SALLY WALTHAM
BA (Hons) F.C.I.H.
Director of Housing & Planning Services

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FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL
HOUSING & PLANNING SERVICES DEPARTMENT

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H02/0529/01 Received: 02-MAY-01 Type: FULL

Name: Mr & Mrs G Wycherley
70 West Street
Crowland
Peterborough Cambs

Agent: A C Hornsby
Peak Hill
Cowbit
Spalding
Lincs. PE12 6AW

Description: Erection of House and Garage

Location : Rear of 70 West Street Crowland
Peterborough Cambs

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

1 The proposed dwelling is located adjacent to land which is operated as a haulage yard. The operation of this yard will have the potential to harm the environmental quality of the future occupants of this dwelling by virtue of disturbance from noise and vibration. It is therefore considered that the proposal does not comply with Policy E1 of the South Holland District Local Plan which requires new development to safeguard the amenity interests of the site.

2 The site forms part of a wider area of land in this part of Crowland which, it is considered, should be comprehensively re-developed as a whole and not in a piecemeal, incremental pattern. An incremental approach to development will lead to:
a) environmental conflict from commercial and housing land uses by reason of noise, vibration and disturbance and;
b) an inefficient arrangement for housing development that does not maximise the development potential of the land.

The proposal is thereby contrary to national guidance expressed in Planning Policy Guidance Note No. 3 (Housing) that seeks to maximise the development potential of urban sites.

The determined plans are:-
Dwg nos. 01/23/01, /02 & /03 received on 2 May 01.

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SOUTH HOLLAND DISTRICT COUNCIL
HOUSING & PLANNING SERVICES DEPARTMENT

Director of Housing and Planning Services
20 JUL 2001

H02/0529/01

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

Town and Country Planning Act etc

DRAFT REFUSAL

Reference H02/0529/01 Received: 02-MAY-01 Type: FULL

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70 West Street
Crowland
Peterborough Cambs

Agent: A C Hornsby
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Lincs. PE12 6AW

Description: Erection of House and Garage

Location : Rear of 70 West Street Crowland
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1 The proposed dwelling is located adjacent to land which is operated as a haulage yard. The operation of this yard will have the potential to harm the environmental quality of the future occupants of this dwelling by virture of disturbance from noise and vibration. It is therefore considered that the proposal does not comply with Policy E1 of the South Holland District Local Plan which requires new development to safeguard the amenity interests of the site.

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b) an inefficient arrangement for housing development that does not maximise the development potential of the land.

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The determined plans are:-
Dwg nos. 01/23/01, /02 & /03 received on 2 May 01.

Director of Housing and Planning Services
16 JUL 2001

H02/0529/01

Town and Country Planning Act 1971 Form P2

Planning permission

Name and address of applicant

P C and H C Tack
66 West Street
Crowland
PETERBOROUGH

Name and address of agent (if any)

Peter Frost and Co
31 The Crescent
SPALDING
Lincs

Part I – Particulars of application

Date of application: 02.11.79

Application no. H 2/1248/79

Particulars and location of development:

Use of land for haulage depot at 66 West Street, CROWLAND.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.
2. This permission shall enure for the benefit of P C and H C Tack only.
3. Before any development is commenced a scheme of landscaping and tree planting for the site shall be submitted to and approved by the Local Planning Authority.
4. Such a scheme as may be approved shall be carried out in its entirety within a period of two years beginning with the date on which development of the land is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority, and the trees, shrubs and bushes shall be adequately maintained by the owners of the land on which they are situated for a period of ten years beginning with the date of completion of the scheme and all losses made good during that period.
5. A new access adjoining the existing rough access shall be constructed for at least 20 metres back from the carriageway edge.
6. The new access shall be at least 5.5 metres wide for 20 metres back from the carriageway edge.
7. A 10.5 metre radius shall be provided on the eastern side of the new access.
8. The new access shall be constructed to the approval and specification of the Local Planning Authority.
9. Before the use hereby permitted is commenced, details shall be submitted to and approved by the Local Planning Authority indicating the proposed layout of the site and including parking and turning areas, areas of hard surfacing, and the location and design of walls and fences, and such details as may be approved shall be put into effect before the use hereby permitted is commenced.

Continued over page .....

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of described in the permission for the alteration or extension of a listed building.

NOTE TO APPLICANTS:
Your attention is drawn to the following advice from the Anglian Water Authority: Precautions to be taken to prevent contamination of surface water sewers, oil tanks to be bunded and - subject to Peterborough Sewage Division consent - vehicle washwater to be discharged to the public foul sewer.

The reasons for the conditions are:
1. Required to be imposed pursuant to Section 41 of the Town and Country Planning Act 1971.
2. To enable the Local Planning Authority to consider what effect a change of ownership could have on the nature of the business carried on.
3. In the interests of visual amenity.
4. In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily.
5, 6 & 7. To ensure easy and safe access from the public highway.
8. In the interests of road safety and to prevent loose material being deposited upon the public highway.
9. In the interests of the amenities of the locality.

