APPLICATION NO. : H06/1085/93

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SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H06/1085/93 Received:07-FEB-94 Type:FULL

Name: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location : Lowgate Gedney
Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2 The dyke shall be piped along its full length to the satisfaction of the Local Planning Authority in accordance with detailed specifications to be approved in writing by the Local Planning Authority prior to the commencement of works.

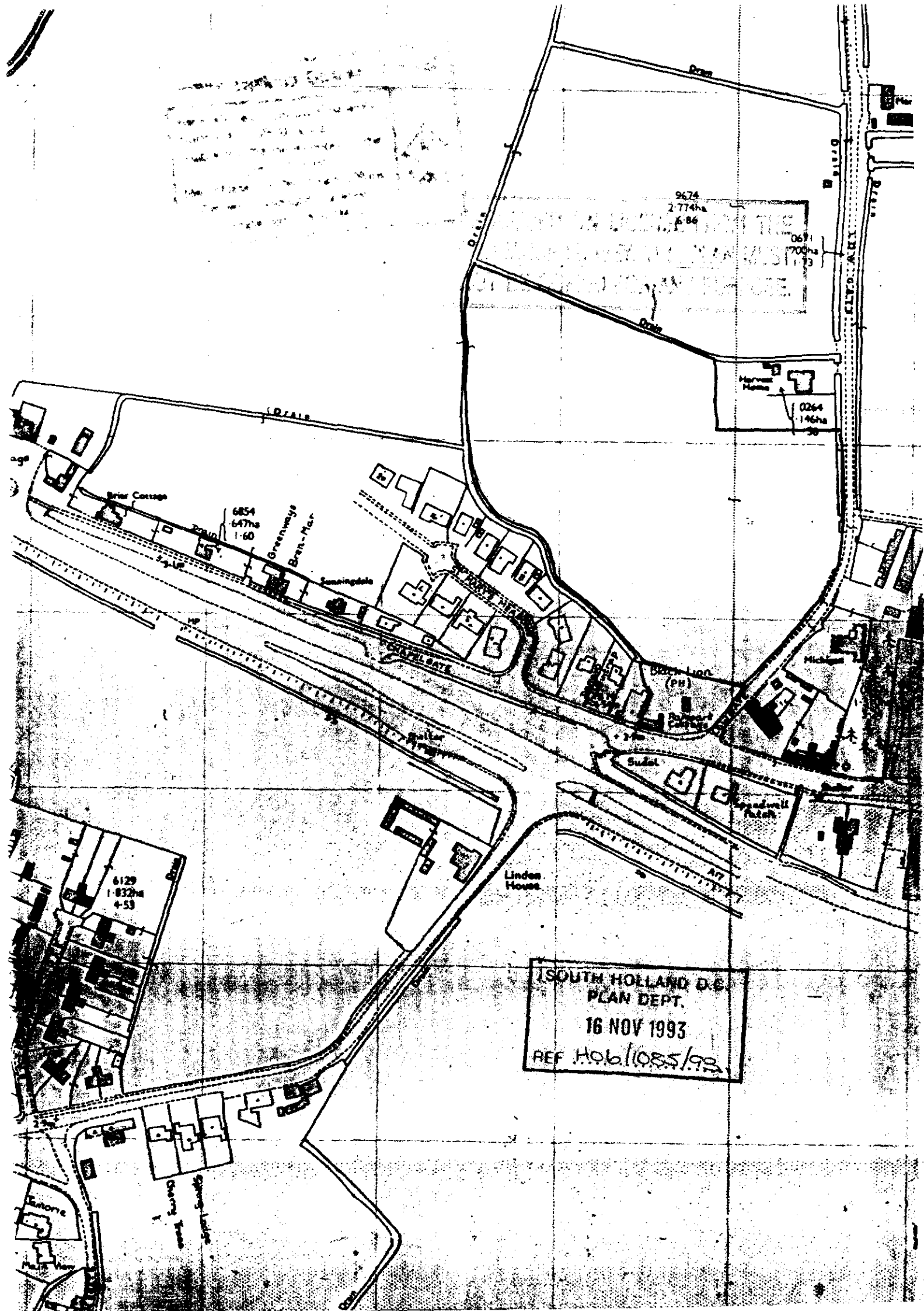
Reason: In the interests of the residential amenities of neighbouring residential property.

