

2021/0899/HOU - The Old Dairy – Consultee Responses

Consultee Details

Name: Mr Ian Wicks

Address: Directorate Of Development And Environmental Services, City Hall, Beaumont Fee
Lincoln, Lincolnshire LN1 1DF

On Behalf Of: Environmental Health

Comments

I confirm that I have no objections or observations to make regarding this application

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

NO Objection

Comment. This is a sympathetic application for an extension to the existing building. Our one concern is the difficulty in access to the property particularly during the development. The only route to the property is off Church Lane and through the grounds of the Lincoln Minster Preparatory School

Consultee Details

Mr Dave Walker Arboricultural Officer

I visited the above address on the afternoon of the 2nd of December and would like to provide you with the following comments:

- The proposed development is located within a conservation area.
- The garage identified for demolition is bordered to the south by a *Fagus sylvatica* hedge – as the garden is totally enclosed by surrounding boundary walls the hedge does not provide any amenity value to any of the adjacent properties.
- The area of the proposed extension is devoid of any vegetation which would be protected as a result of conservation area designation – small diameter wall shrubs are located at the base of the brick built wall, all have diameters below 75mm when measured at a height of 1.5 metres.
- There are several trees located in the southern sector of Ockbrook Court which are in close proximity to the proposed extension – Root protection areas of these trees are unlikely to be compromised by the proposed development however I have not been able to identify the diameter of the trees present.
- Trees overhanging the proposed extension from the rear garden of Ockbrook Court would benefit from minimal facilitive pruning; this would prevent the risk of tissue damage which may otherwise occur due to possible contact with either construction machinery or the proposed extension structure.

As there is no vegetation which warrants protection within the footprint of existing garage and proposed garage extension I raise no objections to the applicants proposals

Warren Peppard
Head of Development Management
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
HighwaysSUDsSupport@lincolnshire.gov.uk

To: Lincoln City Council

Application Ref: 2021/0899/HOU

Proposal: **Erection of a two-storey side extension following demolition of existing detached garage**

Location: **The Old Dairy, Church Lane, Lincoln, Lincolnshire, LN2 1QR**

With reference to the above application received 2 November 2021

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) /REASONS FOR REFUSAL

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.

For this proposal the access remains unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

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

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

Authority to consider the surface water risk for this planning application.

Case Officer:

Liz Burnley

for Warren Peppard

Head of Development Management

Date: 19 November 2021

Consultee Comments for Planning Application

2021/0899/HOU

Application Summary

Application Number: 2021/0899/HOU

Address: The Old Dairy Church Lane Lincoln Lincolnshire LN2 1QR

Proposal: Erection of a two-storey side extension following demolition of existing detached garage.

Consultee Details

Name: Ms Catherine Waby

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

Email: Not Available

On Behalf Of: Lincoln Civic Trust

Comments

NO Objection

Comment. This is a sympathetic application for an extension to the existing building. Our one concern is the difficulty in access to the property particularly during the development. The only route to the property is off Church Lane and through the grounds of the Lincoln Minster Preparatory School.

2021/0899/HOU - The Old Dairy – Written Representations

Comments for Planning Application 2021/0899/HOU

Application Summary

Application Number: 2021/0899/HOU

Address: The Old Dairy Church Lane Lincoln Lincolnshire LN2 1QR

Proposal: Erection of a two-storey side extension following demolition of existing detached garage.

