SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H07/0583/93 Received:29-JUN-93 Type:FULL

Name: Mr & Mrs J F Passfield
Hillgate
North Road
Gedney Hill
Spalding, Lincs

Agent: Mr & Mrs J F Passfield
Hillgate
North Road
Gedney Hill
Spalding, Lincs

Description: Change of use for the kennelling of 19 dogs

Location : Hillgate North Road
Gedney Hill 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 maximum number of dogs upon the site at any time shall not exceed 19 (*excluding puppies*).

Reason: In the interests of the amenities of the locality.

2 At the expiration of a period of 5 years from the date of this permission, the use hereby permitted shall be discontinued.

Reason: To enable the Local Planning Authority to review the effect of the proposed development upon the amenities of the locality.

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

Director of Planning and Building Control Services
28-MAR-94 H07/0583/93

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)

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H07/0583/93

Date Registered

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR MRS JF PASSFIELD
HILLGATE NORTH ROAD,
GEDNEY HILL,
SPALDING,
LINCS PE12 0NX

Tel. No. 0406 330142

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

N/A

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

CHANGE OF USE FOR THE KENNELLING OF 19 DOGS

Please complete — I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £120 ..... If you consider no fee is payable include a written explanation instead.

Signed. J.F. Passfield . M.E. Passfield Date 21/6/93 ..... 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. If building works are proposed, please state extra floor space to be created:	N/A	sq. metres
B. Please state size of any new structure:- (a) max. height:		metres
(b) max. length:		metres
(c) max. width:		metres
C. Please state type and colour of materials for facing external walls:		
D. Please state type and colour of roofing materials.		
E. Has a survey of the site been undertaken? State Yes or No		

5. GENERAL INFORMATION Please complete each section

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

AS HAS BEEN SINCE JAN 1984

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— Indiv dual 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	No

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	No	➡ If so, **please give details in Part 6**
The proposal affects a listed building	No	
The proposal affects a public right of way	No	
The proposal is known to affect contaminated or filled land	No	
The proposal is for industrial, warehousing, offices, shopping or similar commercial purposes.	No	➡ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent.	No	➡ Date: Consultee(s)
Is this application related to a previous submission?	No	➡ Application No.

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

Continue on separate sheet if necessary. Although we have 19 dogs, we have only 6 which can be trained to help support the 13 Yorkshire terrier persons

TYPE OF DEVELOPMENT

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

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(iii) Alterations or extension		
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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
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Is this application related to a previous submission?	NO	➡ Application No.

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

Continue on separate sheet if necessary. Although we have 13 dogs, we have only 6 which can be bred from to help support the 13 Yorkshire Terrier Pensioners

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H07/0583/93.

Date Registered 22 JUN 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR MRS J F PASSFIELD
WILLGATE NORTH ROAD,
GEDNEY HILL,
SPALDING,
LINCS PE12 0NX

Tel. No. 0406 330142

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

A|A

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

CHANGE OF USE FOR THE KENNELLING OF 19 DOGS

Please complete

I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £120 ..... If you consider no fee is payable include a written explanation instead.

Signed. J.F. Passfield ... J.E. Passfield Date 21/6/93 ..... 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**

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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.

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Means of Access [ ] Landscaping [ ]

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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.**	

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.

Signed V.F. Pasquier ... H.E. Rossfield (Applicant / Agent) Date 21.6.93 .....

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 V.F. Pasquier H.E. Rossfield (Applicant / Agent) Date 21.6.93 .....

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

Notes for Case Officer

Site Inspection

Accuracy : Sheds and runs at rear.
Neighbours :
Boundaries : High leylandii hedge on boundary with Chestnut Cottage.
Site Features : Field to South. Pair of semi-detached cottages.

Inspected by DMG
Date 7/7

Site Notice posted by
Date DMG
Expiry 7/7

Individual Resident Notices required:

Addresses to be sent to – Chestnut Cottage, North Rd 9/7

Addresses delivered to –

Case Officer Conclusions

RECOMMENDATION/DECISION

NON-DETERMINATION

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

Senior Officer confirmed .....

Withdrawn .....

~~DELEGATED DECISION~~

~~Case Officer Recommendation~~

Approve (or equiv) Refuse (or equiv)

Signed DMG Date 31/7

COMMITTEE

Confirmed as agenda .....

SUB-COMMITTEE

Confirmed as agenda .....

DPBCS AUTHORISED DMG 21/3

Decision Issue confirmed .....

Notes:

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

Conditions/~~Reasons~~: (cont overleaf)

1 The maximum number of dogs upon the site at any time shall not exceed 19 (excluding puppies).
Reason: In the interests of the amenities of the locality.

2 At the expiration of a period of 5 years from the date of this permission, the use hereby permitted shall be discontinued.
Reason: To enable the Local Planning Authority to review the effect of the proposed development upon the amenities of the locality.

Temp 5yrs ✓

Workfwe restricted ✓

Note -
(1) SN9 (Planning Obligation).

PC INSTRUCTION SHEET

APPLICATION REF:

Directions

Art 7 (Outlines)

☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

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

☒ Non Std

Precise details: Copy of amended 1:2500 and location plan required which outline the kennels/runs in red and the curtilage of the dwelling in blue.

(2) Length of site also shown incorrectly on 1:2500 plan. Amended plan should therefore reckify this.