Director of Planning and Building Control Services
15-MAR-94 H06/1085/93

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)


Drain
9674
2·774ha
6·86
0691
700ha
1·73
CLIFTON ROAD
Drain
Drain
Harrison Homes
0264
1·46ha
30
Drain
Briar Cottage
6854
647ha
1·60
Greenways
Bren-Mar
Sunningdale
Sub Post Office
Sub Station
Black Lion
(PH)
Michaeli
Sudal
Hopedwell Patch
Linden House
6129
1·832ha
4·53
Elsinore
Cherry Tree Lodge
SOUTH HOLLAND D.C.
PLAN DEPT.
16 NOV 1993
REF H06/1085/93

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H06/1085/93.

Date Registered 16 NOV 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

R. & D. WRIGHT
CEDAR HOUSE,
GEDNEY MARSH
HOLBEACH
SPALDING LINCS PE12 9NG

Tel. No. 0106 8237

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

Tel. No.
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

LOWGATE GEDNEY SPALDING LINCS.

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

TO INFILL DYKE

Please complete — I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £120.00 — If you consider no fee is payable include a written explanation instead.

Signed.. Richard Wright ..... Date 12:11:93 ..... 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 Certificates**

or This is an **outline** application [ ]

Please state Site Area (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 pervious 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 Dwellings		If so, how many:
(ii) Other new building(s)		
(iii) Alterations or extension		
(iv) Change of use	✓	

4. A. Please state site area (in all cases)		hectares
B. If building works are proposed, please state extra floor space to be created:	150	sq. metres
C. Please state size of any new structure:- (a) max. height:		metres
(b) max. length:		metres
(c) max. width:		metres
D. Please state type and colour of materials for facing external walls:		
E. Please state type and colour of roofing materials.		
F. 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. — DYKE.

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: 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 or more trees ➡ If so, please show details on plans.

DRAINAGE Please complete

A. Please state how surface water will be disposed of — A LAND DRAINAGE PIPE TO BE INSTALLED IN COMPLIANCE WITH S.H.L.D.B WHO HAVE BEEN CONSULTED.

B. For estate developments, please state how highway surface water will be disposed of

C. Please state whether a land drain will be affected

D. Foul sewerage will be disposed of to:

Mains sewer ☐ Cesspool ☐ Septic tank ☐

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal is in connection with agriculture	YES.	➡ If so, **please give details in Part 6**
The proposal affects a listed building	—	
The proposal affects a public right of way	—	
The proposal is known to affect contaminated or filled land	—	
The proposal is for industrial, warehousing, offices, shopping or similar commercial purposes.	—	➡ 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.		➡ Date: Consultee(s)
Is this application related to a previous submission?		➡ Application No.

6. ANY OTHER INFORMATION Please add any details you wish in support of your application.

Continue on separate sheet if necessary. Residents of St Marys Gardens are allowin

7. **INDUSTRIAL, WAREHOUSING, OFFICES OR SHOPS** Please complete if appropriate

Please tick **one** box and complete B if necessary

A. The proposal does not involve any alteration in existing floorspace ☐

B. The proposal involves the creation of or an alteration in total **gross** floorspace ☐ ➧

Proposed total gross floorspace ____ sq. m. Previous total gross floor space ____ sq. m.

This new total includes the following net floorspace:

Retail ____ sq. m. Office ____ sq. m. Indistrial ____ sq. m. Warehousing ____ sq. m.

Other ____ sq. m. ➧ If so, please state use:

	Office Staff	Industrial staff	Other staff
How many office, industrial and other staff will be employed on the site as a result of the development proposed? If you have existing premises on the site, how many of the employees will be new staff?			
If you propose to transfer staff from other premises please give details of the numbers involved and of the premises affected.			
In the case of industrial development, give a description of the processess to be carried out and of the end products, and the type of plant or machinery to be installed.			
If the proposal forms a stage of a larger scheme for which planning permission is not at present sought, please give what information you can about the ultimate development			
Is the proposal related to an existing use on or near the site?	State Yes or No ☐		
If so, please explain the relationship			
Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory?	State Yes or No ☐		
If so, please give details including gross floor area of such premises and state your intentions in respect of those premises.			
What provisions have been made for the parking, loading and unloading of vehicles within the curtilage of the site? (Please show the location of such provision on the plans and distinguish between parking for operational needs and other purposes)			
What is the estimated vehicular traffic flow to the site during a normal working day? (Please include all vehicles except those used by individual employees driving to work)			
What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?			
Will the proposed use involve the use of storage of any hazardous materials?	State Yes or No ☐	If yes, you may need to apply for Hazardous Substances Consent	
What provision is being made for access to premises for the disabled?			

