FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

## Refusal of Planning Permission

Reference: H08/0551/93 Received:16-JUN-93 Type:FULL

Name: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Agent: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Description: Retain existing portacabin

Location : New Haven Risegate Road
Gosberton Risegate Spalding

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

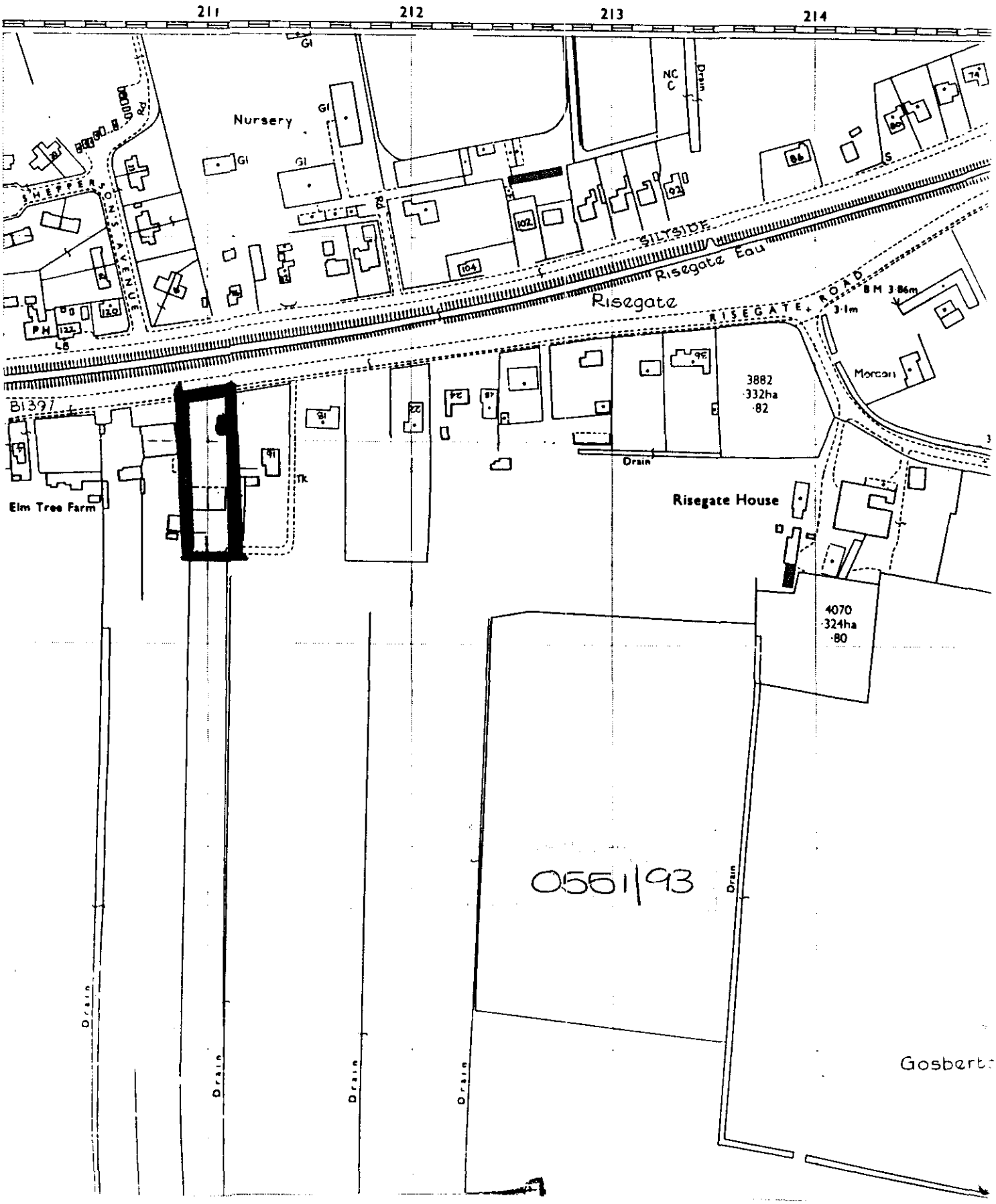
1 *In the opinion of the Local Planning Authority, the portacabin is* seriously detrimental to the visual amenities of the locality and the amenities and outlook of the adjoining dwelling.

