SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Outline Planning Permission

Reference: H02/0581/93 Received:29-JUL-93 Type:OUTLINE

Name: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Agent: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Description: Residential development

Location : Land off Barbers Drove Crowland
Peterborough

South Holland District Council hereby give notice that OUTLINE PLANNING PERMISSION HAS BEEN GRANTED for the development in accordance with the application submitted, subject to the following condition(s):

1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates:
(a) the expiration of five years from the date of this permission,
(b) the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990.

2 The following matters are reserved for subsequent approval by the Local Planning Authority and shall be submitted for such approval simultaneously and no development to which they relate shall be carried out until these matters have been approved viz:
1) Detailed drawings of the estate layout to a scale of not less than 1/500 including road and plot layouts.
2) Detailed drawings to a scale of not less than 1/100 showing the siting, design, and external appearance of the buildings, including particulars of the materials to be used for external walls and roofs.
3) The siting and design of any vehicular access to a highway or estate road.
4) Detailed drawings to a scale of not less than 1/500 of a landscaping scheme showing the following details:
(i) the positions, heights and species of existing trees;
(ii) proposals for felling or retention of existing trees;
(iii) proposals for tree planting, including the number, species, heights on planting and positions of all trees, shrubs and hedgerows;
(iv) proposals for the provision of incidental grass areas or other open spaces, including particulars of the treatment of hard surfaces, and any other features intended to enhance the

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)

attractiveness of the environment;

(v) proposals for the provision of screen walls or fences, including details of heights, positions, designs and types of construction.

Such a landscaping scheme as may be approved by the Local Planning Authority 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. Screen walls and fences included in the approved scheme, together with trees, shrubs and hedgerows which it is proposed to plant within the curtilages of individual dwellings, shall be provided before occupation of the respective dwellings. Trees, shrubs, bushes and hedgerows shall be adequately maintained by the owner(s) of the land on which they are situated for a period of ten years beginning with the completion of the scheme, and all losses shall be made good during that period. All walls and fences shall be retained in their approved position. Details of the position and design of any walls or fences to be erected nearer to any highway, public footway or amenity area than the nearest part of each building, other than those shown as part of the approved scheme, shall be submitted to and approved by the Local Planning Authority, and no such walls or fences shall be erected until such details have been approved.

Reason: The application was submitted in outline only, and the above details are required to enable the Local Planning Authority to assess the standard and overall design concept of the proposed development. Implementation of such landscaping scheme as may be approved and restriction of intrusion into open areas is required in the interests of the visual amenities of the estate.

3 Prior to the development commencing on site adequate access shall be provided onto Peterborough Road in accordance with details to be approved.

Reason: To ensure the provision of adequate facilities for safe ingress and egress of vehicles calling at the site in the interests of road safety.

4 Before any development is commenced the approval of the Local Planning Authority is required to:

(i) a *specification of the type of construction proposed for roads and/or footways;

(ii) a programme for the making up of the roads and/or footways;

(iii) details of the method and means of disposal of surface water;

(iv) detailed plans to a scale of 1/500 showing the layout of the roads and footways together with longitudinal sections to a scale of 1/500 horizontal and not less than 1/100 vertical showing the gradients of carriageways and full details of surface water drainage proposals. (Cross-sections taken at not more than 30 metres intervals normal to the proposed carriageway plotted to a scale of 1/100 natural will also be required where the adjoining ground levels will vary 0.5 metres plus from the proposed finished footway levels of the estate road);

(v) details of all proposed services showing location within the highway in accordance with the Report of the Joint Committee on the location of underground services published by the Institute of Civil

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Engineers in 1963.
*This specification shall be such as to enable the Local Highway Authority in due course to take over the roads and/or footways as highways maintainable at the public expense

Reason: To ensure an adequate standard of access to the estate in the interests of local amenity and convenience.

5 No dwelling to which this permission relates shall be commenced unless or until the carriageway basecourse and kerb foundation of the new estate roads onto which it fronts, is adjacent to, or gains access from, has been constructed.

Reason: To enable the position of the dwelling(s) and associated estate road(s) in the layout to be fixed more accurately in the interests of the proper planning of the area.

6 Before any development is commenced the approval of the Local Planning Authority is required to the detailed design of the scheme to provide for the satisfactory disposal of highway surface water run-off from the development; and such scheme as approved shall be carried out before any building is occupied.

Reason: To ensure that highway surface water run-off from the development will not adversely affect, by reason of flooding, the amenity of nearby land.

7 Before any other part of the development hereby permitted is commenced, the junction of the estate road with the existing public highway shall be constructed for at least 60 metres into the site, to the satisfaction of the Local Planning Authority.

Reason: To ensure that the land required for the access, including the visibility splays, is not used or developed for purposes that would prejudice the development of the backland and to ensure that vehicles can park clear of the public highway, in the interests of amenity and road safety, while the development is being carried out.

8 The final layout shall provide for road construction(s) with adjoining land to the south east.

Reason: To ensure that provision can be made for co-ordinating development in the future.

9 No development shall take place until a scheme specifying the methods of recording or preserving any archaeological deposits which may be affected by the approved works and including a timetable for such recording has been submitted to and been approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with the agreed scheme.

Reason: The site is of archaeological importance.

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SOUTH HOLLAND DISTRICT COUNCIL

Your attention is drawn to the existence of a Section 106 Planning Obligation regulating the development hereby permitted.

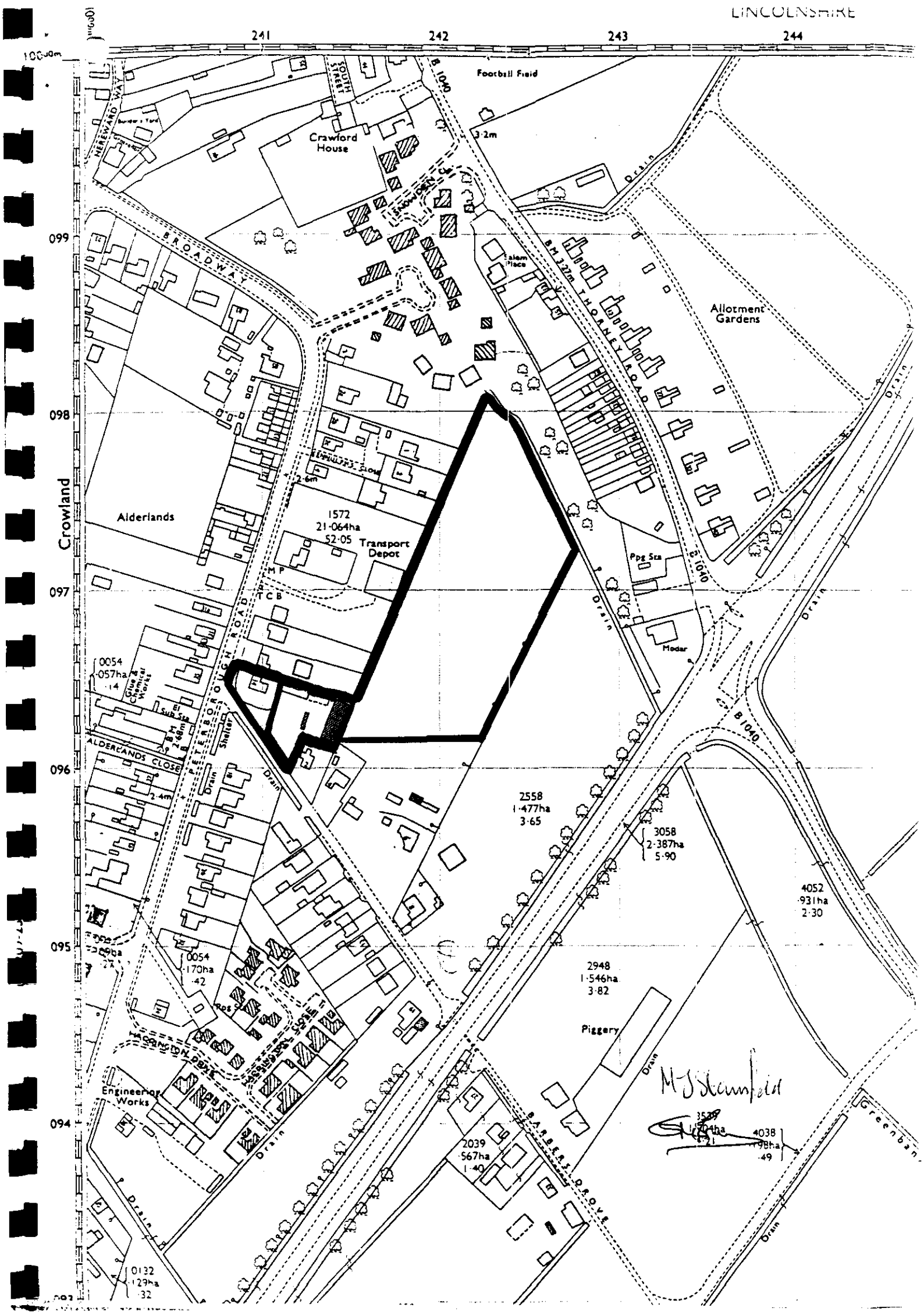
The applicant is advised that it will be necessary to relocate the bus shelter as part of the agreed Section 278 works.

Director of Planning and Building Control Services
15-MAR-94 H02/0581/93

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

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)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Crawford House
Football Field
Allotment Gardens
Alderlands
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21·064ha
52·05
Transport Depot
Engineering Works
Piggery
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Ppg Sta
Drain
Footpath
B 1040
BROADWAY
THORNEY ROAD
NEWARK ROAD
ALDERLANDS CLOSE
SOUTH STREET
HEREWARD WAY
SNOWDEN CL
Salem Place
Shelter
Sub Sta
Gasholder
Chemical Works
0054
·057ha
·14
2558
1·477ha
3·65
3058
2·387ha
5·90
4052
·931ha
2·30
2948
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3·82
2039
·567ha
1·40
0054
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·129ha
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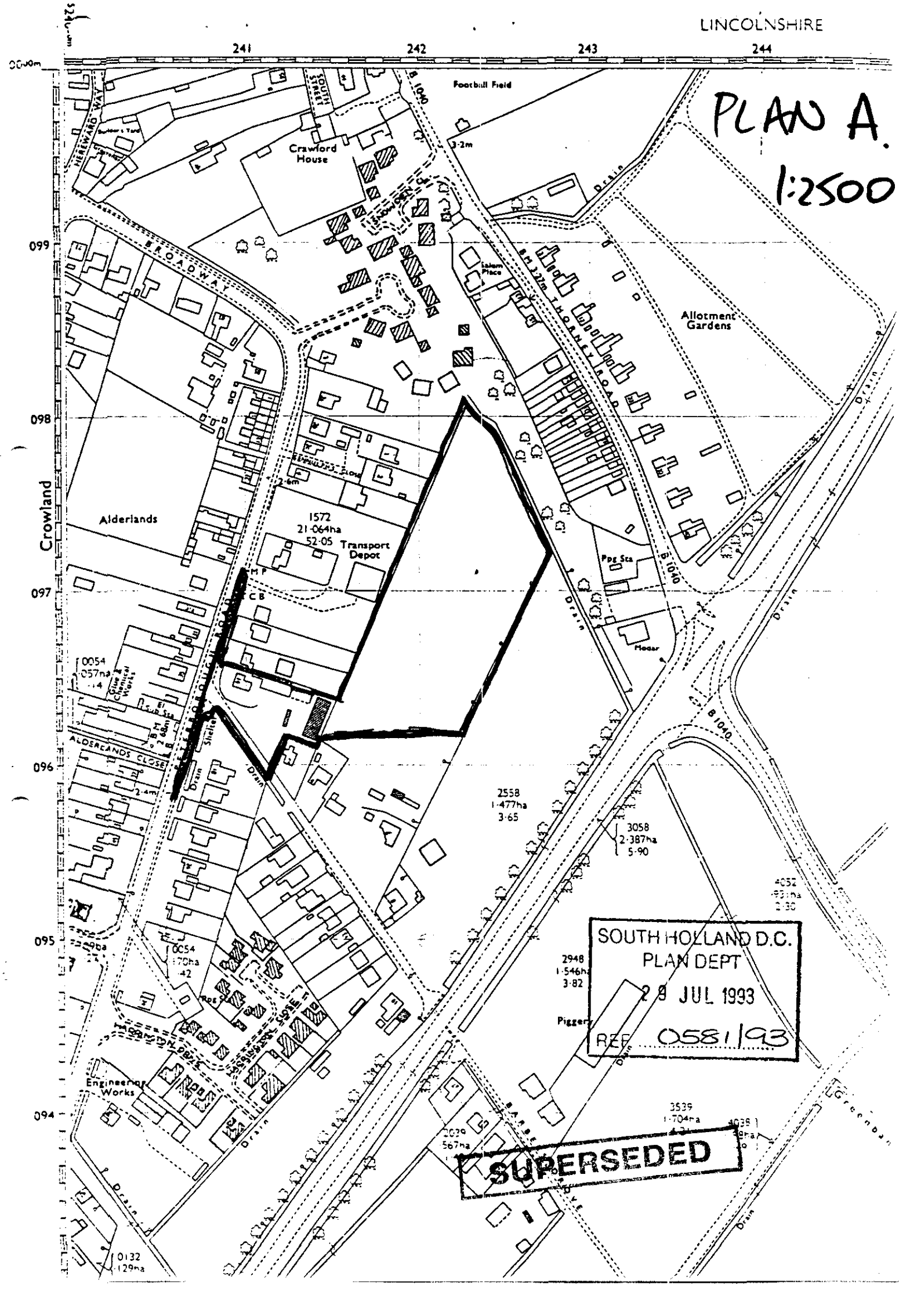
M J Stamfield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BROADWAY
HERWARD WAY
SOUTH STREET
THORNEY ROAD
ALDERLANDS CLOSE
Salem Place
Pond
Sluice
Pond
Pond
SOUTH HOLLAND D.C.
PLAN DEPT
29 JUL 1993
REF 0581/93
SUPERSEDED

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H02/0581/93

Date Registered 22.10.93

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

David Wilson Homes Limited
Wilson House
Leicester Road
IBSTOCK
Leics. LE6 1HP

Tel. No. 0530 260777

NAME AND ADDRESS OF AGENT
(if form completed by agent)

David Wilson Estates Limited
Wilson House
Leicester Road
IBSTOCK
Leics. LE6 1HP

Tel. No. 0530 260777

(Personal contact name) MR. R. GALIJ

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

LAND OFF BARBERS DROVE, CROWLAND

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

RESIDENTIAL DEVELOPMENT

Please complete

Signed R Galij Date 21/06/93

I attach * Four copies of all plans ✓
*an ownership certificate (see back page) ✓
*a fee of £1,800.00 If you consider no fee is payable include a written explanation instead.
Previous application No:

Please tick **one** box and answer the extra questions under that section.