Dyke concerned edged in Red on Map.

rubbish to go into dyke partially blocking water flow.
piping and filling would allow water flow to be more efficient

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

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).

OWNER.

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.**
(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.

FOR R.S. D. WRIGHT

Signed Richard Wright ..... (Applicant / Agent) Date 12.11.93 ....

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.
Owner's Name:
Address of owner at which notice was served: State Date notice served:

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

3. AGRICULTURAL HOLDINGS CERTIFICATE

If the land is not in agricultural use complete Certificate 1.
If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. 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.

P.P.

Signed Richard Wright ... R.S.D. WRIGHT (Applicant / ~~Agent~~) Date 12.11.93 ....

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.
Tenant's Name:
Address of tenant at which notice was served: State Date notice served:

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

APPLICATION ASSESSMENT

...es for Case Officer

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by MT
Date 11/2/94 + 15/2/94

Site Notice posted by MT
Date 11/2/94
Expiry

Individual Resident Notices required:

Addresses to be sent to –

Addresses delivered to –

Telephone/Visitor Record

Date	Conversation with	Conclusion

Case Officer Conclusions

DC INSTRUCTION SHEET

APPLICATION REF:

Directions

Art 7 ☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

EA ☐ Reg4 ✓ Scale dwg: Highway S/W: Agric appraisal:

LB ☐ Advt ☐

Details needed: (Non-std only) EVIDENCE IS TO HAND THAT THE ARTICLE 12 NOTICE WAS SERVED ON CERTAIN AFFECTED PARTIES AFTER THE 10/12/94. PLEASE SUBMIT A FRESH ARTICLE 12 NOTICE INDICATING THAT AFFECTED PARTIES HAVE BEEN GIVEN SUFFICIENT TIME TO SUBMIT REPRESENTATIONS.

Other.....

Direction authorised by Senior Officer..... Date...23/11/94

Revalidation after Direction

Information satisfactory Signed..... Date...9/4...

Valid date:

Amended description

Superseded plans indicated ☐

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

Precise details:

Extra Consultations/Publicity Required

☐ None identified initially

RECONSULTS (revalidated) ☐ All

		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/ Drainage	Env Services	.....
	NRA	.....
WAT	IDB	.....
	Env Assess	☐ G ENV (See separate sheet)
Conservation LB	LB Demolish	..... G* DEM
	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)

Press
PC
WM
Residents

Case Officer : JOHN BLANCHARD

Senior Officer Confirmed ..... Date...7/12/94. Recorded DC....

RECOMMENDATION/DECISION

NON-DETERMINATION

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

Senior Officer confirmed .....

Withdrawn .....

COMMITTEE

Confirmed as agenda ..... ✓ ¢ 10/3

SUB-COMMITTEE

Confirmed as agenda .....

DPBCS AUTHORISED

Decision Issue confirmed .....

DELEGATED DECISION

Case Officer

Approve (or equiv) - Refuse (or adverse)

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

Notes:

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

CONDITIONS/REASONS:

Condition monitoring:

non-std expiry .....
prior submission ☑
prior siteworks ☐

Determined plans indicated ☑

Departure approval confirmed ☐

Flag for on-site review ☐

ADMIN RECORD SHEET

Initial

Submitted Fee £ 120

Receipt No P3531

Date first Rec'd 16 NOV 1993

Registration

Reference H06/1085/93

Cross-Ref

Date 17/11/93

Validation

TYPE FULL

Site area 0·05
No of dwellings
Floorspace

Earlier permission – Ref:
New/Redevelop/Use/Ext/Alt (Works)

Description to be recorded

Invalid
Site plans ☐
Certificate ☐
Fee ☐
Fee (not free) ☐
Inaccurate ☐
Incomplete ☐
Unclear ☐

Fees
Correct fee £ 3140
Nil fee ☐
Discounted ☐
Previous app – ref:
Type of app
Reason:

Additional £ 20
Refund £
Receipt No P3788 Date
Voucher No Date

Information

Index sheet 172
Grid ref 540900 334530.