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

Revalidation after Direction

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

Valid date:

Amended description

Reconsultations:

All.....

Specified:

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

Precise details:

Additional Consultation/Publicity Required

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

Extra Consultations:

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

Transport	D/Transp A15	..... G* T15	
TRA	D/Transp A18	.....	
	B Rail	.....	
Environment/	Env Services	..... DONE 02-JUL-93	
Drainage	NRA	.....	
WAT	IDB	.....	
	Env Assess	..... G ENV	Specify:
Conservation	LB Demolish	..... G* DEM	
LB	Archaeology	..... G ARC	Specify:
	Eng Heritage	.....	
	Consultant	.....	Order No:
	Other	.....	Specify:
Hazards	HSC Group	..... G* HAZ	
	Specific	.....	Specify:
Other PLA		.....	Specify:

Case Officer DAVID GEDNEY

Senior Officer Confirmed .....

Date. 1/7/93

Recorded DC....

ADMIN RECORD SHEET

Initial

Submitted Fee £ 130

Receipt No P39864

Date first Rec'd 22 JUN 1993

Registration

Reference H07/0583/93.

Cross-Ref — already there

Date 23/6/93.

Validation

TYPE FULL

Site area
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 £ 130.
Nil fee ☐
Discounted ☐
Previous app – ref:
Type of app
Reason:

Additional £
Refund £
Receipt No
Voucher No
Date
Date

Information

Index sheet 364 OS Plots
Grid ref 534300 191500

Ward W Parish GHILL

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 6050975 ☐
Dist Bound ☐
Other: ☐

Planning Records:
Earlier apps
176/89
217/76
218/76

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

BR 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

(JM

H07/0583/93
FULL

Applicant: Mr & Mrs J F Passfield
Tel: 0406 330142

Agent: Mr & Mrs J F Passfield
0406 330142

Description: Change of use for the kennelling of 19 dogs

Location: Hillgate
North Road
Gedney Hill
Spalding, Lincs

Valid date: 29-JUN-93
Target dates:
To case officer 06-JUL-93
Inspected by 13-JUL-93
Extra contacts 20-JUL-93
Report if not clear by 03-AUG-93

Terminal date: 24-AUG-93
Target Committee: 04-AUG-93
Report deadline: 21-JUL-93

Case Officer:
D M GEDNEY

DEVELOPMENT/CONSTRAINTS

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

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Owner/Occupier, Chestnut Cottage	09-JUL-93	30-JUL-93
Site/Press Advert MIN	07-JUL-93	28-JUL-93
Clerk to Gedney Hill 0775 724941	02-JUL-93	16-JUL-93
Dir of Environmental	02-JUL-93	16-JUL-93
Cllr Mrs E O Hall-Pa 0945 700 829	02-JUL-93	09-JUL-93

L.C.C. - No Objections JC 15/7/93

F N 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

H07/0583/93

FULL

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Report if not clear by	03-AUG-93	D M GEDNEY	

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Cllr Mrs E O Hall-Pa 0945 700 829	02-JUL-93	09-JUL-93

MEMORANDUM

FROM: The Director of Administration

TO: Director of Planning & Building Control Services

OUR REF: PBP/KS/PL.721

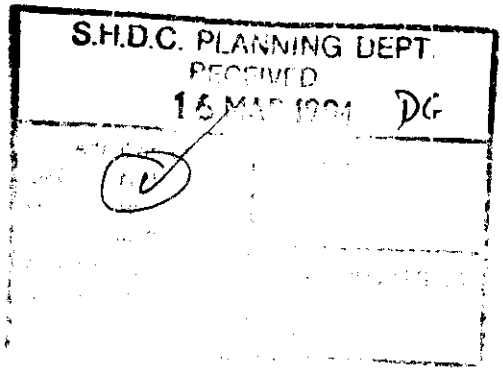
YOUR REF:

DATE: 15th March 1994

SUBJECT: PLANNING APPLICATION NO. H07/0583/93
CHANGE OF USE OF LAND AT HILLGATE, NORTH ROAD, GEDNEY FOR KENNELLING OF 19 DOGS

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

Director of Administration



SOUTH HOLLAND DISTRICT COUNCIL

DEED

Creating Planning Obligation

under Section 106 of the

Town and Country Planning Act 1990

between

SOUTH HOLLAND DISTRICT COUNCIL

and

JOHN FREDERICK PASSFIELD

and

HELEN ELIZABETH PASSFIELD

and

THE CONSUMER LOANS COMPANY LIMITED

re

the change of use of land at
Hillgate, North Road, Gedney Hill
for kennelling of 19 dogs

I hereby certify that this is a true
copy of the Planning Obligation relating to the
change of use of land at Hillgate, North Road,
Gedney Hill for kennelling of 19 dogs

R. Cook

.....
Director of Administration

THIS DEED is made the 11th day of March One thou d nine hundred and ninety-four BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincoln (hereinafter called "the Council") of the one part and JOHN FREDERICK PASSFIELD and HELEN ELIZABETH PASSFIELD of Hillgate North Road Gedney Hill in the County of Lincoln (hereinafter called the "Owners") of the second part and THE CONSUMER LOANS COMPANY LIMITED whose registered office is situate at Norwich House 45 Poplar Road Solihull West Midlands B91 3AW (hereinafter called "the Loan Company") of the third part