2. **TYPE OF APPLICATION**

	(✓)	
This is a **full** application for change of use and/or new building works		→ Now complete Parts 3, 4 and 5 and an Ownership Certificate
or This is an **outline** application	✓	↴

Please state Site Area 1.42 (Hectares)

Please tick **any** box where you are including details which you wish to be considered as part of this application.

Siting [ ] Design [ ] External Appearance [ ]
Means of Access [✓] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

or This is a **reserved matters** application. [ ] ↴

A. Please state Reference Number of outline permission.
B. Please state which reserved matters are dealt with in this application.

Now complete Part 4 only

or This is an application for **renewal** of temporary permission or **continuation** without complying with planning condition. [ ] ↴

A. Please state Reference Number of previous permission
B. Please state Condition Number referred to

Now complete an Ownership Certificate

or This is an application for **modification** of a condition on a planning permission which has not yet been implemented. [ ] ↴

A. Please state Reference Number of previous permission
B. Please state Condition Number referred to
C. Please state variation required

Now complete an Ownership Certificate

TYPE OF DEVELOPMENT

3. A. Please state whether the proposal involves:- (Tick one or more boxes)

(i) New building(s)	✓
(ii) Alterations or extension	
(iii) Change of use	

B. If new dwellings are proposed, please state how many: UNKNOWN

4. A. If building works are proposed, other than residential, please state extra floorspace to be created: sq. metres

B. Please state size of any new structure:- (a) max. height: metres
(b) max. length: metres
(c) max. width: metres

C. Please state type and colour of materials for facing external walls:

D. Please state type and colour of roofing materials.

E. Has a survey of the site been undertaken? State Yes or No: NO

5. GENERAL INFORMATION Please complete each section

EXISTING USES
Please state existing or, if vacant, the last use(s) of site.: UNKNOWN

ACCESS TO ROADS (VEHICULAR AND PEDESTRIAN) Please tick **one** box

A. There will be **no** new access to a public road and **no** alteration to any existing access to a public road: [ ]

or

B. There will be a new or altered access to a public road: [✓] → If so, name of road: Barbers Drove
Will there be —
Individual access(es) [ ]
New estate road [✓]

C. What provision will be made for garages or parking within the site?:

TREES Please tick **one** box

A. The proposal does **not** involve the felling of any trees: [✓]

B. The proposal does involve the felling of one of more trees: [ ] → If so, please show details on plans

DRAINAGE Please complete

A. Please state how surface water will be disposed of: A. INTO EXISTING STORM WATER COURSE;

B. For estate developments, please state how highway surface water will be disposed of: B. INTO EXISTING STORM WATER COURSE;

C. Please state whether a land drain will be affected: C. NO

D. Foul sewerage will be disposed of to:

Mains sewer [✓] Cesspool [ ] Septic tank [ ]

OTHER MATTERS Please complete

	State Yes or No	
The proposal is in connection with agriculture	NO	→ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public footpath	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices or shopping purposes	NO	→ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent.	NO	→ Date: Consultee(s):
Is this application related to a previous submission	YES	→ Application No: HO2/0253/89; HO2/0076/91 HO2/1232/91

6. **ANY OTHER INFORMATION** Please add any details you wish in support of your application. Continue on separate sheet if necessary.

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

Use the notice at the bottom of the page only when necessary.

1. **APPLICANT'S INTEREST**
Please state interest in site (e.g. owner, prosp. purchaser)
(Please remember to indicate on the location plan any other land under your control).

PART LANDOWNER AND PROSPECTIVE PURCHASE

2. **OWNERSHIP OF THE SITE**

This certificate is to make sure that the owners of land are aware of applications made on it.

If the applicant is the **sole owner of the whole site,** complete **Certificate A.**
In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B.** You can use the notice at the bottom of the form to send to the owner. (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

Certificate A Nobody except the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Signed ..... (Applicant/Agent) Date .....

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days *ending with the date of the accompanying application.*

State Name and address of owner: State Date notice served:

Mr. & Mrs. Barfoot, 14 Peterborough Road, Crowland: 21.06.93
Mr. I.Mann, Barbers Drove, Crowland : 21.06.93
Lincolnshire County Council, City Hall, Beaumont Fee, Lincoln: 21.06.93

Signed R.Gelin (~~Applicant~~/Agent) Date 21/06/93

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

If the land is not in agricultural use, complete Certificate 1.
If the land is agricultural, but there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to any tenant, and complete Certificate 2. (You can use the notice at the bottom of the form to send to the tenant). If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

Certificate 1 None of the land to which the application relates is or is part of any agricultural holding.

Signed R.Gelin (~~Applicant~~/Agent) Date 21/06/93

Certificate 2 The applicant has given the required notice to every other person who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates.

State Name and address of tenant: State Date notice served:

Signed ..... (Applicant/Agent) Date .....

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

No changes since last visit. As far as I can tell (not possible to get into main part of cottage) No 16 to be demolished and in situ to be screened by tall hedge of Leylandii along west boundary

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by DR
Date 6/6

Site Notice posted by DR
Date 6/6
Expiry

Individual Resident Notices required:

Addresses to be sent to –	Addresses delivered to –
14 Petherton Road ✓	Royal Mail Counter to Accom
2+4 Barton Grove ✓	

DONE 9/8

Case Officer Conclusions

RECOMMENDATION/DECISION

NON–DETERMINATION

Permitted Dev (or equiv) .....
Non Development (or equiv) .....
Non Response after Direction .....

Senior Officer confirmed .....

Withdrawn .....

DELEGATED DECISION

Case Officer Recommendation

Approve (or equiv) Refuse (or equiv)

Signed ..... Date.....

COMMITTEE

Confirmed as agenda .....

SUB–COMMITTEE

Confirmed as agenda .....

DPBCS AUTHORISED

Decision Issue confirmed DR 16/2/94

Notes:

☐ Disabled
☐ Prev conditions
☐ Amended plans –
Dwg no:
Received:

Conditions/Reasons: (cont overleaf)

DPO Auth 6/10/93 Committee

+ Additional note

- The applicant is advised that it will be necessary to relocate the bus shelter as part of the agreed 278 works.

Prior submission ✓

Repeat conditions/notes for extension

DR 3/3/94

DC INSTRUCTION SHEET

APPLICATION REF:

Directions

Art 7 (Outlines)

☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

Reg 4 Scale drawing.... Highway S/W.... Agric appraisal....

☐ Non Std | Precise details:

Direction authorised by Senior Officer..... Date.....

Revalidation after Direction

Information satisfactory Signed..... Date.....

Valid date:

Amended description

Reconsultations:

All.....
Specified:

Unsatisfactory –
Further direction:
Signed.....
Senior Off.....

Precise details:

Additional Consultation/Publicity Required

PDM 30-7
TR 30/7

		Publicity: >>	Consultations:	
Departure		.....	County	.....
Setting of LB		.....	E Heritage	.....
Public Right of Way		.....	Societies	..... G ROW
Discretionary		.....		

Extra Consultations:

Transport	D/Transp A15	..... G* T15		
TRA	D/Transp A18	.....		
	B Rail	.....		
Environment/	Env Services	.....		
Drainage	NRA	.....		
WAT	IDB	.....		
	Env Assess	..... G ENV	Specify:	
Conservation	LB Demolish	..... G* DEM		
LB	Archaeology	..... G ARC	Specify:	
	Eng Heritage	.....		
	Consultant	.....	Order No:	
	Other	.....	Specify:	
Hazards	HSC Group	..... G* HAZ		
	Specific	.....	Specify:	
Other PLA		.....	Specify:	

WP Note –
G Group available
G* Group essential (longer expiry)

Case Officer

Senior Officer Confirmed ..... DR Date..... Recorded DC....

ADMIN RECORD SHEET

Initial

Submitted Fee £ 1800.

Receipt No P2863

Date first Rec'd [illegible] 1993

Registration

Reference H02/0581/93.

Cross-Ref —

Date 23/6/93.

Validation

TYPE OUTLINE

Site area 1.42

No of dwellings

Floorspace

Earlier permission - Ref:

(New) Redevelop/Use/Ext/Alt/Works

Description to be recorded

Invalid

Site plans ☐ Fee ☐ Inaccurate ☐

Certificate ☐ Fee (not free) ☐ Incomplete ☐

Unclear ☐

Fees

Correct fee £ 1800 - Nil fee ☐ Previous app - ref:

Type of app

Discounted ☐ Reason:

Additional £ Receipt No Date

Refund £ Voucher No Date

Information

Index sheet 392 OS Plots

Grid ref 524130 309630.

Ward A Parish Gravland.

Inside IBD YES Inside LP area No.

Linked to site Ref 1519

Linked to property Ref

Constraints:

CA Cons Area ☐

LB Listed - Grade: ☐

ARC Archaeology ☐

AM Ancient Mon ☐

SSI Special Int ☐

Hazards -

Dist Bound ☐

Other: ☐

TR Rural ☐

BP TR proposed 67m ☐

LC Level Cross ☐

FP Footpath ☐

TPO Tree Pres ☐

HAZ Site ☐

AIR Safeguard ☐

LIN Elect ☐

PIP Pipe ☐

CON Waste/contamin ☐

Planning Records:

Earlier apps

393/89

76/91

1232/91

B Reg Records:

Already submitted - Ref:

Request needed

Requested

S O U T H
HOLLAND
DISTRICT COUNCIL
HOUSING AND PLANNING
SERVICES DEPARTMENT

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

Avocet Design,
c/o West View Farm,
The Fen,
Baston,
Peterborough.
PE6 9PU.

Your Contact: Mr P Udy
Our Ref: PJU/JJ 1870.2
Your Ref:
Date: 23 Feb 1996

Dear Madam,

ALTERATIONS AT UNIT 2 PETERBOROUGH ROAD, CROWLAND.

As stated during our site visit the main concern regarding this proposal is the effect it will have on two windows in the adjacent dwelling. However, the pantry window, owing to it being close to the corner of the dwelling, should not be materially affected since light should still enter that window from the side.

It is the kitchen window, which appears to be the only window in the kitchen, which is likely to be shaded most. It would be preferable if the roof could be reduced in height by 0.6 metre since the roof as proposed is likely to have a substantial effect on diffused daylight to this window. It would be useful if your submitted plans included a cross section through the proposal showing the roof height and also the position of the top and bottom of the windows in the facing elevation of the adjacent property.

Planning permission currently exists for David Wilson Homes Ltd for residential development on land off Barbers Drove. The planning permission is in outline and lasts until the 14th March 1997 and the land outlined in red includes the adjacent property, No 14 Peterborough Road. At the time the application was submitted the Applicant submitted formal notice on Mr and Mrs Barfoot, 14 Peterborough Road, Crowland. Since the property is currently for sale it would be helpful if David Wilson Homes bought it but obviously I have no control over this matter.

Yours faithfully

pp N Midlen
Development Control Manager

Housing and Planning
Services Department
Council Offices
Priory Road,
Spalding,
Lincolnshire, PE11 2XE

APPLICATION REFERENCE: H02/0581/93 DATE RECEIVED: 29-JUL-93

TYPE: Outline

DESCRIPTION: Residential development

LOCATION: Land off Barbers Drove, Crowland

APPLICANT: David Wilson Homes Ltd AGENT:

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date - 6 OCT 1993

REASON FOR COMMITTEE CONSIDERATION

Firm commitment from Council required by applicant before they will withdraw outstanding appeal.

