

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H06/1118/93

Received:06-DEC-93 Type:S73A CONTINUATION

Name: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Agent: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Description: Retention of dwelling without complying with agricultural habitation clause

Location : Rydal Ryefield Lane
Holbeach Fen Spalding

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the retention of buildings/continuation of use of land for the reason(s) set out below:

- 1 In the opinion of the Local Planning Authority the dwelling has been offered for a sale at a price which does not reflect the existence of the occupancy condition. As such, the Local Planning Authority are not satisfied that the market from potential purchasers who could have complied with the condition has been adequately tested and consequently the applicant has failed to demonstrate there is no demand for the dwelling from the agricultural workforce. To grant permission on this basis would be contrary and damaging to the aims of Policy 7A of the approved County Structure Plan which seeks to restrict residential development in the open countryside to that essential to the interests of agriculture.

Director of Planning and Building Control Services

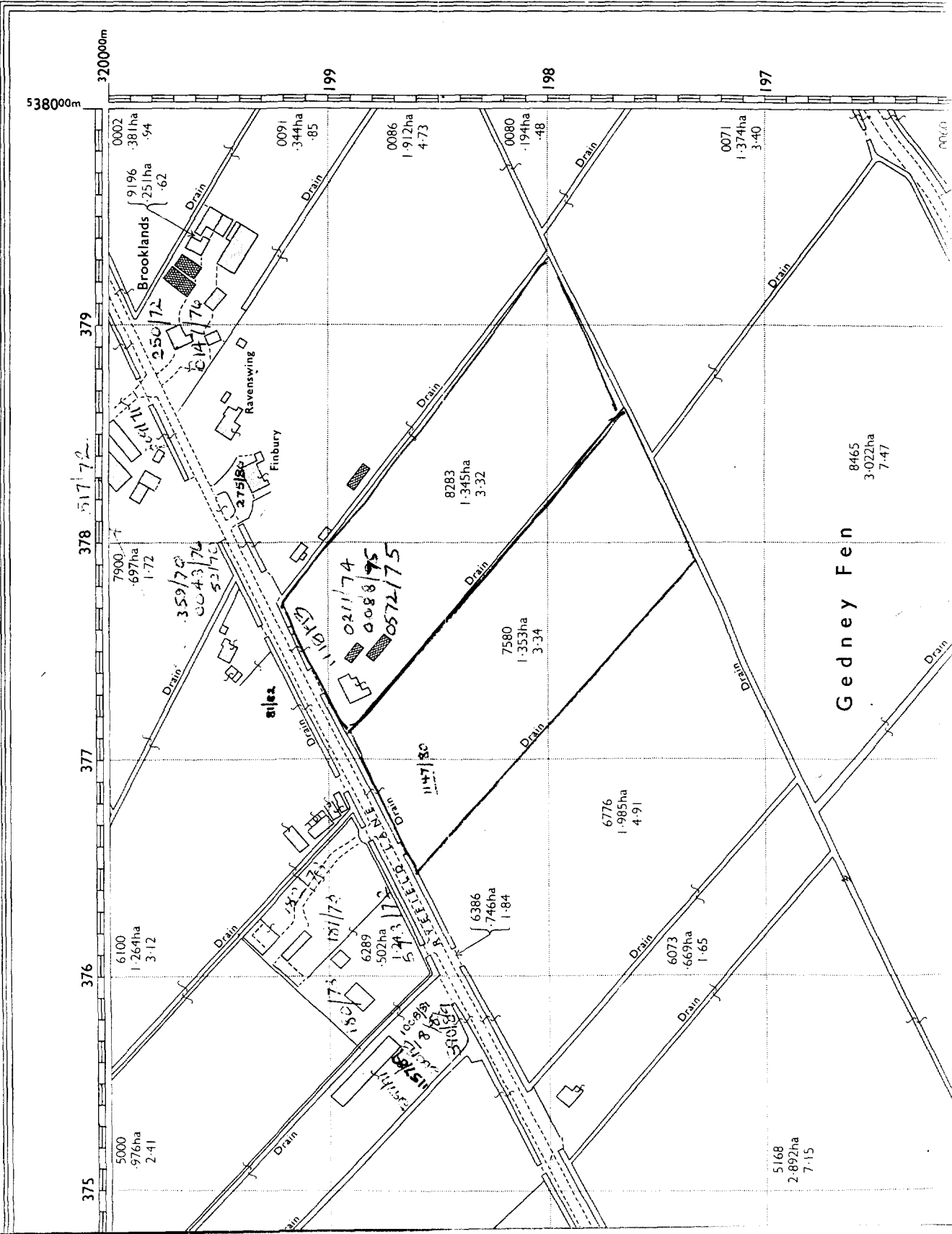
15-MAR-94 H06/1118/93

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.



PLAN TF 3619-3719

METRES



PLANNING APPLICATION

For office use only

Application No. H06/1118/93

Date Registered 24 NOV 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR & MRS C.J. WARBOYS
'RYDAL', RYEFIELD LANE,
HOLBEACH FEN, SPALDING, PE28PS

Tel. No. 094 585 321

NAME AND ADDRESS OF AGENT

(if form completed by agent)

Tel. No.
(Personal contact name)OFFICE
COPY

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE (IN GETNEY PARISH)

'RYDAL', RYEFIELD LANE, HOLBEACH FEN, SPALDING, Lincs PE28PS

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

TO RETAIN THE DWELLING WITHOUT COMPLYING WITH THE
RESTRICTED OCCUPATION CONDITION.