Director of Planning and Building Control Services
21-OCT-93 H08/0551/93

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)


211
212
213
214
Nursery
Risegate
Risegate Eau
RISEGATE ROAD
B1397
Elm Tree Farm
Risegate House
Morcan
3882
·332ha
·82
4070
·324ha
·80
Drain
0561/93
Gosbert

FOUR COPIES REQUIRED

# PLANNING APPLICATION

**For office use only**

Application No. H08/0551/93

Date Registered

14 JUN 1993

1. Please complete in block letters

**NAME AND ADDRESS OF APPLICANT**

1 BATES
174 STATION RD
SURFLEET

Tel. No. 07256807116

**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**

NEW HAVEN NISEGATE RD GOSBERTON NISEGATE

Please complete in block letters

**DESCRIPTION OF PROPOSED DEVELOPMENT**

PORTACABIN

Please complete

I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of 60 — If you consider no fee is payable include a written explanation instead.

Signed.... Date 27/5/93 — 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: 1 |
| (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: | sq. metres |
| C. Please state size of any new structure:- (a) max. height: | 3 metres |
| (b) max. length: | 10 metres |
| (c) max. width: | 3 metres |
| D. Please state type and colour of materials for facing external walls: | GREEN |
| E. Please state type and colour of roofing materials. | BLACK |
| F. Has a survey of the site been undertaken? State Yes or No | YES |

5. **GENERAL INFORMATION** Please complete each section

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

**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 | SOAKAWAY |
| B. For estate developments, please state how highway surface water will be disposed of | N/A |
| 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 | YES | ➡ 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. | YES | ➡ 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.* SEE LETTER

## 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 [48] sq. m.

This new total includes the following net floorspace:

Retail [ ] sq. m. Office [ ] sq. m. Indistrial [ ] sq. m. Warehousing [ ] sq. m.

Other [30] sq. m. → If so, please state use: REST ROOM TOILETS

| | 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? | N/A | N/A | N/A |
| If you propose to transfer staff from other premises please give details of the numbers involved and of the premises affected. | No | | |
| 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. | N/A | | |
| 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 | No | | |
| Is the proposal related to an existing use on or near the site? | State Yes or No: YES | | |
| If so, please explain the relationship | REPLACING SIMLAR ~~No~~ BUILDING | | |
| 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: YES | | |
| If so, please give details including gross floor area of such premises and state your intentions in respect of those premises. | 48 Sq M TO BE REMOVED TO SITE CABIN | | |
| 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) | AS BEFORE | | |
| 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) | NOT KNOW | | |
| What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse? | NONE | | |
| Will the proposed use involve the use of storage of any hazardous materials? | State Yes or No: No | If yes, you may need to apply for Hazardous Substances Consent | |
| What provision is being made for access to premises for the disabled? | NONE | | |

# 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 ..... (Applicant / Agent) Date 27-5-93

**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 ..... (Applicant / Agent) Date 27-5-93

**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 .....

# ADMIN RECORD SHEET

**Init** ~

Submitted Fee £ 60

Receipt No P23819

Date first Rec'd 14 JUN 1993

**Registration**

Reference H08/0551/93

Cross-Ref —

Date 15-JUN-93 ~~JAB~~

## Validation

TYPE FULL

Site area 30
No of dwellings
Floorspace

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

Description to be recorded: ~~Erection of building~~ temporary ~~building~~ Retain existing Portacabin

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

| | | | | |
|---|---|---|---|---|
| Fees | Correct fee £ 60 | Nil fee ☐ | Previous app – ref: | |
| | | | Type of app | |
| | | Discounted ☐ | Reason: | |
| | Additional £ | Receipt No | Date | |
| | Refund £ | Voucher No | Date | |

## Information

Index sheet 77. OS Plots
Grid ref 521100. 329790.

Ward U Parish Gosberton.

Inside IBD No. Inside LP area No.