RECITALS

(1) The Council is the local planning authority for the area within which the land described in the First Schedule ("the Land") is situated

(2) The Owners are the owners in fee simple in possession of the Land subject to a mortgage dated the eighth day of October one thousand nine hundred and ninety in favour of the Loan Company

(3) The Owners have by application dated the twenty first day of June One thousand nine hundred and ninety three applied to the Council for planning permission for the change of use of the Land to a use for the kennelling of 19 dogs in accordance with the plans and particulars supplied therewith under planning reference H07/0583/93 ("the Development")

(4) The obligation created by this Deed is a planning obligation for the purposes of section 106 of the Town and Country Planning Act 1990

(5) The Council has decided to grant conditional planning permission for the Development subject to the creation of this obligation without which planning permission for the Development would not have been granted

(6) The Council is the local planning authority by whom the planning obligation is enforceable

NOW THIS DEED made in pursuance of section 106 of the Town and Country Planning Act 1990 WITNESSETH as follows

1. The Owners hereby agree to enter into the planning obligation specified in the Second Schedule hereto

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

3. The expression "the Council" "the Owners" and "the Loan Company" shall include their successors in title

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written

FIRST SCHEDULE
(Details of "the Land")

The land situate at Hillgate North Road Gedney Hill shown edged blue on the plan annexed hereto

SECOND SCHEDULE
(The Planning Obligation)

The Owners with the consent of the Loan Company evidenced by their execution hereof hereby covenant that the use of the Land authorised by the Development shall be discontinued permanently immediately JOHN FREDERICK PASSFIELD and HELEN ELIZABETH PASSFIELD aforementioned cease occupation of the dwelling shown coloured red on the attached plan

THE COMMON SEAL of THE SOUTH HOLLAND DISTRICT COUNCIL was hereunto affixed in the presence of

Chairman of the Council

Director of Administration

6119

SIGNED AS A DEED by the said JOHN FREDERICK PASSFIELD in the presence of:-

Witness

Address

Occupation

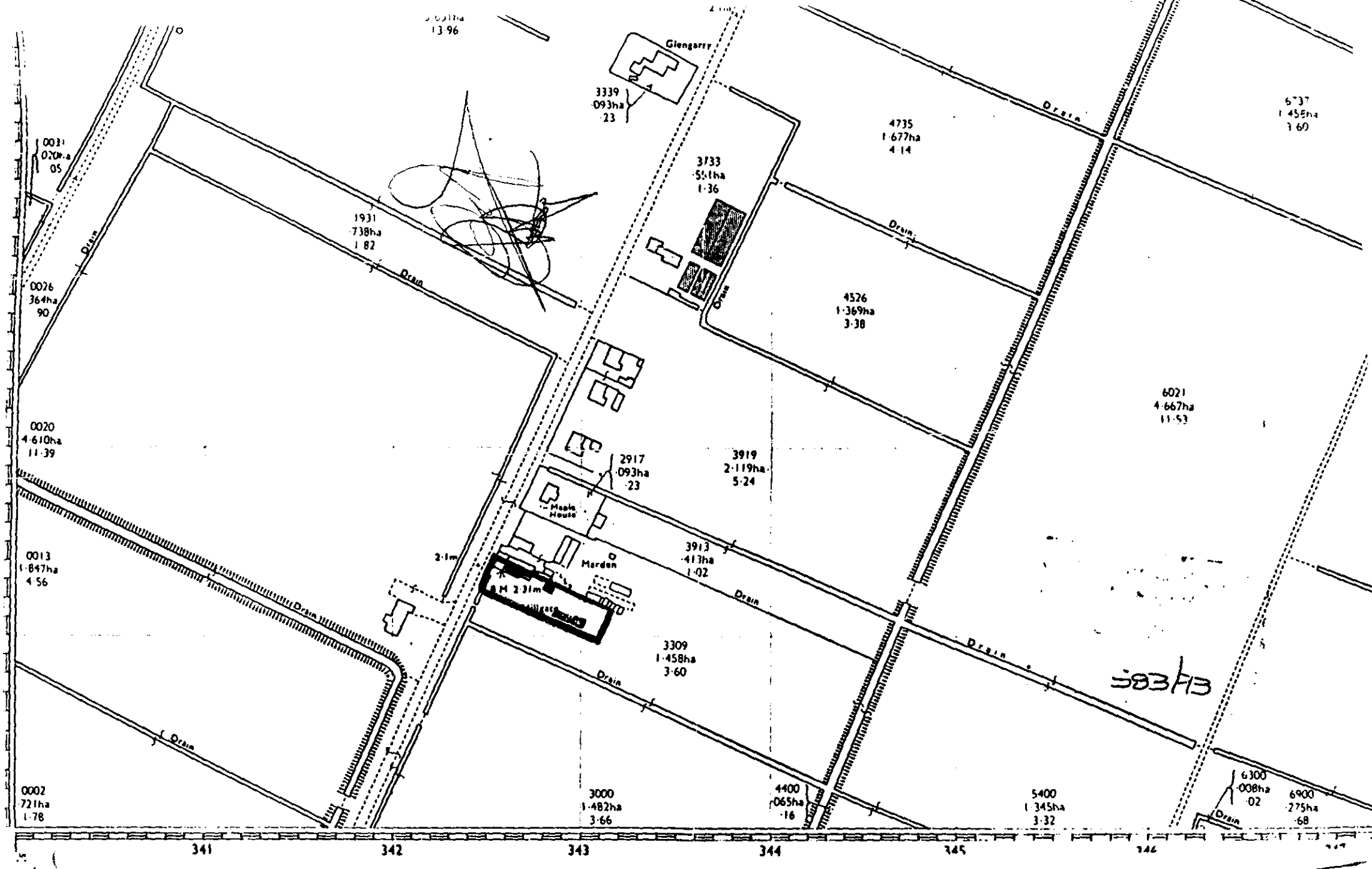
SIGNED AS A DEED by the said HELEN ELIZABETH PASSFIELD in the presence of:-