Please complete

I attach

* ~~Four copies of all plans~~

* an ownership certificate (see back page)

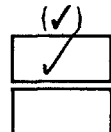
* a fee of £120.00

If you consider no fee is payable
include a written explanation instead.
Previous application No.

Signed..... Date 21/11/93

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 worksor This is an **outline** application

Now complete Parts
3, 4 and 5 and an
Ownership Certificate

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 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 Dwellings
(ii) Other new building(s)
(iii) Alterations or extension
(iv) Change of use

☐
☐
☐
☒

If so, how many:

4. A. Please state site area (in all cases)

B. If building works are proposed, please state extra floor space to be created:

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

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

SMALL HOLDING 0.6 hectares
sq. metres
metres
metres

☐**5. GENERAL INFORMATION** Please complete each section**EXISTING USES**

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

DWELLING ON SMALL HOLDING OF
0.6 HECTARES, NOW LARGELY GRASS.

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

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

☐

NO CHANGE

PLEASE COMPLETE IN ALL CASES

The proposal is in connection with agriculture

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.

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.

Is this application related to a previous submission?

State Yes or No

☒

⇒ If so, please give details in Part 6

☐☐☐☐

⇒ If so, please complete Part 7

☐

Date:

Consultee(s)

☐

Application No.

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

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.

Industrial 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 processes 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? If so, please explain the relationship	State Yes or No 		
Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory? If so, please give details including gross floor area of such premises and state your intentions in respect of those premises.	State Yes or No 		
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?			

see separate sheet.

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).

JOINT OWNERS.

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.

Signed *C. Harlow & J. Watby* (Applicant/ Agent) Date *21/11/93*

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.

Signed *C. Harlow & J. Watby* (Applicant/ Agent) Date *21/11/93*

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

ALLIANCE LEICESTER

PROPERTY SERVICES

22 HIGH STREET WISBECH CAMBRIDGESHIRE PE13 1DE
TEL: WISBECH (0945) 65432 FAX: (0945) 583103

DATE: 3rd November 1993

OUR REF: JT/93/NCH

YOUR REF:

Mr & Mrs Warboys
Rydal
Ryefield Lane
Holbeach Fen
Spalding
Lincs

Dear Mr & Mrs Warboys

RE: RYDAL, RYEFIELD LANE, HOLBEACH FEN, SPALDING, Lincs.

As a professional company we strongly believe in keeping our clients informed of ever changing market forces coupled with the utmost services and best possible advice available.

In keeping this pledge, we have studied your file and would like to point out the following:-

Property placed on market: 13th April 1993

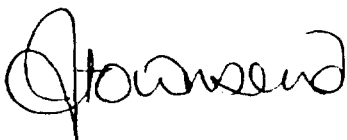
No. of viewings to date : 1

No. of times advertised : 7

We would like to point out that a high percentage of people looking for property with land have been put off because of the agricultural restriction. This restriction limits the amounts of proposed clients to an extremely small percentage, and we feel that until the restriction is lifted it will be difficult to find a buyer.

Should you wish to discuss the contents of this letter with me, please telephone or call in at our office, when I will be only too happy to help.

Yours sincerely



Julie Townsend (Mrs)
BRANCH MANAGER



Re 'Rydal', Ryefield Lane, Holbeach Fen, Spalding, Lincs.

Our reasons for asking for the Agricultural Restriction to be lifted on the above property are as follows:-

The property has been on the market since 13th April, 1993, and at a price slightly less than that advised by the agents we employed. In that time we have only had one lot of people to look over the property. They made an offer much less than the asking price, which we accepted. However, they subsequently withdrew their offer, due we understand, to difficulty in obtaining a mortgage. We have been advised by several agents that mortgages on restricted properties are very difficult, the Building Societies being reluctant to give loans on such properties.

The original restriction was because the Council policy was not to permit development other than for Agriculture in the area. However, since that time in our lane, one property has been built with no restriction, and to our certain knowledge at least two other properties have had their restrictions lifted.

Since 1963, when this property was built, the number of people employed in Agriculture both locally and nationally has reduced dramatically, due to increasing mechanisation and of late additionally the 'Set-aside' policy. This very much limits the scope and opportunity for a sale.

When we took over the property in 1985, we tried to work it as a small-holding. As it is only 0.6 of a hectare, this was difficult to earn a living. Subsequently we tried part-time with part-time paid work, but this also was not a success. I have been back in full-time employment since 1989.

Whilst working the small-holding in 1986 I sustained a hernia, which required an operation to effect a repair. I have since had to have it repaired again. This makes the heavy work associated with the use of machinery and tools impossible.

I am now coming up to retirement age, and we wish to sell the property so that we may be able to move and live near to our children and grand-children, who live in Essex.

We are advised by our agents that quite a few people show interest in the property until they are advised on the restriction. They assure us that, in their opinion, they could sell the property if it were not for the restriction. Should it be lifted, we would not be looking to increase the price.

