for your time

**Mrs Judith Davids 5 Top Lodge Close Lincoln Lincolnshire LN6 3JA (Objects)**

Comment submitted date: Sat 16 Feb 2019

I object to this request for change of use of 8 Top Lodge Close from a Dwelling-house (C3) to an HMO, on the grounds that the Close cannot accommodate the additional traffic, parking and visitors that this will naturally attract. There is also a covenant within the deeds of all residents' properties forbidding the running of any business within the Close.

The stated intention is for the house is to be run as a business by 28A Supported Living Limited for the supported housing of adults with learning and mental disabilities.

My concern is that if HMO status is granted, this will stay with the property no matter what the primary use, or who the occupants are. Whereas the initial stated cause is to support the vulnerable and to help them integrate back into the community, once the property has HMO status the owner of the property could quite easily decide that it would be more profitable to run, or sell the house on, as a straight HMO without the overheads of the care element.

Top Lodge Close is a small, close community of 9 residential, 5 & 6 bedroom, dwellings. When built the need for parking was underestimated. Each house has space for up to 4 cars. This has proven to be an inadequate provision where the house is fully occupied and there are grown up children, and the Close has previously suffered from families struggling to fit their cars in along the sides of what is a narrow road. This situation also caused some friction in the past on the occasions when people had guests or were entertaining, with cars parking in other people's drives or lawns, and a cluster of cars blocking the entrance to the Close, reducing this to one lane. This last represents a very real risk to cars turning into the Close from Doddington Road and coming bumper to bumper with another car trying to exit. Obviously to date this has happened on an occasional, rather than a regular basis, however with the creation of an HMO in the close this will become a daily occurrence.

Thought also needs to be given as to how large vehicles will be able to manoeuvre. The entrance to the Close was obviously left wide to allow for safe access to and exit from, what is a very busy road. After the entrance the road is narrower and there is no place to turn around, and currently the refuse vehicles and any larger delivery vans are obliged to reverse back into the Close. Number 8 is on the bend near the entrance to the Close, if this area becomes congested this will prevent larger vehicles (including emergency vehicles) from gaining access.

I would ask that you give due consideration to the impact on the current residents in what is currently a close community if Number 8 is to become an HMO, and importantly to the parking congestion that will arise, together with the associated risks described above. Top Lodge Close does not have the infrastructure to support an HMO!

(A minor point but under the heading "Biodiversity and Geological Conservation" in the application form - Lodge Lake which is within 19.5 metres of the house is a place of Special Scientific Interest.)

**Mr Richard Sargent 9 Top Lodge Close Lincoln LN63JA (Objects)**

Comment submitted date: Mon 18 Feb 2019

I wish to start by stating that i strongly object to this application. I have been a resident of Top Lodge Close since 2016 when i made this my forever home. I myself am also a vulnerable adult who lives independently in the community. This application i feel now threatens my feeling of security in this close residential street.

Reading the statement made by the applicant i wish to touch on a few subjects raised. I do not challenge that there is a need for these centres in the community. I love the concept of helping create independence in vulnerable adults. However they now risk my own independence and confidence in the community. The reason being that we have an open plan driveway and also the new introduction of windows under Permitted Development. I feel that this proposes a risk to my privacy and security. The windows now allows for occupants, the ability to study the comings and goings of my property. Although it is hypothetical that someone could take advantage of this, it still does not reassure my mental health. I would like the planning to not only consider the benefits of the applicants but also take into consideration the potential health risks it now could impose on my self as a direct neighbour.

I have made a large financial investment in making this home fully accessible to my self. I was careful in my planing in selecting a property that had very strict covenants to know i would be safe in the future. This application violates 2 restricted convenience in our deeds with the possibility of a third if granted permission. If this application was to be granted i would be left with no possibility to sell and move if i became unwell due to stress.

As they are applying for HMO status my fear is that the company will keep changing their mind on who they house. They have a history within their organisation of working with a wide variety of individuals. I feel their statement that their intended clients would not require parking due to there type of disability should not be taking into consideration.