RECOMMENDATION

That upon the completion of a Planning Obligation under Section 106 of the Planning Act the Director of Planning and Building Control Services be authorised to grant permission subject to conditions.

COMMENTS

1 1.42 Ha (4.6 acre) site between Peterborough Road and the by-pass. Adjoins other land to east also within development boundary which would be accessed via this site.

2 Site has been subject of two previous applications for residential development. Most recent being H02/1232/91, this was reported to Committee 22 May 1991, where it was resolved that permission be granted upon completion of a Section 278 Agreement relating to access/junction improvements. Because of various problems such an agreement was never entered and the application was withdrawn.

3 The current application has been submitted following discussions. The applicants have now proposed that they enter into an alternative Section 106 Planning Obligation, agreeing to enter into a Section 278 Agreement at a future date before development commences.

4 County Highways would still prefer a Section 278 Agreement at this stage, but it is considered that the alternative proposed by the applicants is acceptable (subject to agreeing wording) and it is recommended that the Highway requirements not be acceeded to in this case.

5 As a separate issue, there is an outstanding appeal (Public Inquiry) pending in respect of a refusal for two dwellings on part of the site (reference H02/1235/91) this was refused by Committee on grounds that development would prejudice development of the larger site by removing access. The applicants are expected to withdraw the appeal if this application is successful.

REPRESENTATIONS

Parish Council:	Support outline application. Width of access must be suitable to cater for future development. Have had no communication from the developer for re-siting of bus shelter (owned by us) which may restrict visibility on the corner. New entrance must be completed before building works start to avoid nuisance to residents of Barbers Drove.
County Highways:	Request conditions, subject to Section 278 Agreement.
Heritage Lincs:	Hoped that some arrangements can be made for archaeological evaluation or watching brief to be funded for the site.
Applicant:	Has supplied draft copy of Section 106 Obligation.

SCHEDULE OF CONDITIONS

SC1 - (Estate Details).

Prior to the development commencing on site adequate access shall be provided onto Peterborough Road in accordance with details to be approved.
Reason: To ensure the provision of adequate facilities for safe ingress and egress of vehicles calling at the site in the interests of road safety.

C1 - (Estate Development).

C2a - (Road Construction).

C3 - (Surface Water Run-off).

C4 - (Construction of Estate Road Junction).

The final layout shall provide for road construction(s) with adjoining land to the south east.
Reason: To ensure that provision can be made for co-ordinating development in the future.

SC68 - (Watching Brief - Outline applications).

Note

SN9.

BRIAN SMITH *Dip TP MRTPI*
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

H02/0581/93
OUTLINE

Applicant: David Wilson Homes Ltd.
Tel: 0530 260777

Agent: David Wilson Homes Ltd.
0530 260777

Description: Residential development

Location: Land off Barbers Drove
Crowland
Peterborough

Valid date: 29-JUL-93
Target dates:
To case officer 05-AUG-93
Inspected by 12-AUG-93
Extra contacts 19-AUG-93
Report if not clear by 02-SEP-93

Terminal date: 23-SEP-93
Target Committee: 14-SEP-93
Report deadline: 31-AUG-93
Agreed TD Ext:
Case Officer:
D J ROBERTS

DEVELOPMENT/CONSTRAINTS

Size: 1.42 HA
Category: Newbuild
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

		Sent	Expiry	
Owner/Occupier, 2 Barbers Drove		09-AUG-93	30-AUG-93	
Owner/Occupier, 4 Barbers Drove		09-AUG-93	30-AUG-93	
Owner/Occupier, 14 Peterborough Road		09-AUG-93	30-AUG-93	
Site/Press Advert MAJ		06-AUG-93	27-AUG-93	
Clerk to Crowland PC	0733 210653	03-AUG-93	17-AUG-93	OK + comments
Dir of Environmental		03-AUG-93	17-AUG-93	
Cllr B Alcock	0733 210560	03-AUG-93	10-AUG-93	
Cllr N H Pepper	Peterborough 21	03-AUG-93	10-AUG-93	

SITE RECORD

Grid ref: 524130 309630
OS Sheet: 392 Parcel:

L C C - Obs Attached for CS

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

H02/0581/93
OUTLINE

Applicant: David Wilson Homes Ltd.
Tel: 0530 260777

Agent: David Wilson Homes Ltd.
0530 260777

Description: Residential development

Location: Land off Barbers Drove
Crowland
Peterborough

Valid date: 29-JUL-93
Target dates:
To case officer 05-AUG-93
Inspected by 12-AUG-93
Extra contacts 19-AUG-93
Report if not clear by 02-SEP-93

Terminal date: 23-SEP-93
Target Committee: 14-SEP-93
Report deadline: 31-AUG-93

Case Officer:
D J ROBERTS

DEVELOPMENT/CONSTRAINTS

Size: 1.42 HA
Category: Newbuild
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Site/Press Advert MAJ		06-AUG-93	27-AUG-93
Clerk to Crowland PC	0733 210653	03-AUG-93	17-AUG-93
Dir of Environmental		03-AUG-93	17-AUG-93
Cllr B Alcock	0733 210560	03-AUG-93	10-AUG-93
Cllr N H Pepper	Peterborough 21	03-AUG-93	10-AUG-93

SITE RECORD

Grid ref: 524130 309630
OS Sheet: 392 Parcel:

L C C - Obs Attached JC 8 5/8/93

MEMORANDUM

FROM: *The Director of Administration*

TO: *Director of Planning &*
Building Control Services

OUR REF: PBP/LST/PL.734

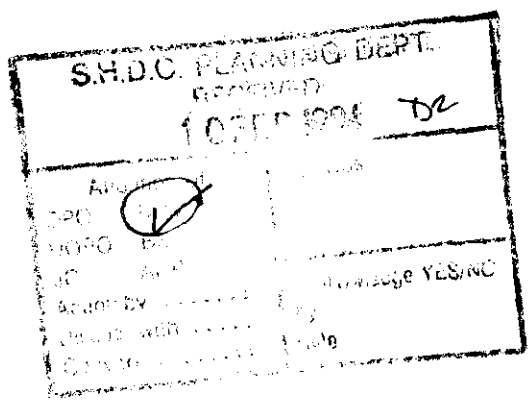
YOUR REF: DJR/JJ
H2/0581/93

DATE: 4th February, 1994

SUBJECT: PLANNING APPLICATION NO. H02/0581/93
RESIDENTIAL DEVELOPMENT ON LAND OFF BARBERS DROVE, CROWLAND

Would you please note that the Planning Obligation relating to the above has now been completed and a copy is enclosed for your records. Would you please arrange to release the planning permission as soon as possible.

Director of Administration



Comments please
Rec'd: 18/2.

Can now issue

discussed CB. 2/3/94
Happy that Pair should
keeping could be noted on PP
& admin agr but Pair
should be carried out
as part of 278 works

SOUTH HOLLAND DISTRICT COUNCIL

DEED

Creating Planning Obligation

under Section 106 of the

Town and Country Planning Act 1990

between

SOUTH HOLLAND DISTRICT COUNCIL

and

DAVID WILSON HOMES LIMITED

relating to land off

Barbers Drove, Crowland

I hereby certify that this is a true copy
of the Planning Obligation relating to
land off Barbers Drove, Crowland

.....R. Gee.....
Director of Administration

THIS AGREEMENT is made the Fourth day of February One Thousand Nine Hundred and Ninety Four BETWEEN DAVID WILSON HOMES LIMITED whose registered office is at Leicester Road Ibstock Leicestershire LE6 1HP of the first part and SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding Lincolnshire PE11 2XE of the other part

DEFINITIONS:

"the Act"	The Town and Country Planning Act 1990
"the Blue Land"	The land edged blue on the Plan
"the Developer"	David Wilson Homes Limited
"the Development"	The residential development to be carried out pursuant to the Planning Permission
"the Development Land"	The Red Land and the Blue Land
"the District Council"	South Holland District Council
"the Highway Works"	The works described in the Schedule hereto
"the Plan"	The Plan attached to this agreement
"the Planning Application"	The Planning Application for residential development submitted to South Holland District Council reference no. H02/0581/93
"the Planning Permission"	The Planning Permission granted pursuant to the Planning Application
"the Red Land"	The land edged red on the Plan

WHEREAS:-

A. The District Council is the local planning authority for the purposes of the Act

B. The Developer is the freehold owner of the Blue Land

C. By means of the Planning Application the Developer has applied to the District Council for planning permission to carry out the Development on the Development Land

D. The Development Land is situated within the County of Lincolnshire and the District of South Holland

E. The District Council has resolved to grant the Planning Permission subject to conditions and subject to the Development being regulated as set out below

F. The parties hereto have agreed to enter into this Agreement under the provisions of Section 106 of the Act and all other enabling powers

NOW THIS DEED WITNESSETH as follows:-

1. This Agreement is made pursuant to Section 106 of the Act and all other enabling powers and the covenants hereinafter contained are planning obligations for the purposes of the Act which bind all of the Blue Land or any part thereof and

are binding on and enforceable against the successors in title or assigns and those deriving title under the Developer to the Blue Land or any part thereof and are enforceable by the District Council PROVIDED THAT without prejudice to the enforcement of covenants against successors in title the Developer shall not be liable for any breach or non-performance of the covenants contained herein in respect of any land of which they are no longer seised whensoever any such breach or non-performance shall arise

2. This planning obligation is a local land charge and shall be registered as such

3. The District Council is the local planning authority by whom the planning obligation is enforceable

4. The Developer hereby covenants with the District Council as follows:-

(i) to enter into an agreement under Section 278 of the Highways Act 1980 governing the Highway Works prior to commencement of any of the Development on the Blue Land

(ii) not to permit the occupation of any of the dwellings comprising the Development situated on the Blue Land nor to permit access through the Blue Land for the purposes of commencing the Development on the Red Land until such time as the Highway Works have been carried

out to the satisfaction of the local highway authority

5. This Agreement is conditional upon the granting of the Planning Permission and until such time as the Planning Permission is issued this Agreement shall be of no effect

6. Any dispute under or arising out of this Agreement shall be referred to a single Arbitrator to be agreed upon by the parties hereto or in default of Agreement to be nominated by the President for the time being of the relevant professional body and such reference shall be in accordance with and subject to the provisions of the Arbitration Act 1979 and any statutory modifications or re-enactment thereof for the time being in force

SCHEDULE

Description of the Highway Works

Forming a new estate road at the junction of Barbers Drove and Peterborough Road. Realigning Barbers Drove and providing a connection with the new estate road and excavating the redundant section of Barbers Drove and making into a highway verge. All works are to be carried out in accordance with the County Council's current Development Road Layout Guide and Specification and to include any necessary Statutory Undertakers diversion works any necessary highway drainage the soiling and seeding of verges the provision of all necessary lighting signing and lining

and any necessary ancillary works.

IN WITNESS whereof the Developer and the District Council have caused their Common Seals to be hereunto affixed the day and year first before written

The COMMON SEAL of)
DAVID WILSON HOMES LIMITED)
was hereunto affixed in)
the presence of:-)

M J Stansfield

~~Director of Administration~~
Chairman of the Council

~~Chairman of the Council~~
Director of Administration

The COMMON SEAL of)
SOUTH HOLLAND DISTRICT)
COUNCIL was hereunto affixed)
in the presence of:-)

~~Director of Administration~~
Chairman of the Council

~~Chairman of the Council~~
Director of Administration

6096

660. PLANNING APPLICATIONS (Continued)

(e) Applications Director of Planning and Building Control Services authorised to refuse (Continued)

Plan No. and Applicant	Proposal
H16/0803/93 Patterson Properties	Change of use of building to residential dwelling, plus renovation and extension to provide residential accommodation, grounds of Ornom House, Roman Bank, Spalding.
H20/0820/93 Mr & Mrs J W Cooper	Retention of dwelling without complying with agricultural habitation clause at Annesfield, Mission House Road, Sutton St. James.

(f) Applications approved subject to Planning Obligations

Subject to the applicants first entering into a planning obligation under the provisions of section 106 of the Town and Country Planning Act 1990, the Director of Planning and Building Control Services be authorised to grant planning permission for the under-mentioned developments in accordance with his recommendations:-

Plan No. and Applicant		Proposal
H09/0345/93 Mr R Stokes	O.A.	Dwelling in connection with agricultural holding at Holbeach Drove, Spalding.

(To ensure that the dwelling is tied to the associated 4.8 acres of land of which it forms an integral part.)

H02/0581/93 David Wilson Homes Ltd.	O.A.	Residential development on land off Barbers Drove, Crowland.

(To ensure that an Agreement under section 278 of the Highways Act 1980 is completed in respect of access/junction improvements before development commences.)

(In agreeing this, the Director of Planning and Building Control Services was instructed to ensure that the bus shelter is re-sited before development commences and that he is satisfied with the terms of the Agreement to be entered into under section 278 of the Highways Act 1980.)

H14/0641/93 Rose Cottage Nursery and Aquatic Centre	Restaurant and toilet facilities at Glenside North, Pinchbeck.

(To restrict the range of items sold to those incidental to the use of the premises as a nursery and aquatic centre.)