Enclosed are copies of the agent's sales details, a letter from the agents regarding the property, the completed forms and a cheque for £120.00

Yours Sincerely,

J. Warby
J Warby S

DC INSTRUCTION SHEET

APPLICATION REF:

Directions

Art 7

☐

RM checklist

Previous
Current
Required

Sit

Des

Ext

Acc

Land

EA

Reg4 -

☐
☒

Scale dwg:

Highway S/W:

Agric appraisal:

LB

Advt

☐
☐

Details
needed:
(Non-std only)

PLEASE SEARCH WHETHER A 'FOR SALE' NOTICE WAS DISPLAYED ON SITE.

Other.....

Direction authorised by Senior Officer.....

Date..... 30/11

Revalidation after Direction

Information satisfactory

Signed.....

Date..... 6/12/95

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
Setting of LB
Public Right of Way
Discretionary

County
E Heritage
Societies G ROW

Extra Consultations:

Transport D/Transp A15 G* T15
TRA D/Transp A18
B Rail

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

Press
PC
WM
Residents

Environment/ Env Services
Drainage NRA
WAT IDB
Env Assess

☐ G ENV (See separate sheet)

Conservation LB Demolish G* DEM
LB Archaeology G ARC Specify:
Eng Heritage
Consultant
Other

Order No:
Specify:

Hazards HSC Group G* HAZ
Specific

Specify:
Specify:

Other PLA

Case Officer :

J. BLACKBURN

Senior Officer Confirmed

Date..... 6/12/95

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 ✓ d(2)

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

✓

ADM RECORD SHEET

Initial

Submitted Fee £ 120

Receipt No P3557

Date first Rec'd 24 NOV 1993

Registration

Reference H06/1118/93

Cross-Ref

Date 25/11/93

Validation

TYPE SECT3A

Site area
No of dwellings
Floorspace

Earlier permission - Ref:
New/Redevelop/Use/Ext/Alt/Works

Description
to be recorded

Retention of Dwelling without
complying with Agricultural
occupancy & Habitation clause

Invalid

Site plans
Certificate

☐
☐

Fee
Fee (not free)

☐
☐

Inaccurate
Incomplete
Unclear

☐
☐
☐

Fees

Correct fee £ 60

Nil fee

☐
☐
☐

Previous app - ref:
Type of app
Reason:

Discounted

Additional f
Refund £ 60

Receipt No
Voucher No

Date
Date NOV 93

Information

Index sheet 264 OS Plots
Grid ref 537503 19850

Ward E Parish GEDNEY

Inside IBD NO 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

Linked to property Ref

0047461

Dist Bound

Other:

Planning Records:
Earlier apps

211/74

88/75

572/75

296/77

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

Town and Country Planning Act etc

DRAFT REFUSAL

Reference: H06/1118/93

Received:06-DEC-93 Type:S73A CONTINUATION

Name: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Agent: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Description: Retention of dwelling without complying with agricultural
habitation clause

Location : Rydal Ryefield Lane
Holbeach Fen Spalding

South Holland District Council hereby give notice
that permission has been refused etc
for the following reasons:

- 1 In the opinion of the Local Planning Authority the dwelling has been offered for a sale at a price which does not reflect the existence of the occupancy condition. As such, the Local Planning Authority are not satisfied that the market from potential purchasers who could have complied with the condition has been adequately tested and consequently the applicant has failed to demonstrate there is no demand for the dwelling from the agricultural workforce. To grant permission on this basis would be contrary and damaging to the aims of Policy 7A of the approved County Structure Plan which seeks to restrict residential development in the open countryside to that essential to the interests of agriculture.

10-MAR-94

AD check.....*AF 1413*.....

Authorised to issue (inc Delegation).....*AF*.....

TYPE: S73A Continuation

DESCRIPTION: Retention of dwelling without complying with
agricultural occupancy restriction

LOCATION: Rydal, Ryefield Lane, Holbeach Fen.

APPLICANT: Mr & Mrs C J Warboys AGENT:

REASON FOR COMMITTEE CONSIDERATION

Refusal recommended.

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

RECOMMENDATION

Refusal on following grounds:-

In the opinion of the Local Planning Authority the dwelling has been offered for a sale at a price which does not reflect the existence of the occupancy condition. As such, the Local Planning Authority are not satisfied that the market from potential purchasers who could have complied with the condition has been adequately tested and consequently the applicant has failed to demonstrate there is no demand for the dwelling from the agricultural workforce. To grant permission on this basis would be contrary and damaging to the aims of Policy 7A of the approved County Structure Plan which seeks to restrict residential development in the open countryside to that essential to the interests of agriculture.

COMMENTS

- 1 The dwelling is a two bedroomed bungalow standing on approximately 1 acre of land. A number of sheds and greenhouses also stand on the land. The property is a registered smallholding and an agricultural occupancy restriction attaches to the dwelling.
- 2 The property has been for sale since April 1993 and the current asking price is £56,995. It has been advertised seven times and there has only been one viewing to date. District Valuer advises appropriate price would be around £40,000.
- 3 The applicant states that the agricultural restriction limits the amounts of proposed clients to an extremely small percentage and until the restriction is lifted it will be difficult to find a buyer.

- 4 — With regard to the applicant's claims regarding the planning history of the immediate locality, an examination of the records shows that since 1970, permission has been granted for 3 dwellings with personal occupancy conditions (EE 573/92, EE 180/73 and H06/1147/80 respectively) and one agricultural occupancy condition has been removed (H06/0275/80). All other dwellings which have been approved in Ryefield Lane since 1970 have had agricultural occupancy conditions imposed save for one, EE 52/70 - Granted in June 1970 - which contained no restrictive condition regarding occupancy.

