Ref:08/228/PA

15 August 23

Planning and Development Services
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire PE11 2XE

Dear Sirs,

Proposed Conversion of, and Extensions to Existing Poultry Shed to New Premises for Crowland Caravans and Camping at Carrington Drove, Crowland, for Messrs Ruthkay Ltd. Application to include Site Fencing and Change of Use.
Planning Application ref: H02-0241-23

Further to our recent discussions with Jon Sharpe of LCC Highways, we have received a copy of his belated response to your Consultation in respect of the above Planning Application. We have, throughout, made everyone aware of the circumstances surrounding this application, and have stressed the urgency of obtaining statutory approvals in the swiftest possible time to preserve a long standing, successful business and employer in Crowland. The statutory response period of three weeks has however stretched to twenty weeks by LCC Highways, and now, whilst no formal objection has been made, the conditions requested to be appended to a Planning approval are draconian and disproportionate in their implications to the point that Crowland is in very real danger of losing a valuable asset.

A lease for the proposed premises cannot be entered into until Planning Permission has been granted which will have been twenty-seven weeks at the next opportunity for determination. Although the County Council has not objected and has acknowledged that there is a perfectly good right turn facility the whole issue puts the future of the applicant company in jeopardy.

It is extremely discouraging when Nigel Burch, the Economic Development and Inward Investment Manager for SHDC is extremely active in fostering businesses, both new and existing within the District, that LCC appear to be very much more relaxed, and seem to raise unnecessary issues which directly obstruct this overriding initiative, to inflate perceived Highway issues which jeopardise such initiatives. In this particular case these are indeed issues which stem directly from LCC's long-term absence of maintenance to certain public roads, and it appears now to strive to discover opportunities where possible to place the solutions to these shortcomings at the door of private enterprise, in spite of the vulnerability of such enterprises in an unpredictable economy.

It is strongly contended that an over-arching view from a Planning and Sustainability perspective needs to be taken here, such that "safe and suitable access to the site for all users", as required by the NPPF is achieved sensibly in this case, without unnecessary

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spin-off benefits to the performance and budget of LCC Highways. A site meeting with the SHDC Case Officer, Oscar Patman, has been rewarding in its positive and supportive attitude, and it is to be hoped that the Planning Authority generally will be similarly inclined to take a serious view on the avoidance unnecessary and obstructive Conditions to a positive Planning decision.

Issues raised by LCC and comments thereon are listed below in support of this assertion.

The improvements required to Carrington's Drove South appear, at least superficially, to align to some extent with those previously agreed between the Applicant and LCC Highways in the person of Mr Dan Goodman, but the added conditions, procedures and requirements in the detail of the LCC response are somewhat insidious.

As a result of discussions with Mr Goodman on the inability of LCC to find sufficient funds to maintain its road, an overall method of voluntarily widening the road to some extent, levelling up and overlaying the whole was agreed, to be undertaken and paid for by the applicant company. An overall specification, created by an appropriate contractor, was submitted and formed the basis of reaching an agreement.

The reason for offering to widen the road was because a dyke on one side of the road which was cut at the time of A16 construction brought the dyke brink much nearer the carriageway and at the same time it was made much wider and deeper. Since that date the side of the road nearest the dyke has subsided. The suggestion was that widening the road and running a white line a metre in from the edge of the finished tarmac on the dyke side it would encourage traffic to keep away from the dyke reducing wear and tear. This has now however, been interpreted to call for a full 4.1-metre-wide County standard road which was not discussed or part of the original agreement.

It is accepted, in the LCC response, that the two ends of the road are intervisible enabling vehicles to momentarily wait in the A16 junction or on the site for any other vehicle on this section of Carrington Drove South to pass through. This appears to indicate that without widening but merely by levelling and surfacing, the road is adequate for the purpose required, and is "safe and suitable access to the site for all users".

The intended use will not introduce any vehicles which are larger or heavier than those already or historically using the road and so this would be unreasonable.

The suggestion of needing to engage an Engineer, provide engineering drawings and the potential possibility of having to enter into a legal agreement together with a bond was not mentioned. This is quite unnecessary when the road is still potentially accepted as adequate for its normal use, since it has neither been closed down or repaired by the Highway Authority. The delay and costs in accepting such a draconian Condition are almost certainly likely to prove unacceptable and would seriously jeopardise the entire project and the business could be lost as a result.

It has been pointed out in the LCC response that the earlier, far more extensive approved Tourist Centre and Crowland Caravans Relocation proposal included a separate road to be provided by the applicant, running parallel to Carrington Drove South. This option is no longer an available alternative but, in any event, even if it could be a possibility for consideration, it would not prevent all traffic from continuing to use Carrington Drove South, resulting in no improvement to that road, and its progression to ultimate dilapidation

to a level well below that required by the NPPF for new proposals as being “safe and suitable access to the site for all users”.

Carrington Drove South is an adopted road which serves a residential property, numerous farming activities covering a considerable acreage and a large broiler farm which could be brought back into use.

The road is not a through-road and leads from a major trunk road, which has no provision for pedestrian traffic, to open land at the other end. Clearly therefore, there is no likely demand for pedestrian access to our site and all traffic will, by default be motorised. The very nature of the product offered to the customer in the converted unit almost by definition, requires motorised and not pedestrian access. However, should there ever be such visitors the light use of the road and low speed would enable safe passage.