All 6 bedroom properties on the estate where given a minimum of 2 garages to be able to cope with the traffic intended with a one family unit dwelling. Subsequently the applicant has chosen to remove the double garage in order to house a 7th person and company with HMO guidelines of a groundfloor accessible accommodation. The driveway at a push would house 4 cars but this would also lead to blocking the main door and not having sufficient space for a clear fire escape route. Due to the remove of the double garage the property has now lost the use of a further two parking spaces. Our garages where constructed large enough that they could accommodate two modern day vehicles comfortably. So not only have they increased the amount of people in the property they have also decreased the amount of parking spaces.

This would result in them needing to park on the private road. The bend access to the property is already limited and cars would be forced to park on this. It would lead to a potential obstruction for required emergence service vehicles and with the potential care needs of the individuals in this property it would have more of a precedent to make sure this wasn't an issue. Also it would cause direct issues to my self in entering and exiting my own personal driveway safely.

The access road as mentioned above is a private road which all residents have a responsibility towards. It states in the deeds that until the highway agency was to adopt the road that we the residents would be responsible for the upkeep. As to the date of me writing the road has still not been adopted by the highways agency and this was confirmed over the phone to me. In the deeds it mentions fair usage for access to and from our properties. The added traffic of care workers, visitors and residents I feel does not fall under fair usage, as the intention for the property was for one family unit. The level of traffic would be greater, which ultimately would effect the wear on the road meaning it would deteriorate quicker. Ultimately it would be the other residents who would have to take the hit with the added cost. This would not be fair due to the fact this establishment would be making money out of the business and ultimately this would be at the rest of the residents expense.

I would welcome a site visit from your self so you could get a better understanding of the concerns I have raised. Please feel free to use my contact details above to arrange a convent time for us both. As I am realistically the only direct neighbour of this property I feel it would be more appropriate to meet together.

**From:** dan gardner [REDACTED]  
**Sent:** 27 February 2019 11:54  
**To:** Technical Team (City of Lincoln Council)  
**Subject:** Objection to 8, Top Lodge Close, Lincoln development

Good morning.

Please see below my objection to the proposals at 8 Top Lodge Close, Lincoln. I have tried to submit online but it did not seem to work. I am Daniel Gardner - 2 Top Lodge Close, Lincoln - I am aware my comments will be made public.

I object to this request for the change of use of 8 Top Lodge Close from a Dwelling-house (C3) to an HMO for the following reasons;

Firstly we have recently bought our property on the close and paid a lot of attention to the terms of the deeds to the property and the surrounding area. It clearly states in the deeds that each dwelling is for one family unit and cannot be occupied by multiple occupancy. It also states that businesses cannot be run from the property and commercial vehicles cannot parked at the properties. This proposal, which has clearly started to be developed prior to the outcome of the application is in breach of these deeds.

This area consists of large, detached properties which are occupied by family units. This was the number one reason for us purchasing in the area as that gave us the safety and security with raising a family in mind. Had HMOs been allowed on the close or if there were any already in existence, we would not have purchased the property.

There is clear and direct evidence in others parts of the city (West End for example) that HMOs lead to a rise in noise complaints and anti-social behaviour. This will have a direct impact on us, our neighbours and our house prices.

I also note the applicant has stated that he does not anticipate any noise issues and or anti-social behaviour from the property. This is a generic comment, which lacks evidence to corroborate such a claim. The very fact that there is a 24 hour helpline for the residents suggests that there will be issues.

Once an HMO status is granted it stays with the property, not the owner. Whilst the current plan is to house young adults with learning difficulties this could be open to future abuse and could be used to house a wide range of residents with varying issues which could have a large impact on the area and already established community. The owner is unlikely to be concerned about this as they will only have a financial incentive when either renting or selling the property. This could include substance abusers to people on probation with an extensive history of offending. This has a well documented link to serious acquisitive crime and anti-social behaviour.



My partner and I currently work long and anti social hours which include night shifts. This area currently benefits from a quiet and peaceful environment and this is owing to the majority of the resident working during the day. This allows us to sleep during the day following night shifts. We fear by introducing a HMO into the close is out of keeping with the area and will have a clear impact its quiet nature. This will have a direct impact on us and our decision to buy in this area.