REPRESENTATIONS

Parish Council:

If, as the applicant says in his covering letter, other properties in the immediate vicinity have received consent for the removal of the restriction, under what circumstances were they removed? If the present application falls within similar criteria the Council will support the proposal.

Applicant:

The original restriction was because the Council policy was not to permit development other than for Agriculture in the area. However, since that time in our lane, one property has been built with no restriction, and to our certain knowledge at least two other properties have had their restrictions lifted.

When we took over the property in 1985, we tried to work it as a small-holding. As it is only 0.6 of a hectare, this was difficult to earn a living. Subsequently we tried part-time with part-time paid work, but this also was not a success. I have been back in full-time employment since 1989.

In 1986 I sustained a hernia, which required an operation to effect a repair. I have since had to have it repaired again. This makes the heavy work associated with the use of machinery and tools impossible.

I am now coming up to retirement age, and we wish to sell the property so that we may be able to move and live near to our children and grand-children, who live in Essex.

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



H06/1118/93

S73A CONTINUATION

Applicant: Mr & Mrs C J Warboys
Tel: 094 585321

Agent: Mr & Mrs C J Warboys
094 585321

Description: Retention of dwelling without
complying with agricultural
habitation clause

Location: Rydal
Ryefield Lane
Holbeach Fen
Spalding

Valid date: 06-DEC-93
Target dates:
To case officer 13-DEC-93
Inspected by 20-DEC-93
Extra contacts 27-DEC-93
Report if not clear by 10-JAN-94

Terminal date: 31-JAN-94
Target Committee: 25-JAN-94
Report deadline: 11-JAN-94
Agreed TD Ext:
Case Officer:
J BLACKLOCK

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Site/Press Advert MIN		10-DEC-93	31-DEC-93
Clerk to Gedney PC	0775 710451	07-DEC-93	21-DEC-93
Cllr B Fines	0406 8 374	07-DEC-93	14-DEC-93

etc - no objections for 9/12/93


Valuation Office

D J Gilbert FRICS
District Valuer and Valuation Officer
Peterborough

Crescent House
46 Priestgate
Peterborough PE1 1JB

Planning & Building Control Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs PE11 2XE

Tel 0733-347842 extn 226
Fax 0733-893443

Your reference : JB/LAC/H06/1118/93
Our reference : OGD.28438/AC/PMR
Please ask for : Mr Cartmail

Date : 20 January 1994

FAO: Mr J Blacklock

CONFIDENTIAL

Dear Sirs

REMOVAL OF AGRICULTURAL HABITATION CONDITION
RYDAL, RYEFIELD LANE, HOLBEACH FEN, SPALDING

I refer to your letter of 4 January 1994 in which you requested advice in respect of the asking price for the above-mentioned property.

Rydal is a detached rural bungalow located to the south of Holbeach and to the north west of Sutton St James. The site of the subject property extends to approximately 1½ acres or thereabouts and includes various outbuildings.

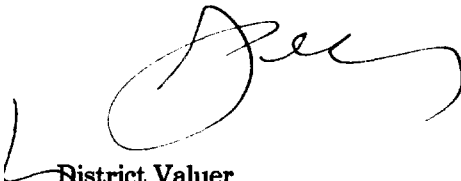
I am of opinion that the current freehold vacant possession interest in the above-mentioned property, subject to the agricultural restriction, is £40,000.

This report should not be considered valid for a period in excess of 4 months nor if the circumstances are altered in any way. It should be noted that neither a structural survey nor an inspection for deleterious materials has been carried out and the assumption has been made that such surveys would not reveal any abnormal difficulties.

This report is considered Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (see section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985) and your Council is recommended to treat it accordingly.

I trust the above is satisfactory for your requirements but if you have any further queries on this matter please do not hesitate to contact Mr Cartmail on the above extension.

Yours faithfully


District Valuer

S.H.D.C. PLANNING DEPT.	
RECEIVED	
21 JAN 1994 36	
Attention of	File Nos.
DPO ☒	
DOPO ☐	
JC ☐	
AUP ☐	
Approved by	Acknowledge YES/N
Discussed with	by
On 10	Date

8

The District Valuer and Valuation
Officer
Crescent House
46 Priestgate
Peterborough
PE1 1JB

Mr J Blacklock

JB/LAC
H06/1118/93

4 January 1994

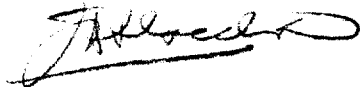
Dear Sir

Removal of Agricultural Habitation Condition, Rydal,
Ryefield Lane, Holbeach Fen, Spalding.

I enclose details of the above application which I trust you
will find complete and self explanatory.

Could you please advise me as to whether you consider the
asking price for the property realistically reflects the
existence of the agricultural occupancy condition.

Yours faithfully



N R Midlen
Principal Planning Officer
Development Control

Enc

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



Application no: H06/1118/93

Applicant: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

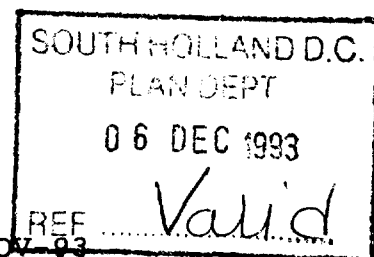
Agent: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Description: Retention of dwelling without
complying with agricultural
habitation clause

Location: Rydal
Ryefield Lane
Holbeach Fen
Spalding

Type: S73A CONTINUATION

Date received: 24-NOV-93



01-DEC-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

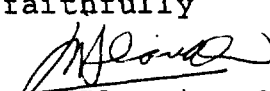
Your submission for the above has been received, but I regret that it cannot be dealt with as it stands.

