SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H09/0618/92 Received:15-JUN-92 Type:FULL

Name: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Agent: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Description: Alterations and extension to single storey dwelling

Location : Traveller's Rest, Joy Bank Langary Gate Road
Holbeach St Johns Spalding Lincs.

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

1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit what is essentially tantamount to a new dwelling only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the approved Lincolnshire Structure Plan. This policy is in accordance with National Planning Policies as set out in Planning Policy Guidance Note Number 7, 1992 (The Countryside and the Rural Economy) and is aimed at, inter alia, the preservation of the character of the countryside and the economic provision of services. In the opinion of the Local Planning Aurthority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual affect on these issues, it would form a precedent which would then be difficult to resist.

2 Planning permission for the development of the land as a caravan site was granted as an exception to Structure Plan Policy only because of the overriding need to provide a suitable site for Gypsies. It is therefore considered that the present application for what is essentially a new dwelling would lead to further consolidation of the existing development which would be undesirable on the basis that the creation of further permanent development on the site would be inconsistent with the aims of the present Section 52 Agreement.

Notes to Applicant:

The applicant is advised to resubmit the application together with an application for his business use and reduction in area of the caravan site, in order that the Local Planning Authority can consider all these

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)

SOUTH HOLLAND DISTRICT COUNCIL

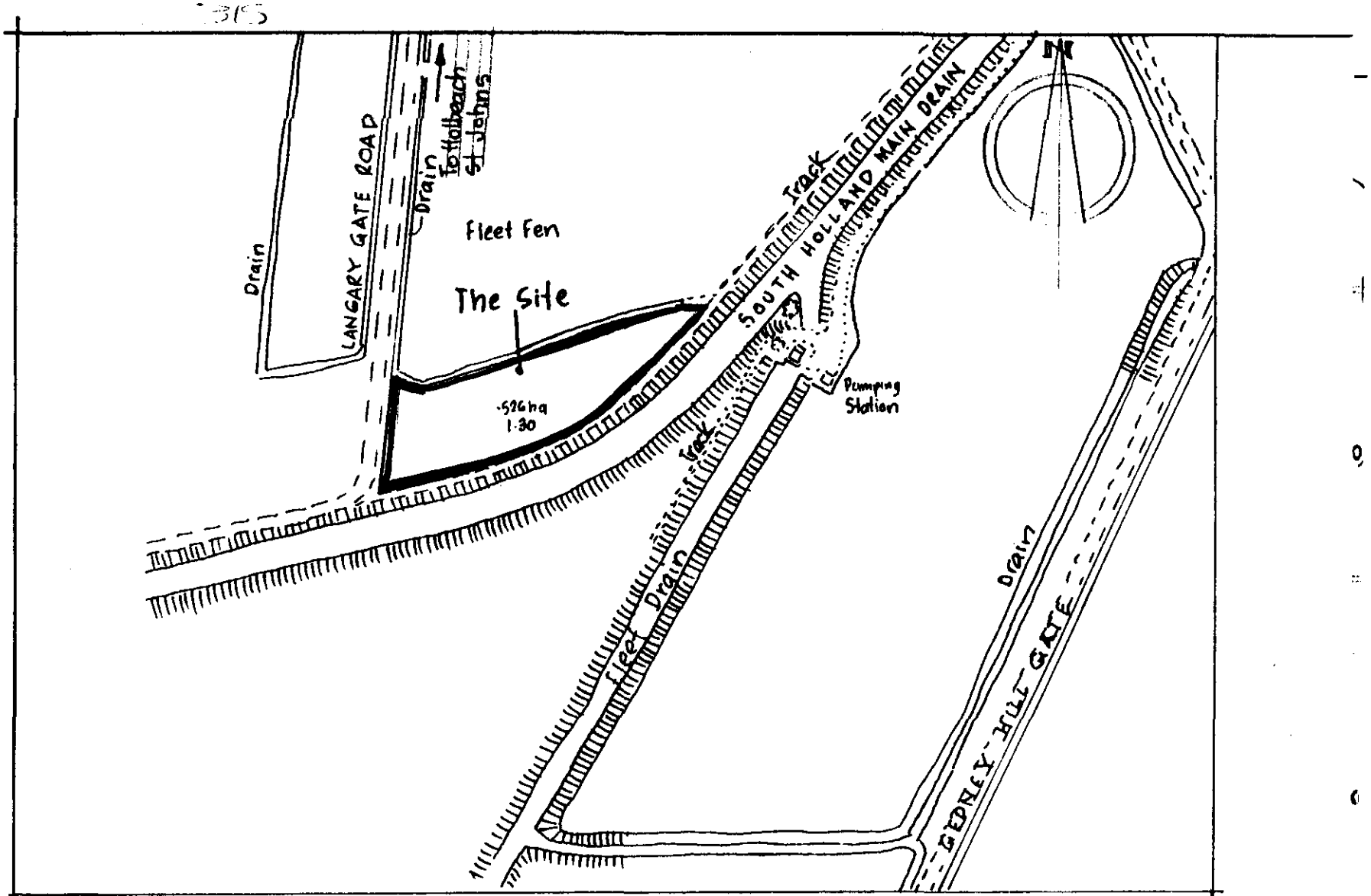
issues concurrently.

