

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

### **Public Consultation Responses**

#### **Name**

Mr John Williams (Some points redacted)

#### **Address**

3 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

#### **Date Received:**

2nd February 2024

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

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

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

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

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

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

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

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

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

**Name**

Mrs Janine Williams

**Address**

3 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

2nd February 2024

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

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

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

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

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

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

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

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

**Name**

Mr Mark Morley

**Address**

3 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

(Some points redacted)

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

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

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

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

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

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

#### ROAD SAFETY PEDESTRIANS/ CYCLISTS/ TRAFFIC

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Safety criteria:

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

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

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

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

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

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

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

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

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

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

Regards

Keith Hayes

#### Description of Proposed Works

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

##### 1) Timber outbuilding

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

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

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

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

##### 2) New vehicle access

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

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

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

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

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

Surely, this would be an accident waiting to happen?

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

All authorities must have joined up thinking regarding this proposal.

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

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

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

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

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

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

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

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

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

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

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

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

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



This view has not changed.

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

This is the second time this has been submitted.

Concerns include:

Noise pollution.

Fumes from vehicles in the garden.

Anti Social Behaviour.

Will this be a business property?

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

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

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

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

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

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

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

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

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

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

**Name**

Mr Rob Whiley

**Address**

2 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 6th February 2024

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

**Name**

Karen Gerrard

**Address**

1 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 7th February 2024

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

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

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

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

**Name**

Miss Joanne Wells

**Address**

5 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

11th February 2024

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Name**

Mr Graham West

**Address**

12 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:**

5th February 2024

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

**Name**

Mr Alan Ward

**Address**

14 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

7th February 2024

Description of Proposed Works

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

1) Timber outbuilding

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

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

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

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

## 2) New vehicle access

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

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

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

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

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

Surely, this would be an accident waiting to happen?

### **Name**

Mr David Bishop

### **Address**

6 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

### **Date Received:**

9th February 2024

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

Having read

Lincolnshire

Vehicle Crossings over

Footway and Verges

Section 184

Highways Act 1980

Guidance for Applicants

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

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

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

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

### **Name**

Mr Jason Brewer

**Address**

5 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 9th February 2024

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

**Name**

Mr Colin Brewer

**Address**

6 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 9th February 2024

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

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

**Name**

Mrs Maxine Azzopardi

**Address**

263 Wragby Road, Lincoln, Lincolnshire, LN2 4PZ

**Date Received:** 2nd February 2024

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

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

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

**Name**

Mrs Maxine Morley (Some points redacted)

**Address**

3 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 8th February 2024

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

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

**Name**

Mr Raymond Peters

**Address**

12 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 2nd February 2024

I had not completed my earlier objection!)

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

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

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

Ray Peters

No 12 Shearwater Close

**Name**

Mr Nigel Cobbold

**Address**

10 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 4th February 2024

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

**Name**

Mr Keith Hayes



**Address**

4 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

4th February 2024

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

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

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

**Name**

Mrs Anne Gordon

**Address**

8 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:**

12th February 2024

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

**Name**

Mrs Sue Brown

**Address**

7 Goldcrest Close, Lincoln, Lincolnshire, LN6 0UX

**Date Received:**

19th February 2024

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

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

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

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

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

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

**Name**

Julie Abel

**Address**

5 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 14th February 2024

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

**Name**

Mr Keith Hayes

**Address**

4 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 7th February 2024

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

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

Regards

Keith Hayes

**Name**

Mr Richard Geddes

**Address**

8 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:** 7th February 2024

Safety criteria:

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

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

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

4 metres from the proposed dropped kerb.

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

**Name**

Mr Kenneth Foster

**Address**

2 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 7th February 2024

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

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

**Name**

Mr Brian Harding

**Address**

11 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 8th February 2024

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

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

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

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

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

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

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

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

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

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

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

Brian and Janet Harding  
11 Shearwater Close

**Name**

Mr David Condon

**Address**

41 Burghley Road, Lincoln, Lincolnshire, LN6 7YE

**Date Received:** 11th February 2024

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

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

**Name**

Mrs Susan Mary (Sue) Brown

**Address**

7 Goldcrest Close, Lincoln, LN6 0UX

**Date Received:** 19th February 2024

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

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

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

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

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

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

**Name**

Mrs Geraldine Geddes

**Address**

8 Shearwater Road, Lincoln, Lincolnshire, LN6 0XX

**Date Received:**

9th February 2024

ROAD SAFETY PEDESTRIANS/ CYCLISTS/ TRAFFIC

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

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

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

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

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

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

**Name**

Mr Darren Juggins

**Address**

14 Sturgate Close, Lincoln, Lincolnshire, LN6 0NY

**Date Received:** 9th February 2024

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

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

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

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

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

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

**Name**

Mr Raymond Peters

**Address**

12 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 2nd February 2024

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

This view has not changed.

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

**Name**

Mrs Ruth Chapman

**Address**

9 Shearwater Close, Lincoln, Lincolnshire, LN6 0XU

**Date Received:** 11th February 2024

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

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

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

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



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

**District:** Lincoln City Council

**Application number:** 2024/0040/HOU

**Application Type:** Householder

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

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

**Response Date:** 5 February 2024

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

### **General Information and Advice**

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



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

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

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

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

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

#### **Comments:**

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

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

#### **Informatives**

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

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

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

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