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:

Please state whether a "For Sale" notice was displayed on site.

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

Yours faithfully


Principal Planning Officer

DR. TO:

NAME

ADDRESSES

POST CODE

DATE:

C. C. Warboys

Zyda

Eye fold line

Holbeach en

Sculdino

Links

REFUNDS

REFUND OF PLANNING/BUILDING REG/NOTICE FEE

REFERENCE: H06/1118/a3

APPLICANT: Mr & Mrs C C Warboys

FEE RECEIVED £100

RECEIPT NO: P3557 DATE: 24/11/23

FEE REQUIRED: 60

REASON FOR REFUND: over payment

AMOUNT TO BE REFUNDED

TOTAL:

$$\frac{88}{99}$$
$$\frac{6000}{100}$$

PLEASE RETURN CHEQUE TO:

CLAUDE THOMAS

~~C/O PLANNING & B C SERVICES~~

[illegible]

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

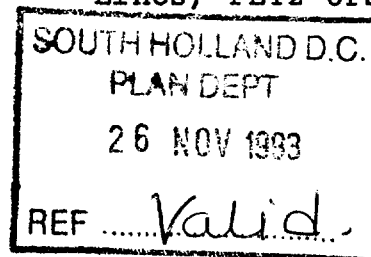


Application no: H06/1118/93

Applicant: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Agent: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Description: Retention of dwelling without
complying with agricultural
habitation clause



Location: Rydal
Ryefield Lane
Holbeach Fen
Spalding

Type: S73A CONTINUATION

Date received: 24-NOV-93

25-NOV-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:

Four copies of a 1:2500 site location plan with the site edged red.

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

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



VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P3557
Date received : 24-NOV-93

Received from

C J Warboys

Address

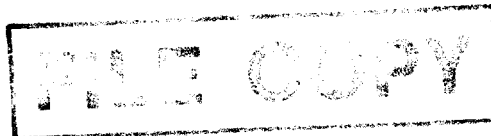
Rydal
Ryefield Lane
Holbeach Fen
Spalding

Fee paid	£	120.00
VAT	£	0.00

Total received £ 120.00

Cash/Cheque : Cheque

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



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



Application no: H06/1118/93

Applicant: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Agent: Mr & Mrs C J Warboys
Rydal
Ryefield Lane
Holbeach Fen, Spalding
Lincs, PE12 8PS

Description: Retention of dwelling without complying with agricultural habitation clause

Location: Rydal Ryefield Lane
Holbeach Fen Spalding

Type: S73A CONTINUATION

Date received: 06-DEC-93

07-DEC-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 21-DEC-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 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

FOR PARISH COUNCIL USE ONLY

Comments:

Please see overleaf.

Signed:

A handwritten signature in dark ink, appearing to read "J. Bennett".

S.H.D.C. PLANNING DEPT.	
RECEIVED	
20 DEC 1993	
36	
Attd:	
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DOPO	
JO	
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Comments:

If, as the applicant says in his covering letter, other properties in the immediate vicinity have received consent for the removal of the restriction, under what circumstances were they removed? If the present application falls within similar criteria the Council will support the proposal.

ALLIANCE LEICESTER

PROPERTY SERVICES

22 HIGH STREET WISBECH CAMBRIDGESHIRE PE13 1DE TEL: WISBECH (0945) 65432 FAX: (0945) 583103

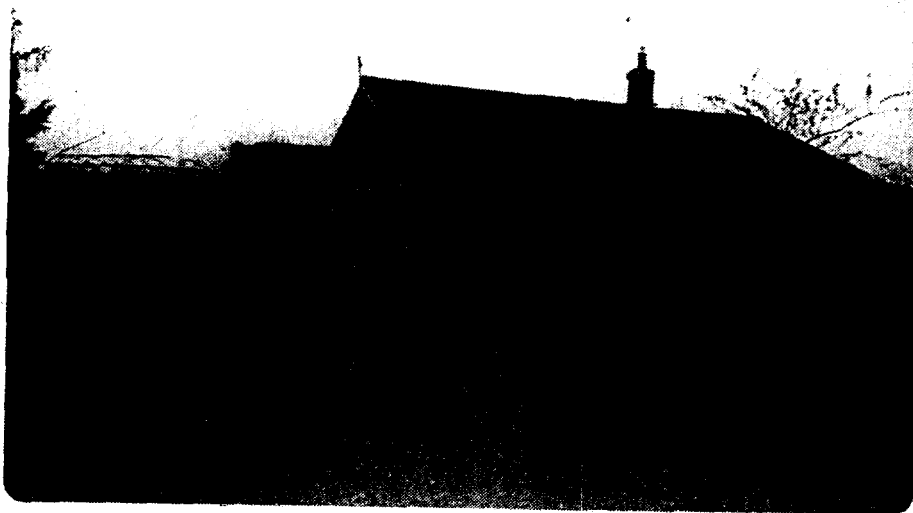
15th April 1993
27th September 1993(R)

RYDAL, RYEFIELD LANE, HOLBEACH FEN, SPALDING, Lincs

SOUTH HOLLAND D.C.
PLAN DEPT.