Director of Planning and Building Control Services
16-JUL-92 H09/0618/92

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)



SITE PLAN SCALE 1:2500

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H09/0618/92

Date Registered 14 JU

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR. M. J. WOODBERRY
TRAVELLER'S REST
JOYS BANK, LANGARY GATE RD,
HOLBEACH. ST. JOHNS. LINCS.
Tel. No. 0406 34397 PE12 8SD

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

OFFICE COPY

Tel. No.
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

A. I. APPLIANT. 'TRAVELLER'S REST

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

ALTERATIONS AND EXTENSION TO SINGLE STOREY DWELLING

Please complete

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

Signed. M Woodberry Date. 3.6.92

Previous application No: H05/0480/91

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

2. **TYPE OF APPLICATION**

(✓)

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

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

Please state Site Area (Hectares)
Please tick **any** box where you are including details which you wish to be considered as part of this application.
Siting [ ] Design [ ] External Appearance [ ]
Means of Access [ ] Landscaping [ ]
Now complete Parts 3 and 5 and an Ownership Certificate.

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

A. Please state Reference Number of outline permission.
B. Please state which reserved matters are dealt with in this application.
Now complete Part 4 only

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

A. Please state Reference Number of previous permission
B. Please state Condition Number referred to
Now complete an Ownership Certificate

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

A. Please state Reference Number of previous permission
B. Please state Condition Number referred to
C. Please state variation required
Now complete an Ownership Certificate

TYPE OF DEVELOPMENT

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

(i) New building(s) [ ]

(ii) Alterations or extension [✓]

(iii) Change of use [ ]

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

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

B. Please state size of any new structure:- (a) max. height: 5.4 ~~4.5~~ metres

(b) max. length: 13.0 ~~10.3~~ metres

(c) max. width: 10.7 metres

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

D. Please state type and colour of roofing materials. RED CONCRETE INTERLOCKING TILES

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. VACANT CARAVAN SITE

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 of 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: TO SOAKAWAYS

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

OTHER MATTERS Please complete

	State Yes or No	
The proposal is in connection with agriculture	NO	→ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public footpath	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices or shopping purposes	NO	→ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent.	[ ]	→ 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. Refer to letters enclosed.

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

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

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

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.** You can use the notice at the bottom of the form to send to the owner. (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

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

Signed A Woodberry (Applicant/~~Agent~~) Date 3-6-92

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

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

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

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

Signed A Woodberry Applicant/~~Agent~~) Date 3-6-92

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

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

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

NOTICE UNDER SECTION 27 OF TOWN AND COUNTRY PLANNING ACT 1971

TO BE COMPLETED BY APPLICANT OR HIS AGENT

Proposed development at

Take notice that application is being made to South Holland District Council by

for planning permission for

If you should wish to make representations about the application, you should make them in writing within 21 days from the date of service of this notice, to Chief Executive, South Holland District Council, Priory Road, Spalding, Lincolnshire.

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

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes: Accuracy | Neighbours | Other

Boundaries | Site Features

Inspected by: DMG
date: 26/6

Case Officer Conclusions (issues)

Case Officer Recommendations (summary) GRANT / REFUSE
(details overleaf)

Recommended approvals –

Departure from policy — Yes ---- / No ----

Ward member request — Yes ---- / No ----

Recommend approval against material objection — Any objection received? No / If yes, is any obj. material? Yes / No — Yes ---- / No ----

[Reason:

Other circumstances needing Committee decision — Yes ---- Flagged by Senior Officer Signed ..... / No ----

ALL OF ABOVE

Recommended refusals –

Refusal on adopted policy grounds on first applic. — No ---- Nil fees (not first Submission) / Other info. viz: Signed .....

Yes ----

ANY ONE OF ABOVE

Committee report
Sub-Committee:
SV recommended .....
Est/Ind. recommended.....

Delegation confirmed by Senior Officer
.....

Recommendation/draft report produced.....

F U R T H E R I N F O R M A T I O N / C O N S U L T A T I O N S

APPLICATION REF:

DIRECTIONS

Art 7 (Outlines)

		Siting	Design	Ext App	Access	Lands
RM Checklist:	Previous					
	Current					
	Required					

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

[Indicate if other Regs]

Precise details, for non-standard direction:

CONSULTATION/PUBLICITY REQUIRED DMC 18/1 22/9/6

Publicity : General
Departure
Setting of LB Viz

Residents (Postal):

Residents (Delivery):

Consults : Dept of Transport
Env Health
Conservation consults : Local
Local & National
English Heritage LBC I, II*
Setting I, II*
Major CA

Consultant : Name
Order No:

Other :

R E V A L I D A T I O N A F T E R D I R E C T I O N

Information satisfactory/unsatisfactory Signed .....