(O.A. denotes outline application.)

MEMORANDUM

SOUTH HOLLAND DISTRICT COUNCIL

FROM: Director of Administration

TO: Director of Planning & Building Control Services

OUR REF: JMB/SP/PL

YOUR REF: DJR/JJ H2/0581/93

DATE: 26th November, 1993

SUBJECT: BARBERS DROVE, CROWLAND - PLANNING OBLIGATION APPLICATION REFERENCE H02/0581/93

I refer to your memorandum dated 4th November 1993 relating to the above, and my assistant's subsequent telephone conversations with your Mr Roberts.

You will be aware that the planning Committee agreed that the planning obligation should require completion of the section 278 Agreement prior to commencement of any development.

The obligation as drafted by the developers' solicitors differs somewhat from this, requiring

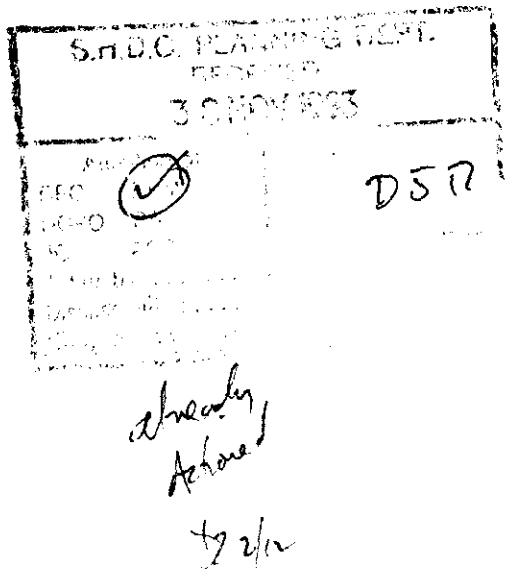
(1) The section 278 Agreement to be completed prior to commencement of any development on the land shown blue on the attached plan; and

(2) Access to be restricted through the blue land until the necessary highway works have been completed.

Convenant (2) effectively restricts any development on the red land until the highway works have been carried out, and therefore goes further than the minute requires, and in view of this I should be most grateful to receive your written confirmation that this is acceptable to you.

As soon as I receive such confirmation I shall return the draft obligation to the developers' solicitors.

Director of Administration



SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC) To: Director of Administration
Planning and Building
Control Services

Our Ref: DJR/JJ H2/0581/93 Your Ref: JMB/SP/PL

Date: 01 Dec 1993

BARBERS DROVE, CROWLAND - PLANNING OBLIGATION.

In response to your memorandum dated 26th November 1993. I have discussed the wording of the agreement with Mr Briggs of the County Highway Department. He is satisfied that this is acceptable.

I trust this is of assistance.

N Midlen
Principal Planning Officer
Development Control

MEMORANDUM

SOUTH HOLLAND DISTRICT COUNCIL

FROM: Director of Administration

TO: Director of Planning & Building Control Services

OUR REF: JMB/SP/PL

YOUR REF: DJR/JJ H2/0581/93

DATE: 26th November, 1993

SUBJECT: BARBERS DROVE, CROWLAND - PLANNING OBLIGATION APPLICATION REFERENCE H02/0581/93

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You will be aware that the planning Committee agreed that the planning obligation should require completion of the section 278 Agreement prior to commencement of any development.

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(2) Access to be restricted through the blue land until the necessary highway works have been completed.

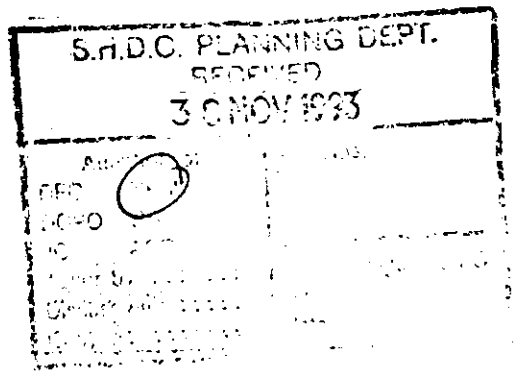
Convenant (2) effectively restricts any development on the red land until the highway works have been carried out, and therefore goes further than the minute requires, and in view of this I should be most grateful to receive your written confirmation that this is acceptable to you.

As soon as I receive such confirmation I shall return the draft obligation to the developers' solicitors.

RC

Director of Administration

Seen DN CB 1/12/93



SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: D Roberts
Planning and Building
Control Services

To: J Berridge
Administration Dept.

Our Ref: DJR/JJ H2/0581/93

Your Ref:

Date: 04 Nov 1993

SECTION 106 PLANNING OBLIGATION: RESIDENTIAL DEVELOPMENT CROWLAND: FOR DAVID WILSON HOMES

Further to the resolution of the Planning Committee on 6th October 1993. I enclose the following documents to enable you to commence preparation of the planning obligation.

1. 10 copies of the submitted site plan (one copy outlined in red).

2. Copy of the submitted application form.

3. Letter dated 29th October 1993 from Messrs Fishers, Solicitors.

In addition the applicants submitted a draft agreement with the application. A copy of this was forwarded to your Department on 15th September 1993. Please let me know if you require further copies.

I trust this is sufficient for your purposes.

D Roberts
Senior Planning Assistant

Enc.

FISHERS
Solicitors

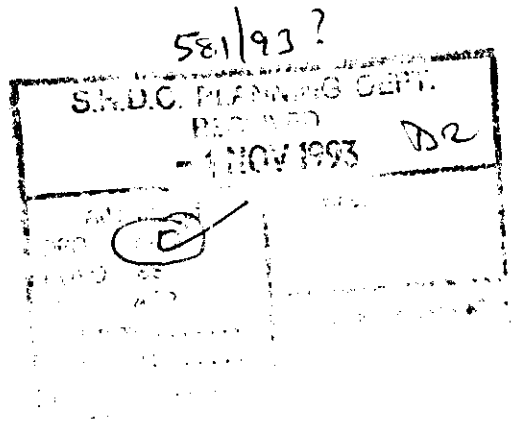
14 OXFORD STREET,
NOTTINGHAM,
NG1 5BG

Tel: (0602) 413415
Fax: (0602) 414454
DX: 10172 NOTTINGHAM

Your Ref. HO2/0253/89, HO2/0076/91, HO2/1232/91

Our Ref. MET/JEP

29 October 1993



Director of Planning & Building Control Services,
South Holland District Council,
Council Offices,
Priory Road,
Spalding,
Lincolnshire.
PE11 2XE

Dear Sir,

Proposed Residential Development on land off Barbers Drove, Crowland

Please note that we act on behalf of David Wilson Homes Limited. We understand that the planning application for the above development was considered at your Planning Committee meeting on 6 October 1993 and it was resolved that planning permission be granted subject to a Section 106 agreement.

We would now like to progress that Section 106 agreement, and you will be aware that our clients submitted a draft agreement with the planning application for your consideration. Accordingly we would be grateful if you could let us have your comments on the draft agreement as soon as possible.

We look forward to hearing from you or your Legal Department.

Yours faithfully,

FISHERS

PARTNERS: G. O. JOYCE, T. G. NEILAND, S. W. R. MUSSON, M. C. A. KILLIN, R. STANILAND, L. H. PERRY, J. A. GILLIONS, M. E. THOMSON, A. D. WEST
ASSOCIATE SOLICITOR: S. E. WALE CONSULTANT: J. R. FLETCHER
THIS FIRM IS REGULATED BY THE LAW SOCIETY IN THE CONDUCT OF INVESTMENT BUSINESS
ASHBY-DE-LA-ZOUCH (TEL: 0530 412167) SWADLINCOTE (TEL: 0283-2[illegible]

Copied to I.B. 24/11

FISHERS
Solicitors

14 OXFORD STREET,
NOTTINGHAM,
NG1 5BG

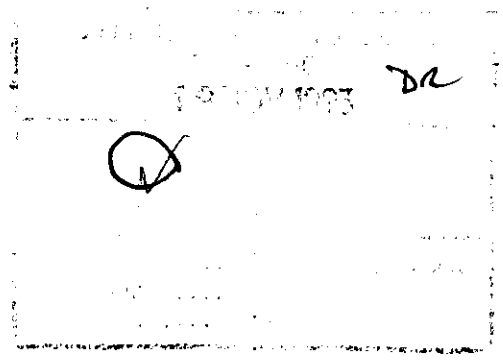
Tel: (0602) 413415
Fax: (0602) 414454
DX: 10172 NOTTINGHAM

Your Ref. HO2/0253/89, HO/0076/91, HO/1232/91

Our Ref. MET/JEP

18 November 1993

Director of Planning & Building Control,
South Holland District Council,
Council Offices,
Priory Road,
Spalding,
Lincolnshire.
PE11 2XE



Dear Sirs,

Proposed Residential Development on land off Barbers Drove, Crowland

We refer to our letter of 29 October 1993 and would be grateful for a reply as soon as possible.

Yours faithfully,

FISHERS

Spoke to Morag Thompson 24/11
Advised her that this was in hands of our Admin Section: who would contact Mrs Shorthy.

PARTNERS: G. O. JOYCE, T. G. NEILAND, S. W. R. MUSSON, M. C. A. KILLIN, R. STANILAND, T. H. PERRY, J. A. GILLIONS, M. E. THOMSON, A. D. WEST
ASSOCIATE SOLICITOR: S. E. WALE CONSULTANT: J. R. FLETCHER
THIS FIRM IS REGULATED BY THE LAW SOCIETY IN THE CONDUCT OF INVESTMENT BUSINESS
ASHBY-DE-LA-ZOUCH (TEL: 0530-412167) SWADLINCOTE (TEL: 0283-217793)

6th OCTOBER 1993 PLANNING COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Page No	Application Number	Case Offr	Instructions/ Decision
1	H18/1104/92 Marshland and Wingland	JB	Refused as recommended.
3	H09/0345/93 Mr R Stokes	DMG	DPBCS Auth subject to Sect 106 agreement as recommended.
5	H05/0372/93 Kings Quality Homes	JB	Grant as recommended.
7	H05/0373/93 Kings Quality Homes	JB	Grant as recommended.
9	H08/0551/93 I Bates	DJR	Deferred for Site Visit.
12	H02/0581/93 David Wilson Homes	DJR	DPBCS Auth subject to Sect 106 agreement as recommended. Bus shelter and Local Planning Authority approval of road scheme to be included in 106 agreement.
14	H21/0630/93 H21/0814/93 Mr K Russell	DMG	Refused as recommended.
16	H14/0640/93 H14/0642/93 Rose Cottage Nursery & Aquatic Centre	PJU DJR	Grant as recommended.
16	H14/0641/93 Rose Cottage Nursery & Aquatic Centre	DJR	DPBCS Auth subject to 106 agreement as recommended.
20	H02/0643/93 G M Riddidngton Partnership	DJR	Deferred for site visit.
23	H06/0654/93 Long Sutton Motor Co	JB	Grant as recommended.
25	H06/0657/93 Mr C J W Franks	JB	Deferred for site visit. Check previous application for filling station by Hurnfield Hargate and Anglia Motel as DoT consider sufficent approvals given on this stretch of A17.
27	H23/0661/93 Mr R Regan	JB	Deferred for site visit.
30	H18/0662/93 J E & R A Deans	DMG	DPBCS Auth as recommended.

32	H1 /0677/93 H14/0678/93 John Allen Tpt	PJU	DPBCS Auth subject to Sect 278 agreement as recommended. H14/0678/93 to have same condition as condition 13 of H14/0678/93.
36	H05/0687/93 H Whestone esq	JB	Refused as recommended.
38	H14/0690/93 Mr J G Sneath	PJU	Refused as recommended.
40	H21/0693/93 Mr V Day	JB	Refused as recommended.
43	H09/0718/93 L.C.C.	JB	Grant as recommended. Add note ref proximity of commercial premises, and need to design to protect residential amenities.
46	H09/0719/93 L.C.C.	JB	Grant as recommended.
48	H08/0724/93 Mr & Mrs A Houghton	PJU	Grant as recommended.
50	H05/0728/93 R Proctor	JB	Deferred for site visit.
51	H04/0763/93 Mr W Lockhead	PJU	Refused as recommended.
53	H23/0773/93 Kings Quality Homes	DMG	Deferred to allow us to pursue ways we can bring pressure to bear on developers to prevent a similar situation occurring.
55	H09/0774/93 Mr & Mrs Ladbrook	JB	Grant as recommended.
57	H23/0786/93 Mr K Usher	DMG	Refused as recommended.
59	H16/0788/93 Crescent Traders Assoc	PJU	DPBCS Authorised subject to negotiations re additional sign which has been put up on site.
60	H16/0793/93 The Furniture Co	DJR	Refused as recommended.
61	H17/0802/93 A B Builders	PJU	Deferred for site visit.
62	H16/0803/93 Patterson Properties	DMG	DPBCS Auth to Refuse as recommended.
64	H20/0820/93 Mr & Mrs J W Cooper	DMG	Refused as recommended. Letter to advise further 6 months attempt to sell in view of depressed state of housing market.

