Gedney, Oliver

From: Grant, David
Sent: 02 September 2022 16:07
To: _planningadvice
Subject: FW: Wyvale Garden Centre H02-0741-22
Attachments: We sent you safe versions of your files; Lincs Definitive Map Extract (PROWs in purple).JPG; Bing Maps OS extract public rights of way (Green).JPG

Please add this email and attachments to the DIP under 6SUP – Agents response to objections.

Many thanks,

Mr David Grant | Senior Planning Officer | **South Holland District Council**
Direct Dial: 01775 764472
www.sholland.gov.uk
Please note that any informal officer opinion expressed by this email is without prejudice and is not binding on the Council during the consideration of any formal application.

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From: Preston, Rob M. <Robert.M.Preston@carterjonas.co.uk>
Sent: 01 September 2022 11:49
To: Grant, David <dgrant@sholland.gov.uk>
Cc: Belton, Paul <Paul.Belton@carterjonas.co.uk>
Subject: RE: Wyvale Garden Centre H02-0741-22 [CJ-WORKSITE.FID816209]

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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Dear David

As discussed, I would like to provide a response to some of the comments thus far received from consultees to the planning application for the proposed change of use at the former Wyevale Centre and Caravan Club, Crowland, which require our response.

Crowland Parish Council Response (23/08/22

Regarding the objection raised by the Parish Council I have broken the response down to parts below, to which I have then responded:

- "*There will be large car transporters using the site regularly. The area marked on the plan for them does not look large enough. If approved car transporters should be banned travelling to the site through the town"* – As can be appreciated from the submitted site plan and from a site visit, the site benefits from expansive areas of hardstanding, including a car park to the former garden centre, goods yards and the former Caravan sales area has been used to store circa 100 caravans (see aerial imagery from Google) in its last use. There is more than sufficient space for a transport to drop-off within the site. Indeed, it is likely that Caravans had been dropped off by transporter, or by HGV with the previous use and there is no indication that this caused a problem. There is also no need for HGVs to drive through the town to access the site. It is very unlikely this would ever happen, because the site benefits from access onto the A16 via James Road. I note that the Highway Authority have highlighted this point within their consultation response (25th August – please see attached) and raise no objections.
- *"This permission is on the edge of an established residential area resulting in a noise nuisance to those residents as well as a huge increase in traffic on an already busy junction in the mornings and late afternoons when people are leaving or returning from work. (80 staff on the proposed site)"* – The supporting transport assessment predicts a potential reduction in trip rates compared to the previous use. Furthermore, the site is not on the edge of the residential area as it is separated by a significant buffer of undeveloped land. It has also been in commercial uses for many years and is unlikely to result in any significant change to the nature of the site as existing. The former Caravan and Camping Sales use for example included a workshop where it is understood that vehicle repairs would have taken place and both the garden centre and Caravan and Camping Sales Centre would have generated noise from the movement of traffic with customers and deliveries coming and going. The Highways Authority support the application, noting the suitable location on the edge of town with direct access to the A16 and public transport options.
- *"There is an established public right of way through the site 24 hours a day. This is used by a playschool to get to a forest area they use as part of their education. The huge increase in traffic across the site will create a hazard for them. No consideration seems to have been given to this public right of way*."– Having consulted the Lincolnshire County Council Definitive Map, there appears to be no formal PROWs across or near the site (please find an extract attached as well as an Ordnance Survey extract from Bing Maps). We understand there is a Right of Way on the Title, although this is to provide the owner of the site north of the subject site and their authorised persons to use it for their own access requirements. If it is indeed true that school children have on occasions cross the site to access forest, then it must be assumed that this was part of an informal agreement with the owner of the land to the north of the subject site at the time (otherwise, being a private right of way, this would have been trespass). As far as is material to this planning application, there is no formal footpath which therefore requires consideration from a safety point of view. I would add that the Highways Authority have also raised no objections in their formal consultation response.
- *"There appears to be no consideration for storage and disposal of hazardous waste, in fact the proposal says there will be very little. Servicing cars on site means there will be a lot of waste motor oil, used motor coolant, brake linings and pads and above all tyres. There seems to be no storage areas for this hazardous waste and no plans for the separation and disposal of this waste."* – As explained within the Planning Statement the vehicle repairs and MOT use is a smaller component of the proposed use, as JJ Premium Car is first and foremost a car sales business, which would be the main business operation. Therefore, the amount of trade waste will be modest. It is proposed that solid waste will be stored appropriately within commercial wheeled bins or enclosed skips (separated into recyclable and non-recyclable waste), liquid waste to be stored appropriately in bunded containers and tyres would be stored in a dedicated area outside and collected one a month by a tyre disposal company. The occupier will operate in a contract with a private business waste service who will collect and dispose of / recycle the waste by appropriate and environmentally responsible means.
- *"The application says the site can't be seen from footpaths or roads around the site, it most certainly can be seen from both"*. The definitive map extract shows the nearest PROWs are located south of the site, on the far side of James Road. Whilst there are glimpses into the site from James Rd, these are only glimpsed views due to the intervening tree belt and are transitory in nature. In any event, the planning application is for a change of use and proposes no new built development, thereby having no material landscape or visual impacts, which is the key point.
- "*This is not the correct site for a business of this sort and should be refused*" – The proposed use (car sales and repair) is similar in nature to the last use of Crowland Caravans and Camping (display and sale of Caravans) and the site in terms of its location and nature is ideal for the proposed use, which will generate a net increase in employment – something which was lauded during the last planning approval for mixed commercial uses. As we have demonstrated in the supporting Planning Statement, the proposed development accords with the South East Lincolnshire Local Plan. It will bring notable benefits to the local and regional economy and the proposed operator is a long established, experienced and highly respectable used car sales business who have carefully chosen this site for its new operation, as such should be encouraged. Furthermore, the proposed development will involve the sustainable re-use of an otherwise redundant brownfield site and the refurbishment and reuse of buildings is highly sustainable in environmental terms. These are all factors which weigh favourably in the planning balance, and we hope therefore this is a proposal which SHDC would be proud to support.