Ward E
Parish GIDNEY

Inside IBD YES
Inside LP area NO

Constraints:

CA Cons Area ☐
LB Listed – Grade: ☐
ARC Archaeology ☐
AM Ancient Mon ☐
SSI Special Int ☐

TR Rural ☐
BP TR proposed 67m ☐
LC Level Cross ☐
FP Footpath ☐
TPO Tree Pres ☐

Hazards –
HAZ Site ☐
AIR Safeguard ☐
LIN Elect ☐
PIP Pipe ☐
CON Waste/contamin ☐

Linked to site Ref 1947
Linked to property Ref

Dist Bound ☐
Other: ☐

Planning Records:
Earlier apps

B Reg Records:
Already submitted – Ref:
Request needed
Requested

R. & D. WRIGHT

Cedar House, Gedney Marsh
Holbeach, Spalding
Lincs PE12 9NG
Telephone: (0406) 8237

REF .....

24. 1. 94

SOUTH HOLLAND DISTRICT COUNCIL.

YOUR REF. ACP/JK/HOG/1085/93.

HR A.C. PICKERING.

Dear Sir please find enclosed cheque for twenty pounds to cover new fee rates. Also list of all people affected by intended length of Dyke in-fill

yours Sincerely

Richard Wright

Town and Country Planning Act etc

DRAFT PERMISSION

Reference: H06/1085/93 Received:07-FEB-94 Type:FULL

Name: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location : Lowgate Gedney
Spalding Lincs

South Holland District Council hereby give notice
that permission has been granted (or equiv)
on the following condition(s):

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2 The dyke shall be piped along its full length to the satisfaction of the Local Planning Authority in accordance with detailed specifications to be approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: In the interests of the residential amenities of neighbouring residential property.

10-MAR-94 AD check....N.143...

Authorised to issue (inc Delegation).....N.....

APPLICATION REFERENCE: H06/1085/93 DATE RECEIVED: 07-FEB-94

TYPE: Full

DESCRIPTION: To infill dyke

LOCATION: Lowgate, Gedney

APPLICANT: Messrs R & D Wright AGENT:

REASON FOR COMMITTEE CONSIDERATION

Resident objections.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date - 8 MAR 1994

RECOMMENDATION

Grant Planning Permission.

COMMENTS

1 The dyke, which is partially in the ownership of the applicants, would be piped and filled.

2 The applicants consider this work is necessary because the water flow along the dyke would be improved. At present, the applicants claim, rubbish is deposited in the dyke which impedes the flow of water.

3 The adjacent land to the north (which will be shown on the transparencies) has the benefit of a residential permission reference H06/0826/91 although at the moment it is in agricultural use.

REPRESENTATIONS

Parish Council: Supports the application.

South Holland I.D.B.: Has indicated verbally that it has no objections to the proposal.

Public: Objections from 2 neighbouring property owners: -

(a) Intrusion upon property.

(b) Potential loss of privacy from any residential development that might subsequently follow upon the filling in of the dyke.

SCHEDULE OF CONDITIONS ① TL

(2) The dyke shall be piped along its full length to the satisfaction of the Local Planning Authority in accordance with detailed specifications to be approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: In the interests of the residential amenities of neighbouring residential property.

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

H06/1085/93

FULL

Applicant: Messrs R & D Wright
Tel: 0406 8237

Agent: Messrs R & D Wright
0406 8237

Description: To in fill dyke

Location: Lowgate
Gedney
Spalding
Lincs

Valid date:	07-FEB-94	Terminal date:	04-APR-94
Target dates:		Target Committee:	30-MAR-94
To case officer	14-FEB-94	Report deadline:	16-MAR-94
Inspected by	21-FEB-94	Agreed TD Ext:	
Extra contacts	28-FEB-94	Case Officer:	
Report if not clear by 14-MAR-94		J BLACKLOCK	

DEVELOPMENT/CONSTRAINTS

Size: .05 HA
Category: Misc works
Listed building: Other Constraints:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Site/Press Advert MIN		10-FEB-94	03-MAR-94
Clerk to Gedney PC	0775 710451	09-FEB-94	23-FEB-94
Cllr B Fines	0406 8 374	09-FEB-94	16-FEB-94

SITE RECORD

Grid ref: 540900 324530
OS Sheet: 172 Parcel:

L.C.C. ~~The dyke must be piped in accordance with det~~
OBS Attached JS 16/2/94

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: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location: Lowgate Gedney
Spalding Lincs