Further direction: Precise details

Amended description:

Reconsultations required -
- Parish Council
- Ward Members
- Residents
- Advertise
- Other

New valid date ..... Re-Registered .....
Ack/Reception .....

ADMIN RECORD SHEET

INITIAL

Submitted Fee £ NIL

Receipt Issued ..... No. .....

Date First Received 04 JUN 1992

REGISTRATION

REFERENCE H09/0618/92

Cross-Ref R

Date 5/6/92

VALIDATION Date 4/6/92

Type Full Earliest permission date (Cert B) .....

Site area ..... No. of dwellings ..... Floorspace 139 m²

New build/site enlargement/redevelopment/change of use/extension/alteration

Earlier permission ref .....

HM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

Technical:

Certificate ☐ Accuracy ☐
Site plans ☐ Incomplete form ☐
Description ☐

S65 Advert required ☐ Expiry date .....

Fees:

Nil fee – previous app ☐ Ref H05/0218C/91
– type ☐
Discounted fee ☐ Reason .....

Correct fee £ ..... Additional £ ..... Receipt no. .....

Refund £ ..... Issued .....

CONSTRAINTS Date 15.6

Index Sheets 319 OS Nos ..... Grid Ref 5361 3166

Ward ID Parish Alcett

Inside IBD NO Inside LP Area NO

TR Rural ☒ C1 ☒ Grade
TR Bypass ☒ L3
Level crossing ☒ TPO
Footpath ☐ Other: Airfield Boundary

Linked to site.....Ref..... Linked to property.....Ref....OBO791

Planning Records:

Earlier apps H80/91
7916/90
2236/89

B Reg Records:

Already submitted Ref.....
Requested .....

Inputs completed.....

11...6...97

Dear Sir's

I feel i must ask you about when i owned Travellers Rest Langary gate road Holbeach st johns,i asked if i could brick round the prefab,you said no,i asked if i could have a apex roof as we developed some bad leaks.you said no.i could put as many thickneses of felt on as i liked but must keep a flat roof,then i got a person intrested in buying the place,they applied to build a ranch type bungalow,you said no.then they reapplied to build a log cabin type dweling,again you said no,so i sold the place to a Mr Woodberry reduced the price from 34 thosand to just 24 thousand because we could not get to replace the prefab with a solid dwelling,then Mr Woodberry built a bugalow inside the big garage that i left him.that is now down and the prefab is down as well and a breez block bungalow is now standing in its place with a big apex roof. and now im wondering how come i lost a lot of money by doing what planning said and not altering the shape of the prefab therefore not being able to sell to several intrested people yet now a bugalow has been built in breeze blocks on the site where i wanted to build but was not allowed to do so,the conifer trees have been let grow wild and high to i think to try to hide things,i used to be proud of the way we used to keep the whole of the place tidy.

Yours Faithfully

J.A.H.Benton.

15/7/97 GM please have word

SHDC
13 JUN 1997
Housing & Planning
Received

50 28?

John Jan Jim M

N14

TOWN AND COUNTRY PLANNING ACT 1971

NOTICE OF NON-DETERMINATION

AND ACKNOWLEDGEMENT OF WITHDRAWAL OF APPLICATION

REFERENCE : H05/0236/89

DATE RECEIVED : 14 2 89

APPLICANT : Mr J Benton
Travellers Rest Site
Joys Bank
Holbeach St Johns
SPALDING, Lincs

AGENT :

TYPE : Full GRID REF : 536130 316670

DESCRIPTION : Retention of pre-fab dwelling, and siting of two caravans for family

LOCATION : Travellers Rest, Joys Bank, Holbeach St John

The South Holland District Council hereby give notice that no further action will be taken on the above planning application.

B. Smith

District Planning Officer
15th May, 1989

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 61161

TOWN AND COUNTRY PLANNING ACT 1971

REFUSAL OF PLANNING PERMISSION

REFERENCE : H05/0796/90

DATE RECEIVED : 19 7 90

APPLICANT : Mr & Mrs Reynolds
"Ashwood"
Cattledyke
Gorefield
Wisbech
Cambridgeshire

AGENT : Seamist Marketing & Design
Daisy Cottage
Westgate Street
Shouldham
Norfolk

TYPE : Full GRID REF : 536130 316670

DESCRIPTION : Erection of single storey log cabin dwelling

LOCATION : Travellers Rest, Langrey Gate/Joys Bank, Holbeach St Johns

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

1 The site is in a rural area where to permit additional residential development, unless essential in the agricultural interest, is contrary to Policy 5 of the County Structure Plan. Planning permission for the development of the land as a caravan site was granted as an exception to this policy only because of the overriding need to provide a suitable site for gypsy people and in the opinion of the Local Planning Authority, the loss of this facility by the implementation of this proposal would be harmful to an intent of acknowledged importance.