Witness

Address

Occupation

THE COMMON SEAL of THE CONSUMER LOANS COMPANY LIMITED was hereunto affixed in the presence of:-


Glengarry
3339
·093ha
·23
4735
1·677ha
4·14
3733
·551ha
1·36
1931
·738ha
1·82
Drain
0026
·364ha
·90
4526
1·369ha
3·38
6021
4·667ha
11·53
0020
4·610ha
11·39
2917
·093ha
·23
3919
2·119ha
5·24
Manse
House
3913
·413ha
1·02
0013
1·847ha
4·56
2·1m
Marden
M 2·31m
3309
1·458ha
3·60
383/13
0002
·721ha
1·78
3000
1·482ha
3·66
4400
·065ha
·16
5400
1·345ha
3·32
6300
·008ha
·02
6900
·275ha
·68
341
342
343
344
345

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: G Smith
Planning and Building
Control Services

To: J Berridge
Administration Dept.

Our Ref: GS/JJ H07/0587/93

Your Ref:

Date: 30 Sep 1993

H07/0587/93 - PLANNING OBLIGATION
MR AND MRS J F PASSFIELD, CHANGE OF USE FOR THE KENNELLING OF 19 DOGS.
HILLGATE, NORTH ROAD, GEDNEY HILL.

Further to my earlier memo dated 21st September 1993, please find enclosed a copy of the letter confirming that the applicant is willing to enter into the agreement.

G Smith
Technical Assistant

0406 330142

YOUR REF DMG/JJ/H07/0583/93

28/9/93

J. F. H. E. PASSFIELD
WILLGATE NORTH ROAD
GEDNEY HILL
SPALDING
LINCS

Dear Mr Gedney,

thank you for your letter dated 22nd Sept 1993
We write to confirm that we are willing to enter into the agreement that the authorisation ceases when we cease occupation of the existing dwelling within the application site

Yours faithfully
J. F. Passfield
H. E. Passfield

Mr & Mrs J F Passfield,
Hillgate,
North Road,
Gedney Hill,
Spalding,
Lincs.
PE12 ONX.

Mr D Gedney

DMG/JT H07/0583/93

22 Sep 1993

Dear Sir and Madam,

H07/0583/93 - MR AND MRS J F PASSFIELD
CHANGE OF USE FOR THE KENNELLING OF 19 DOGS, HILLGATE, NORTH ROAD, GEDNEY HILL.

With reference to the above, it was resolved at the Planning Committee of 4th August 1993 that the above be authorised, subject to the applicants first entering into a Section 106 Planning Obligation.

This agreement is to ensure that the use of the site authorised by the development is discontinued when the applicants cease occupation of the existing dwelling within the application site.

Could you therefore confirm in writing as to whether you are willing to enter into the above Agreement.

I look forward to hearing from you.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

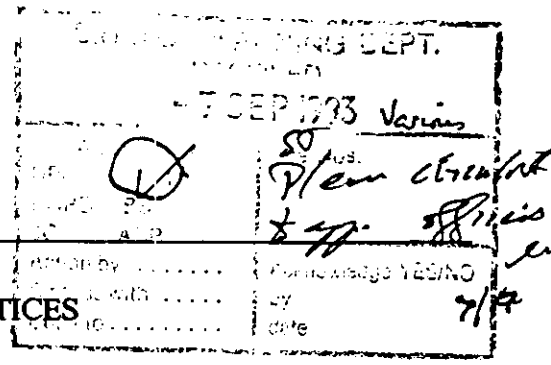
FROM: Director of Administration

TO: Director of Planning and Building Control Services

OUR REF: JMB/PK/PL.699

YOUR REF:

Date: 6th September 1993



SUBJECT: PLANNING OBLIGATIONS/ENFORCEMENT NOTICES

The information relating to the following Planning Obligations/Enforcement Notices authorised by the Planning Committee on 4th August, and the Plans Sub-Committee on 16th August, 1993 has not yet been received, and I should be most grateful if you would arrange for the information to be forwarded as soon as possible to enable me to pursue the various matters:-