Parking has already been mentioned previously by neighbours but we would also like to highlight an increase in vehicles in the close will have a direct impact on both emergency vehicle access and wheelchair/pushchair access for all current residents.

All of the residents in the close currently own their properties and take pride in its appearance and upkeep. We fear that the transient population of an HMO will not share our enthusiasm and willingness to maintain their property to the same standard. This will have an impact on the environment and enjoyment of the area.

This proposal should be rejected.

Kind regards,

Daniel Gardner

2, Top Lodge Close, Lincoln

**Mrs Julie McHardy 13 Swaythling Close Lincoln Lincolnshire LN6 3DD (Objects)**

Comment submitted date: Tue 19 Feb 2019

I object to the application for change of use from (C3) Dwelling House to Sui Generis with an element of care revised from (C2) Residential Institute at the address 8 Top Lodge Close

We are a neighboring property and are adjoined by a rear boundary fence. My objections are base on the following criteria

**a. Lack of Privacy**

"where two habitable rooms face each other such that direct overlooking is physically possible the windows should be 22 metres apart, this is required to achieve a degree of privacy within conventional two storey accommodation, habitable rooms include living and bedrooms, studies and kitchens"

my properties privacy was initially comprised with the original development of Top Lodge Close, the overbearing scale and dominating effect of Number 8 had an immediate impact on our property, it also appears that the building and planning regulators were not looking after our best interests as homeowners because measurements taken recently of 19.25 metre appear to be below the minimum standard necessary to protect our privacy. My current objection is impounded by the fact that the current family bedrooms will become a hostel room/bedsit, with all the occupiers personal possessions kept within this private space, the room will be utilised more frequently and for longer periods of time in the day which means our privacy will be compromised even further.

**b. Overlooking**

Building Regulations 1984 " a habitable room window of a building on an allotment must not provide a direct line of sight into a habitable room or onto a secluded private open space of an existing dwelling on an adjoining allotment.

Our garden is completely overlooked by number 8 and offers no secluded areas, this will be further impacted by the change of use with occupiers of the rear rooms on the 1st floor having an unhindered view into our rear garden.

**Human Rights Act - Protocol 1 - Article 1**

"The protection of property gives every person the right to peaceful enjoyment of their possessions" which includes their home and land.

I would like to extend an invitation to the council for a representative from the planning committee to meet at my property to illustrate my objections.

**Conclusion**

In the supporting statement provided they state the application has arisen due to a need for supported living within the region and end by stating the need clearly outweighs the harm" If there is a potential for harm as quoted by the applicant then this outweighs the need and this application therefore should be denied without delay



**Customer Details**

Name: Miss Nicola Sykes

Address: 14 Swaythling Close LINCOLN

**Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We live adjacent to the proposed development and are writing to ask that you refuse the application.

Firstly the proposed development is in a small close, where children play freely in the street as there is no through road. The development will increase the number of residential cars and visitors to the business, which will lead to parking in the street and invariably overflowing into swaythling. This will not only cause traffic/access issues, but also a safety hazard.

Doddington road is already congested without the increase traffic to a business in the close.

8 Top Lodge overlooks our garden and this will have an impact on our privacy in the garden and house. With the potential of several residents and visitors this will have an impact on the noise in the close.

There are a number of children who use both closes to play in not only will the additional traffic become a safety hazard, but also the volume of residents and different visitors visiting the development also increases safeguarding issues in a quiet residential close.

#### Customer Details

Name: Mr David Conroy-Lewis

Address: 3, Top Lodge Close Lincoln

#### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the planning application for the change of use of 8 Top Lodge Close to an HMO, on the grounds that:

a) we bought the house because it was on a quiet close with family occupation of the properties and there has been a pleasant community atmosphere here for the last 7 years. One of the appealing parts of the close was that the property deeds of all residents limit the occupation of the properties to family units and prohibit the running of any business within the close. This has been the case to date and I find the proposed development goes against the deeds and the community spirit.