Type: FULL

17-MAR-94

Dear Sir/Madam,

PLANNING APPLICATION

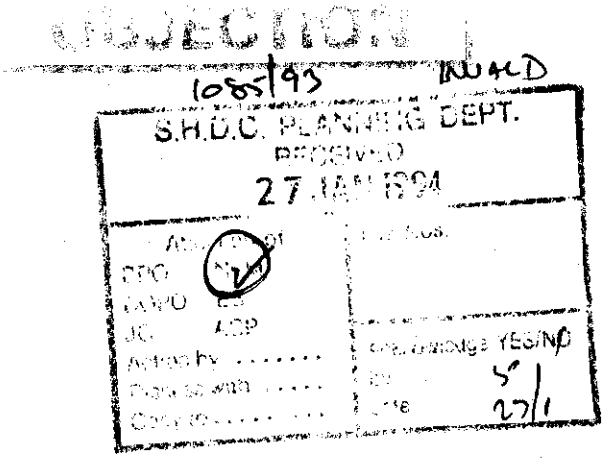
The above application for planning permission has now been considered, together with your comments, and it has been decided that permission should be granted in this case.

The full details, including any conditions which may have been imposed, can be seen by inspecting the register of applications which is available in this Department during normal office hours.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

(1)
T A & E Smith
Denovo
Main Road
Gedney, Spalding
Lincolnshire, PE12 0BW

(2) Mr R Taylor & Miss R Patchett
The Gintrap
Old Main Road
Gedney.



The Gintrap,
Old Main Rd,
Gedney,
Spalding.
Lincs.
PE12 OBW.

25th Jan 194.

Dear Sir/Madam,

With reference to filling in of dyke off Iowgate Gedney, on property owned by Mr. R. Wright, this notice has been received by ourselves on 23rd Jan '94. Owing to this inconsiderate delay of notification, we would appreciate an explanation as to how we are supposed to our our views when 10th Dec '93 was the final date for any correspondance. We have to say that the manner in which this proposal has been carried out is of a highly offensive and underhand manner. We should have received some kind of official notification last autumn!

Although we have only occupied the propert (of the above address) for 5½ years, we are undoubtedl concerned that with the proposed development on the land of Mr. Wright, that if this dyke is filled in that an intrusion of our property may arise, so a letter from Mr Wright's solicitor P

stating otherwise, would be appreciated. If we receive this letter, then we have no grievance and accept the proposal with an obvials 50% boundary split. A fully informative letter from you would also be appreciated.

Yours sincerely

R. Patchett

on the behalf of

Mr. R. Taylor

Miss. R. Patchett.

OBJECTION

Denovo,
Main Road,
Gedney,
Spalding,
Sth. Lincs,
PE12 0BW
23/1/94

Dear sir,

Ref.in filling of dyke on property owned by Mr.R.Wright,this notice has been received by ourselves on 23rd,January 1994. We wish to state that unless Mr.Wright and/or his solicitor are willing to sign a 50 % width of the dyke at no charge to ourselves, to our name (and property deeds) then we are not willing for the dyke to be filled in,as this will lead to an intrusion of our property-with any proposed future developments. Should the dyke be filled in with planning permission,then we reserve the right to claim against Mr.R.Wright,for any intrusion on our property or any lack of privacy afforded by any further developments of his property.

A written acknowledgment of the contents of this letter are requested for any legal implications that might arrise.

Yours sincerely,

E. Smith

T.A. & E Smith.

INVALID

S.H.D.C. PLANNING DEPT.
RECEIVED
25 JAN 1994

Attention of
DPO NPW
DOPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....

File Nos.

Acknowledge YES/NO
by ST
date 25/1

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: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location: Lowgate Gedney
Spalding Lincs

Type: FULL

Date received: 07-FEB-94

09-FEB-94

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 23-FEB-94. 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 J BLACKLOCK

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Gedney PC
522 Broadgate
Weston Hills
Spalding Lincs
PE12 6DA

S.H.D.C. PLANNING DEPT.
21 FEB 94

FOR PARISH COUNCIL USE ONLY

Comments:

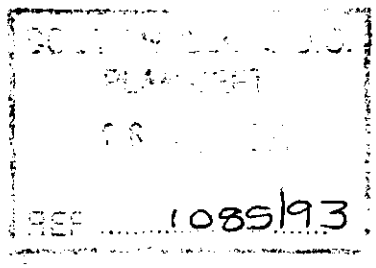
Support the application

Signed:

Chairman of Gedney Parish Council

MR. MRS T. SMITH
"DENOVO"
OLD GEDNEY ROAD
GEDNEY, NR SPALDING
LINCS PE12 0JL

MR. MRS REES
THE JINTRAP
OLD GEDNEY ROAD
GEDNEY, NR SPALDING
LINCS PE12 0JL



MR. MRS E JOSHUA
"CLOVER"
8 ST MARYS MEADOWS
GEDNEY, NR, SPALDING
LINCS PE12 0DL

MR. MRS H. MUNSON
"SIORI"
6 ST MARYS MEADOWS
GEDNEY, SPALDING.
LINCS PE12 0DL

MR S. LEMAN
4 ST MARYS MEADOWS
GEDNEY, SPALDING
LINCS PE12 0DL

1085/93

Miss R Patchett,
The Gintrap,
Old Main Road,
Gedney,
Spalding,
Lincs.
PE12 0BW.

Mr J Blacklock

JB/JJ H06/1085/93

16 Feb 1994

Dear Madam,

RE: LOWGATE, GEDNEY, SPALDING.

I refer to your letter dated 25th January 1994 in respect of the above application and write to advise you that the applicant has been advised to serve fresh notices of the application on all interested parties. Indeed, I believe the requisite notices have now been issued. The onus, is upon the applicant, in fact, to serve the notices and not the Local Planning Authority.

I note you refer to the need for assurances from Mr Wright's solicitors concerning intrusion upon your property and would advise you that this Authority cannot undertake to secure those assurances from Mr Wright's Solicitors - an approach will need to be made by yourself to Mr Wright and/or his Solicitor.

I would emphasise, however, that your concern about intrusion will be treated as a material planning consideration in determining Mr Wright's application.

Yours faithfully

N Mitten
Principal Planning Officer
Development Control

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: SOUTH HOLLAND District Council

Application Reference H06/1085/93.

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		
	4	0	9	2	6	5

2. Address or location

LONGATE COUNTY

3. Name, classification and number of road

4. Date application referred 10-2-94

5. State whether outline, detailed application etc.

FULL

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

TO INFILL DYKE

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 10~~b as shown overleaf.~~

Date: 10-2-94 Signed: [signature]
Director of Highways and Planning

CONDITIONS: –

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) The dyke must be piped in accordance with details to be approved

Delete as appropriate

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

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

(1) To ensure satisfactory drainage of the area is maintained

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

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: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

SOUTH HOLLAND D.C.
PLANNING
07 DEC 1994
REF Valid

Location: Lowgate
Gedney
Spalding
Lincs

Type: FULL

Date received: 16-NOV-93

02-FEB-94

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:

Although you have served Notice on the adjoining residents, unfortunately the notices contained the original dates. Please serve notices again with current dates, so as to give owners a new 21 day period in which to comment (and send a copy to us).

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

SOUTH ... D.C.
REF 1089/93

Town and Country Planning General ~~Development Order 1988~~

NOTICE UNDER ARTICLE 12 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper or to be served on an owner or a tenant**)*

Proposed development at *(a)* LOWGATE GEDNEY SPALDING LINCS.

I give notice that *(b)* R & D WRIGHT

is applying to the *(c)* SOUTH HOLLAND DISTRICT Council

for planning permission to *(d)* IN FILL DYKE

Any owner* of the land or tenant** who wishes to make representations about this application should write to the Council at *(e)* PO Box 8 PRIORY ROAD SPALDING

by *(f)* 28th FEB 1994

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed Richard Wright

†On behalf of R & D WRIGHT

Date 4th FEB 1994

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

† delete where inappropriate

Insert:

(a) address or location of the proposed development

(b) applicant's name

(c) name of Council

(d) description of the proposed development

(e) address of the Council

(f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

BR[illegible] SMITH Dip TP MRTPI
Dir 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: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location: Lowgate
Gedney
Spalding
Lincs

Type: FULL

Date received: 16-NOV-93

02-FEB-94

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:

Although you have served Notice on the adjoining residents, unfortunately the notices contained the original dates. Please serve notices again with current dates, so as to give owners a new 21 day period in which to comment (and send a copy to us).