Constraints:

| | | | |
|---|---|---|---|
| CA Cons Area | ☐ | TR Rural | ☐ |
| LB Listed – Grade: | ☐ | BP TR proposed 67m | ☐ |
| ARC Archaeology | ☐ | LC Level Cross | ☐ |
| AM Ancient Mon | ☐ | FP Footpath | ☐ |
| SSI Special Int | ☐ | TPO Tree Pres | ☐ |
| | | Hazards – | |
| | | HAZ Site | ☐ |
| | | AIR Safeguard | ☐ |
| Dist Bound | ☐ | LIN Elect | ☐ |
| | | PIP Pipe | ☐ |
| Other: | ☐ | CON Waste/contamin | ☐ |

Linked to site Ref 1411

Linked to property Ref

Planning Records:
Earlier apps —

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

# APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by DR
Date 25/6

Site Notice posted by DR
Date 25/6
Expiry

Case Officer Conclusions

Existing Portacabin on the adjoin bungalow - windows fence lit 1-8m screen fence + hedge. not materially detrimental but not pretty

Individual Resident Notices required:

Addresses to be sent to –

R.C. Harris,
12 Risegate Rd,
Gosberton Risegate ✓ done 29/6.

Addresses delivered to –

## RECOMMENDATION/DECISION

NON-DETERMINATION

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

Senior Officer confirmed .....

Withdrawn .....

COMMITTEE

Confirmed as agenda .....

SUB-COMMITTEE

Confirmed as agenda ✓ 20/10

DPBCS AUTHORISED

Decision Issue confirmed .....

DELEGATED DECISION

Case Officer Recommendation

Approve (or equiv) | Refuse (or equiv)

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

Notes:

- [ ] Disabled
- [ ] Prev conditions
- [ ] Amended plans –
  Dwg no:
  Received:

Conditions/Reasons: (cont overleaf)

# DC INSTRUCTION SHEET

APPLICATION REF: H08/0551/93

## Directions

Art 7 (Outlines)

☐ RM checklist

| | Sit | Des | Ext | Acc | Land |
|---|---|---|---|---|---|
| Previous | | | | | |
| Current | | | | | |
| Required | | | | | |

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

☐ Non Std

Precise details:

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

## Revalidation after Direction

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

Valid date:

Amended description

Reconsultations:

All.....
Specified:

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

Precise details:

## Additional Consultation/Publicity Required

PDC 18-6
DC 24/6

| | 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 | ..... | |
| 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

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

660. PLANNING APPLICATIONS (Continued)

(b) Applications Refused (Continued)

(Councillor C.J.T.H. Brewis entered the meeting during consideration of the above item and asked that his concern at the decision to refuse be recorded.)

| | | |
|---|---|---|
| H04/0763/93<br>Mr W Lockhead | O.A. | Dwelling at Little Oliver's Road, off Bicker Road, Donington. |
| H23/0786/93<br>Mr K Usher | O.A. | Residential development (two plots) adjoining Red Roofs, Dowsdale Bank, Crowland. |

(Councillor N.P. Judge, M.B.E. left the meeting following consideration of the above application.)

| | |
|---|---|
| H16/0793/93<br>The Furniture Company | Fascia sign at Elsom House, Broad Street, Spalding. |

(c) Applications Deferred

Consideration of the following applications be deferred for the reasons indicated:-

| Plan No. and Applicant | Proposal |
|---|---|
| H08/0551/93<br>I Bates | Retain existing portacabin at New Haven, Risegate Road, Gosberton Risegate. |

(Pending a site inspection to ascertain the impact of the development upon the adjoining property.)

(Councillor W.D. Skells declared an indirect interest in the above application, and left the Council Chamber during consideration thereof.)

| | |
|---|---|
| H02/0643/93<br>G M Riddington Partnership | Dwelling at Poplars Farm, Cloot Drove, Crowland. |

(Pending a site inspection to assess the suitability of the site for the proposal.)

(Councillor M.S.L. Rollinson declared an indirect interest in the above application, and left the Council Chamber during consideration thereof.)

| | | |
|---|---|---|
| H06/0657/93<br>Mr C J W Franks | O.A. | Petrol filling Station at Main Road, Gedney. |

(Pending a site inspection to assess the suitability of the site for the proposal and to inspect the sites of other similar proposals that have been granted in the vicinity of the application site.)

(It was also agreed that, subject to the concurrence of the Plans Sub-Committee, the Director of Planning and Building Control Services enter discussions with the Department of Transport to see if the Department is prepared to withdraw its direction of refusal.)

| | |
|---|---|
| H23/0661/93<br>Mr R Regan | Dwelling to replace existing fire damaged property at Church Cottage, Church Gate, Whaplode. |

Minutes of a meeting of the PLANS SUB-COMMITTEE held in Meeting Room 1, Council Offices, Priory Road, Spalding on Monday, 18th October, 1993.

