

**Parker** JP MBA MEd. DMS Dip H.E. CMgr FCMI DBSS FSET.

Emmanuel Hiamey@northlincs.gov.uk

Dear Emmanuel

**RE: Objection to planning application P/2024/1198 – land adjacent to 40 High Street, Crowle**

Please find the pertinent bullet points below.

1. Mr and Mrs Madapatha live at 40 High Street, Crowle. They own all the land shown in the photo below. Number 40 accesses their property via a private drive off High Street. The private drive is subject to a restrictive covenant as a shared drive for numbers 32, 34, 36, and 38 High Street. The private road therefore currently services 5 residencies

North Lincolnshire Council Design Guide Residential Roads Section 3.6 identifies regulations for shared driveways. Paragraph 3.6.1 states that 'these are private roads that can wholly serve up to a maximum of 5 dwellings'. The application with access via High Street should be denied, although if it was to be accessed via Fieldside (where it is currently accessed) there would not be a problem and approval would not be challenged.

2. If another property is allowed off High Street, as there is currently 32, 34, 36, 38, 40, and 42 with the bungalow at the bottom of the drive, the address is likely to cause confusion for deliveries and visitors.
3. As a Private Drive refuse trucks should not access. The Design Guide notes 3.6.2 that the maximum bin carry distance of 25m would be exceeded to any build on 'the yard'
4. It is accepted that the applicant has access to the land known as 'the yard', currently being utilised for parking vehicles for the garage business next to the land. However, The TR5 presented evidence of rights of access as a positive covenant, not normally transferred, but also obligates the applicant to the following.

4.1 to pay a fair proportion of the expense of repairing maintaining and cleansing all Service Media and other facilities used or to be used in common by the occupiers of the Property and the occupiers of the Retained Land;

4.2 to keep in good repair and condition maintain and where necessary renew those parts of the Service Media included in the Property and to keep them clean and unobstructed at all times.

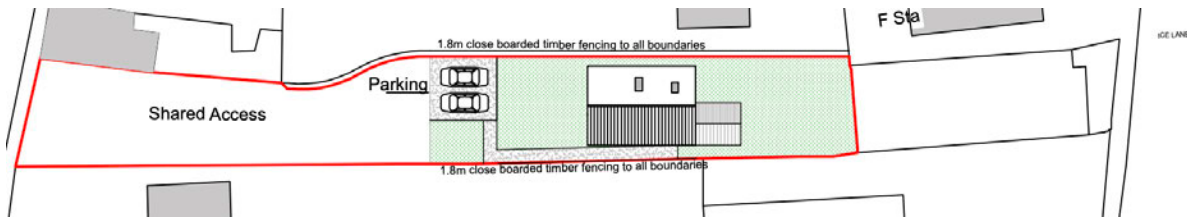
4.3 to keep in good repair and condition, maintain and where necessary renew the Accessway and keep it clear and unobstructed at all times.



The applicant has so far failed in their obligation, and financial obligation, which has been ignored over many years and the private drive is now in disrepair and full of potholes. It is requested that, if for some reason point 1 above is

ignored these obligations are first met before building takes place (HC4, T2 & T19), reason HR2 in the former application response.

- The diagram below is taken from the application, dating back from 2020 and 2021 and not updated to take account of the new ownership. The applicant correctly relates that there is no parking at 'the Yard' yet the diagram identifies parking on private land (the access way), is outside the curtilage of the yard and is owned by Mr and Mrs Madapatha. There is potential for nuisance and trespass if approved off High Street with visitors, deliveries and residents of the new building to park on private land. [REDACTED] Madapatha [REDACTED] Parker) has objected in point 3 that parking rights are denied on their land.



- Notwithstanding that the diagram is inaccurate in 'bowing out' to accommodate the parking and building, there is no turning available in forward gear unless the vehicle encroaches on private land (number 40). A vehicle would need to undertake a 3-5 point turn, or reverse down the drive.

Many thanks for taking note of the comments

Regards

[REDACTED] Parker

[REDACTED]

M [REDACTED]