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

BRIA MITH 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

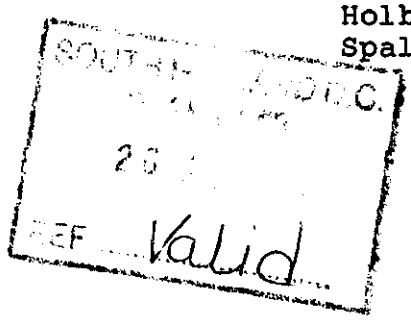
SOUTH HOLLAND DISTRICT COUNCIL

Application no: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke



Location: Lowgate
Gedney
Spalding
Lincs

Type: FULL

Date received: 16-NOV-93

08-DEC-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:

1 Although you have completed and signed the correct certificate, would you please confirm what steps have been taken to find out who the owner of the dyke are.
2 Please confirm width of dyke.

1. Consultation with our Solicitor would indicate dyke is owned half & half. 2. Dyke is 10' wide average.

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

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: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location: Lowgate
Gedney
Spalding
Lincs

Type: FULL

Date received: 16-NOV-93

08-DEC-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:

1 Although you have completed and signed the correct certificate, would you please confirm what steps have been taken to find out who the owner of the dyke are.
2 Please confirm width of dyke.

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

R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding
Lincs

Mr A C Pickering

ACP/JK/H06/1085/93

17 January, 1994

Dear Sir

Planning Application - Filling in Dyke, Lowgate/St Mary's Meadows, Gedney

I have received the Certification and information, but am afraid that the application is still not quite right.

Every planning application has to have an "Ownership Certificate" which ensures that any owner of land is aware of applications being made on their land. In some cases the applicant does not who the owner is, and then a special certificate and advertising in the local press will cover the situation.

In this case, however, although there is a little doubt over where the ownership of the dyke belongs, the people involved are known to you, as they are the owners of the properties in St Mary's Meadows.

Can I suggest, therefore, that you act on the basis that the dyke is owned half-and-half. Then, in order to complete the application, all that is needed is a Certificate B on the form (copy returned for you to complete) and you list, on a separate sheet if necessary, the names and addresses of all the people who own parts of the other half of the dyke. I also enclose a Notice which is the formal way of advising those owners, and each should receive a copy.

/Cont...

I am afraid that new fee rates have now been introduced, too, and as the fees are based on the date the application is completed correctly, a further £20.00 fee is also required.

Yours faithfully

A C PICKERING
Principal Administrative Officer

Encl.

Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

Certificate D *(a)*

I certify that:

- I/The applicant/The appellant* cannot issue a Certificate A in respect of the accompanying application/appeal*.
- I/The applicant/The appellant* have/has* taken all reasonable steps open to me/him/her* to find out the names and addresses of everyone else who on the day 21 days before the date of the application/appeal*, was the owner *(b)* of any part of the land to which the application/appeal* relates, but have/has* been unable to do so. These steps were as follows:–

  (c) .....

  .....

- Notice of the application/appeal*, as attached to this certificate, has been published in the *(d)*

  .....

  on *(e)* .....

REF H06/1085/93.

Signed ..... Richard Wright .....

*On behalf of ..... R.L.D. WRIGHT .....

Date ..... 4.12.93 .....

We are unable to show written evidence as to who owns all or part of said Dyke
All residents ajoining said Dyke have ~~not~~ verbally agreed for said Dyke to be infilled with soil.

* delete where inappropriate

(a) This Certificate is for use with applications and appeals for planning permission (articles 12A and 12C(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.

(b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

Insert:

(c) description of steps taken

(d) name of newspaper circulating in the area where the land is situated

(e) date of publication (which must be not earlier than the day 21 days before the date of the application or appeal)

Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper or to be served on an owner or a tenant**)*

Proposed development at *(a)* LOWGATE GEDNEY

I give notice that *(b)* R. & D. WRIGHT

is applying to the *(c)* SOUTH HOLLAND DISTRICT Council

for planning permission to *(d)* INFILL DYKE

Any owner* of the land or tenant** who wishes to make representations about this application should write to the Council at *(e)* COUNCIL OFFICE SPALDING P.O Box 8 PRIORY ROAD.

by *(f)* 16th DEC 1993

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years. or. in the case of development consisting of the winning or working of minerals. a person entitled to an interest in a mineral in the land (other than oil. gas. coal. gold or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed ...Richard Wright

†On behalf of ...R. & D. WRIGHT

Date ...12...11...93

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property. unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

† delete where inappropriate

Insert:

(a) address or location of the proposed development

(b) applicant's name

(c) name of Council

(d) description of the proposed development

(e) address of the Council

(f) date giving a period of 21 days beginning with the date of service. or 14 days beginning with the date of publication. of the notice (as the case may be)

Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper or to be served on an owner or a tenant**)*

Proposed development at *(a)* LOWGATE GEDNEY SPALDING LINCS.