**PRESENT**

2

Councillors:

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

| | | |
|---|---|---|
| Mr. C.J.T.H. Brewis | Mr. J.A. Dobney | Mr. W.D. Skells |
| Mr. J. Clark | Mr. N.P. Judge, M.B.E | Mr. T.G.M. Tyler |
| Mrs. D.F. Davies | Mr. A.E. Naylor | Mr. R.C. West |
| Mr. E.N. Davies | Mr. J.R. Pearl | Mr. M.C. White |

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

In attendance: The Press.

Apologies for absence were received from or on behalf of Councillors Mrs. P.J. Buffham, J.T. Davis, Mrs. E.O. Hall-Patch and M.S.L. Rollinson.

686. MINUTES

The Minutes of the meeting held on 27th September, 1993 were signed by the Chairman as a correct record.

687. PLANNING APPLICATIONS

(a) Determinations following Site Inspections

The following applications were determined as indicated following an inspection of each site:-

| Plan No. & Applicant | Proposal |
|---|---|
| H08/0551/93<br>I Bates | Retain existing portacabin at Newhaven, Risegate Road, Gosberton Risegate. |

RESOLVED: (a) Planning permission be refused for the above application in accordance with the recommendation of the Director of Planning and Building Control Services; (b) the Director of Administration be authorised to take enforcement action under the provisions of Sections 172/173 of the Town and Country Planning Act 1990 requiring the removal of the portacabin within a period of six months in the interests of the visual amenities of the locality; (c) the applicant be invited to enter discussions about the possibility of resiting the portacabin with the local planning authority; and (d) the applicant be invited to submit a separate planning application for the use of the site for cesspool emptying vehicles.

(Councillor W.D. Skells declared an indirect interest in the above application and left the meeting during consideration thereof. It was also reported that Councillor Skells had declared an interest when the site was inspected, and had remained on the coach during the inspection.)

APPLICATION REFERENCE: H08/0551/93 DATE RECEIVED: 16-JUN-93

TYPE: Full

DESCRIPTION: Retain existing portacabin

LOCATION: New Haven, Risegate Road, Gosberton Risegate

APPLICANT: I Bates AGENT:

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REASON FOR COMMITTEE CONSIDERATION

Resident objection.

SOUTH HOLLAND DISTRICT COUNCIL
PLANNING COMMITTEE
Date -6 OCT 1993

RECOMMENDATION

*A Refuse permission.*

*1 In the opinion of the Local Planning Authority, the portacabin is seriously detrimental to the visual amenities of the locality and the amenities and outlook of the adjoining dwelling.*

*B Should the Committee be minded to grant planning permission, the application be deferred and the site inspected by the Sub-Committee in order to consider the relationship of the proposal to the amenities of the locality and the adjoining dwelling.*

*C That enforcement proceedings be sanctioned to secure the removal of the portacabin within a period of 6 months, in the interests of the visual amenities of the locality.*

*D That the application be invited to discuss the possibility of re-siting the portacabin.*

*E The applicant be invited to submit a separate planning application for the use of the site for cesspool emptying vehicles.*

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COMMENTS

1 Application as a result of Enforcement Officer investigations following complaint from neighbour. Portacabin is sited close to road, in prominent location, adjacent to neighbouring bungalow.

2 Site situated within general open yard area with store buildings to rear. May be possible to re-site portacabin to less sensitive location.

3 Use of yard by cesspool emptying vehicles presently being investigated, but in relation to this the specific matters raised by the objector need to be considered.

4 A check on the planning history of the site reveals no history. It has to be assumed, therefore, that the yard has grown and developed over time to its present use. In my opinion the use may best be described as an agricultural contractors yard, and its use by items of farm equipment and machinery may be immune from planning enforcement.

5 The question of the use by cesspool emptying vehicles raises separate questions. The most obvious being does this use constitute a separate and materially different use for which planning permission is required. Although a definitive answer cannot be given at this stage, the balance of possibility leads one to conclude that it is a separate use requiring planning permission, as distinct from the main use of the land.

6 Accordingly, therefore, the applicant should be advised to submit a planning application to regularise the use which would need to be determined on its individual merits in light of all relevant information and responses to consultations. If the applicant considers permission is not required he could submit a simultaneous or alternative application for a Certificate of Lawful Use.