B Smith

District Planning Officer
19 September 1990 (C)

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 761161

TOWN AND COUNTRY PLANNING ACT 1971

REFUSAL OF PLANNING PERMISSION

REFERENCE : H05/0480/91

DATE RECEIVED : 29 5 91

APPLICANT : Mr M J Woodberry
Travellers Rest
Joys Bank
Langarygate Road
Holbeach St Johns
Spalding
Lincolnshire

AGENT : C G Kerrison
7 Manor Drive
Baston
Peterborough
Cambridgeshire
PE6 9PQ

TYPE : Full GRID REF : 536100 316660

DESCRIPTION : Alterations and extension to single storey dwelling

LOCATION : Travellers Rest, Joys Bank, Langarygate Road, Holbeach St Johns

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

1 The site is in a rural area where to permit additional residential development, unless essential in the agricultural interest, is contrary to Policy 5 of the County Structure Plan. Planning permission for the development of the land as a caravan site was granted as an exception to this policy only because of the overriding need to provide a suitable site for gypsies and in the opinion of the Local Planning Authority the loss of this facility by the implementation of this proposal would be harmful to an intent of acknowledged importance and could set a precedent for other similar developments on the site.

B Smith

District Planning Officer
24 July 1991 (C)

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 761161

FLEET

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0618/92

Applicant: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Agent: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Description: Alterations and extension to single storey dwelling

Location: Traveller's Rest, Joy Bank Langary Gate Road
Holbeach St Johns Spalding Lincs.

Type: FULL

Date received: 15-JUN-92

17-JUN-92

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 02-JUL-92. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Holbeach PC
Parish Council Office
2 Spalding Road, Holbeach
Spalding, Lincs

FOR PARISH COUNCIL USE ONLY

Comments: ✓

R 14/7

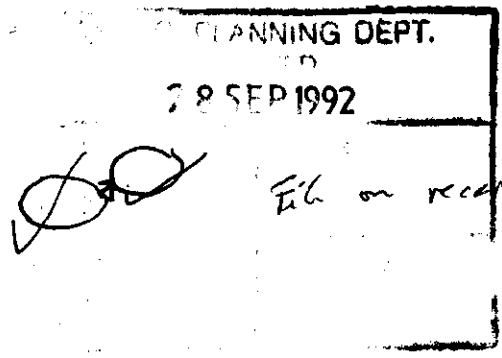
S.H.D.C. PLANNING DEPT.
RECEIVED
16 JUL 1992
Acknowledge YES/NO
By
Date

Signed: J E Johnson

15/7/92

Your ref:
My ref: GYP/08/AR

22 September 1992



Mr & Mrs Woodberry
Travellers Rest
Longary Gate Road
Holbeach St John
SPALDING
Lincs
PE12 8SD

Andrew Ross

4195

Dear Mr & Mrs Woodberry

THE USE OF THE TRAVELLERS REST AS A GYPSY SITE/CAR STORAGE

As promised in my letter dated 24 August 1992 I have had a meeting with Mr Midlen from South Holland District Council to discuss your case.

It was decided at the meeting that the way forward was for you to make your application to South Holland District Council, for planning permission to use part of the above site for car storage. This application should be linked with your proposals for alterations to your dwelling and should indicate your agreement for the remaining land to continue to be available for travellers.

Your application will be assessed against the approved planning policy for the area.

I hope this letter is of help to you, if you have any further questions please contact me again.

Yours sincerely

Andrew Ross

GYPSY LIAISON OFFICER

cc: Peter Burns, Principal Solicitor
Dave Gregory, Highways and Planning
Mr Midlen, South Holland District Council

COUNTY LEGAL SERVICES

A PROFESSIONAL OFFICE OF LINCOLNSHIRE COUNTY COUNCIL

PO Box 152
County Offices
Newland Lincoln LN1 1YP

MDX 701680 - Lincoln 5
Tel: (0522) 552222
Fax: (0522) 552138
Direct Line (0522) 552118

When calling please ask for

P J BURNS

Mr Woodberry
The Travellers Rest
Langray Gate
Holbeach St John
Spalding
Lincs

My Ref: PJB\JLA

9 April 1992

Dear Sir

THE USE OF THE TRAVELLERS REST AS A GYPSY SITE

I refer to the meeting which took place at The Travellers Rest on the 17 February 1992. I enclose a copy of a note of the meeting for your information and retention.

The Director of Social Services has now responded to me and indicated that because of the need to have some gypsy accommodation in the South Holland District Council area, he would wish to retain some provision on your site for this particular purpose. However, he would have no objection to a shared use as discussed at the site meeting.