Case Officer: null

Customer Details

Name: Miss Holly Peacock

Address: Stonefield Williamson Street Lincoln

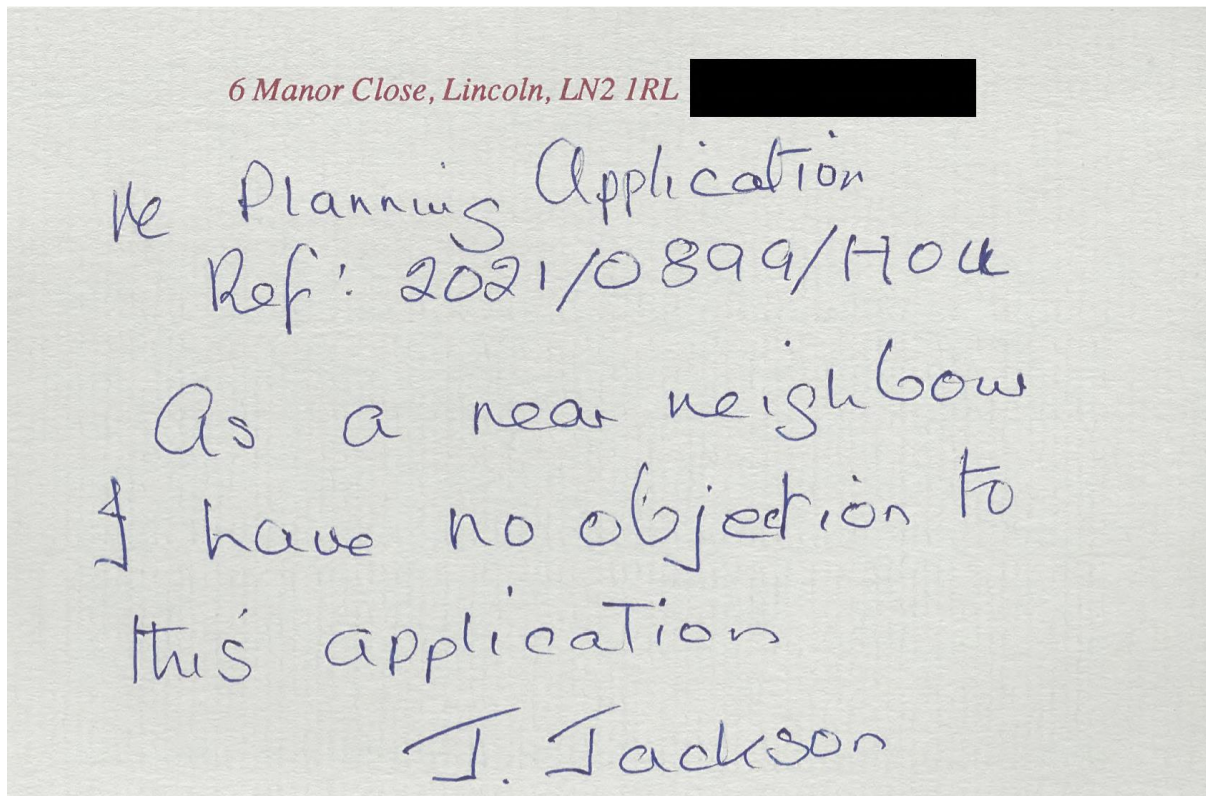
Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We support the planning application. It is a nice design and in keeping with the existing building.



Attn K Manning - Assistant Director Planning

Dear Sir

Re: 2021/0899/HOU and 2021/0908/FUL

I am in receipt of the notices relating to the above applications, being a resident likely to be affected by the works.

I and a neighbouring flat owner, Mrs D Pettitt have many concerns regarding these applications and anecdotally other residents in Ockbrook Court and neighbours in Middletons Field have expressed similar concerns.

Our main worry is that the works proposed are being completed by a prominent local businessman who has a track record of dealing with planning applications and appears to have the resources to contract highly professional architects and consultants to support his applications. I feel we are merely local citizens with concerns as to the wellbeing of our properties and maintaining a lifestyle we have come to enjoy over many, many years and fear our worries may be overlooked.

In addition to the above and in no order of priority, our other worries include:

- Unsafe and restricted access during the works, on a footpath used many times daily by elderly people.
- Future dangerous access along the same footpath due to increased vehicular movements.

- The effect on the trees and shrubs in our garden due to building activities potentially damaging the root structure and the ongoing lack of direct sunlight following the works. (Our garden faces due south).
- The restriction of the outlook (I know we are not entitled to a view in law) and the effect of the new buildings on the value of our properties.
- The disruption on Middleton Fields caused by extra vehicular traffic both during and after construction and the effect this will have on the mature trees in the verge, the road drainage and the road surface.
- Whether in fact the new dwelling, being built in a small garden is absolutely necessary, legal, in keeping with the area and most importantly within the law and pertaining guidelines.
- The increase in noise in the area

I will be writing formally to express these concerns, however, in the meantime I request you delay the dates of representations of these applications to give us, residents and citizens, the time to consider our options fully, consult where applicable and prepare a detailed response. I am sure the building applicants have had longer than 3 weeks to prepare their plans and arguments to the development team and feel we deserve the same.

I would consider a delay until a date in early 2022 to be reasonable.

Finally, I would be most grateful if you or a member of your team would find the time to visit us at our homes, to walk around the area with us and understand our concerns. Please contact me to arrange a date.

I look forward to your response

Peter Martin
11 Ockbrook Court
Lincoln
LN1 3EP

Comments for Planning Application 2021/0899/HOU

Application Summary

Application Number: 2021/0899/HOU

Address: The Old Dairy Church Lane Lincoln Lincolnshire LN2 1QR

Proposal: Erection of a two-storey side extension following demolition of existing detached garage.