Application Detail	Information Required
a) Enforcement Action - Valencia, Cranesgate Road, Whaplode St. Catherine (H23/0365/92)	10 plans indicating the curtilage of the site the subject of the unauthorised development edged in red, together with any information you might have concerning the ownership and/or occupation of the land.
b) Enforcement Action -29, Northorpe Road, Donington (H04/0504/93)	10 plans indicating the curtilage of the site the subject of the unauthorised development edged in red, together with any other information you might have concerning the ownership and/or occupation of the land.
c) **Planning Obligation -Hillgate, North Road, Gedney** (H07/0583/93)	4 plans showing the site of the application edged in blue, and the existing dwelling within the site edged in red, and a copy of the planning application form.
d) Enforcement Action -White House Farm, Colleys Gate, Lutton. (H12/0417/92).	10 plans indicating the curtilage of the site the subject of the unauthorised development edged in red, together with any information you might have concerning the ownership and/or the occupation of the land.
e) Planning Obligation -Hospital Farm, Littleworth Drove, Deeping St. Nicholas (H03/0490/93)	4 plans showing the farm unit edged in blue, and the proposed dwelling edged in red, and a copy of the planning application form.
f) Planning Obligation -17 High Street, Holbeach (H09/0534/93)	4 plans showing the land the subject of the obligation edged in red, and a copy of the planning application form.

(I understand that there is now some doubt whether there is a planning permission for the residential use of the above property, and that this aspect is currently being investigated.)

Director of Administration.

555. PLANNING APPLICATIONS (Continued)

(d) Applications Director of Planning and Building Control Services Authorised to Approve (Continued)

H02/0407/93 Crowland Methodist Church	Partial demolition of school room premises and formation of car park at Crowland Methodist Church, Reform Street, Crowland.

(Subject also to the Director of Planning and Building Control Services negotiating with the applicant the provision of screening at the rear of the site.)

(Councillor A.J. Biggadike left the meeting during consideration of the above application.)

H16/0517/93 Broadgate Builders	Bungalow with detached garage at plot 2, Beechfield Gardens, Spalding.

(Subject to the development being in accordance with the advice of the Council's Consultant.)

H08/0578/93 Mrs E Garner	Conversion of disused farm buildings to two dwellings at Westhorpe Road, Gosberton.

(e) Applications Approved Subject to Planning Obligations

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

Plan No. and Applicant	Proposal
H08/0444/93 Mr M Barney	Dwelling at Boston Road, Gosberton.

(To ensure that the proposed dwelling permanently remains tied to the agricultural holding of which it will form an integral part.)

(It was reported that suggested conditions had been submitted by the Department of Transport.)

H16/0532/93 Specialist Plant Services	Bungalow at 23 Weston Hills Road, Low Fulney, Spalding.

(To ensure that the proposed dwelling remains tied to the agricultural holding, of which it will form an integral part.)

DG

H07/0583/93 Mr and Mrs J F Passfield	Change of use for the kennelling of 19 dogs at Hillgate, North Road, Gedney Hill .

(To ensure that the use of the site authorised by the development is discontinued when the applicants cease occupation of the existing dwelling within the application site.)

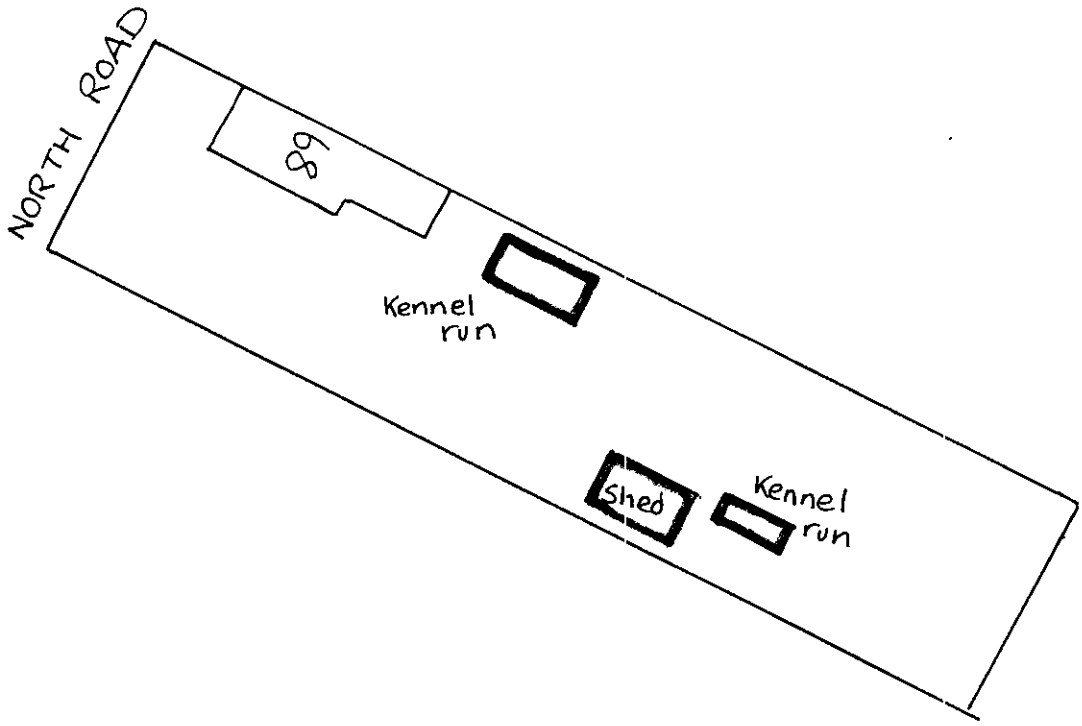
(Subject to the maximum number of dogs permitted on the site as detailed in condition No. 1 not including puppies.)