REPRESENTATIONS

Parish Council: None received.

Ward Member: Supported.

Environmental Services: No objections in principle to portacabin but previous complaints received regarding certain commercial activities. To date, unable to substantiate any statutory nuisances.

Public: Objection received from 12 Risegate Road - summarised:
- Located adjacent to bungalow. Taken light from kitchen and bathroom.
- Original building 16' long; portacabin 28' long containing 4 windows facing kitchen, bathroom and conservatory.
- Loss of privacy.
- Building could be re-positioned to other side of yard, or sited further back to reduce problems, providing beet harvesters are not parked next to fence again blocking light.
- Yard originally contained farmhouse, plus equipment. Now developed into a commercial yard, causing unlimited noise and fumes.

Applicant: Summarised:
- Portacabin to house toilet and rest room. Cabin is 8 ft high.
- To replace former unsightly building on site, which had been there since 1933.
- Sited 1.3 metres from fence to improve light to neighbour.

- Re-siting could worsen situation for neighbour as I will have no alternative but to re-site taller machines on the boundary meaning increase in noise and further loss of light.
- Security would also be a problem, small yard and all available space is needed.

---

**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

## H08/0551/93

FULL

Applicant: I Bates
Tel: 0775 680716

Agent: I Bates
0775 680716

Description: Retain existing portacabin

Location: New Haven
Risegate Road
Gosberton Risegate
Spalding

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Valid date: 16-JUN-93
Target dates:
To case officer 23-JUN-93
Inspected by 30-JUN-93
Extra contacts 07-JUL-93
Report if not clear by 21-JUL-93

Terminal date: 11-AUG-93
Target Committee: 04-AUG-93
Report deadline: 21-JUL-93

Case Officer:
D J ROBERTS

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DEVELOPMENT/CONSTRAINTS

Size: 30 M2
Category: Newbuild
Listed building:
Conservation Area:

Other Constraints:

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CONSULTATIONS CARRIED OUT

| | Sent | Expiry |
|---|---|---|
| R C Harris Esq, 12 Risegate Road | 29-JUN-93 | 20-JUL-93 |
| Site/Press Advert MIN | 25-JUN-93 | 16-JUL-93 |
| Clerk to Gosberton P 0775 840415 | 21-JUN-93 | 05-JUL-93 |
| Cllr J A Dobney | 21-JUN-93 | 28-JUN-93 |

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SITE RECORD

Grid ref: 521100 329790
OS Sheet: 77 Parcel:

L.C.C - No Objections/Cds

**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

# H08/0551/93

FULL

Applicant: I Bates
Tel: 0775 680716

Agent: I Bates
0775 680716

Description: Portacabin

Location: New Haven
Risegate Road
Gosberton Risegate
Spalding

---

| | | | |
|---|---|---|---|
| Valid date: | 16-JUN-93 | Terminal date: | 11-AUG-93 |
| Target dates: | | Target Committee: | 04-AUG-93 |
| To case officer | 23-JUN-93 | Report deadline: | 21-JUL-93 |
| Inspected by | 30-JUN-93 | | |
| Extra contacts | 07-JUL-93 | Case Officer: | |
| Report if not clear by 21-JUL-93 | | D J ROBERTS | |

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DEVELOPMENT/CONSTRAINTS

Size: 30 M2
Category: Newbuild
Listed building: Other Constraints:
Conservation Area:

---

CONSULTATIONS CARRIED OUT

| | Sent | Expiry |
|---|---|---|
| Site/Press Advert MIN | 25-JUN-93 | 16-JUL-93 |
| Clerk to Gosberton P 0775 840415 | 21-JUN-93 | 05-JUL-93 |
| Cllr J A Dobney | 21-JUN-93 | 28-JUN-93 |

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SITE RECORD

Grid ref: 521100 329790
OS Sheet: 77 Parcel:

L.C.C. – No Objections JCB 24/6/93

B AN 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: H08/0551/93

Applicant: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Agent: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Description: Retain existing portacabin

Location: New Haven Risegate Road
Gosberton Risegate Spalding

Type: FULL

28-OCT-93

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 refused in this case.