24 NOV 1993

REF 1118/93



56,995

* DETACHED BUNGALOW

* OUTBUILDINGS

* APPROXIMATELY 1 ACRES (SUBJECT TO SURVEY) (AGRICULTURAL RESTRICTION)

* REGISTERED SMALLHOLDING

ACCOMMODATION: In brief comprises of entrance hall, lounge, kitchen, conservatory, sun lounge, two bedrooms, bathroom and garage.

SERVICES: Main water and electricity. Septic tank drainage. Gas central heating (working on the day of inspection). We advise prospective purchaser(s) to take appropriate precautions to re-check anything which is especially critical to their interest in the purpose such as working order of services/electrical appliances before proceeding to purchase.

COUNCIL TAX: April 1993 Band B AS AT TIME OF INSPECTION.

VIEWING: By appointment through the selling agents Alliance & Leicester Property Services (0945) 65432.

TENURE: Freehold

OUR REF: W2045



ALLIANCE & LEICESTER PROPERTY SERVICES LIMITED for themselves and for vendors or lessors of this property whose agents they are give notice that (i) the particulars are set out as a general outline only for the guidance of intended purchasers or lessees and do not constitute, nor constitute part of, an offer or contract.

(ii) all descriptions, dimensions, reference to condition and necessary permissions for use and occupation, and other details are given without responsibility and any intending purchasers or tenants should not rely on them as statements or representations of fact but must satisfy themselves by inspection or otherwise as to the correctness of each of them.

(iii) no person in the employment of ALLIANCE & LEICESTER PROPERTY SERVICES LIMITED has any authority to make or give any representation or warranty whatever in relation to this property.
(iv) an intending purchaser must satisfy himself by inspection by independent advice and/or otherwise as to this property.

RYDAL, RYEFIELD LANE, HOLBEACH FEN, SPALDING, Lincs

Part glazed door leading into:-

ENTRANCE HALL: Store cupboard. Broom cupboard. Telephone point. Radiator (working on day of inspection). Coving to ceiling.

LOUNGE: 15'2" X 10'4"

Fitted Baxi Bermuda calor gas fire set in brick surround with tiled hearth (in working order on the day of inspection). TV point. Inset shelving/book case. Coving to ceiling. Window to front.

KITCHEN: 10'5" X 9'0"

Fitted with a range of wall, base and drawer units. Stainless steel single drainer sink. Electric cooker point. Built-in store cupboard with drawers under. Part glazed door to conservatory. Glazed door to:-

SUN LOUNGE: 10'0" X 20'0"

Half glazed sun lounge. Two wall lights. Door to rear garden.

CONSERVATORY: 6'8" X 8'0"

Brick and glazed. Door to side.

BEDROOM 1: 11'11" X 10'5"

Built-in wardrobe cupboard. Coving to ceiling. Radiator (working on day of inspection). Window to front.

BEDROOM 2: 11'9" X 10'5"

Built-in wardrobe cupboard and further storage cupboards with shelving. Coving to ceiling. Radiator (working on day of inspection). Window to rear.

BATHROOM: Two piece suite comprising of panelled bath and pedestal wash handbasin. Airing cupboard. Coving to ceiling. Window to rear.

SEPARATE WC: Low level WC. Coving to ceiling. Radiator (working on day of inspection). Window to rear.

GARAGE: 17'3" X 8'4"

Attached garage with up and over door.

GARDENS: A gravelled drive to the front of the property leads down the side to the rear. The front garden is mainly laid to lawn with borders of tall conifers, plants, and shrubs. The rear garden comprises of lawn, concrete patio area, numerous fruit trees, pony paddock, chicken run, and further grassed area.

OUTBUILDINGS:

GREENHOUSE 29'7" X 11'7"

STORE 24'0" X 10'0"

LEAN TO STORAGE (presently used for storing hay and straw)

GOAT SHED 18'0" X 8'0"

TIMBER SHED 5'9" X 5'10"

GREENHOUSE 6'0" X 8'0"

RYDAL, RYEFIELD LANE, HOLBEACH FEN, SPALDING, Lincs

HOW TO FIND THIS PROPERTY: From the Freedom Bridge roundabout in Wisbech take the A1101 towards Sleaford/Long Sutton. Follow the road through the village of Four Gotes and onto Tydd Gote. When leaving Tydd Gote take the left hand turning signposted towards Tydd St Mary/Sutton St James. Proceed through the village keeping on the B1165 to Spalding. Leave the village along this road and you will come to a river on your right handside. Take the turning right over the 2nd bridge into Ryefield Lane. The bungalow is the 2nd on your right. (Tall conifer trees to front).

NOTES

AGRICULTURAL RESTRICTION

The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in section 290 (1) of the Town & Country Planning Act 1971, or in forestry (including any dependants of such a person residing with him) or a widow or widower of such a person.

The bungalow is of timber frame construction with brick surround.

'Lydal', Lydfeld lane,
Holbeach Fen,
Spalding. Lincs. PE12 8PS

South Holland District Council,
Planning and Building Control,
Priory Road, Spalding. 2nd Dec. 1993.

Dear Sirs,

Further to your letter of 1st Dec,
ref. application N° 406/1118/93, copy of
which is attached.

No "for sale" board has been
displayed, as the property stands on a
narrow lane with virtually no through
traffic, it was thought unnecessary by
both ourselves and our agents, Alliance &
Hereceter Properties, Spalding.