8th Oct 93

Signed: .....
N Midlen
Principal Planning Officer

The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 10/15
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218627
Switchboard 0272-218811
Fax No 0272-218406
GTN 1374

South Holland District Council
Planning Department
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Your Ref:
H02/1235/91
Our Ref:
APP/A2525/A/93/217124

Date: 1 October 1993

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY DAVID WILSON HOMES LTD
SITE AT 2A & 2B BARBERS DROVE, CROWLAND, LINCS

Enclosed a copy of a letter to the agent at the end of abeyance.

Yours faithfully

A G Anglin.

211B Mar 92

S.H.D.C. PLANNING DEPT.
RECEIVED
- 4 OCT 1993

The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 10/15
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218627
Switchboard 0272-218811
Fax No 0272-218406
GTN 1374

David Wilson Homes Ltd
Wilson House
Leicester Rd
Ibstock
Leics
LE6 1HP

Your Ref:

Our Ref:
APP/A2525/A/93/217124

Date: 1 October 1993

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY DAVID WILSON ESTATES LTD
SITE AT WILSON HOUSE, LEICESTER RD, IBSTOCK, LEICS

? ? ?

On 1 July 1993 we agreed to the appeal being held in abeyance for 3 months. Those three months have now ended so we would like to know how the appeal is to proceed.

In your letter of the 22 June 1993 you mentioned a new application. Have you had the result of this application? Do you wish to withdraw this appeal? If not it will be necessary to take the appeal forward.

Please reply as soon as possible to enable us to arrange another date for the Inquiry

Yours faithfully

AGAnglin

A G Anglin.

211B Mar 92

DAVID WILSON HOMES

WILSON Bowden plc

David Wilson Homes Limited
Wilson Bowden House Leicester Road Ibstock Leicester LE67 6HP
Telephone Ibstock (0530) 60777 Fax (0530) 62794 DX 23658 Coalville

Our Ref: RG/BK

5 October 1993

S.H.D.C. PLANNING DEPT.
RECEIVED
- 7 OCT 1993 DR

Mrs P Todd
Clerk to the Council
Crowland Parish Council
10 Beccelm Drive
Crowland
PETERBOROUGH
Cambs. PE6 0AG

Dear Mrs Todd,

RE: PROPOSED RESIDENTIAL DEVELOPMENT ON LAND OFF BARBERS DROVE, CROWLAND: PLANNING APPLICATION NO.: H02/0581/93

I refer to your letter dated 27th September and to our subsequent conversation regarding the above.

I note your concerns regarding the current location of the bus shelter on Peterborough Road.

Its possible relocation, prior to the commencement of the proposed development, is a matter which can be addressed through a Planning Obligation under Section 106 of the Town & Country Planning Act and in Conditions attached to the Planning Permission. Our intention would be to discuss fully with you any re-location requirement at a later stage.

I understand you have raised concern over the location of the bus shelter in your representation to the District Council. I have also discussed the bus shelter with the District Council and have sent them a copy of this letter.

I trust this information is of assistance.

Yours sincerely

R GALLI
Divisional Planner

Directors D W Wilson (Chairman) A Greasley (Deputy Chairman) G C Crisp BA K McEwan BSc FCMA IPFA M J Stansfield ARICS M W Conway A P Fleet W J Smith J A W Willcox ARICS A E York FRICS
Registered Office Leicester Road Ibstock Leicester LE67 6HP Registered Number 830271 England Ultimate Holding Company Wilson Bowden plc

THIS AGREEMENT is made the day of One Thousand Nine Hundred and Ninety Three BETWEEN DAVID WILSON HOMES LIMITED whose registered office is at Leicester Road Ibstock Leicestershire LE6 1HP of the first part and SOUTH HOLLAND DISTRICT COUNCIL of Council Offices ~~Chatterton Tower~~ ~~Winfrey Avenue~~ Spalding Lincolnshire PE11 1DB of the other part

DEFINITIONS:

"the Act"	The Town and Country Planning Act 1990
"the Blue Land"	The land edged blue on the Plan
"the Developer"	David Wilson Homes Limited
"the Development"	The residential development to be carried out pursuant to the Planning Permission
"the Development Land"	The Red Land and the Blue Land
"the District Council"	South Holland District Council
"the Highway Works"	The works described in the Schedule hereto
"the Plan"	The Plan attached to this agreement
"the Planning Application"	The Planning Application for residential development submitted to South Holland District Council reference no. [ ]
"the Planning Permission"	The Planning Permission granted pursuant to the Planning Application under reference [ ]

H02/058.1/93

"the Red Land" The land edged red on the Plan

WHEREAS:-

A. The District Council are the local planning authority for the purposes of the Act and are a Principal Council for the purpose of the Local Government Act 1972

B. The Developer is the freehold owner of the Blue Land

C. By means of the Planning Application the Developer has applied to the District Council for planning permission to carry out the Development on the Development Land

D. The Development Land is situated within the County of Lincolnshire and the District of South Holland

E. The District Council have resolved to grant the Planning Permission subject to conditions and subject to the Development being regulated as set out below

F. The parties hereto have agreed to enter into this Agreement under the provisions of Section 106 of the Act and Section 111 of the Local Government Act 1972 and all other enabling powers

NOW THIS DEED WITNESSETH as follows:-

1. This Agreement is made pursuant to Section 106 of the Act and Section 111 of the Local Government Act 1972 and all other enabling powers and the covenants hereinafter contained are planning obligations for the purposes of the Act which bind all of the Blue Land or any part thereof and are binding on and enforceable against the successors in title or assigns and those deriving title under the Developer to the Blue Land or any part thereof and are enforceable by the District Council PROVIDED THAT without prejudice to the enforcement of covenants against successors in title the Developer shall not be liable for any breach or non-performance of the covenants contained herein in respect of any land of which they are no longer seised whensoever any such breach or non-performance shall arise

2. The Developer hereby covenants with the District Council as follows:-

   (i) to enter into an agreement under Section 278 of the Highways Act 1980 governing the Highway Works prior to commencement of any of the Development on the Blue Land

   (ii) not to permit the occupation of any of the dwellings comprising the Development situated on the Blue Land or gaining access through the Blue Land until such time as the Highway Works have been carried out to the

satisfaction of the County Council

3. This Agreement is conditional upon the granting of the Planning Permission and until such time as the Planning Permission is issued this Agreement shall be of no effect

4. Any dispute under or arising out of this Agreement shall be referred to a single Arbitrator to be agreed upon by the parties hereto or in default of Agreement to be nominated by the President for the time being of the relevant professional body and such reference shall be in accordance with and subject to the provisions of the Arbitration Act 1979 and any statutory modifications or re-enactment thereof for the time being in force

SCHEDULE

Description of the Highway Works

Forming a new estate road at the junction of Barbers Drove and Peterborough Road. Realigning Barbers Drove and providing a connection with the new estate road and excavating the redundant section of Barbers Drove and making into a highway verge. All works are to be carried out in accordance with the County Council's current Development Road Layout Guide and Specification and to include any necessary Statutory Undertakers diversion works any necessary highway drainage the soiling and seeding of verges and any necessary ancillary works.

IN WITNESS whereof the Developer and the District Council have caused their Common Seals to be hereunto affixed the day and year first before written

The COMMON SEAL of)
DAVID WILSON HOMES LIMITED)
was hereunto affixed in)
the presence of:-)

The COMMON SEAL of)
SOUTH HOLLAND DISTRICT)
COUNCIL was hereunto affixed)
in the presence of:-)

Public Notices

PLANNING APPLICATIONS

NOTICE IS HEREBY GIVEN that application has been made to the Council in respect of the following proposals:

H02/0581/93
David Wilson Homes Ltd — OUTLINE
Residential development.
Land off Barbers Drove, Crowland, Peterborough.

H09/0718/93
Lincolnshire County Council — OUTLINE
Residential development
Former Highways Sub Depot, Hallgate, Holbeach, Spalding, Lincs

H16/0700/93
Allison Homes — FULL
Residential development — 20 dwellings comprising of 2 and 3 bed detached, semi-detached and terraced units.
Land off St Annes Way, Spalding, Lincs.

The following applications do not accord with the provisions of the relevant Development Plan.

H05/0689/93
Temples Transport — FULL
Change of use of agricultural land to haulage yard including means of access.
Land off Fleet Road, Fleet, Spalding, Lincs.

H14/0701/93
Mr J. E. Nickols — OUTLINE
Coomercial and industrial development.
Wardentree Lane, Pinchbeck, Spalding, Lincs.

The following proposals involve, or affect the setting of, a building listed by the Secretary of State for the Environment as a building of special architectural or historic interest, and/or affect the character of a Conservation Area.

H04/0692/93
J. R. Lovell Esq — FULL
Change of use from insurance/estate agency to retail sale and repair of scale model cars and accessories.
First floor: 13 Market Place, Donington, Spalding, Lincs.

H04/0697/93
B. Smith & Co — FULL
External alterations to offices.
23/24/24A Market Place, Donington, Spalding, Lincs.

H08/0651/93
V. E. Miller — LISTED BUILDING
Place 12 shutters to existing windows.
The Bell Inn, 83 High Street, Gosberton, Spalding, Lincs.

H11/0686/93
Alliance & Leicester BS — FULL
Installation of an automatic teller machine (ATM).
14 Market Place, Long Sutton, Spalding, Lincs.

H13/0730/93
Moulton Harrox Educational — OUTLINE
Residential development.
Broad Lane, Moulton, Spalding, Lincs.

H16/0698/93
Shop & Store Dev Ltd — FULL
Demolition and rebuild single retail unit.
5 Hall Place, Spalding, Lincs.

H16/0699/93
Shop & Store Dev Ltd — CONS AREA CONSENT
Demolition of existing shop.
5 Hall Place, Spalding, Lincs.

H16/0717/93
Miss E. J. Plummer — FULL
Provision of new shop front.
"Pingouin", 10 Station Street, Spalding, Lincs.

Applications and plans showing the above proposals can be inspected at the Planning Department, Priory Road, Spalding during normal office hours. Any comments should be sent to me within 21 days of this notice, quoting the relevant reference number.

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH
Director of Planning and Building Control Services
August 6, 1993.

6o% WVN 4831 187/507 SG6-8

LINCOLNSHIRE COUNTY COUNCIL
(WHAPLODE — STOCKWELL GATE)
(RESTRICTED ROADS) ORDER 1993

NOTICE IS HEREBY GIVEN that the Lincolnshire County Council has made an Order under Sections 82(2) and 83(2) of the Road Traffic Regulation Act 1984, the effect of which will be to impose a 30 mph speed limit on the following lengths of road in Whaplode:

Stockwell Gate — from the A151 generally northwards for about 930 metres.

Bush Meadow Lane — from Stockwell Gate, southwards for about 100 metres.

Road leading off Stockwell Gate, north-westwards for about 190 metres.

Items Wanted

BOOKS BOUGHT and sold, also old prints and maps. Picture framing service. Shop open 10-6 Monday - Saturday. P. J. Cassidy, 1 Boston Road, Holbeach. (0406) 26322.

SOAMES, Spalding Brewery. Artifacts wanted. Trays, jugs, ashtrays, snow cards etc. Genuine collector. Please phone Shaun, on Skegness 761855.

WANTED: Ercol Windsor or Colonial Cabinet. Tel: 0775 761643.

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for friendly, helpful advice

Bulbs and Plants

MODULE Cabbage and Cauliflower plants fors sale. R. Bratley (Quadring) Ltd. Tel Spalding 840322.
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CLASSI

HEARTLIN
0891 909300

The following 3 advertisements are from 3 ladies living in Russia. They want to write to people to find out more about our culture and country. We will forward replies free of charge.

LARISA, 24, artist, blonde, green eyes, loves music, sport, dogs. Quiet, tender, seeks intelligent, attractive, strong gent for friendly correspondence and romance. Reply to Box No AL8211.
SUZANNA, 24, musician, slim, cheerful, charming, loves theatre, travel, animals, cooking. Seeks kind, attractive, reliable male. Reply to Box No AL8222
OKSANA, 27, engineer of water protection, pretty, slim, grey eyes, loves children, countryside, travel, seeks a GSOH, reliable male for friendship. Reply to Box No AL8223.
MALE, 24, tall, slim, shy, caring, NS, GSOH, looking for single, fit, active female, 18-28, for outings, f'ship, poss romance. Reply to Box No SP8244.
WOULD Alan, who replied to Box No SP8149, Bourne Sleaford area, please contact the box number below as he did not give his telephone number in the letter to the lady concerned. Reply to Box No SP8251.
ROMANTIC lady, 49, good-hearted and sincere, seeks male, 49-54, for TLC and f/ship. Must be romantic. Photo please. Reply to Box No SP8254.
WELL-established male, seeks attractive, well dressed, slim lady, 45-55, interests: eating out, theatre, country life, poss lasting r/ship, NS. Reply to Box No ST8237.
24-year-old blonde male, seeks single female for f/ship, outings, poss romance. Photo please. Reply to Box No ST8241.
SINGLE female, 25, seeks male, 28-38, for fun, f/ship, poss r/ship, must like children, smoker, GSOH, ALA. Photo app. Reply to Box No ST8246.
ARE you a gent, 50+, waiting to be pampered by lady with GSOH. I have no ties, enjoy most things, am a great cook. Make my day, answer this ad and let me spoil you. Reply to Box No ST8253.
HARDWORKING outgoing guy, 29, various interests, looking for fun-loving lady for f/ship. Photo please. Reply to Box No ST8255.
GENT, 41, with personality, GSOH, smoker, seeks lady 30-46, for outings, cinema, view lasting loving companionship. Stamford, Melton, Oakham areas. Reply to Box No ST8257.
LONELY widow, 46, GSOH, seeks caring male, 45-55, for f/ship, poss romance. Reply to Box No SP8233.
LADY, 53, NS, wishes to meet gent, 50-58, for f/ship, outings, poss romance. Reply to Box No ST8217.
FEMALE, 25, new to area, looking for a big-hearted male, 25-30, for f/ship, poss romance. *ALA. Reply to* Box No ST8291.
WANTED: Female pillion. GSOH, for male, 25, to share the good times. Photo ensures reply. Single mums welcome. Reply to Box No ST8232.