Anglian Water Consultation Response

The consultation response from Anglian Water appears to be mistaken as it refers to the proposed development affecting AW assets and building over or near public sewers. This is incorrect - the proposed development is for a change of use only with no proposed building works and therefore there is no impact upon sewers or AW assets.

There is also no proposal to create new foul drainage connections as the proposed use will make use of existing connections and facilities (including toilets and existing infrastructure). As such, the foul water planning condition proposed by AW in their response should not meet the tests of necessity or relevance to the proposed development and therefore this condition should not need to be imposed.

I note that the LLFA have no objections to the proposed development and have not requested any conditions (see attached).

Please could you let me know if any consultation responses are still outstanding and on the understanding this is now to be a delegated decision, when you expect to be issuing this?

Please could you kindly confirm with us any planning conditions you would be seeking to impose prior to issuing the determination?

If you require any further information or if there are any matters which need clarifying or addressing to ensure a positive determination please do not hesitate to get in touch with me.

Kind regards
Rob

Classification L2 - Business Data

Rob Preston MRTPI
Associate

T: 01223 346636 | M: 07880 201646 | **carterjonas.co.uk**
One Station Square, Cambridge, CB1 2GA

Please consider the environment. Do you really need to print this email?

From: Grant, David <dgrant@sholland.gov.uk>
Sent: Tuesday, 30 August 2022 09:40
To: Preston, Rob M. <Robert.M.Preston@carterjonas.co.uk>
Cc: Tom FitzGerald <tomfitzgerald@peachtreeservices.co.uk>
Subject: [Ext Msg] RE: Wyvale Garden Centre H02-0741-22 [CJ-WORKSITE.FID816209]

Dear Rob,

Many thanks for this email. For the good of the application and to ease the concerns of residents, I do think your comments will be helpful.

Kind regards,

Mr David Grant | Senior Planning Officer | **South Holland District Council**
Direct Dial: 01775 764472
www.sholland.gov.uk
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From: Preston, Rob M. <Robert.M.Preston@carterjonas.co.uk>
Sent: 26 August 2022 16:58
To: Grant, David <dgrant@sholland.gov.uk>
Cc: Tom FitzGerald <tomfitzgerald@peachtreeservices.co.uk>
Subject: RE: Wyvale Garden Centre H02-0741-22 [CJ-WORKSITE.FID816209]

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Dear David
Thanks for providing this.
Just a heads up that I am reviewing and preparing a rebuttal response which we should be issuing next week.
There are some errors in their response on certain matters e.g. the right of way – there is no formal public right of way across the site according to Lincolnshire Definitive maps.
We will respond fully on this and the other points when we issue our full response.
Kind regards
Rob

Classification L2 - Business Data

Rob Preston MRTPI
Associate

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From: Grant, David <dgrant@sholland.gov.uk>
Sent: Wednesday, 24 August 2022 09:01
To: Preston, Rob M. <Robert.M.Preston@carterjonas.co.uk>
Subject: [Ext Msg] Wyvale Garden Centre H02-0741-22

Dear Rob,

Please find attached a consultation response from Crowland Parish Council to which you may wish to respond.