The full reasons for refusal can be seen by inspecting the register of applications which is available in this Department.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

R C Harris Esq
12 Risegate Road
Gosberton Risegate
Spalding
Lincs

H06/551/93

LATE OPS: Off. Date 13-10

Salient points highlighted

OCT 1993 DR

Pisegate Road,
Gosberton,
Spalding
8th Oct. '93.

12/10 18/10 Sub-Cttee

Dear Mr Smith,

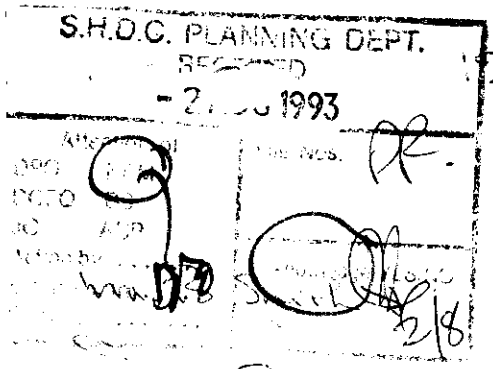
Further to the Committee meeting held on Wednesday last, and your recommendation for a Site Visit to the adjoining yard, I understand this will probably take place on the afternoon of 18th Oct. I am aware that the viewing members of the Council will not be prepared to enter into any discussion on our objection to the Portacabin, but feel it is absolutely

essential they view not only from my side of the fence but also from the inside of my property, where it is necessary keep blinds down To ensure the privacy one would expect in ones own home.

I trust, on your advice, they will accept this invitation

Yours sincerely

R. E. Harris



S.H.D.C. PLANNING DEPT.
RECEIVED
- 2 ... 1993
Attachment
DPO
DCTO
JC
ACP
File Nos. PR.
Mr. D.B. Smith
2/8

12 Pisegate Road,
Gosberton
Spalding.

Cpd 6 30th July '93.
Ans Sue 2/8

Dear Sir,

Thank you for your letter of the 28th inst. & photos enclosed. As you pointed out the copies are undated, but from our knowledge of properties shown, and the alterations made to them, plus information from neighbours, one was taken approx. 8 years ago, & the more recent one showing our bungalow approx 5 years. As you can see the yard originally contained a farm house plus equipment for their own use. Now it has become a commercial yard

3.

with large farming equipment, plus Cesspool emptying vehicles causing unlimited noise and fumes This continues daily, & frequently late into the evening further noise Takes place when repairing vehicles

Referring To the copy of the letter received by you from J Bates, in my opinion this is nothing more than a veiled threat, that should he have To resite the Portacabin, he will then cause loss of light more noise and diesel fumes, plus an invasion of our privacy by parking 14 machinery in its place. At the time of writing we have one of these vehicles parked by the fence

3.

frequently started up and allowed to run, making it impossible to sit in the garden or open windows. He has also admitted to the environmental hazards caused by the business he is running, which suggests that had the council been aware of this, planning permission would never have been given for the erection of this bungalow. Due to the heart problems he suffers from, he purchased this property with the small garden, but would never have done so had he known the land adjoining was to become a business involving the running of cesspool emptying etc. The alternative he has suggested, regarding

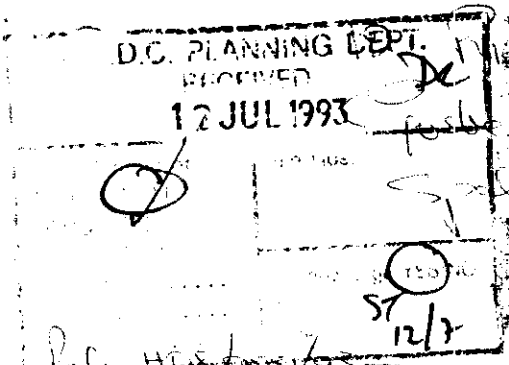
the parking of these vehicles we are not prepared to tolerate, and therefore we should move to a new site, which I understand from his words he was negotiating.

We have no objection to your monitoring the degree of noise, but would advise you we shall be away from the 31st Aug for 10 days. Should you feel this to be necessary, I trust there will still be time to do so before your meeting on the 28th Aug.

Thank you for your prompt and close attention in these matters.