(Councillor A E Naylor left the meeting during consideration of the above application and Councillor C J T H Brewis left following consideration of the application.)

37	H09/0534/93 Mr Mohammed Ajaib	DMG	Deferred for site visit. Require Transparancy plan showing where double yellow lines are. Add condition ref advert rights.
40	H01/0542/93 Mr & Mrs C Russell	DJR	Refused as recommended.
42	H16/0563/93 Tanglewood Group	PJU	Grant as recommended.
44	H08/0565/93 H08/0566/93 H08/0567/93 Gosberton Haulage	DJR	Refused as recommended.
48	H14/0572/93 Mr & Mrs M Woolsey	DJR	Refused as recommended.
50	H18/0576/93 Regalbourne Ltd	DMG	Deferred. Check conditional alignments of original permission with Highways, search out facts and liaise with Admin Dept as to whether we can enforce the visibility condition.
52	H08/0578/93 Mrs E Garner	DJR	DPBCS Auth as recommended.
54	H07/0583/93 Mr & Mrs Passfield	DMG	DPBCS Auth subject to sect 105 agreement as recommended. Amendment required to condition 1 - wait for minutes.
56	H09/0598/93 Kings Quality Homes	JB	Grant as recommended. All residents to be notified with copy of decision notice - ACP to arrange.
58	H22/0608/93 Mr N Johnson	PJU	Deferred for site visit.
60	H08/0611/93 Mr G P Meads	PJU	Refused as recommended.
62	H16/0623/93 H16/0624/93	DJR	No objections as recommended.

06 Aug 93

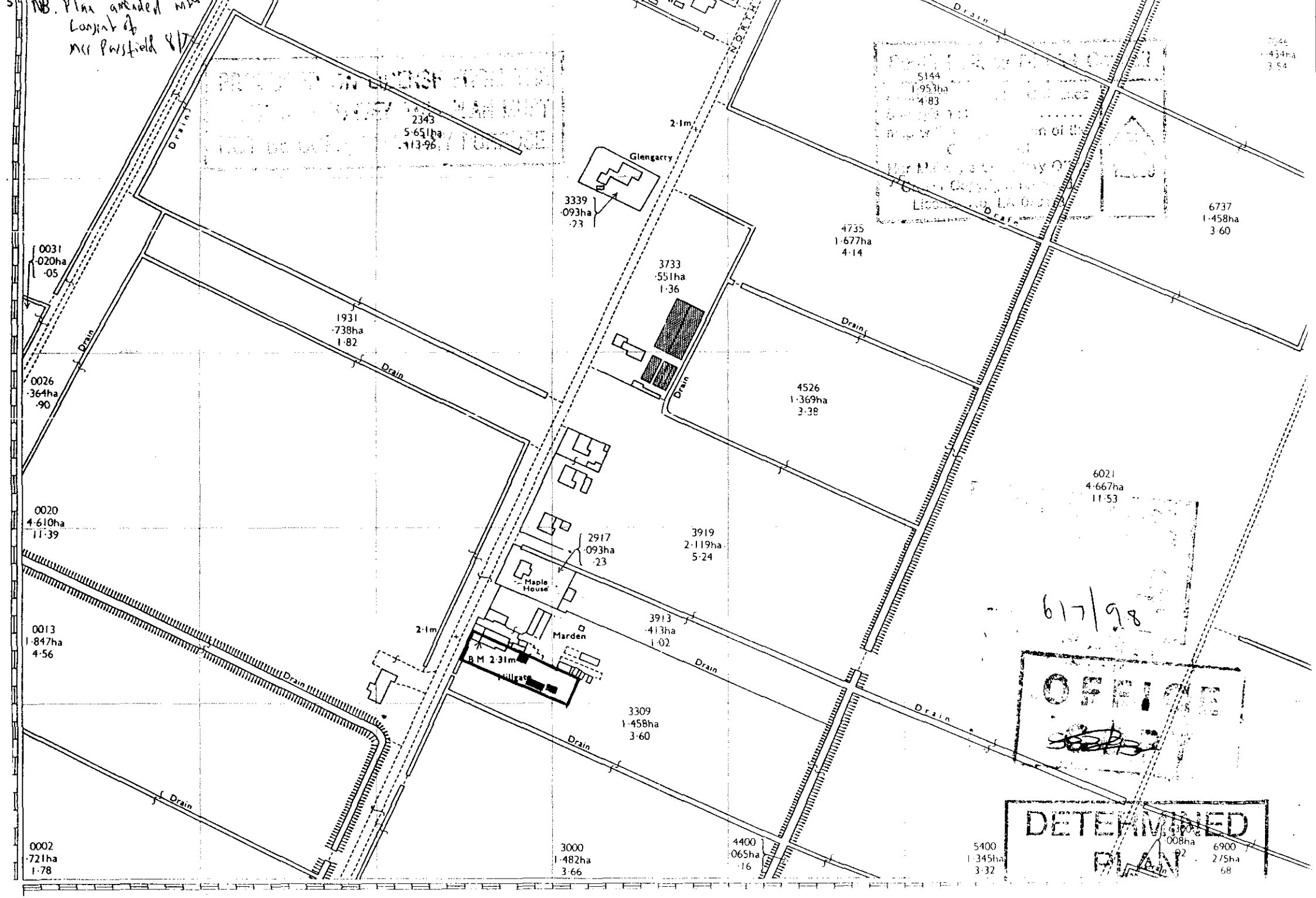
Signed: .....
N Midlen
Principal Planning Officer