Kind regards,

Mr David Grant | Senior Planning Officer | **South Holland District Council**
Direct Dial: 01775 764472
www.sholland.gov.uk
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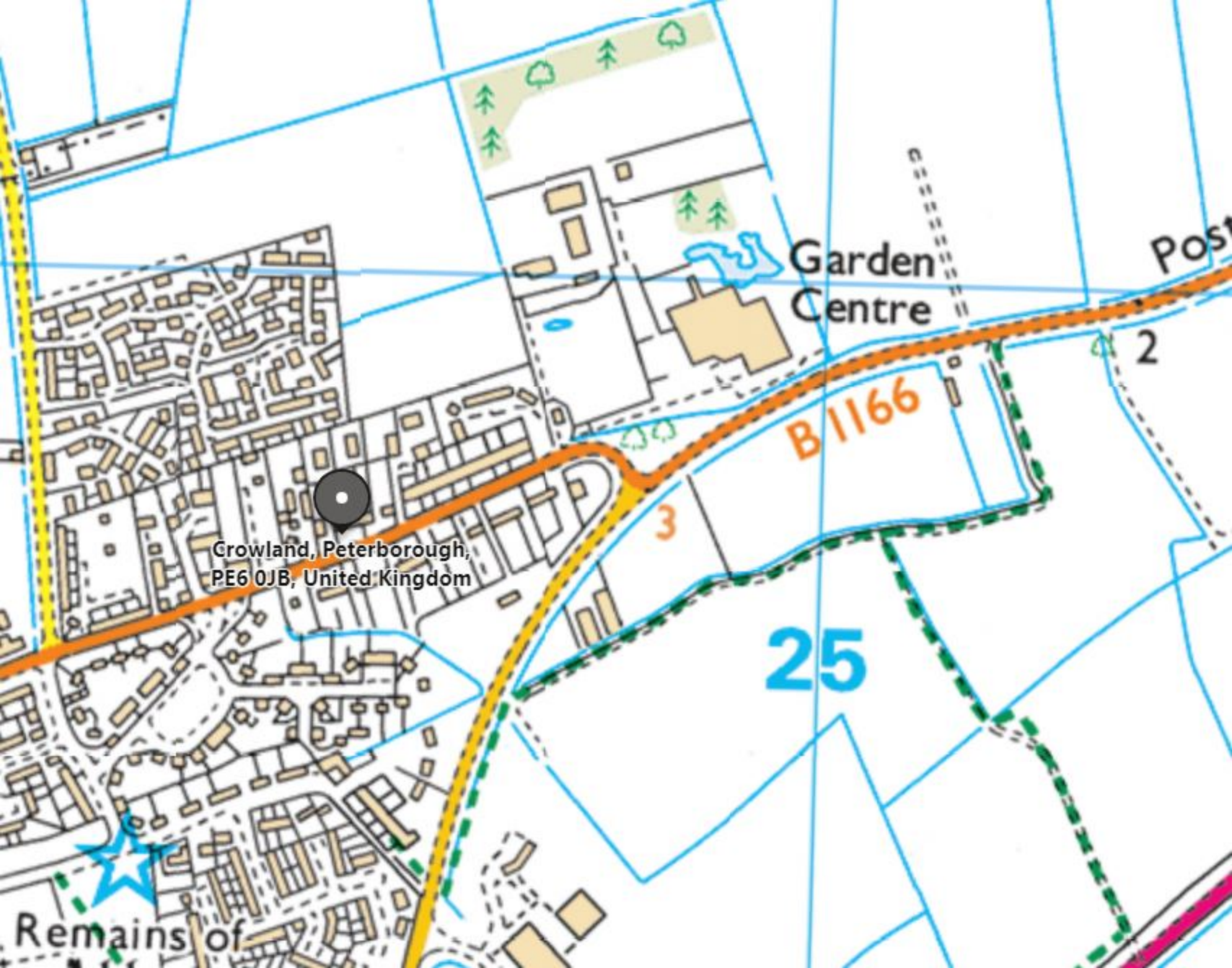