Yours sincerely,

H. G. Holmes,



D.C. PLANNING DEPT.
RECEIVED
12 JUL 1993

Pasegate Road
Fosbeton Pasegate
Spalding. Lincs
10th July '93

ST 12/7

Your Ref. H08/0551/93

OBJECT

Dear Sir,

Further to your letter regarding planning permission for existing Portacabin. Yard adjoining this bungalow. We object to the position where it is now located as it takes light from our kitchen & bathroom. The original building now demolished was 16 ft in length & the new Portacabin is 28' in length. Furthermore there are now four windows

looking into our kitchen, bathroom & conservatory invading our privacy. If this building was repositioned to the other side of the yard it would not interfere with any domestic dwelling, or alternatively, taking it back past the conservatory would be a satisfactory solution, providing the man does not park their harvesters against the fence, again blocking our light.

We look forward to receiving your comments

Yours faithfully

[illegible]

SOUTH HOLLAND DISTRICT COUNCIL

PLANNING & BUILDING CONTROL DEPARTMENT

**BRIAN SMITH**
Dip TP MRTPI
Director of Planning and Building Control Services

Mr & Mrs Harris,
12 Risegate Road,
Gosberton,
Spalding,
Lincs.

Your Contact: Mr B Smith

Our Ref: DPBCS/JJ E8/2517/93

Your Ref: H08/0551/93

Date: 28 Jul 1993

Dear Mr and Mrs Harris,

**I BATES AGRICULTURAL CONTRACTORS: UNAUTHORISED DEVELOPMENTS AT RISEGATE ROAD, GOSBERTON RISEGATE.**

Further to your recent visit and our discussion on matters relating to the above site I am writing to confirm that I shall be seeking further advice on the established use of the site whilst continuing to investigate further your complaints in respect of noise and smell pollution. As indicated at the meeting I shall discuss the situation with Mr Chapman of the Environmental Services Department with a view to suggesting that he considers monitoring the extent of any noise pollution from your own bungalow, and I will advise you further on that aspect following my discussions with Mr Chapman.

In the meantime, the Case Officer will continue to research the planning history of the site so that we can establish beyond any reasonable doubt what established use rights it has, since that will then allow us to assess whether or not planning permission is required for the way in which the owner is currently using the site and also in respect of the proposal he has lodged with the Council for determination. Likewise the commercial rating history of the site is another matter which will be investigated in order to establish the facts.

By coincidence I have today received further information from the applicant, and I enclose for your information a copy of his letter and and copies of two coloured paper prints which he also enclosed showing the site in use, although the photographs are undated. Perhaps you would care to let me have your observations on this most recent information from the applicant.

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

Telephone: (0775) 761161
Fax (0775) 710772

On the assumption that the various outstanding matters can be addressed and progressed successfully then I anticipate submitting a report to the next meeting of the Planning Committee on the 25th August, and I would confirm that the recommendations will include an inspection of the site by the Plans Sub-Committee.

Should you wish to discuss the situation any further then may I suggest that you contact my Senior Development Control Officer Mr David Roberts who is handling the current application and will if necessary liaise with Mr Woods my Enforcement Officer.

Yours sincerely

B Smith
DIRECTOR OF PLANNING AND
BUILDING CONTROL SERVICES

Enc.

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

Attention of
DPC
DDPC BR
JC ACP
Action by
Disclose with
Copy to

Acknowledge YES/NO
by
Date

174 Station Road
Surfleet
Spalding
Lincs PE11 4DE

I am writing to state some facts, this business has operated from this site since 1931. The last building of which was removed, to be replaced with the portacabin, which had been there since 1933.

This building is essential for office, toilets & first aid uses. If this is refused or needs to be re-sited this will have a bad effect on the resident of 12 Risegate Road.

I will have no alternative but to resite machines on the border. This will mean a 60 - 70% increase in noise and a loss of more light (working hours 6am - 8pm) The cabin is 8ft high and bits of the machines are 12ft to 14ft high and will be pushed up to the border, thus will restrict light & make a much worse outlook.

We have a small yard and need all the space.

Security will also be a problem if I have to resite on at the back of the site there will be more chance of a break in.

At present the siting of the cabin will considerably cut

down the noise levels and other farming type problems like noise, smell + dust.

All work on tidying the perimeter and screening site has been started until approved.

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

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FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 12.7.93

OUR REF: JC/SS/PC

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

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Planning Application H08/0551/93
Office portacabin, Gosberton Risegate

I write in response to the above and whilst I have no objections in principle to the portacabin I would confirm that previous complaints have been received regarding certain commercial activities at the site albeit to-date my Officers have been unable to substantiate any statutory nuisances.