b) the proposed development is at the entrance to the close and will inevitably bring with it additional traffic and parking for visitors and new occupiers of the property. Access to the remaining houses will be limited, or blocked, as the road is narrow and as the garage has been converted to accommodation any additional vehicles will be parked on the road as the parking space for the house is limited to three or four cars. There is insufficient parking space for additional vehicles and parking on the limited road area will cause a hazard to residents from vehicles entering and leaving the close around a tight narrow bend which has limited visibility even when clear. Access for delivery vehicles and any emergency vehicles will be limited by parking. Already three refuse collection lorries have to reverse down the single track part of the close to collect the recycling and refuse. The parking will limit the turning area provided on the made up part of the road and access to the remaining properties will be adversely impacted. Parking on the pavements will cause blocking of the passage of pedestrians. My mother in law lives with us and has limited mobility relying on the use of a mobility scooter to get out to the shops unassisted. Blocking of the pavement with parked cars will force her to use the road which is hazardous given the visibility issues. With the close being off the busy Doddington Road, access constraints will cause hazards to residents as they access the close if it is blocked by vehicles. Large delivery

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vehicles already have to reverse out of the close onto Doddington Road, this development will only increase the risk of an accident.

1 Top Lodge Close

Lincoln LN6 3JA

05 March 2019

Directorate of Communities & Environment

City Hall

Beaumont Fee

Lincoln LN1 1DF

[marie.smyth@lincoln.gov.uk](mailto:marie.smyth@lincoln.gov.uk)

**Ref 2019/0079/FUL**

I wish to lodge my objections to the proposed change of use of 8 Top Lodge Close, Lincoln LN6 3JA from a Dwelling-house (C3) to a 7-bedroom HMO (Sui Generis).

Although I believe this is an admiral cause, I do not think that 8 Top Lodge Close is the right place for any HMO.

My grounds for objection are:

**1) Parking/Increased Traffic**

The Close cannot accommodate the increase in traffic/parking that this would create. Parking at the property when built was initially for 4 cars. With the current conversion of the garage now almost complete this has reduced parking by 2 spaces. The Close already has limited areas in which to park and although the developer states that residents will not have cars themselves it is unrealistic to expect that they will not have visitors especially as an 'element of care' is involved.

As number 8 is on a bend at the entrance to the Close any additional parking could cause issues for any emergency vehicles, or large delivery/works vehicles requiring access to the Close. It is my understanding that the Police and other Emergency Services receive numerous calls from similar HMO's in the locality, so it is not unreasonable to expect similar issues to arise on the Close. Access has already been severely restricted regularly since late December, and is ongoing, with a number of works vehicles attending the property. This has caused difficulties for current residents leaving and returning from work. Only the other day there were 2 small vehicles parked at number 8 and one parked on the road outside number 8 with a further van blocking my drive causing my daughter to have to wait for a workman to move his van so that she could go to work.

**2) Safeguarding of Proposed Residents**

The proposed residents (according to the applicant) include those with learning difficulties or Mental Health issues. This gives rise to Safeguarding Issues regarding their safety on a daily basis. As there will be no 'live in carers' if a resident urgently requires help it may not be available immediately and this may cause further anxiety or panic.

The exit from the Close (approx. only 50 feet away from the house) is straight onto an extremely busy Doddington Road. If one of the residents were to panic (for whatever reason) and run out of the

house into the road they could cause a serious accident resulting not only in injury, or death, to themselves but to others too.

If a resident were to run in the other direction, there is a lake only 19.50 meters from the property. Again, if they were to panic and jump the fence, they could end up in the lake resulting in serious injury or death to themselves or any potential rescuer.

**3) Safety of Children**

Currently, as this is a Private Road, young children living in the Close (including my own grandchildren who spend the majority of their school holidays here) are able to play safely in the Close. Increased traffic would have a very real impact on their safety and freedom.

**4) Inappropriate Area**

- Top Lodge Close, in my opinion, is not suitable for this type of property. Although close to a main road the nearest shops are 2 miles away (fine on a sunny day but not so good in the winter).
- There is nothing for residents to do except visit the local pub which is approx. 100 yds from the Close, this is not very conducive to recovery if you are a recovering alcoholic, a recovering drug user or are on medications that do not react well to alcohol consumption.
- There are only 9 homes in the Close, so it is not a typical area for someone trying to integrate back into society.