Yours faithfully
C. J. Vanboys (H.E.)
09 DEC 1993
REF ...
SOUTH HOLLAND DISTRICT COUNCIL
PLANNING DEPT

Mr C J Warboys
"Rydal"
Holbeach Fen
Spalding
Lincs PE12 8PS

Mr J Blacklock
JB/JK/H06/1118/93

06 Apr 1994

Dear Sir

Planning Decision: H06/1118/93

Thank you for your letter dated 23 March, 1994 in respect of the above.

I enclose a copy of my report to the Planning Committee in which, as you will see, the District Valuers view of the appropriate price for your property is quoted. This assessment takes account of the existence of the restriction.

Yours faithfully

N R MIDLEN
Principal Planning Officer (Development Control)

Enc.

W.
Mr C. F. Hartog
Rydal
Holtbeck Fen
Spalding
PE 12 8 PS.

Mr of
H06/1118/93

Dear Sir,

re: planning permission
H 06/1118/93

Thank you for your letter dated 23/3/94
in respect of the above,

I agreed advise you that the District
Valuer was of the opinion as at 20/1/94
that the current freehold vacant
possession interest in the ~~to~~ your
property, subject to the agricultural
restriction was £40,000 - an assessment
of value he considered valid for a
period of 6 months thereon

I agreed advise you that this Authority
does not supply valuations of property
and I agreed suggest, therefore, that
if you wish to obtain an impartial
assessment, you may wish to approach
the District Valuer at Crescent House
46, Priestgate, Peterborough PE 1 1NB.

'Bydal',
Ryesfold lane,
NG DEP. No 1 each Fem,
D 1994 -36 Spalding, FE 12 8PS
#Nos.

S.H.D.C. PLANNING DEPT RECEIVED 28 MAR 1994 30	Attention of DR. <i>Smith</i> NRM DQPO Director of Action by Discuss with Copy to	File Nos. Acknowledged YES/NO by date
	4611 27/3 51	

Attention of **DRM** Smith, File Nos.

USFPU 88
 Director of TACAP of
~~Department of Building Control~~
 Acknowledged (YES/NO)
 Action by
 Date

Action by
 Sent Discuss with
 Copy to
Prory Road,
Spalding.

23rd March, 1994.

Dear Sir,

Ref your Refusal of Planning
Permission Ref 406/1118/93 dated
15th March, 1994.

As the main gist of the report was related to the sale price, which was the figure quoted to us by our Selling Agents, we are having a new valuation done shortly. To help us reach a price which

the Council would regard as reflecting the restriction, could you please tell us the value the Council would consider reasonable?

Yours Sincerely
E. J. McAnloys (H.E.).

Mrs K Cameron,
Alliance & Leicester
Estate Agents,
22 High Street,
Wisbech,
Cambs.
PE13 1DE.

Mr J Blacklock
JB/JJ H06/1118/93
JT/94/NCH
10 May 1994

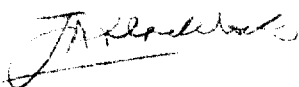
Dear Madam,

RYDEL, RYEFIELD LANE, HOLBEACH FEN, SPALDING.

Thank you for your letter dated 5th April 1994 in connection with the above.

The contents of the letter are duly noted.

Yours faithfully



PP N Midlen
Principal Planning Officer
Development Control

ALLIANCE LEICESTER

PROPERTY SERVICES

22 HIGH STREET WISBECH CAMBRIDGESHIRE PE13 1DE
TEL: WISBECH (0945) 65432 FAX: (0945) 583103

Mr S Thorn
Planning & Building Control Department
Council Office
Priory Road
Spalding
Lincolnshire
PE11 2XE

DATE: 5th April 1994

OUR REF: JT/94/NCH

YOUR REF: H06/1118/93

Dear Mr Thorn

RE: RYDAL, RYEFIELD LANE, HOLBEACH FEN, SPALDING, Lincs.

Following my telephone conversation with you today this letter confirms that Mr & Mrs Warboys have reduced the current marketing price of their above mentioned property to £52,995 effective from the 5th April 1994, in the hope that this will increase interest in their property with a view to achieving a sale in the very near future.

Yours sincerely

Karen Cameron

Karen Cameron (Mrs)
NEGOTIATOR
For and on behalf of
ALLIANCE & LEICESTER ESTATE AGENTS

S.H.D.C. PLANNING DEPT.	
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- 6 APR 1994 - SB	
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CONTROL	1
DEPT	1
PLANNING	1
CONTROL	1
DEPT	1
PLANNING	1
CONTROL	1



PLANNING COMMITTEE - 8th March 1994

136. PLANNING APPLICATIONS

(a) Applications Granted (Continued)

<u>Plan No. & Applicant</u>	<u>Proposal</u>
H09/0017/94 Mr R Stokes	Glasshouse at Holbeach Drove Gate, Holbeach Drove.
H17/0044/94 Mrs M C P Daniels	O.A. Residential development at Surfleet Road, Surfleet.
H16/0052/94 South Holland District Council	Satellite dish at Council Offices, Priory Road, Spalding.
H09/0077/94 Kings Quality Homes	Two dwellings at Roman Bank, Holbeach Bank.
H18/0093/94 Regalbourne Ltd	Residential development (Substitute dwelling types on Plots 550, 569, 574-5) at Falklands Road, Sutton Bridge.