I understand Keith Woods is currently considering whether the gully emptying business is within the use classification for the site.

Director of Environmental Services

S.H.D.C. PLANNING DEPT.
RECEIVED
13 JUL 1993 DR

Attention of
DPO NRM
DDPO BS
JC ACP

B 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: H08/0551/93

Applicant: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Agent: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Description: Portacabin

Location: New Haven Risegate Road
Gosberton Risegate Spalding

Type: FULL

Date received: 16-JUN-93

21-JUN-93

Dear Cllr J A Dobney

NOTIFICATION TO WARD MEMBER

I have received an application for the above proposal in your ward. The officer dealing with this application is D J ROBERTS

As applications can be determined under delegated powers in many cases, please let me know by 28-JUN-93 if you feel that this proposal should be brought to the attention of the Planning Committee for any reason.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

O.K. by Me

Cllr J A Dobney
Orchard House
32 Surfleet Road, Surfleet
Spalding, Lincs
PE11 4AG

I request that this application be considered by Planning Committee, because

J A Dobney

Signed:

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

Attention of
DPO NRM
DDPO EJ
JC ACP
Action by .....
Discuss with .....
Reply to .....

File Nos.

Acknowledge YES/NO
By
Date

**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 : P2819
Date received : 14-JUN-93

Received from

M Bates

Address

74 Station Road
Surfleet
Spalding

| | | |
|---|---|---|
| Fee paid | £ | 60.00 |
| VAT | £ | 0.00 |
| Total received | £ | 60.00 |

Cash/Cheque : Cheque

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

**BRIAN SMITH** Dip TP MRTPI
Director of Planning & Building Control Services
Plan[illegible] & Building Control Department,
Co[illegible] Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H08/0551/93

Applicant: I Bates
174 Station Road
Surfleet
Spalding
Lincs

Agent: I Bates
174 Station Road
Surfleet
Spalding
Lincs

SOUTH HO[illegible]
PLAN DEPT
16 JUN 1993
REF Valid

Description: Portacabin

Location: New Haven
Risegate Road
Gosberton Risegate
Spalding

Type: FULL

Date received: 14-JUN-93

15-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:

4 1:500 block plans showing position of building.
4 photographs or manufacturers leaflets showing elevations.
Clarification as to the use of the intended building.

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

I am asking for permission to take down an asbestos clad building, which house toilet & rest room and replacing it with a 30 ft portacabin housing the same as before.

This is for safty reasons as well as tidying up our yard as the existing building is rough and unsightly.

It consists of 3 12ft x 12 ft rooms in an 'L' shape. I am proposing to decrease the floor space to 30 x 10 ft and lower the height by 18 ins & take the cabin another 1/3 M making 1.3 M. From my border. This should improve my neighbours light & outlook. I am supplying a picture of the old & of the new.

**QUESTIONNAIRE**

1 Please state the circumstances in which you require a caravan/mobile home, and the reasons for this particular site:

REPLACE SIMLAR
TOILETS & RESTROOM

2 a) Who is to occupy the caravan/mobile home (eg. owner, relative, agricultural worker, etc)

NONE

b) If not the applicant, please explain your connection with the occupier:

NONE

3 Please estimate the length of time the caravan/mobile home is likely to be required:

UNTIL IT NEED REPLACING

4 a) Is the caravan/mobile home already on the site?

YES

b) Is the application to continue a previous permission?

No

c) If so, have any circumstances changed since the previous permission was granted? Please describe any differences:

5 Please give the size of the caravan/mobile home, if know:

3m X 10m

Signed: ..... Date: 27-5-93

551/93

File note

~~DSR~~ met Mr Baker on Sto: 5/11/93

Long Chat.

Mentioned Alternatives: ie Resubmit / Resite / appeal

Resolved he would reapply (no promises given)

& show new landscaping / fencing to screen / foot building

(landscaping by ~~&~~ 6' Leylandii already being done along complainants fence)

Generally thought that visual improvements would be sufficient: Advised him to 'obscure' the windows facing Mr Harris. & remove ~~of~~ overlooking immediately.

New 6' security fence needed - I advised that this be placed at least 2' inside existing frontage fence: which should be realigned & 'Frame set back entrance'