**5) Other More Suitable Properties**

There were (are) several other more suitable properties on the market then and now. They all have better off road parking facilities and are closer to local amenities. Most are cheaper than the price paid for 8 Top Lodge Close.

**6) Future HMO Usage**

A further concern is that if HMO status were granted there would be nothing to prevent the current owner from deciding that it would be more profitable to rent as a straight HMO without the element of care or from selling on the house with its HMO status.

**7) Potential Harm**

In a supporting statement provided by the applicant they state that their application has arisen *“due to a need for supported living within the region”* and end by stating *“the need clearly outweighs the harm”*. They therefore acknowledge that this will in fact cause harm to the residents of the Close. It is my opinion that if there is **any** potential for harm as stated by the applicant then the application should be denied.

**8) Misleading/Inaccurate Information**

All supporting documents are in the name of 28A Supported Living Ltd., yet, according to The Land Registry, they are not the owners of the property. The property is owned by Allerton Investments Limited of Leicester.

28a Supported Living made a big issue in their Supporting Statement of the fact that they are a non-profit organisation. This should have no relevance as they are not the owners but the lessee of the property, the owners can terminate the lease agreement they have with 28a. Allerton Investments, the actual owners of the property, are as far removed from a non-profit as it is possible to be. Their website (although still under construction) states that they have £100m in assets and their strategy states:

*“As a growing independent multi industry group of companies, it is Allerton Groups aim to encompass a diverse and extensive portfolio of interests to maximise all of the key elements of the Group. By keeping its Core Values at the forefront of all decisions, Allerton Group will continue to expand into exciting, developing markets – giving real growth on assets and profitability.”*



*Our strategy is to achieve this by recruiting innovators, influencers and experts in their field. We will then have expertise across a diverse range of industries; allowing us to seek out innovative revenue streams and opportunities for growth. Allerton Group takes a long-term view of market synergies across its various group companies with a view to providing sustainable and reputable growth."*

*"Our business invests significant resources to expand its portfolio after careful assessment of return on capital"*

It is therefore not unreasonable to think that once this particular type of market has been saturated and becomes less profitable that they would find a more lucrative purpose for 8 Top Lodge, perhaps student rentals, or rentals to young professionals, all of whom would have different needs, and in the majority of cases would have a vehicle.

It is also worth noting that on the original application that the application contains inaccurate information:

5. The applicant answered 'No' – work commenced on the property during the Christmas break and has been on-going ever since then.

6. The applicant answered 'No' – the site is currently vacant (as in no-one is living in the property).

7. The applicant answered 'No' – new additional windows, new interior walls, new interior plumbing, new interior electrics.

9. The applicant answered 'No' – by virtue of the fact that the garage is being converted parking is reduced by 2 spaces therefore it is relevant.

11. The applicant answered 'No' - 8 Top lodge is in fact less than 20 metres from the lake.

12. (a)(b) and (c) "Biodiversity and Geological Conservation", the applicant answered 'No' - Lodge Lake is within 19.50 metres of the house and is a place of Special Scientific Interest.

17. The applicant answered 'No' – the conversion of the garage (non-residential floorspace) to a self-contained unit is a change from non-residential usage to residential.

18. The applicant answered 'No' – although it is my understanding that staff will not be living-in they will need to visit daily.

25. Certificate of Ownership – neither Mr Khan or 28a Supported Living are the owners of the property, Allerton Investments are - although 28a may be the lessee it is unlikely that they will have been granted a 7 year lease before planning permission has been granted.

Thank you for your time.

Regards

Elizabeth Young

1 Top Lodge Close

Lincoln LN6 3JA

06 March 2019

Directorate of Communities & Environment  
City Hall  
Beaumont Fee  
Lincoln LN1 1DF  
[marie.smyth@lincoln.gov.uk](mailto:marie.smyth@lincoln.gov.uk)

Dear Sir / Madam

Ref 2019/0079/FUL

I write to register my objection to the above planning application.

Whilst I understand the need for such institutions the location is unsuitable and not in the best interests of either party.

I set out below my reasons why the application should be denied.