The position is, therefore, that you will have to consider how to organise your business whilst reserving part of the site for gypsy accommodation in accordance with the agreement under Section 52 of The Town and Country Planning Act of 1971. I would suggest, therefore, that you now talk to Mr Ross in the Director of Social Services Department (reference telephone number Lincoln 554195) to agree a suitable plan. As soon as that has been achieved, you will then be able to approach the South Holland District Council Planning Department to apply for planning permission on the rest of the site in connection with your proposed business. At that stage, the County Council will be able to advise the District Council with regard to the Section 52 Agreement which appertains in respect of the whole site, and it will be necessary for the County Council to agree that this particular Agreement should be relaxed as far as the part of the site relating to your business venture is concerned.

LEGAL SERVICES MANAGER
DAVID DUBUT

CHIEF SOLICITOR
PETER J BURNS

STAFF SOLICITORS REBECCA ANDREWS CAROLINE G van der FEUST SOPHIE REEVE
BARRISTERS AT LAW STEVEN J RATCLIFFE J BRYONY WILLOWES-YORK

SITE MEETING ON THE 17 FEBRUARY 1992
TO DISCUSS THE PROPOSED SHARED USE OF THE TRAVELLERS REST GYPSY SITE WITH A CAR STORAGE FACILITY

Peter Burns, Chief Solicitor, Andrew Ross, Director of Social Services Department and David Gregory, Director of Highways and Planning Department attended the site on the 17 February 1992 and met Mr Woodbury and his wife. They explained that they had purchased the site having removed from Essex and were anxious to develop at least part of the site for the storage of cars in connection with Mr Woodbury's business. Mr Burns explained the County Council's dilemma in that the County Council's provision as a whole in Lincolnshire for gypsies is being challenged at the present time and although all officers had sympathy with Mr Woodbury the Lincolnshire provision for gypsies as a whole had to be borne in mind. Mr and Mrs Woodbury had bought the site in full knowledge that it was subject to a Section 52 Planning Agreement which restricted the use of the site for travelling gypsies. It was acknowledged, however, that the said usage had not been put into operation for some considerable time. Mr Woodbury was attempting to dispense with the Section 52 Agreement and discussions took 'place as to whether this would be possible.

One alternative would be to simply abandon the Section 52 Agreement and Andrew Ross agreed to look into the Director of Social Services' requirements for gypsies with particular reference to the South Holland District and he agreed to speak informally to the Department of Environment on this matter.

The second proposal was that part of the site should be reserved for the use of travelling gypsies and it was felt this would be more appropriate in the area furthest away from the public highway which would enable Mr Woodbury to develop part of his site and still leave some provision for travelling gypsies.

Mr Woodbury and his wife were quite reasonable in the discussions and were simply looking for a way in which they could attempt to develop the site and allow for Mr Woodbury's proposals to get off the ground.

An inspection of the site was also carried out and it was noted that the original proposals had been for twelve plots and a site plan was also produced which the District Council had been instrumental in providing. It was acknowledged that this was a private site and the County Council could not insist on Mr Woodbury using it for travelling gypsies and nor could the Local Authorities insist on the detailed layout as provided. It was felt that a plan could probably be devised whereby a certain number of plots could be put at the far end of the site with an access road being produced probably down one side of the site, most likely next to the river but within the curtilage of Mr Woodbury's property. Discussions also took place concerning the provision of electricity to the site which it was understood was a difficulty for Mr Woodbury at the present time, since the

Electricity Board were asking for a large amount to connect the supply on the basis that the site was labelled as a site for travelling gypsies and not for private occupation. Discussion also took place concerning the provision of sanitation on the site and it was also felt this would prove difficult if the site was to be used for travelling gypsies.

After a full and frank discussion on the site, which lasted approximately one hour, the officers decided to review the position with the Director of Social Services deciding whether the present planning agreement was required on the site having regard to the provision for gypsies in Lincolnshire as a whole with specific reference to South Holland District Council and with further reference to a site for travelling gypsies.

P. A. Burns

Peter Burns
9 March 1992

MR. MRS. M. J. WOODBERRY
TRAVELLERS REST
Langary Gate
Joys Bank.
Holbeach St John
Spalding Lincs.
PE12 8SD.

Dear Sir or Madame.

Please fine enclosed letter from the County Legal Services and a copy of site meeting at Traveller Rest on 17-2-92

We had a appointment with MR. MIDLEM on 2-6-92. and was advised to reaply for Planning.

We are still waiting for legal Comformation from Lincolnshire County Council legal Service MR. P. J. Burns as they are still having discussions with South Holland Council. concerning the section 52 of Traveller Rest Caravan Site

Your faithfully.

M Woodberry

548. PLANNING APPLICATIONS (Continued)

(c) Applications Deferred (Continued)

Plan No. and Applicant		Proposal
H01/0560/92 Mr B M Ruck	O.A.	Residential building plot on part garden of 66 Barrier Bank, Cowbit.

(Pending a site inspection in order to assess the suitability of the development having regard to the size and characteristics of the site.)

H16/0596/92 Spalding Grammar School	4 classroom extension at Priory Road, Spalding.

(Pending a site inspection in order to assess the impact of the proposed development on neighbouring properties.)