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SHDC F.A.O D Roberts.

COUNTY OFFICES
NEWLAND · LINCOLN

LINCOLNSHIRE COUNTY COUNCIL

HIGHWAYS & PLANNING DEPARTMENT
4th Floor, City Hall, Beaumont Fee, Lincoln LN1 1DN
Telephone (0522) 552222 Fax (0522) 553149

Director: J. Emmerson

Your Ref: RG/BK
My Ref : CB/DEVT/2/278/JP

David Wilson Estates Ltd
Wilson House
Leicester Road
Ibstock
Leicestershire
LE67 6HP

For further information contact
Mr C Briggs
Telephone Lincoln (0522) 553127

29 June 1993

Dear Sirs

RESIDENTIAL DEVELOPMENT OFF BARBERS DROVE, CROWLAND. ARTICLE 12A OF THE TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

I refer to your letter of 21 June 1993 and the ownership notice.

This proposal affects the existing alignment of the public highway, Barbers Drove and as such I would object to your plans unless the works are covered by a Section 278 Agreement (Highways Act 1980).

Such an Agreement does not require a Bond until the works are about to commence, as previously discussed.

Without the Agreement there is no certainty that the works will be carried out, to the satisfaction of the Highway Authority. The signing of the Agreement would remove any highway objectives to this proposal.

Yours faithfully

C Briggs

Director of Highways & Planning

S.H.D.C. PLANNING DEPT.
RECEIVED
- 1 JUL 1993 DR

10299.d31

HERITAGE LINCOLNSHIRE

SOUTH HOLLAND ARCHAEOLOGICAL CONSULTANCY

Planning Ref: H.02/0581/93 Week beg. 21 Jun.

Application: Residential development — outline

Location: Off Baukers Drove, Crowland

✓ 1. Watching Brief

~

✓ 2. Evaluation

OR.

3. Survey

4. Scheduled Ancient Monument.

5. Listed Building.

COMMENT: Crowland is a highly sensitive area archaeological area, with evidence of human activity dating to prehistoric times — a relatively rare occurrence in the Lincolnshire fenland. It is hoped that some arrangements can be made for archaeological evaluation or watching brief to be funded on the site

Signed R.H. Healey Date 19 Aug. 93.

28 Boston Road, Sleaford, Lincs. NG34 7EZ
Tel & Fax (0529) 306327

H02/0581/93


Playing Field
School
Drain
Church
Remains of Abbey (Benedictine)
Football Field
Allot Gdns
Sports Field
Depot
Warehouse
Pumping Station
Piggery
Barbers Drove
Carrington's Drove
Alderlands
Poultry House
Sewag
B1166
B1040
A1073
A1077
WEST STREET
NORTH STREET
BROADWAY
Path
Sch
Wks
MP
Drain
Track
2m
1m

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services

Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H02/0581/93

Applicant: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Agent: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Description: Residential development

Location: Land off Barbers Drove Crowland
Peterborough

Type: OUTLINE

Date received: 29-JUL-93

03-AUG-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 17-AUG-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D J ROBERTS

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Crowland PC
10 Beccelm Drive
Crowland
Peterborough
PE6 0AG

FOR PARISH COUNCIL USE ONLY

Comments:

1. We support the outline application
2. The width of access must be suitable for this application and others which may follow (on land bordering A1073)
3. We have had no communication with the developer re siting the bus shelter (owned by us) which may restrict visibility on the corner.
4. The new entrance must be completed before building work starts - to avoid nuisance to residents of Barbers Drove.

Signed:

17/8/93.

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: SOUTH HOLLAND District Council

Application Reference 1/02/0581/93

Form of notification by the County Director of Highways and Planning for
DEVELOPMENT AFFECTING HIGHWAYS

With reference to the application dated
relating to the following proposed development:

1. National Grid Reference of a central point on site

	horizontal			vertical		
	2	4	1	0	9	6

2. Address or location

OFF BOARDERS DRIVE, CROWLAND.

3. Name, classification and number of road

UC

4. Date application referred 5-8-93

5. State whether outline, detailed application etc.

OL

6. Description of proposed development/change of use including access details

RESIDENTIAL DEVELOPMENT

DO NOT ISSUE UNTIL A SEC 278 IS SIGNED

7. Delete as appropriate

Notice is hereby given under the provisions of article 15 of the Town and Country Planning General Development Order, 1988, that the County Council as local highway authority:—

a. Does not wish to restrict the grant of permission.

b. Requests that any permission given by the local planning authority shall include the conditions shown overleaf.

c. ~~Requests that the local planning authority refuse~~ the application (reason overleaf).

d. Requests the local planning ~~authority to complete~~ Form T.R. 108 para 10b ~~as shown~~ overleaf.

Date: 5-8-93 Signed: [signature]
Director of Highways and Planning

CONDITIONS:– Subject To s Sec 278A – see H/A/3J attached

Delete as appropriate

(i) For applications where items are to be reserved for subsequent approval in consultation with the Director of Highways and Planning

(ii) For other applications

(1) Prior to the development commencing on site adequate access shall be provided onto Peterborough Road in accordance with details to be approved

(2) C1

(3) C2(A)

(4) C3

(5) C4

Delete as appropriate

(i) REASONS FOR a, b, or c overleaf

(ii) COMMENTS FOR FORM T.R. 108 para 10b

(1) B6

(2) C1

(3) C2(A)

(4) C3

(5) C4

Note:– use continuation sheet(s) as necessary.

Form No. H/A/3J

Lincolnshire

DEPARTMENT OF HIGHWAYS AND PLANNING

To S.H.D.C. (F.A.O. D. Roberts) Planning Reference H02/0581/93

The following are my observations upon the enquiry under the ~~references~~ quoted above:—

BARBERS DRIVE, CROWLAND

In accordance with standard practice I consider the developer should enter into a Section 278 Agreement prior to the granting of permission

With regard to the proposed 106 Agreement this requires the entering of a Sec 278 A I consider it would be difficult to uphold an Agreement which required the entering of a second Agreement when the parties are not aware of the requirements of the second Agreement.

A Section 278 A would ensure the road works will be constructed properly certainly without such an Agreement I am concerned at any permission which includes highway land.

Date 5-8-93

Signed ..... Director of Highways and Planning

PLANNING APPLICATION

Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12B

Notice is hereby given that David Wilson Homes Ltd.
is applying to the Council for planning permission for the following:

Reference No: H02/0581/93
Description: Residential development

Location: Land off Barbers Drove
Crowland
Peterborough

Members of the Public may inspect copies of the application, plans and any other documents submitted with it at the Department of Planning and Building Control Services, Council Offices, Priory Road, Spalding, during normal office hours until 27-AUG-93
Any observations should be sent to me by 27-AUG-93 quoting the above reference number.

B Smith
Director of Planning and Building Control Services

06-AUG-93

SOUTH HOLLAND DISTRICT COUNCIL

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Pla & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H02/0581/93

Applicant: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Agent: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Description: Residential development

SOUTH HOLLAND D.C.
PLAN DEPT
29 JUL 1993
REF Valid

Location: Land off Barbers Drove
Crowland
Peterborough

Type: OUTLINE

Date received: 22-JUN-93

12-JUL-93

Dear Sir/Madam

NOTICE THAT APPLICATION IS INVALID
Requirement for additional information, fees etc

Your submission for the above has been received, but I regret that it cannot be dealt with as it stands. Please provide the following:

Please outline in red on Plan B the exact boundary of the site. All highway improvements should be contained within the site boundary.

Please adjust site boundary on Plan A to coincide with Plan B.

Please return the additional copy of this letter with your reply.
If I do not hear from you within the next 14 days it will be assumed that you have no wish to continue with the application. It will then be filed away and any fee already received will be reimbursed.
If you wish to contact the department at any time, please ask for Mrs Lowe quoting the above reference.

Yours faithfully

K Lowe
Principal Administrative Officer

DAVID WILSON ESTATES
Land and Planning

WILSON Bowden plc

David Wilson Estates Limited
Wilson House Leicester Road Ibstock Leicestershire LE67 6HP
Telephone Ibstock (0530) 60777 Fax (0530) 62794 DX 23658 Coalville

SOUTH HOLLAND D.C.
PLAN DEPT
29 JUL 1993
REF 0581/93

Our Ref: RG/BK
Your Ref: HO2/0581/93

27th July 1993

Directorate of Planning and Building Control Services
Planning and Building Control Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs. PE11 2XE

For the attention of Mr. D. Roberts

Dear Sirs,

RE: PROPOSED RESIDENTIAL DEVELOPMENT ON LAND OFF BARBERS DROVE, CROWLAND:- REQUEST FOR ADDITIONAL INFORMATION/CLARIFICATION

I refer to correspondence from Mrs. Lowe dated 12th July and to our subsequent telephone conversations regarding the above.

Enclosed are revised plans: A, B and C, which now provide a full context for our proposals.

Plan A indicates the boundary of the application site, - as outlined in Red. It includes those parts of Barbers Drove and Peterborough Road within which works/improvements will be undertaken. In addition it incorporates the extent of likely requirements for "visibility" at the junction of Barbers Drove (as realigned) and Peterborough Road.

I enclose 4 Copy Negatives of Plan B which indicates "The Means of Access" to the site. They are self evidently clearer than the copy already in your possession. On the attached revised copies, however, I have attempted to "red line" the same boundary as contained on Plan A, with the exception of the area in the vicinity of Peterborough Road and Barbers Drove (as realigned). I have deliberately not included on Plan B information relating to "visibility splays" because its purpose is specifically to demonstrate highway works involved in the realignment of Barbers Drove.

Cont'd. .....

Directors D W Wilson (Chairman) A Greasley J A W Willcox (Joint Managing Director) ARICS F W Graves BA(Hons) TP MRTPI
K McEwan BSc FCMA IPFA J Ridehalgh MCIOB
Registered Office Leicester Road Ibstock Leicestershire LE67 6HP Registered Number 1862886 England Ultimate Holding Company Wilson Bowden plc

Plan C is the same 'base' plan as A and indicates the area of land owned by David Wilson Homes Limited.

I trust this information is of assistance in determining this application. I would be grateful if you could confirm when it is likely to be considered by the Planning Committee, in the light of the pending Appeal on 2A and 2B Barbers Drove (DOE Ref. No. APP/A2525/A/93/217124), which is being held in abeyance until October 1st.

Yours faithfully
DAVID WILSON ESTATES LIMITED

R. Galij

R GALIJ
Divisional Planner

Enc. Plans

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services

ning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P2863
Date received : 22-JUN-93

Received from

David Wilson Homes Ltd.

Address

Wilson House
Leicester Road
Ibstock
Leics

Fee paid	£	1800.00
VAT	£	0.00
Total received	£	1800.00

Cash/Cheque : Cheque

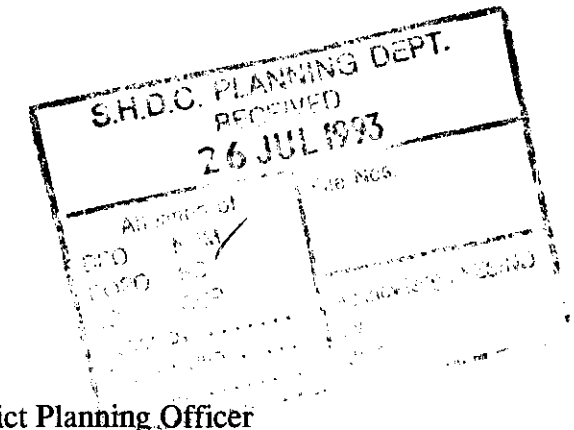
Signed.....K. Lowe.....
(Authorised Collector)

Anglian Water

Anglian Water
Services Limited

P.O. Box 62
Waterside House
Waterside North
Lincoln LN2 5HA

Telephone 0522 557000
Facsimile 0522 557992



Our ref
SH/930067
Your ref
H02/0581/93

22 July 1993

District Planning Officer
South Holland District Council
Council Offices
Priory Road
SPALDING Lincs
PE11 2XE

Dear Sir,

Proposal : Residential Development - 1.42 Hectares
Location : Land of Babers Drove, Crowland
Applicant: David Wilson Homes Ltd

With regard to the above-mentioned Application, I would inform you that whilst Anglian Water have no objections to raise in principle to the proposals, I wish to make the following observations.

