

## **2022/0647/OUT – Land At 40 Nightingale Crescent, Lincoln, LN6 0JR**

### **Consultation Responses**

#### **Customer Details**

Name: Not Available

Address: 5 Kingfisher Close Lincoln

#### **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application for the following reasons:

1. The houses on the proposed site will be overlooking my front garden, the front of my house including the front door, front room window and the windows of two upstairs bedrooms. Therefore I will have less privacy and light.
2. I disagree with the comments made in the section 'Trees and Hedges'. To the questions, are there trees and hedges on the proposed site or the land adjacent, the answers given are 'No'. Clearly there is an abundance of trees and plants on the land of both the proposed site and at No.42 Nightingale Crescent. So much so, that it is difficult to see for looking the boundary between No's 40 and 42. Currently there is a lot of access to the back gardens/land at both of these sites, and yet the trees and bushes and gardens are not tidied up. These are very unkempt areas. I have already written to the number at 42 Nightingale Crescent because I am concerned about very tall trees and the risk to my house if there is a wind storm or such. I also asked for them to remove the ivy from the gable wall of my house that I don't have access to. The response in July was such that they needed more time and were waiting for bird nesting season to be over before disturbing the trees, so I am patiently waiting for that. The ivy was killed at the root but not removed. If the trees from that garden couldn't be removed while there is enough access for the owners of those houses, then how much more so will it be unkempt when there is restricted access.
3. I am concerned that the area around my house is becoming more crowded, and that access to my house e.g. for emergency services is becoming more difficult. I think the council should be involved in helping to improve this area for access for emergency services, and that more houses adjacent to my house will not help to improve access. The only access in and out of my house is currently a narrow walkway which I share with 2 other houses on Kingfisher close. If there would be a fire in the the houses of the proposed site, or at the existing no. 40 Nightingale crescent, or at 42 Nightingale crescent, or No 6 Kingfisher close, for example, I am concerned that there is too restricted access for fire brigade or other emergency services to my house, or no alternative escape path from my house. I think this should be improved with the council's help and 2 more houses adjacent to my front garden will not help. For example, once there was a controlled fire in the garden of No 40 Nightingale crescent. The flames were rising high and there are a lot of trees and bushes around. I went to speak with them, and they knew about the fire. After I left I noticed they took measures to calm down the fire and nothing bad happened. But if I hadn't noticed, and that fire had gone out of control, I would have a fire adjacent to my front garden and the associated pollution to deal with. If I needed to escape, it would have to be via the narrow walkway at the front of the house, close to where the fire was. I am concerned about this and I think the council should help to improve access to no's 5, 6 and 7 Kingfisher Close.

4. For the duration of building there would be significant noise and disturbance in the area

### **Customer Details**

Name: Not Available

Address: 42 Nightingale Crescent Lincolnshire Lincoln

### **Comment Details**

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have no objections to this outline application, in principle, at this time and I support the application.

I would, however, like to make brief comments about aspects that could be of specific interest once more detailed proposals come to light. I crave your indulgence for my first reactions at this early stage, prior to detailed designs, and thank you in anticipation of your consideration – if warranted.

Pertaining to "Appearance":

1. Diversion of overhead telephone lines and use of additional telegraph poles - if needed.
2. House appearances (selection of materials used etc).
3. Treatment of existing fences and provision of new - if any.
4. Treatment of existing, weak neighbouring driveway surface that will be retained.

Pertaining to "Highway safety":

5. Retention of existing dropped kerb accesses. and finally Pertaining to "Design":
6. Effectiveness of soakaways in existing ground conditions

I am sure that your processes will address such issues, in due course, for satisfactorily engineered solutions.

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

To: Lincoln City Council

Application Ref: 2022/0647/OUT

Proposal: Erection of 2 dwellings (Outline including details of access)

Location: Land At 40 Nightingale Crescent, Lincoln, LN6 0JR

With reference to the above application received 16 August 2022

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)

This application is outline with access to be considered, layout has not been considered, please make the applicant aware of the requirements for parking, turning and layout; as detailed within the Lincolnshire County Council Design Approach and Development Road Specification.

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.

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.

#### Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These

works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

#### Highway Informative 08

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

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>  
Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

#### No Objections

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

#### Note to Officer

The gulley located within the vehicle access may need to be relocated and can be agreed at the S184 application.

The telegraph pole will need to be relocated at the applicants expense.

Case Officer:

*Laura Rowett*

for Warren Peppard

Head of Development Management

Date: 8 September 2022

**CITY OF LINCOLN COUNCIL  
DIRECTORATE OF DEVELOPMENT & ENVIRONMENTAL  
SERVICE**

**M E M O R A N D U M**

---

<b>To: Development Team Development Control</b>	<b>From: Ian Wicks, Pollution Control Officer</b>
---	---

---

Planning Ref: 2022/0647/OUT

Date: 22 September 2022

**Erection of 2 dwellings (Outline including details of access) on land at 40 Nightingale Crescent, Lincoln**

Further to your consultation on the above application, I would make the following comments:

**Contaminated Land**

I would advise that due to past uses on the site (former RAF base) there is the potential for contamination to be present. As such, I recommend that the following condition be attached to any consent granted, to ensure that any unsuspected ground contamination is adequately dealt with:

▪ **Reporting of Unexpected Contamination**

*In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval, in writing, of the Local Planning Authority.*

*Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the Local Planning Authority.*

**Reason:** *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out.*

**Air Quality and Sustainable Transport**

Whilst it is acknowledged that the proposed development, when considered in isolation, is unlikely to have any significant impact on air quality, the numerous minor and medium scale developments within the city will have a significant cumulative impact if reasonable mitigation measures are not adopted.

The NPPF seeks to promote and enable sustainable transport choices and, in doing so, aims to protect and enhance air quality. Paragraph 112 of the revised NPPF states "...applications for development...should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations"

It is noted that this proposed development will include off street parking and, therefore, it is recommended that the applicant be required to incorporate appropriate electric vehicle recharge facilities into the development in line with the recommendations of paragraph 112 of the NPPF.

If deemed necessary to secure the installation of the recharging facilities, it is recommended that the following condition be attached to the planning consent:

- *Prior to the commencement of the development, details of a scheme for the provision of electric vehicle recharge points at a minimum rate of one per dwelling shall be submitted to the planning authority for approval. The approved scheme shall be implemented prior to the occupation of the development and shall be maintained thereafter.*

#### **Construction/Demolition Impacts**

Although this is a relatively small development, due to the close proximity to neighbouring sensitive uses, there is potential for significant problems due to noise from the construction phase of the development, particularly during the noise sensitive hours. It is therefore recommended that the following item be included as a consent condition, if permission is granted:

- *The construction of the development hereby permitted shall only be undertaken between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time, except in relation to internal plastering, decorating, floor covering, fitting of plumbing and electrics and the installation of kitchens and bathrooms; and*

*Any deliveries associated with the construction of the development hereby permitted shall only be received or despatched at the site between the hours of 08:00 to 18:00 Monday to Friday (inclusive) and 08:00 to 13:00 on Saturdays and shall not be permitted at any other time.*

Regards

**Ian Wicks**  
**Pollution Control Officer**  
(Ext 3794)