I give notice that *(b)* R.& D. WRIGHT

is applying to the *(c)* SOUTH HOLLAND DISTRICT Council

for planning permission to *(d)* INFILL DYKE.

Any owner* of the land or tenant** who wishes to make representations about this application should write to the Council at *(e)* PO Box 5 PRIORY ROAD, SPALDING.

by *(f)* 10 DEC 1993

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed Richard Wright

†On behalf of R.& D. WRIGHT

Date 12. 11. 93

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

† delete where inappropriate

Insert:

(a) address or location of the proposed development
(b) applicant's name
(c) name of Council
(d) description of the proposed development
(e) address of the Council
(f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

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

KEEP IN FILE

Application no: H06/1085/93

Applicant: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Agent: Messrs R & D Wright
Cedar House
Gedney Marsh
Holbeach
Spalding, Lincs

Description: To in fill dyke

Location: Lowgate
Gedney
Spalding
Lincs

Type: FULL

Date received: 16-NOV-93

01-FEB-94

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

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

The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:
Evidence is to hand that the Article 12 Notice was served on certain affected parties after the 10 December 1993. Please submit a fresh Article 12 Notice indicating that affected parties have been given sufficient time to submit representations.

Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is J BLACKLOCK

INVALID - NOT REGD

Although you have served Notice on the adjoining residents, unfortunately the notices ~~were~~ contained the original dates. Please serve notices again with current dates, so as to give owners a new 21 day period in which to comment and send a copy to us).

Yours faithfully

Principal Planning Officer

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

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P3521
Date received : 16-NOV-93

Received from

Messrs R & D Wright

Address

Cedar House
Gedney Marsh
Holbeach
Spalding

Fee paid	£	120.00
VAT	£	0.00
Total received	£	120.00

Cash/Cheque : Cheque

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

COPY

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

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P3788
Date received : 26-JAN-94

Received from

Messrs R & D Wright

Address

Cedar House
Gedney Marsh
Holbeach
Spalding

Fee paid	£	20.00
VAT	£	0.00
Total received	£	20.00

Cash/Cheque : Cheque

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

FILE COPY

Minutes of a Meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Priory Road, Spalding on Tuesday, 8th March, 1994.

PRESENT

Councillors:

Mr. B. Alcock - Chairman
Mr. T. Bray - Vice-Chairman

Mr. J.R. Pearl	Mr. E.N. Davies	Mr. B.A. Paul
Mr. T. Barker	Mr. J.A. Dobney	Mr. N.H. Pepper
Mr. C.J.T.H. Brewis	Mr. C.F. Fisher	Mr. W.D. Skells
Mrs. P.J. Buffham	Mr. J. Goodley	Mr. D.A. Tennant
Mr. J. Clark	Mrs. E.O. Hall-Patch	Mr. T.G.M. Tyler
Mr. B.J. Davies	Mr. N.P. Judge, M.B.E.	Mr. R.C. West
Mrs. D.F. Davies	Mr. A.E. Naylor	Mr. M.C. White

Councillor Mrs. A.M. Newton attended the meeting as an ex-officio non-voting member.

The Director of Planning and Building Control Services, the Deputy Director of Administration and the Principal Environmental Health Officer (Pollution and Environmental Protection).

In attendance: Councillor J.T. Davis and the Press.

Apologies for absence were received from or on behalf of Councillors N.I. Capes and M.S.L. Rollinson.

135. MINUTES

The Minutes of the meeting held on 16th February, 1994 were signed by the Chairman as a correct record.

136. PLANNING APPLICATIONS

Consideration was given to the report of the Director of Planning and Building Control Services upon applications to be determined, including his recommendations, copies of which had previously been circulated to all members.

RESOLVED:

(a) Applications Granted

Planning permission be granted in respect of the following proposals in accordance with the recommendations of the Director of Planning and Building Control Services, as amended, where indicated:-

Plan. No and Applicant	Proposal
H06/1085/93 Messrs R & D Wright	To infill dyke at Lowgate, Gedney.
H16/1092/93 Mrs J E Sampson	Retention of dwelling without complying with Condition 3 of permission H16/0994/80 - at 31 Kellett Gate, Low Fulney.