Customer Details

Name: Mr Norman Arnold

Address: 22 Ockbrook Court Williamson Street Lincoln

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: Planning Application Drawing no. 2011 - Proposed North, East & West Elevations

NORTH ELEVATION

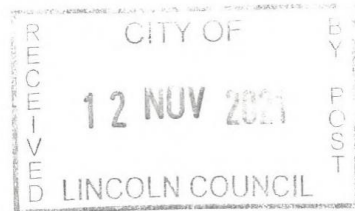
1. Please consider lowering the height of the proposed pitched roof (on the west side of the gable) to match the height of the existing pitched roof (on the east side of the gable).
2. Please specify the proposed north facing, high level, windows, as follows:- the horizontal eye site line, from inside the Dairy, is to be below the window sill level; windows are to be of limited opening; all glazing is to be translucent. The windows are to be designed so as to always prevent any direct person-to-person overlooking, between The Old Dairy and flat windows at Ockbrook Court.
3. Please do not install any other north facing roof lights or north facing windows, of any description.

20 Middletons Field
Lincoln LN2 1QP
8th November 2021

Simon Walters

City Hall
Lincoln

Dear Sir,



Proposed development at the Old Dairy,
Church Lane ref. no 2021/0899/HOU

I received your letter of 2nd November with interest. The above development does not impact on me or my property. What does concern me is that you made no mention in your letter that it is proposed to build a house at the rear of no. 18 Middletons Field to the west of the Old Dairy — what you refer to as no. 21 Middletons Field, which ~~does~~ not exist. My concerns are as follows:

1. You did not pass on the information re the new house. It appeared only as a short sentence on the on-line application.

2. the property that you refer to as no. 21 has no direct access to Middleton's Field, the driveway next to mine (at no. 20) belongs to Ockbrook Court. The owners of no. 18 have access rights to their garage at the rear. The only parking space is the area immediately in front of the garage, and not on the drive. Any vehicle parking on the drive obstructs the inhabitants of Ockbrook Court, who I believe have concerns about this, and causes them to use my driveway - an issue of trespass and lack of privacy.

3. Following on from the above, building work will be highly disruptive both in terms of access and disturbance. I speak from experience as I have recently suffered both when no. 19 was demolished and rebuilt.

4. Flooding,

I refer you to Jeanne Gibson of the County

Highways Department, who has been dealing with the serious flooding problems in Middleton's Field and particularly outside no. 20. All the details, including photographs, showing continuous damage when my front garden is repeatedly flooded, over a period of approximately 7 years, are with Jeanne Gibson.

As stated in your letter, I do not expect a reply about the Old Dairy development. I do however await your comments about a future application at the rear of no. 18.

Yours faithfully,

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

16 Middletons Field
Lincoln LN2 1QP
23 November 2021

Attention MR K Manning, Assistant Director - Planning

Dear Sirs,

OBJECTIONS AND COMMENTS TO PLANNING APPLICATION

THE OLD DAIRY, CHURCH LANE, LINCOLN LN2 1QR REF:2021/0899/HOU

1. The property is already a prominent, visible and dominating feature of the northern skyline as viewed from many of the properties on the east side and north end of Middletons Field, the height to ridge line of the south facing gable being considerably greater than that of the nearby detached properties. To continue this ridge line height a further 10m or so to the west would only exacerbate the dominating nature of The Old Dairy residence.
2. The existing south facing bedroom bay window has clear line of sight into 4 north facing first floor windows of 16 Middletons Field, with a 30 deg sight line at a range under 30m. The proposed new bedroom large bay windows would have an even more direct view at a reduced 15 – 20 deg sight line and 25 – 28 m range.
3. Both of the above could be addressed by forming the proposed extension as a mirror of the existing style of the eastern wing of the building.
4. Concern is expressed at the proposed access through what is now a very busy school vehicle and pedestrian access with attendant safety issues, and the regular disruption and congestion along the eastern leg of Church Lane during peak school times. The Integrated Planning Statement is silent on this as an issue and fails to address the prospect of HGV construction vehicles mixing with existing users.
5. Deriving from comment 4. above, and, in light of the Applicant's associated Planning Application 2021/0908/FUL for development at 18 Middletons Field, we would object most strongly to any suggestion that this latter proposal could be used as a vehicle to establish either temporary or permanent new access to The Old Dairy from Middletons Field.

Yours faithfully,

1. View from first floor 16 Middletons Field



2. View from garden level 16 Middletons Field



Comments for Planning Application 2021/0899/HOU

Application Summary

Application Number: 2021/0899/HOU

Address: The Old Dairy Church Lane Lincoln Lincolnshire LN2 1QR

Proposal: Erection of a two-storey side extension following demolition of existing detached garage.