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

(Councillor J Goodley requested that his vote against the above decision be recorded.)

H23/0605/92 Mr & Mrs P Cadwell	O.A.	Two dwellings including details of means of access at Roman Bank, Saracens Head.

(Pending a site inspection in order to assess the suitability of the site for the proposed development.)

H09/0613/92 Holbeach Parish Council	O.A.	Changing rooms at Hallgate playing field, Holbeach.

(To enable the Director of Planning and Building Control Services and the Chairman of the Committee to discuss the proposed development with the applicants and the objectors.)

(Councillors N P Judge MBE, J R Pearl and T G M Tyler declared interests in the above application under the provisions of the National Code of Conduct, but remained in the meeting during consideration of the application and took part in the discussion and voting thereon.)

H09/0618/92 Mr M H Woodberry	Alterations and extension to single storey dwelling at Traveller's Rest, Joys Bank, Langary Gate Road, Holbeach St Johns.

(To enable the Director of Planning and Building Control Services to discuss the application further with the Lincolnshire County Council.)

(It was also agreed that the Director of Planning and Building Control Services discuss with the Lincolnshire County Council their responsibilities regarding the provision of Gypsy accommodation.)

H05/0546/92 Mr J Smith & Mrs M E Baker	Use of land for campsite for maximum number of nine caravans/tents for recreational purposes only, Heron Cottage, Frostley Gate, Holbeach Fen.

(Pending a site inspection in order to assess the suitability of the site for the proposed development.)

CC to: Peter Burns, Principal Solicitor
Dave Gregory, Highways & Planning
Mr Midlen, South Holland District Council

My ref: GYP/08/AR/MW

24 August 1992

Mr & Mrs Woodberry
Travellers Rest
Langary Gate Road
Holbeach St John
SPALDING
Lincs PE12 8SD

Mr A Ross

4195

Dear Mr and Mrs Woodberry

THE USE OF THE TRAVELLERS REST AS A GYPSY SITE

Thank you for your letter dated 3 August 1992.

I do appreciate that this matter does seem to be taking a long time to be resolved.

Mr Gregory from Lincolnshire County Council's Highways and Planning Department wrote to South Holland District Council with a copy of your proposed plan for their comments. The District Council has responded and finished its letter by saying "I think the best course is for Mr Woodberry to make an application for his vehicle dismantling business as soon as possible. He has already applied for alterations to his dwelling but I feel a decision on this would be premature until future use of the site is determined". When making your application you should state that you are in discussions with the County Council about the removal of the Section 52 agreement on part of the land.

I have spoken again to Mr Midlen from South Holland District Council and will be arranging a meeting in the near future with him to discuss your case. This meeting will not be for a couple of weeks because of holidays.

Yours sincerely

Andrew Ross

A ROSS
Gypsy Liaison Officer

Town and Country Planning Act etc

DRAFT DECISION

Reference: H09/0618/92 Received:15-JUN-92 Type:FULL

Name: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Agent: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Description: Alterations and extension to single storey dwelling

Location : Traveller's Rest, Joy Bank Langary Gate Road
Holbeach St Johns Spalding Lincs.

South Holland District Council hereby give notice
that permission has been granted/refused etc
on the following conditions/reasons:

1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit what is essentially tantamount to a new dwelling only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the approved Lincolnshire Structure Plan. This policy is in accordance with National Planning Policies as set out in Planning Policy Guidance Note Number 7, 1992 (The Countryside and the Rural Economy) and is aimed at, inter alia, the preservation of the character of the countryside and the economic provision of services. In the opinion of the Local Planning Aurthority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual affect on these issues, it would form a precedent which would then be difficult to resist.

2 Planning permission for the development of the land as a caravan site was granted as an exception to Structure Plan Policy only because of the overriding need to provide a suitable site for Gypsies. It is therefore considered that the present application for what is essentially a new dwelling would lead to further consolidation of the existing development which would be undesirable on the basis that the creation of further permanent development on the site would be inconsistent with the aims of the present Section 52 Agreement.

Notes to Applicant:

The applicant is advised to resubmit the application together with an application for his business use and reduction in area of the caravan site, in order that the Local Planning Authority can consider all these

issues concurrently.

Authorised to issue:

15-JUL-92 H09/0618/92 AD....N....DC....AC....

17/7

APPLICATION REFERENCE: H09/0618/92 DATE RECEIVED: 15-JUN-92

APPLICANT: Mr M J Woodberry
Traveller's Rest
Joys Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs

AGENT:

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 14 JUL 1992

TYPE: Full

DESCRIPTION: Alterations and extension to single storey dwelling,

LOCATION: Traveller's Rest, Joys Bank, Langary Gate Road, Holbeach St Johns, Spalding, Lincs.

Parish Council: No response.

County Highways: No objections.

Information from Applicant: Still waiting for legal confirmation from Lincolnshire County Council Legal Services concerning the Section 52 Agreement.