The foul drainage from this development can be accommodated in the existing public sewer.

There are no surface water sewerage facilities in the vicinity of the proposed development.

All surface water from roofs should be piped direct to a watercourse, surface water system, or shallow soakaways. Open gullies should not be installed.

The use of soakaways at this site should be proven adequate in accordance with BS6297:1983.

However, should soakaways prove impracticable another method of disposal must be found by the applicant and approved by Anglian Water.

Surface water will not in any circumstances be permitted to discharge to the foul sewer.

The existing water distribution system is unable to supply the proposed development and off-site works may need to be undertaken at the expense of the developer.

cont'd

Registered in England No 2366656
Registered Office:
Anglian House Ambury Road
Huntingdon Cambridgeshire PE18 6NZ

22 July 1993

If any further information is required concerning the above please contact my Senior Engineer (Planning) Mr. D. Hellier.

Yours faithfully,

P. A Laws

Philip Laws
Customer Services Manager

NORTH LEVEL INTERNAL DRAINAGE BOARD

Drainage Office, Thorney, Peterborough, PE6 0QE.
Telephone (0733) 270333 Fax (0733) 270231
R. Wedley
Clerk and Chief Executive

When calling or telephoning on this matter please ask for: Mr. Hunt
Our Ref: WRH/MLW/A5SH
Your Ref:

9th July, 1993.

Director of Planning & Building Control Services,
South Holland District Council,
Council Offices,
Priory Road,
Spalding,
Lincs. PE11 2XE.

Dear Sir,

Planning Application No. H02/0581/93
Proposed Development at Land off Barber's Drove, Crowland.

I refer to the above application submitted to your Council and enclose a copy of my Board's requirements in respect of the proposed development.

The Board's Green Bank Drain runs along the north-eastern boundary of the site.

It appears, therefore, that Clauses 1, 4, 5 and 6 of the aforementioned requirements may apply in respect of the proposed development but the applicant must let me know if there are any other Clauses which relate to the site.

The Board's drain is the outfall for surface water from the south-eastern part of Crowland and as such is an extremely important watercourse. Access to the Board's Drain is severely restricted on the opposite side and the applicant should note that the Board's 9 metre Bye-law limit will apply on the application site. It is further considered that piping the drain will not be allowed.

I would also request that your authority use your planning powers to restrict development within 9 metres of the watercourse as such development would restrict my Board carrying out flood control works and maintenance. This request is in accordance with the Department of the Environment Circular 30/92.

Subject to full details of the discharge of surface water from the site, it is possible that the Board's Drain may require improvement to prevent flooding downstream.

Contd/.....

Technical Engineer
W. R. HUNT
Operations Engineer
S. H. MORRIS

...../Contd.

Notwithstanding the above the Board will require a contribution of £15,313.98 + VAT which has been calculated in accordance with the enclosed note, towards dealing with the increased rate of discharge from the impervious areas created by the development unless flow regulation works are undertaken on the site.

Yours faithfully,

W.R.

Technical Engineer

Copy to David Wilson Homes Ltd.,

NORTH LEVEL INTERNAL DRAINAGE BOARD

Drainage Office, Thorney, Peterborough, PE6 0QE.
Telephone (0733) 270333 Fax (0733) 270231
R. Wedley
Clerk and Chief Executive

When calling or telephoning on this matter please ask for: Mr. Hunt
Our Ref: WRH/MLW
Your Ref:

S.H.D.C. PLANNING DEPT.
RECEIVED
12 JUL 1993

BOARD'S STANDARD REQUIREMENTS

Planning Application No. H02/0581/93
Proposed Development at Land off Barber's Drove, Crowland.

Under Section 28 of the Land Drainage Act, 1976 and Byelaws approved by the Ministry of Agriculture, Fisheries and Food, the following requirements **must** be complied with :-

1. No building, hedges, fences, trees, hardstandings, septic tanks or other structure may be placed within 9 metres of the edge of a Board's watercourse without the previous consent of the Board. This width must be left completely clear and the Developer must advise prospective purchasers of this requirement in order that they do not inadvertently contravene the Board's Byelaws.

2. The installation of services, (i.e. electricity, water foul sewer, gas, telephone) over or under a Board's watercourse will require the prior consent of the Board and appropriate details must be submitted to the Board for approval.

3. Where the development involves the alteration (e.g. piping, filling, bridging) of **any** watercourse, the Board's consent in writing must be obtained.

   The approval of the District Council, where appropriate, the Highway Authority and the adjoining riparian owners will also be required for work involving the piping or filling in of privately owned dykes or ditches.

4. The Board's approval is required for the discharge of any surface water or treated effluent into **any** watercourse be it owned privately or by the Board. Full details must be submitted to the Board with an application for discharge consent and the Board's written consent must be received before any work is carried out. Where outfalls discharge to a privately owned and maintained watercourse, the applicant must also obtain the adjoining riparian owner's consent.

   The developer is advised to contact the Board at the earliest possible stage concerning the requirements of this clause to ensure that consent can be given and to establish any conditions which may be imposed. In certain cases it may be necessary for the applicant to carry out special works such as downstream improvements or flow regulation to deal with the increased rates of discharge which will result from this development.

5. Any outfall into a Board's open watercourse must be constructed using a suitable outfall unit which lies flush to the batter, or recessed so as not to damage mowers, and the batter below the outfall must be protected against erosion. The future maintenance of the outfall will rest with the owner and the Board will accept no responsibility for any damage caused during their drainage operations. Outfalls into a Board's or privately owned pipeline will require an approved manhole at the junction.

6. The applicant, his agent or the developer must inform the Board of the commencement of all work relating to these and any additional special requirements.

These notes are intended for guidance and not as a comprehensive summary of the Land Drainage Act and Byelaws. Copies of the Act and Byelaws are available for inspection at the Board's office.

Technical Engineer
W. R. HUNT
Operations Engineer
S. H. MORRIS

NORTH LEVEL INTERNAL DRAINAGE BOARD

Drainage Office, Thorney, Peterborough, PE6 0QE.
Telephone (0733) 270333 Fax (0733) 270231
R. Wedley
Clerk and Chief Executive
When calling or telephoning on this matter please ask for:
Our Ref:
Your Ref:

CONTRIBUTIONS

Under the above Drainage Board's Byelaws consent to discharge any surface water and/or treated effluent into **any** watercourse is required by the Board before any development can commence.

To cover the cost of dealing with the increased rate of discharge from the impervious area created by the development, the Board has resolved to require contributions from all developers as a condition of giving consent.

Unless flow regulation works are undertaken on the site, contributions will be required in accordance with the following: -

1. Single properties which discharge roof water to an open ditch or pipe and not a soakaway - £130. + V.A.T. per dwelling.

2. All other development contributions will be calculated at the rate of £10,938.56 + V.A.T. per impervious acre from 1st April, 1993. This figure will, however, be increased at 3 monthly intervals in accordance with the R.P.I.

3. Where private dykes require improvement to cater for development run-off the improvement must be carried out by the developer at his own cost. Details of the proposed improvement must be approved by the Board. If the developer encounters difficulties in obtaining consent from the adjoining owners to carry out such necessary work, the Board may be prepared to carry out such work using their powers under the Land Drainage Act, 1976, with the costs being recovered from the developer.

4. Contributions will be calculated and required by the Board upon commencement of the development.

Technical Engineer
W. R. HUNT
Operations Engineer
S. H. MORRIS

David Wilson Estates Limited
Wilson House Leicester Road Ibstock Leicestershire LE67 6HP
Telephone Ibstock (0530) 60777 Fax (0530) 62794 DX 23658 Coalville

Our Ref: RG/BK
Your Ref: HO2/0581/93

S.H.D.C. PLANNING DEPT.
RECEIVED
- 9 JUL 1993

8th July 1993

Directorate of Planning & Building Control Services
Planning & Building Control Department
Council Offices
Priory Road
SPALDING
Lincs. PE11 2XE

For the attention of Mrs. K. Lowe, Principal Administrative Officer

Dear Madam,

RE: PROPOSED RESIDENTIAL DEVELOPMENT ON LAND OFF BARBERS DROVE, CROWLAND:- REQUIREMENT FOR ADDITIONAL INFORMATION.

I refer to your correspondence dated 23rd June, which I only received on 2nd July, and to our telephone conversation yesterday regarding the above.

Enclosed are 4 Copy Negatives of Plan B, which I trust are clearer than the photocopies submitted with the Planning Application on 21st June. The only minor difference, in terms of technical content, between the attached enclosures and those already in your possession is the omission of 4 numbers on the attached Copy Negatives, through illegibility, immediately south of "BRICK RUBBLE AV. 0.8M HIGH" in Grid Square Ref: 100E, 50N.

In addition I would also like to re-confirm planning permission is being sought in outline and for the "Means of Access" to the site, as originally stated in paragraph 2 of my covering letter to the planning application, dated 21st June.

Finally, I would be grateful if any further correspondence in connection with this planning application could be sent directly to me at the address indicated at the top of this letter in order to avoid confusion and delays.

Yours faithfully
DAVID WILSON ESTATES LIMITED

R GALIJ
Divisional Planner

Directors D W Wilson (Chairman) A Greasley J A W Willcox (Joint Managing Director) ARICS F W Graves BA(Hons) TP MRTPI
K McEwan BSc FCMA IPFA J Ridehalgh MCIOB
Registered Office Leicester Road Ibstock Leicestershire LE67 6HP Registered Number 1862886 England Ultimate Holding Company Wilson Bowden plc

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H02/0581/93

Applicant: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Agent: David Wilson Homes Ltd.
Wilson House
Leicester Road
Ibstock
Leics LE6 1HP

Description: Residential development

Location: Land off Barbers Drove
Crowland
Peterborough

Type: OUTLINE

Date received: 22-JUN-93
23-JUN-93

Dear Sir/Madam

NOTICE THAT APPLICATION IS INVALID
Requirement for additional information, fees etc

Your submission for the above has been received, but I regret that it cannot be dealt with as it stands. Please provide the following:

Please confirm if you wish means of access to be included in application. If so, please provide details.

Please return the additional copy of this letter with your reply.
If I do not hear from you within the next 14 days it will be assumed that you have no wish to continue with the application. It will then be filed away and any fee already received will be reimbursed.
If you wish to contact the department at any time, please ask for Mrs Lowe quoting the above reference.

Yours faithfully

Principal Administrative Officer

David Wilson Estates Limited
Wilson House Leicester Road Ibstock Leicestershire LE67 6HP
Telephone Ibstock (0530) 60777 Fax (0530) 62794 DX 23658 Coalville

Our Ref: RG/BK

Your Ref: H02/0253/89, H02/0076/91, H02/1232/91

21st June 1993

Director of Planning & Building Control Services
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire PE11 2XE

For the attention of Mr. D. Roberts

Dear Sirs,

PROPOSED RESIDENTIAL DEVELOPMENT ON LAND OFF BARBERS DROVE, CROWLAND.

Enclosed is an application seeking permission, in outline to undertake the above development following our recent discussions.

The boundary of the application site is highlighted in red on Plan A. Plan B indicates the "Means of Access" to the site and involves realigning Barbers Drove. This detailed junction design was produced by Lincolnshire County Council, as Highway Authority, sometime ago and has been submitted previously in Planning Application Ref. Nos.: H02/0253/89, H02/0076/91 and H02/1232/91.

David Wilson Homes Limited own the area of land highlighted in blue on Plan C, which has previously been the subject of a refusal for the renewal of planning permission for two dwellings (2A and 2B Barbers Drove Ref. No. H02/0018/91 and H02/1235/91) and most recently an application for the renewal of planning permission for a bungalow at 2A Barbers Drove (Ref. Nos. H02/0458/88 and H02/0319/93), which has now been granted planning permission.

This particular proposal, involving "Back Land" has been considered favourably in the past, with the District Council resolving to grant planning permission subject to the completion of a Section 278 Agreement, under the Highways Act 1980, involving off-site works. Unfortunately the Section 278 Agreement was never completed.

Directors D W Wilson (Chairman) A Greasley J A W Willcox (Joint Managing Director) ARICS F W Graves BA(Hons) TP MRTPI
K McEwan BSc FCMA IPFA J Ridehalgh MCIOB
Registered Office Leicester Road Ibstock Leicestershire LE67 6HP Registered Number 1862886 England Ultimate Holding Company Wilson Bowden plc

Reference was made previously, to the use of a Section 106 Agreement under the Town & Country Planning Act 1990 instead of a Section 278 Agreement (Highways Act 1980) which could adequately deal with the highway requirements. I note from your correspondence dated 03 March 1993 (Ref. No. DJR/JJ H02/1235/91) that you favour the use of the Section 106 Agreement/Planning Obligation approach in this regard.

Accordingly, I enclose a Draft Section 106 Agreement which ensures that no development occurs on the site until a Section 278 Agreement with the local Highway Authority has been completed in relation to off-site works.