1:500 N

2

617/98


NB. Plan amended
Consent of
Mrs Pursfield 9/7
2343
5·651ha
13·96
Glengarry
3339
·093ha
·23
2·1m
5144
1·953ha
4·83
6737
1·458ha
3·60
4735
1·677ha
4·14
3733
·551ha
1·36
0031
·020ha
·05
1931
·738ha
1·82
Drain
0026
·364ha
·90
4526
1·369ha
3·38
6021
4·667ha
11·53
0020
4·610ha
11·39
2917
·093ha
·23
3919
2·119ha
5·24
Maple House
Marden
3913
·413ha
1·02
BM 2·31m
Village
0013
1·847ha
4·56
3309
1·458ha
3·60
0002
·721ha
1·78
3000
1·482ha
3·66
4400
065ha
·16
5400
1·345ha
3·32
6900
2·75ha
6·8
617/98
OFFICE
DETERMINED
PLAN

APPLICATION REFERENCE: H07/0583/93 DATE RECEIVED: 29-JUN-93

TYPE: Full

DESCRIPTION: Change of use for the kennelling of 19 dogs

LOCATION: Hillgate, North Road, Gedney Hill

APPLICANT: Mr & Mrs J F Passfield AGENT:

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date - 4 AUG 1993

REASON FOR COMMITTEE CONSIDERATION

To enable Members to ascertain whether the proposed use will adversely affect the residential amenity of neighbouring property.

RECOMMENDATION

That the Director of Planning and Building Control Services be authorised to grant permission, subject to:-

A. The applicants entering into a Section 106 planning obligation limiting the use only for as long as their continued occupancy of the dwelling within the site.

B. Conditions.

COMMENTS

1 Situation brought to light by Environmental Services re: application for dog breeding licence.

2 Notwithstanding the comments of Environmental Services, the use has been in operation for almost 10 years with no complaints received. Under the circumstances, therefore, it is considered that permission should be granted for a temporary period of 5 years. This is also subject to the applicants entering into a planning obligation to ensure that the use is restricted to themselves, to prevent any change in management.

REPRESENTATIONS

Parish Council: No response

Environmental Services: Small semi-detached property and whilst not aware of any complaints, remain of opinion that the property is unsuitable for such a purpose, bearing in mind the number of dogs involved.

Understand premises are used for dog breeding and there could therefore be an increase in numbers from puppies from time

to time. Kennels are of wooden construction and noise from site is inevitable. Therefore unable to support application.

Public: Publicity period expires 30 July 93 - any response to be reported.

Applicant: Summarised:

- Use has been in operation since January, 1984.
- Dogs kept purely as a hobby (presently 19). Have six breeding bitches, other 13 dogs are all Yorkshire Terriers, which are pensioners up to 16 years of age.
- Do not keep the dogs for financial gain and never have.

SCHEDULE OF CONDITIONS

1 The maximum number of days upon the site at any time shall not exceed 19.
Reason: In the interests of the amenities of the locality.

2 At the expiration of a period of 5 years from the date of this permission, the use hereby permitted shall be discontinued.
Reason: To enable the Local Planning Authority to review the effect of the proposed development upon the amenities of the locality.

19th July 1993

NRA

National Rivers Authority
Anglian Region

B Smith Esq
District Planning Officer
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire
PE11 2XE

Our Ref: 93/1/SH/0199
Contact: G.THORNALLEY

Dear Sir,

Planning Application No. H07/0583/93

PROPOSAL: CHANGE OF USE TO DOG KENNELS
LOCATION: HILLGATE NORTH ROAD GEDNEY HILL
APPLICANT: MR.&MRS. J.F. PASSFIELD

I refer to your consultation received on 16th July 1993.

This Authority has no objection to the proposed development. A letter of advice, in relation to the prevention of pollution of the water environment has been passed to the applicant.

Yours faithfully

R.Morgan
Planning Manager

S.H.D.C. PLANNING DEPT.
RECEIVED
21 JUL 1993 DG

GRAINGER DAVIES, B.Sc.,
C.Eng., F.I.C.E., F.I.W.E.M.
Regional General Manager

Northern Area
Aqua House
Harvey Street
Lincoln
LN1 1TF
Tel: (0522) 513100
Telefax: (0522) 512927

BR. .N 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: H07/0583/93

Applicant: Mr & Mrs J F Passfield
Hillgate
North Road
Gedney Hill
Spalding, Lincs

Agent: Mr & Mrs J F Passfield
Hillgate
North Road
Gedney Hill
Spalding, Lincs

Description: Change of use for the kennelling of 19 dogs

Location: Hillgate
North Road
Gedney Hill
Spalding, Lincs

Type: FULL

Date received: 22-JUN-93

23-JUN-93

Dear Sir/Madam

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

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

Four copies of a 1:2500 site location plan with site edged red. Copies can be purchased from this office.

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 HOLLAND D.C.
PLAN DEPT
29 JUN 1993
REF ..... Valid .....