It must therefore be beneficial to all parties for Carrington Drove South to be improved with a scheme that is realistic and affordable. To insist on the enforcement of unreasonable and unnecessary conditions is clearly a counter-productive issue, where all parties and the general public stand to lose.

Turning to the other distinct issue in the LCC response, it is now noted that improvements are also required to the largely defunct section of the original road, now known as Carrington’s Drove North. This is a quite new opportunity for private sector to finance County Council responsibilities and is a wholly unnecessary requirement for a section of road which is accepted as being so redundant that Ashwood Homes have been allowed to place an advertising signboard upon it.

The previous, very much larger and significantly varied scheme for a Tourist Centre and a relocation of Crowland Caravans, where interaction between the town and the site were potentially very much greater, raised no such requirement. And yet now it seems, despite this clear precedent, it is envisaged that cyclists and pedestrians using this route to cross a trunk road with high traffic volumes, are predicted to be potentially plentiful.

As part of the A16 construction Carrington Drove North was stopped off, some distance back from the A16, and was securely fenced off, preventing access to the A16 presumably because it was seen as dangerous to allow access to the A16. Although people had been using the road, before the A16, for dog walking that opportunity was just curtailed. The bungalow served by Carrington Drove South was there at that time as was the poultry business. No provision was made for either those living there or those working there to have pedestrian access to and from the town. The fence has subsequently been allowed to fall into disrepair or the timber removed from the site, by persons unknown, and subsequently replaced with a temporary red barrier which now resides buried in the vegetation. Obviously LCC have actively dissuaded people from accessing the A16 over a great number of years, and any case for its re-opening as part of the proposed development is irrational.

Creating such a route appears to be required to tick a standard box for pedestrian / cycle access being achieved despite the fact that crossing the A16 is extremely dangerous. In opening up such a route for what is recognised as being a very small number of staff, it would of course also encourage the re-use as a dog walking route and put more people in danger. This is doubtless an unintended consequence and one which must be avoided.

Any such route will not be used by staff, since they will be actively advised not to use it as the Company is not prepared to be party to encouraging a situation which potentially could leave it liable for an insurance claim in the event of an accident.

It is demonstrably potentially dangerous to expect pedestrians and cyclists to negotiate the Peterborough Road / James Road / Carrington Drove North junction which not only has been the site of several accidents but also has no defined crossing point or footpaths.

It is obviously dangerous to cross the A16 with no defined crossing points, at any time of day, let alone at peak traffic times when traffic is at its peak and coincides with employees arriving and leaving. At peak times it is normal for traffic to be queued back from the roundabout beyond Carrington Drove South and at the same time a constant flow of vehicles accelerating out of the roundabout in the opposite direction. That traffic has similarly been queuing on the approach to the roundabout and speed past Carrington Drove from the roundabout shows the frustration.

If one accepts the County's belief that cyclists are compatible with crossing the A16 there is a perfectly good road system to get them to the site. Cyclists can be seen using Peterborough Road, James Road, Thorney Road and indeed the A16 itself.

Although Carrington Drove North is still a public highway it has been left to decay and grow weeds as well as being blocked by advertising hoardings. As public access was blocked off to cross A16 it is patently unreasonable to expect a private company to renovate the road and open up a crossing that was seen as dangerous at the time. Nothing has changed in the intervening years.

The requirement to improve Carrington Drove North from James Road to A16 overlooks the need to get from Peterborough Road, across James Road into Carrington Drove bell mouth. There is no safe route, and the junction already has an accident history. At peak times there is a high volume of traffic both on Peterborough Road as well as on the rat-run of James Road making the process of crossing extremely dangerous.

The likely cost is totally disproportionate to benefit gained, particularly as the County Council acknowledges that it would be a small number of staff involved.

In conclusion, it is hoped that the Planning Authority will be able to take a balanced and supportive view when considering this application, and that the case made above is seen as a fully considered and eminently reasonable case in Planning terms to temper the more unreasonable requests of the Highway Authority. It is by no means a suggestion of creating any sort of environment of danger to life and limb, but rather the opposite. And it is clear that a "safe and suitable access to the site for all users" is easily achievable without the need for unnecessarily draconian measures relating to access.

Crowland Caravans and Camping are caring and forward-looking employers in the town and have never sought to cut any corners in employee or customer safety and welfare. They have an unblemished record in this regard, and intend to continue as such into the future, provided that unnecessary bureaucracy and unreasonable demands do not make it necessary for such a business to cease to trade for want of common sense.



From C Drove North across James Road into P/Boro Road. No pedestrian footpaths



From C Drove South junction with A16 towards A16 roundabout



View along C Drove South towards site, showing side subsidence to enlarged dyke and suitable surface repairs of limited extent only.



View along C Drove North towards A16



Advertising boards across end of C Drove North, facing into James Road



From P/boro Road across James Road into C Drove North. No pedestrian footpaths



From C Drove North looking along A16 in direction of Spalding. Note heavy traffic.



View along C Drove South towards site, showing side subsidence to enlarged dyke and suitable surface repairs of limited extent only.



Closer view along C Drove N towards A16



Advertising hoarding several years ago and the fence referred to in the report above, which was put in as part of the A16 construction.