PLANNING POLICIES/DOE ADVICE
Outside I.B.D.
Structure Plan Policy 7a

PREVIOUS DECISIONS
H05/0524/77 - Residential Caravan site for 12 caravans with provision of a washhouse/bath house and toilet facilities. Determined by Lincs County Council on 18th November 1980.
H05/0236/89 - Retention of prefab dwelling and siting of two caravans for family (Mr J Benton) - Non-determination.
H05/0796/90 - Erection of single storey log cabin dwelling (Mr and Mrs Reynolds) - Refused
H05/0480/91 - Full - Alterations and extension to single storey dwelling (Mr M J Woodberry) - Refused.

Reason
1 Contrary to Structure Plan Policy 5. Planning Permission for development of the land as a caravan site was granted as an exception to this policy only because of the overriding need to provide a suitable site for Gypsies. The loss of this facility would therefore be harmful to an interest of acknowledged importance and could set a precedent for other similar development on this site.

PLANNING ISSUES
1 The determining issue in this particular case is whether the previous reason for refusal has been sufficiently overcome.
2 The application seeks to alter and extend an existing prefab dwelling, including a new brick outer skin.
3 Planning Application H05/0524/77 was granted contrary to policy on grounds of special circumstances as the County is obliged to make provision for travelling people and hence the permission for this site was given subject to a Section 52

Agreement tying the occupation of the site to "Gypsies" as defined in Section 16 of the Caravans Act 1968.

4 The County Council's Director of Social Services has indicated that because of the need to have some Gypsy accommodation in the South Holland District Council area he would wish to retain some provision on site for this particular purpose. However, he would have no objection to a shared use (i.e part Gypsy accommodation and part of the site for the storage of cars in connection with the applicants business). No formal documentation has yet been prepared in respect of this matter however and the applicants have been advised by the County Legal Services to consider how to organise their business (for which planning permission will be required) whilst reserving part of the site for Gypsy accommodation.

CONCLUSIONS

1 The present building upon the site is only of a temporary nature and was erected without planning permission. However, it is immune from enforcement on the basis that it has been in existence for more than four years.

2 Given the temporary nature of the above, it is consequently my opinion that the development proposed would be tantamount to a new permanent dwelling and as such would be contrary to Structure Plan Policy 7a since there is no essential agricultural or other local need for it to be there.

3 Further, since the Section 52 Agreement has not been modified, it would still appear at present that any further consolidation of the existing development would be undesirable because the creation of further permanent development upon the site would be inconsistent with the aims of the Section 52 Agreement as it stands at the moment.

4 If Members are sympathetic to the applicants case, perhaps the best course of action would be for the applicants to re-apply in association with the proposed business use upon the site (i.e. the storage of cars, etc). The Section 52 Agreement would, of course, need to be modified in accordance with this as suggested by the County Council's Director of Social Services.

RECOMMENDATION - Refuse permission.

1 SCA The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit what is essentially tantamount to a new dwelling only in exceptional cases where is it satisfied that there is special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the approved Lincolnshire Structure Plan. This policy is in accordance with National Planning Policies as set out in Planning Policy Guidance Note number 7, 1992 (the Countryside and Rural Economy) and is aimed at, inter alia, the preservation of the character of the countryside and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual affect on these issues, it would form a precedent which would then be difficult to resist.

2 SCB Planning permission for the development of the land as a

caravan site was granted as an exception to Structure Plan Policy only because of the overriding need to provide a suitable site for Gypsies. It is therefore considered that the present application for what is essentially a new dwelling would lead to further consolidation of the existing development which would be undesirable on the basis that the creation of further permanent development on the site would be inconsistent with the aims of the present Section 52 Agreement.

SNA NOTE The applicant is advised to resubmit the application together with an application for his business use and reduction in area of the caravan site, in order that the Local Planning Authority can consider all these issues concurrently.

SOUTH HOLLAND
Internal Drainage Board

Marsh Reeves,
Foxes Lowe Road,
Holbeach,
Spalding, Lincs.
PE12 7PA.

S.H.D.C. PLANNING DEPT.
RECEIVED
15 JUN 1992
Attention of | File Nos.
DPO NRM
MDPO BV
JO ACP
Action by .....
Discuss with .....
Copy to .....
Your Ref.
Acknowledge YES NO
by
date

Please contact: Mr. Staines

Tel. Holbeach (0406) 24933
Fax: (0406) 26501

Our Ref. RS/PA-F/618/92/JAM

Date 11 June 1992

Dear Sir,

FULL PLANNING APPLICATION - ALTERATIONS AND EXTENSIONS TO DWELLING TRAVELLERS REST, LANGARY GATE ROAD, HOLBEACH ST. JOHNS

The South Holland District Council's Director of Planning and Building Control Services has informed me that you have submitted an application seeking permission for the above proposed development but unfortunately the submitted plans etc were not available at the Planning Department for my inspection. I will accordingly be glad to receive at the earliest opportunity a copy of the submitted details for my consideration so that I can ascertain whether my Board's interests will be affected. The details should include information regarding the intended means of storm and foul water disposal.