Date: 5 March 1980

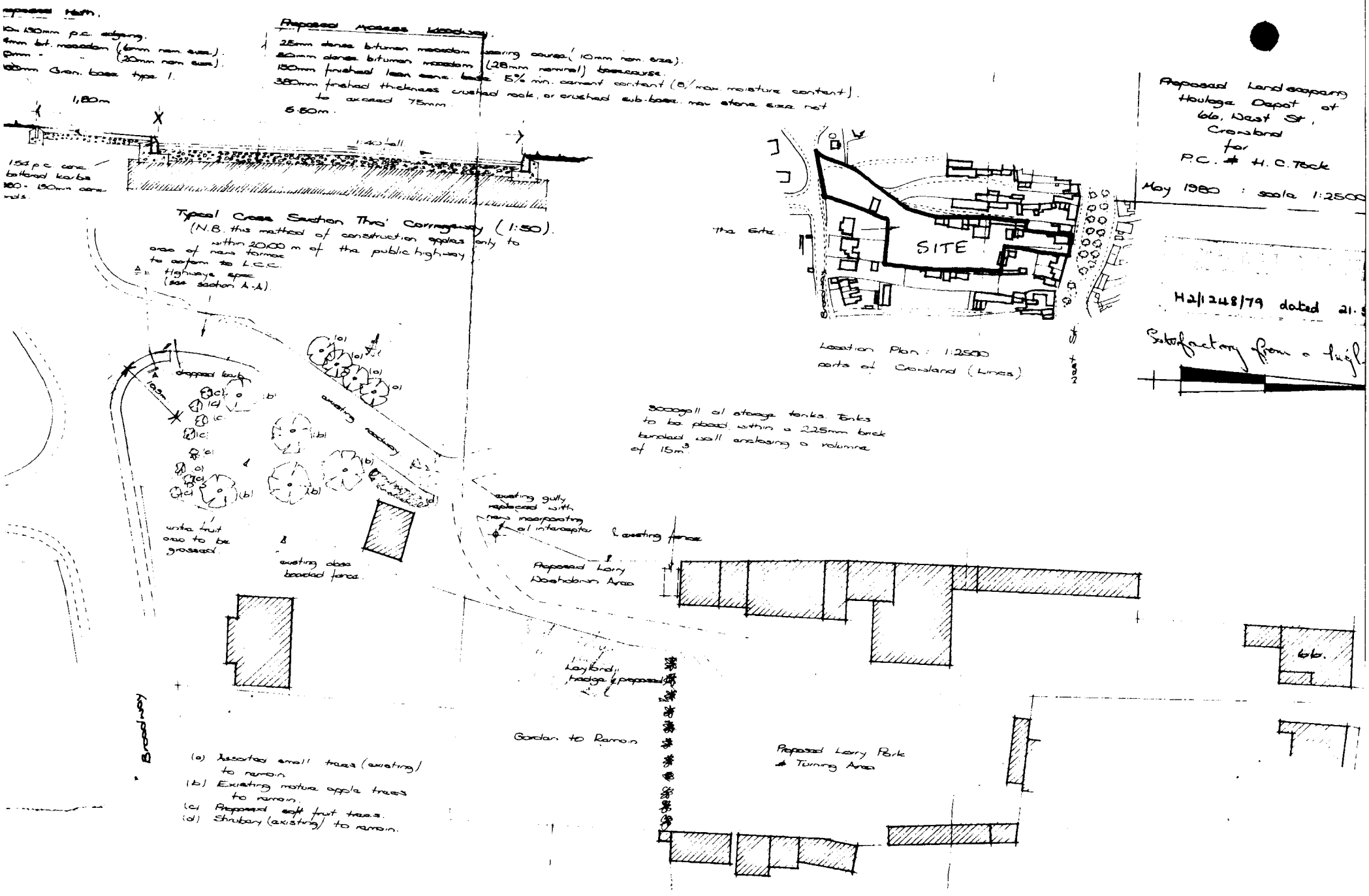
12 Market Place
SPALDING
Lincs

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

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Proposed Landscaping
Haulage Depot at
66, West St,
Crowland
for
P.C. & H.C. Tock
May 1980 : scale 1:2500
H2/1248/79 dated 21.
Satisfactory from a high
SITE
West St
Broadway
Location Plan : 1:2500
parts of Crowland (Lines)
Proposed Haulage Access Roadway.
25mm dense bitumen macadam wearing course (10mm nom. size).
80mm dense bitumen macadam (28mm nominal) basecourse.
150mm finished lean mix conc. base 5% min. cement content (8% max. moisture content).
380mm finished thickness crushed rock, or crushed sub-base, max stone size not to exceed 75mm.
6.50m.
1:80m
1:40 tall
15A p.c. conc. bollard kerbs
100-150mm conc. rnds.
Typical Cross Section Thro' Carriageway (1:50).
(N.B. this method of construction applies only to within 20.00 m of the public highway)
area of new tarmac to adjoin to L.C.C. highways spec. (see section A-A).
dropped kerb
10.0m
existing roadway
existing gully replaced with new interceptor gully
existing fence
existing close boarded fence
Proposed Lorry Reversing Area
Proposed Lorry Park & Turning Area
Layby
Layby'd hedge & proposed
Garden to Remain
66.
(a) Assorted small trees (existing) to remain.
(b) Existing mature apple trees to remain.
(c) Proposed soft fruit trees.
(d) Shrubery (existing) to remain.