Customer Details

Name: Mr WILLIAM HUTCHINSON

Address: FLAT 5 OCKBROOK COURT WILLIAMSON ST LINCOLN

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:OBJECTION TO PLANNING APPLICATION 2021/0899/HOU

THE OLD DAIRY STONEFIELD CLOSE off CHURCH LANE LINCOLN LN2 1QR

As owner and resident of a property at Ockbrook Court Williamson St Lincoln LN1 3EP, we wish to object strongly to the above planning application for the following reasons:-

1. Although the applicants have acknowledged and referred on numerous occasions, to the neighbouring site of Ockbrook Court to the north of this development application - no timely notification was given by your department to the residents of Ockbrook Court as to this application nor that of 2021/0908/FUL. An extension to the deadline for submissions should be given along with an opportunity for ALL residents of Ockbrook Court to submit their comments. Furthermore, many of the documents submitted in support of this application are currently unavailable for viewing.
2. The proposal concerns an extension to the existing house known as the Old Dairy which is due south east of our property and with clear line of sight. The extension is proposed to the western end of the existing building which brings the extension into direct line of our property and as such it will effect our passage of light from the south and our own view.
3. The proposal is contemporaneous with another application for the construction of an new two storey house in the grounds of 18 Middletons Field and as a result many of the objections relating to that application will also replicate across this application. These applications are only made possible because the owner developer has acquired two adjacent properties and, is constructing a new property across the gardens of the two properties thus removing significant green garden area in an already highly developed urban landscape.
4. A second contemporaneous application being 2021/0908/FUL has been lodged with the Planning department of the City of Lincoln and should be considered in conjunction with this application.
5. Our own property is one of 24 flats, the development of which, includes in its demise a path and right of way entry into Middletons Field from the north end of Middletons Field. This proposed application 2021/0908/FUL encroaches upon our own land and right of way denying us and our fellow neighbours and residents of Ockbrook Court a clear right of passage south into Lincoln. Such passage would also be highly hazardous during and after construction creating a Health and Safety hazard. This passage enables us to travel easily on foot into upper Lincoln, the Cathedral quarter and the shops and facilities of Bailgate and thus removes the need for vehicle usage into and around Newport and Church Lane. The finished construction would create a driveway and parking lot across our land which is unacceptable. It must be noted that the proposed development not only increases the number of properties by one thus bringing more cars into the location but it also

removes a garage thus requiring cars to be parked on driveways and these would cut across the access point.

6. With reference to the Integrated Planning statement which supports the Application 2021/0899/HOU, it is noted these plans include additional parking and integral garage spaces in this development - but this is of no benefit or use at all to the property planned for Middletons Field which will be deprived of suitable and adequate parking facilities at the expense of 'The Old Dairy'. See also point 11 below which is linked to this issue.

7. The proposed construction requires the removal of a mature large tree from the former garden which is to be deplored. The tree in question is worthy of a tree preservation order and adds value and benefits to the environment and society.

8. The proposed development is likely to damage the root structure of the trees within our own property and these trees will also suffer from the impact of reduced sunlight blocked out by the proposed development. The design and access statement (DAS) as submitted by the consultants acting for the developer on application 2021/0908/FUL contains several errors of fact which need to be uncovered as these misstatements could lead to a misleading conclusion.

9. On page 3 of 9 there is reference to no known flooding risk in the area whereas there have been significant surface flooding problems at the bottom (northern) end of Middletons Field proximate to nos. 20 and 18 Middletons Field. The removal of garden drainage, will exacerbate this problem. This issue is also reported and identified by the objection letter submitted by a resident neighbour of Middletons Field.

10. On page 8 of 9 there is a clear reference to the width of Middletons Field permitting the passage of two vehicles but in fact, the width of Middletons Field roadway narrows to the point where the turning circle is located so that only two small vehicles can pass each other. Lorries, delivery vans and larger vehicles would find it absolutely impossible. Besides which, the introduction of vehicle regulations requiring child seats has led to more SUVs and larger family cars and both during and after construction, there would be a difficulty in service and emergency vehicles accessing the northern end of Middletons Field. This would be a health and safety issue.

11. It is also noteworthy that the DAS makes great 'play' on the interaction between the new development and the adjacent 'Old Dairy' but the access to these properties is totally separate and the new development, as proposed, is purely and simply an additional property slotted into Middletons Field. These two developments whilst being adjacent to each other, would have no connection. They would be two houses geographically next to each other but occupying different streets.

12. The line of sight from windows in the new development be they either north or west facing, would give direct visibility into the upper levels of Ockbrook Court and must be challenged.

13. There are known historical and architectural foundations underground including an ancient wall running under Manor Close slightly distant and to the ENE of this proposed development site. The authorities responsible within Lincoln for examining such excavations should be notified and advised of this application. The developer has given no apparent consideration to questions such as historical facts and archeological presentations.

Summary.

This proposed application bearing number 2021/0899/HOU along with its counterpart application reference 2021/0908/FUL are nothing more than opportunistic applications made for financial gain by an applicant who has acquired 2 adjacent property sites and is seeking to develop them into 3 sites at the cost to his various neighbours, ;disregarding health, safety and our peaceful enjoyment and privacy and to the detriment of green garden areas and drainage. Both applications should be denied and are hereby objected to.