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: G Smith
Planning and Building
Control Services

To: J Berridge
Administration Dept.

Our Ref: CS/JJ H07/0583/93

Your Ref:

Date: 21 Sep 1993

H07/0583/93
MR AND MRS J F PASSFIELD, CHANGE OF USE FOR THE KENNELLING OF 19 DOGS HILLGATE, NORTH ROAD, GEDNEY HILL.

It was resolved at the Planning Committee of 4th August 1993 that the above be authorised, subject to the applicants first entering into a planning obligation under the provisions of Section 106.

This Agreement is to ensure that the use of the site authorised by the development is discontinued when the applicants cease occupation of the existing dwelling within the application site.

In order that you may prepare the necessary documentation, please find enclosed the following information:-

1. A copy of the planning application form.

2. Four copies of a 1:2500 site location plan showing the existing site, edged blue, and the existing dwelling within the site edged in red.

Confirmation that the applicant is willing to enter into the above agreement will be forwarded when received.

G Smith
Technical Assistant

Enc.

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 9.7.93

OUR REF: JC/SS/PC

TO: DIRECTOR OF PLANNING & BUILDING CONTROL SERVICES YOUR REF:

Planning Application H07/0583/93
Kennelling of 19 dogs, North Road, Gedney

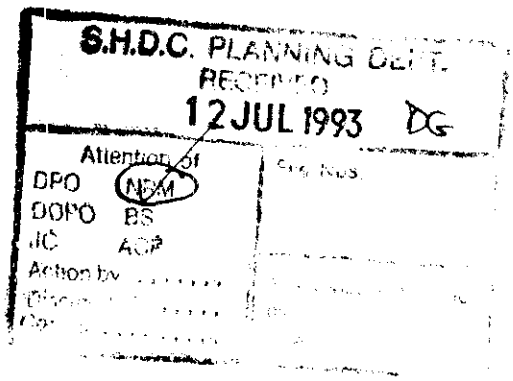
This is a small semi-detached property and whilst I am not aware of any complaints I remain of the opinion that the property is unsuitable for such purpose bearing in mind the number of dogs involved.

I understand that the premises are used for dog breeding and there could, therefore, be an increase in numbers from puppies from time to time.

The kennels are of wooden construction and noise from the site is inevitable.

In the circumstances I am unable to support this application.

Director of Environmental Services



BR..N 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 : P2864
Date received : 22-JUN-93

Received from

J F & H E Passfield

Address

Hillgate
North Road
Gedney Hill
Spalding

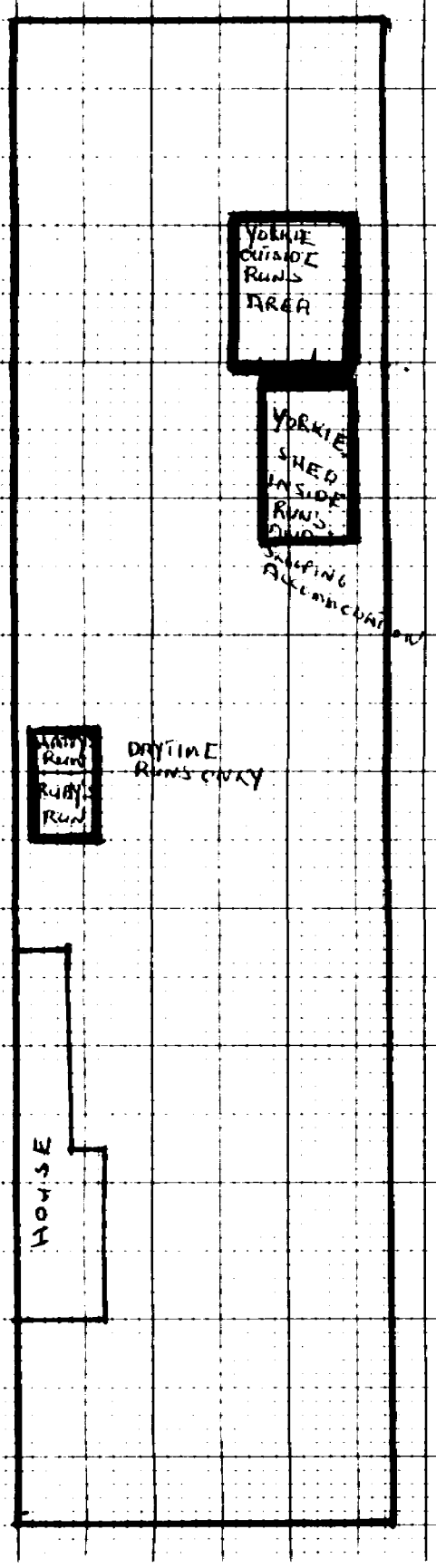
Fee paid	£	120.00
VAT	£	0.00
Total received	£	120.00

Cash/Cheque : Cheque

Signed.....H. Lowe...
(Authorised Collector)

EACH TINY SQUARE REPRESENTS 2 FEET

THE PLOT SIZE IS APPX 220' LONG 55' WIDE



SOUTH HOLLAND D.C.
PLAN DEPT
29 JUN 1993
REF S83/93

NB. Plan amended with revised

Mrs Purfield 8/7

DETERMINED
PLAN