#### 1 Neighbourhood

Top Lodge Close is a small, quiet and secluded family orientated cul-de-sac with only 9 executive style family dwellings. Any change of use to the dwelling would be out of keeping with the area. I would not feel safe allowing my grandchildren to play outdoors in what was previously a very safe environment and is something any parent will immediately understand.

Since it is proposed to have 7 short term residencies within the property there would be no continuity and ever changing faces on the Close. This would not be conducive to the smooth running of the Close as our children are taught not to speak to strangers and it may scare them if approached (albeit innocently) by these persons.

It could also result in the lowering of standards of upkeep and maintenance to the property.

Since the purpose of such HMO's is to integrate its residents back into society a busy environment is essential. This cannot happen in this location as there simply is no one to integrate with. There are very few other properties in the vicinity and no local amenities where they could meet and mix with others so fails to meet its prime objective.

#### 2 Parking and Access

There is already very limited access and parking on the Close. Visitors to the properties frequently have need to park on the only available space on the pavement on a blind corner leading directly onto a very busy main road which is a potential danger to anyone accessing or leaving the Close. Each property is allocated 4 spaces and with the proposed conversion of the garage this would mean cars parking behind one another so more manoeuvring /reversing into the close required.



### 3 Effect on Close

I note the developers do not propose to have a resident carer on site to deal with any issues or episodes which may arise i.e. medical issues, disturbances etc. so residents will be left to their own devices which given their issues is most unsatisfactory. I further understand the Police, Emergency Services and other rapid response teams receive numerous calls from similar HMO's in the locality, so it is not unreasonable to expect similar issues to arise on the Close.

### 4 Business Model

28a Supported Living is a non-profit organisation set up specifically to provide supported housing and is registered with the Local Authority to obtain funding.

8 Top Lodge Close was purchased by Allerton Investment Ltd (part of the Allerton Group boasting assets of £100m) on 6 December 2018. Allerton is a property investment company which only invests in properties after careful assessment of their return on capital and which give real growth on assets and profitability. They have 75 similar properties (per their Website).

Properties are purchased converted and rented to 28a Supported Living who are assured full occupancy at all times as part of their arrangement with the local Authority (as there is always a waiting list). This has the added advantage that there is no risk to Allerton in securing rentals within the private sector with its associated problems.

This fact is not mentioned in the application presumably as it is felt it would give more credibility and be more favourably received coming from a non-profit making organisation than an extremely successful property investment company.

Although at first sight providing a much needed service to the Community, this is secondary to the main activity of the group which is growth and profitability which is far from the "non-profit making" ethics on which the application is based. This is in fact an extremely effective business model with a high profile perception of creating good for the community.

### 5 Property acquisitions

Properties are acquired on a random basis by Allerton irrespective of where the property is situated and what impact it will have on its surroundings the only proviso being that the property is a good investment. It does not have to be suitable for purpose which is clearly the case at Top Lodge Close.

These properties will attain the same rate per room from the Local Authority wherever situated and receive a constant stream of residents so guaranteeing full occupancy wherever situated so location is of no importance.

28a Supported Living is merely a vehicle to enable Allerton to achieve their main objective under the guise of the good of the community which is clearly demonstrated at Top Lodge Close where it appears no consideration has been given to the viability of such a project at this specific location which is wholly inappropriate and not suitable for such purpose.

With this in mind it is difficult to give any credence to the application and it should be rejected

### 6 Alternatives

At the time of purchase there were several other far more suitable properties on the market in the area in more suitable locations and close to local amenities. However 8 Top Lodge Close is a better

property in a better area and fits the profile of the Allerton property portfolio and presumably offers a better return on investment.

Top Lodge Close has no facilities other than a public house situated 100 yards away on the main road which is an unacceptable risk as the residents could wander there at any time during the day or evening as they would have nothing else to do and could result in serious alcohol related disturbances and associated problems. The only alternative for the residents would be to remain in the close or on the very busy main road less than 20 yards away which would be a danger to all concerned. The nearest shop is 2 miles away.

#### 7 Integrity of developers

It is an important principle of decision making that process is open and transparent which is not evident here and I have severe reservations regarding this application.