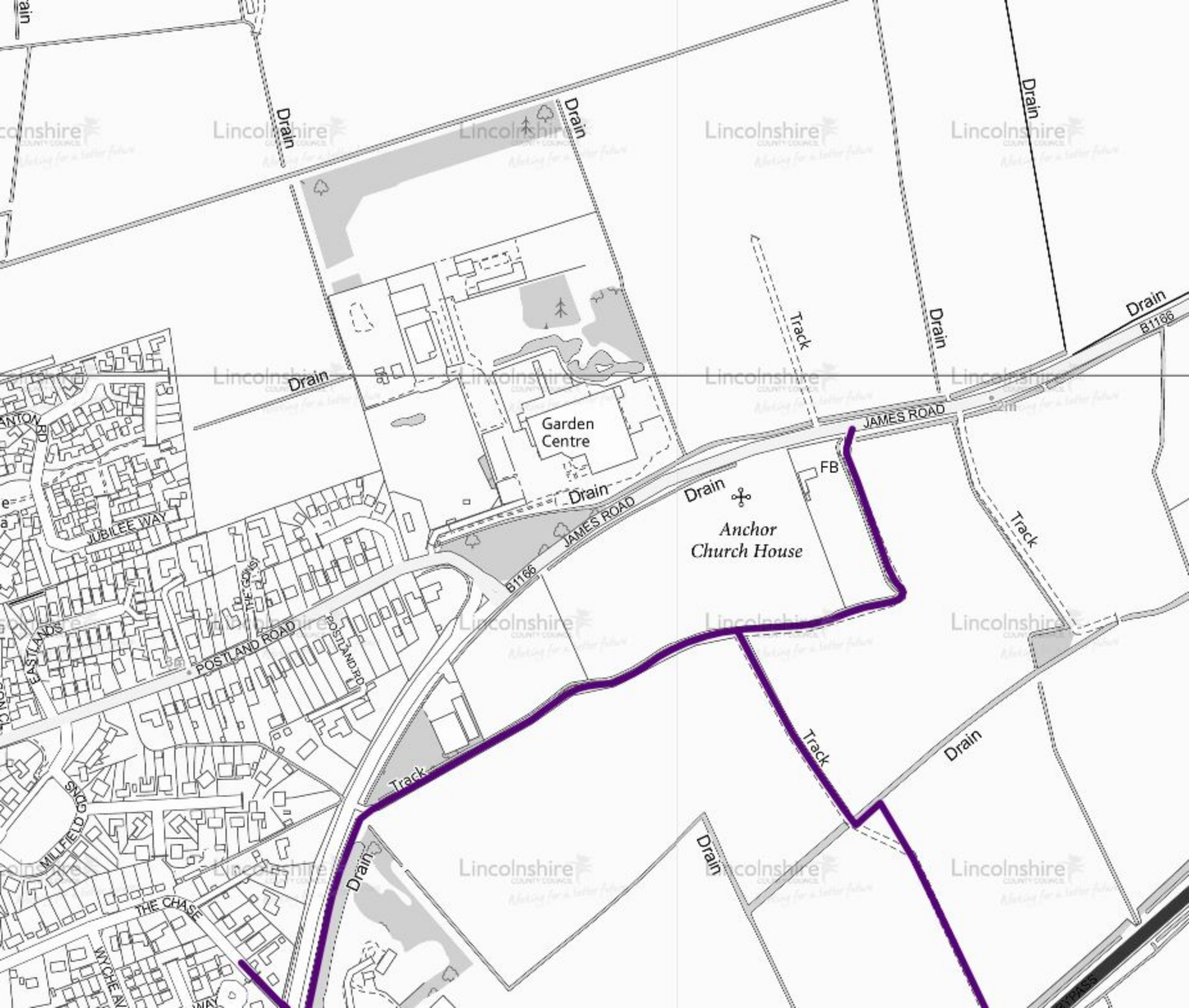
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