(b) Applications Refused

The undermentioned applications be refused planning permission in accordance with the recommendations of the Director of Planning and Building Control Services, as amended, where indicated:-

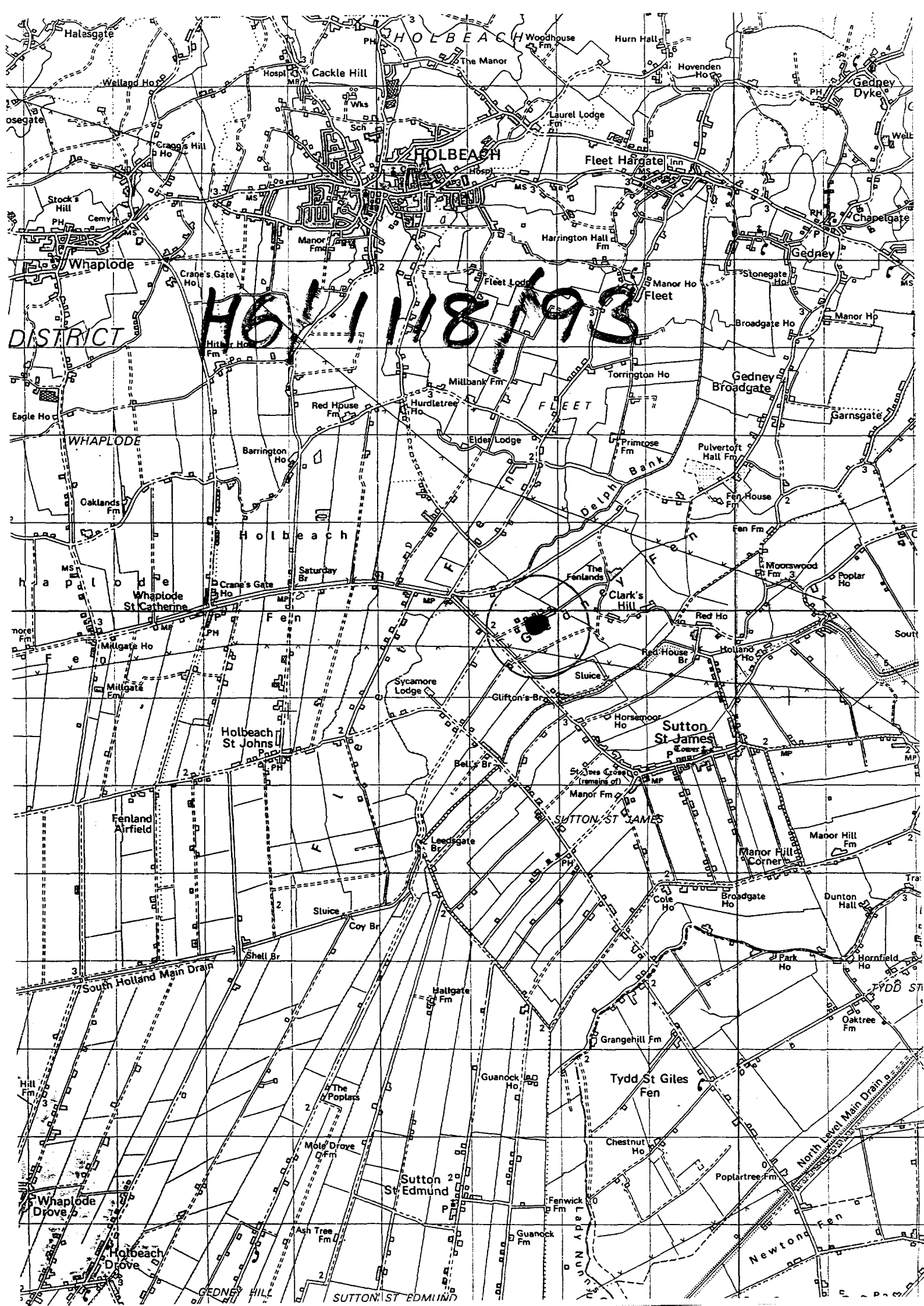
<u>Plan No. and Applicant</u>	<u>Proposal</u>
H06/1118/93 Mr & Mrs C J Warboys	Retention of dwelling without complying with agricultural occupancy restriction at Rydal, Ryefield Lane, Holbeach Fen.

(Councillors C F Fisher and B A Paul left the meeting following consideration of the above application.)

H08/1192/93 The Vicar, Church Wardens & Parochial Church Council of St Gilbert & St Hugh's Church	O.A. Residential development on land adjoining St Gilbert and St Hugh Church, Clough Road, Gosberton Risegate.
--	--

(Subject to the reason for refusal being amended to indicate that the development as presented would result in a conflict between the amenities of future occupiers of the dwellings on the site and the commercial activities on the haulage site to the east.)

H08/1204/93 Mr B Ibbotson	O.A. Two dwellings and demolition of existing at 9 Quadring Road, Gosberton.
H02/1205/93 Mr P Staniforth	Bungalow and garage at Thorney Road, Crowland.



H61118193

DISTRICT

WHAPLODE

Holbeach

FLEET

Delph Bank

Fenland Airfield

South Holland Main Drain

Sutton St James

SUTTON ST JAMES

Tydd St Giles Fen

North Level Main Drain

SUTTON ST EDMUND

H6/1118/93