The ownership certificate (note 25) states that "nobody except myself (agent) /applicant (Mr Kahn for 28a Supported Living) was the owner of any part of the land or buildings to which the application relates". The owner must have a freehold interest or a leasehold interest with at least 7 years to run.

The freehold is owned by Allerton Investments Ltd. It is extremely unlikely that a 7 year lease has been granted to 28a Supported Living prior to passing of the planning application.

The developers state they are a Lincoln City based organisation which is incorrect and work closely with Lincolnshire County Council and have 7 other facilities in the area. The supporting statement indicates they have never received any complaints from these. However I have been unable to locate any of these properties so this is unsubstantiated.

The application states 28a Supported Living to be CQC registered yet a check of the CQC website reveals nothing unless they are registered under a different name (which is not evident from the planning documents) and do not appear in the Lincolnshire Care Directory.

The original application contained deliberate misrepresentations. It stated work had not been commenced at the property. Contractors have been working at the premises since acquisition in December and work is already substantially completed.

A further planning application was submitted on 6 February for the conversion of the garage to living accommodation. This application was granted 2 weeks later despite no neighbour notification being received which is unusual since neighbouring properties are now overlooked from the new windows.

I find it extremely concerning the developers are treating these applications as a "done deal" and I cannot help wondering on whose advice they have proceeded.

The application also stated there were no changes required for parking. This again is untrue since the double garage was being converted to further living accommodation thus reducing parking availability by 2 spaces.

There appear to be transparency issues and I wonder what else they are hiding which is a further concern.

#### 8 Class of resident

The initial application was for a 6 bedroom premise to accommodate adults with learning disabilities and mental health issues. This has now been revised to a 7 bedroom HMO (Sui Generis) although the purpose remains the same. I work with such persons on a regular basis. These persons are subject to

unpredictable behaviour and can be volatile with violent outbursts which can be a danger to all concerned and particularly to young children.

#### **9 Potential change of use / Risk**

The supporting statement is very specific as to the current application. Although it is not the intention of the developers to change this use to other categories their website shows that in addition to this category they already provide housing for the homeless, ex-offenders, asylum seekers, recovering addicts and homeless parents to be.

The property could be sold on at a later date with licence attached and the category changed for whatever purpose.

Any such change of use could have a radical effect on the Close and could attract undesirables to the area with a significant increase in the possibility of theft and damage to property. Statistics show areas with HMO's have an increased crime rate. This could also significantly increase the amount of traffic on the Close.

#### **10 Property values**

If the application were to be granted it would in effect become a "DSS style hostel" but for persons with special needs and issues but funded by the Local Authority in an exclusive area.

Most residents have made these properties their forever homes and have invested heavily in their homes. Any such change of use would have a massive impact on property values on the Close and could make them potentially unsaleable.

#### **11 Covenants**

I understand title deeds are of no relevance in such planning matters. However, irrespective of the outcome of this application there are several restrictive covenants within the Deeds strictly prohibiting any such development or change of use so ultimately will not be able to proceed even if granted.

Yours faithfully

A P Young

**Place Directorate**  
Lancaster House  
36 Orchard Street  
Lincoln LN1 1XX  
Tel: (01522) 782070  
E-Mail: [highwayssudssupport@lincolnshire.gov.uk](mailto:highwayssudssupport@lincolnshire.gov.uk)



To: Lincoln City Council

Application Ref: 2019/0079/FUL

With reference to this application dated 31 January 2019 relating to the following proposed development:

Address or location

**8 Top Lodge Close, Lincoln, Lincolnshire, LN6 3JA**

Date application referred by the LPA  
5 February 2019

Type of application: Outline/Full/RM/  
FUL

Description of development

**Change of use to 7 bed House in Multiple Occupation (HMO) (Sui Generis) with  
an element of care (Revised Description)**

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

**Does not wish to restrict the grant of permission.**

CONDITIONS (INCLUDING REASONS)

HI08

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

NO OBS

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

Case Officer:

Date: 22 February 2019

*Becky Melhuish*  
for Warren Peppard  
Flood Risk & Development Manager

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Good morning

Looking at the above planning application we would not object –regards

Steven Biddle

Network Technician

Plant Protection

**Cadent Gas**