I also enclose a cheque for £1,800, which I understand is the appropriate fee for this application.

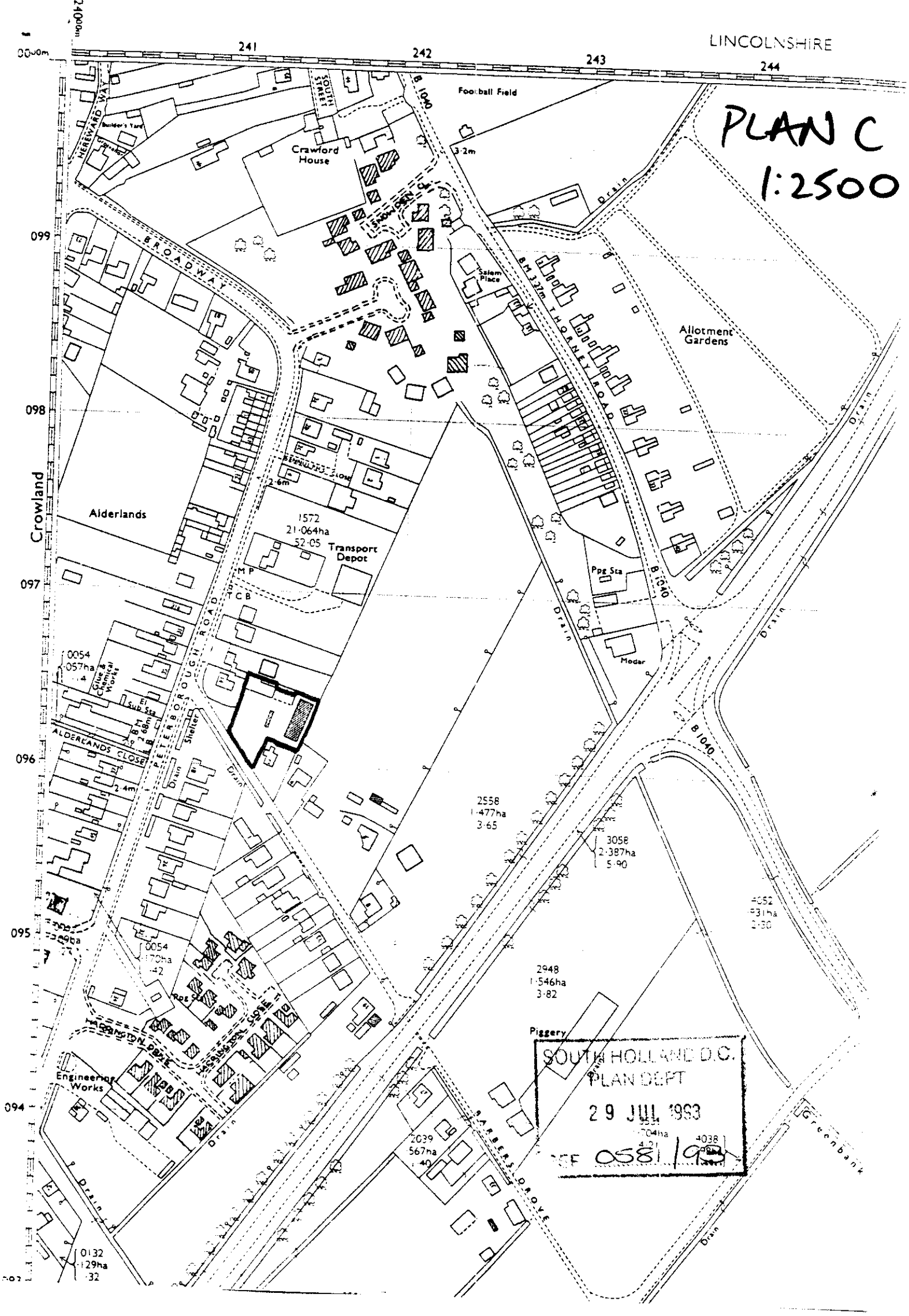
Yours faithfully
DAVID WILSON ESTATES LIMITED

R Galij

R GALIJ
Divisional Planner

Enc.

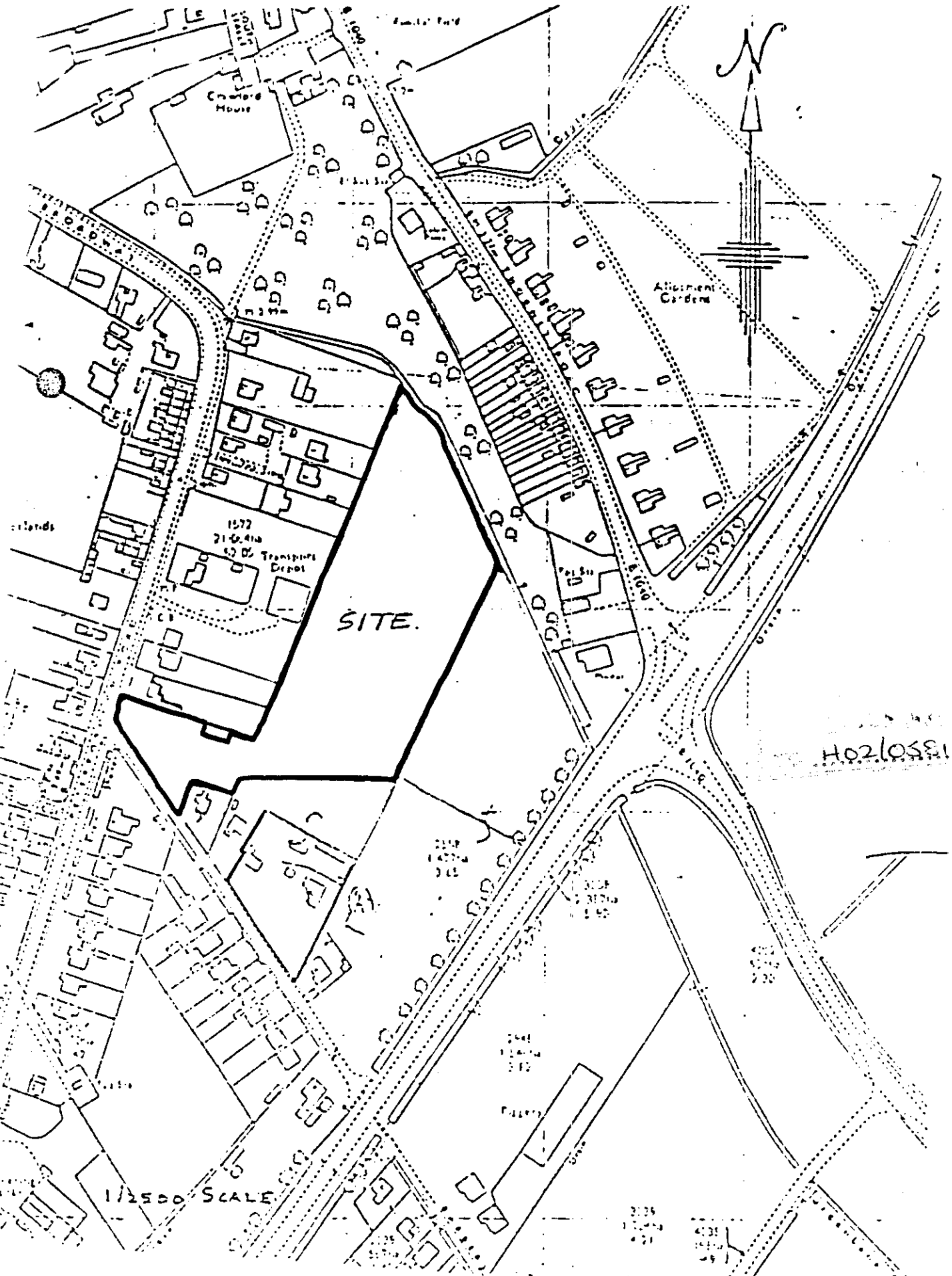
PLAN C
1:2500


LINCOLNSHIRE
241
242
243
244
099
098
097
096
095
094
Crowland
Football Field
Crawford House
Snowden Cl
Broadway
Salem Place
Hornet Road
Allotment Gardens
Drain
Alderlands
1572
21·064ha
52·05
Transport Depot
Ppg Sta
B 1040
Herward Way
South Street
Builder's Yard
Peterborough Road
Glue & Chemical Works
El Sub Sta
Aldercands Close
Shelter
Moder
0054
·057ha
·4
2558
1·477ha
3·65
3058
2·387ha
5·90
4052
·31ha
2·30
2948
1·546ha
3·82
Piggery
Engineering Works
Barbers Drove
Greenbank
2039
·567ha
·40
0132
·129ha
·32
SOUTH HOLLAND D.C.
PLAN DEPT
29 JUL 1993
REF 0581/93

FRONLAND. UNCS

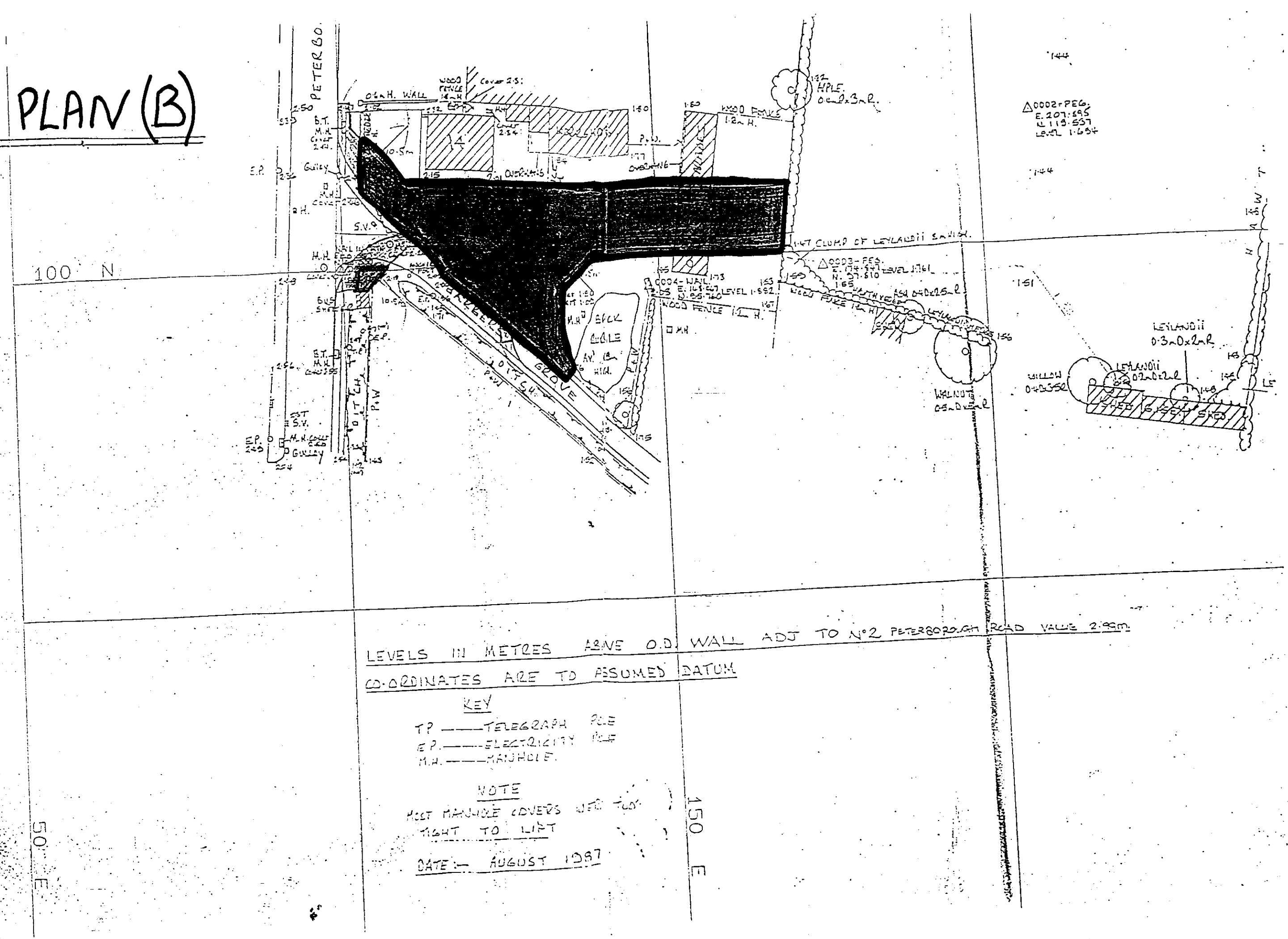
PLAN A

BARBERS DROVE



H02/0551/93

PLAN (B)



LEVELS IN METRES ABOVE O.D. WALL ADJ TO N°2 PETERBOROUGH ROAD VALUE 2·99m.

CO-ORDINATES ARE TO ASSUMED DATUM

KEY

TP ——— TELEGRAPH POLE
E.P. ——— ELECTRICITY POLE
M.H. ——— MANHOLE.

NOTE

MOST MANHOLE COVERS WITH FLAT RIGHT TO LIFT

DATE :— AUGUST 1987