I am sending a copy of this letter to the Director of Planning so that he is aware details are awaited.

Yours faithfully,

J J Ebey

ENGINEER TO THE BOARD

Mr. M.J. Woodberry,
Travellers Rest,
Joys Bank, Langary Gate Road,
Holbeach St. Johns, Spalding, Lincs.

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H09/0618/92

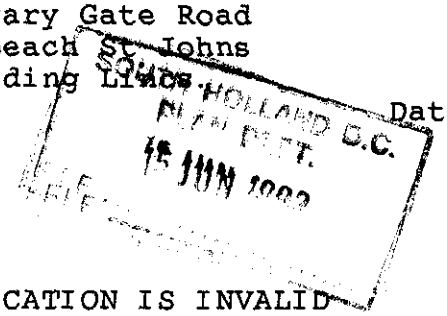
Applicant: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Agent: Mr M J Woodberry
Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Description: Alterations and extension to single storey dwelling

Location: Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Type: FULL



Date received: 04-JUN-92

08-JUN-92

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 1:2500 site location plans are required showing the site clearly outlined in red and any other land in the applicants ownership in blue.
Four 1:500 block plans are required with the site outlined as above.
Four sets of scaled drawings showing details of alterations and extension - elevations, design, etc. of proposed work.

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 Maxwell 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

SOUTH HOLLAND DISTRICT COUNCIL

Com

Application no: H09/0618/92 Type: FULL

Applicant: Mr M J Woodberry
Tel: 0406 34397

Agent: Mr M J Woodberry
0406 34397

Description: Alterations and extension to single storey dwelling

Location: Traveller's Rest, Joy Bank
Langary Gate Road
Holbeach St Johns
Spalding Lincs.

Valid date: 15-JUN-92
Target dates:
To case officer 20-JUN-92
Inspected by 25-JUN-92
Extra contacts 30-JUN-92
Report if not clear by 20-JUL-92

Terminal date: 10-AUG-92
Target Committee: 05-AUG-92
Report deadline: 22-JUL-92

Case Officer:
D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size: 139 M2
Category: Extension
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Clerk to Holbeach PC	0406 26739	17-JUN-92	01-JUL-92
Cllr B A Paul	0406 23100	17-JUN-92	01-JUL-92

L.C.C. - No objections JC 18/6/92

LATE OBS: Offr ..MS.. Date..7/7/92
Salient points highlighted

SOUTH HOLLAND
Internal Drainage Board

Marsh Reeves,
Foxes Lowe Road,
Holbeach,
Spalding, Lincs.
PE12 7PA.

S.H.D.C. PLANNING DEPT.
RECEIVED
10 JUL 1992
DG

Please contact: Mr. Staines

Tel: Holbeach (0406) 24933
Fax: (0406) 26501

Our Ref. RS/PA-F/618/92/JAM **Your Ref.**

Date 1 July 1992

Dear Sir,

FULL PLANNING APPLICATION - ALTERATIONS AND EXTENSIONS TO DWELLING TRAVELLERS REST, LANGARY GATE ROAD, HOLBEACH ST. JOHNS

Further to my letter of the 11th June 1992, the submitted details of your above planning application have now been made available for my inspection at the Planning Department. Although the proposal would not seem to directly affect my Board's interests I have the following observations for your consideration that should be brought to the attention of prospective purchasers.

The watercourse along the sites Southern boundary is my Board's South Holland Main Drain and the Board's Byelaws as summarised on the enclosed standard conditions apply. I am pleased to confirm the siting of the extensions etc. conform with my Board's requirements but I must be informed when works are due to commence in order the indicated clearances can be verified on site.

As I am sure you will be aware, my Board own the track between your site and the brink of the South Holland Main Drain. The fencing erected upon the 9 metre clearance strip was permitted several years ago and subject to a verbal agreement with a former owner that in the event of it ever having to be removed to enable access for Board's plant, removal would be undertaken at no cost to the Board.

I would welcome confirmation of your acceptance of this arrangement.

I note soakaway drainage systems are intended in respect of which the consent of the National Rivers Authority may be required. It is suggested that appropriate tests be undertaken to ensure the subsoils are suitable and that such systems will function adequately. Due consideration should however be given to the fact that ground water levels are very low due to the exceptionally dry conditions that have been experienced.

You are advised that it is my Board's policy to seek a contribution where increased run-off is directed into any arterial system within the District. This course of action has been taken to ensure the Board's main drains are uprated to cater for increased flows from expanding developments.

The contribution rate is currently £135 per dwelling drained via a direct outfall and subject to an engineering and administration fee of £35 and V.A.T. although these figures are subject to periodic review.

In that eventuality full details of the route and quantity of run-off for surface water disposal will be required for my prior approval.

Our Ref: RS/PA-F/618/92/JAM Your Ref: 1 July 1992

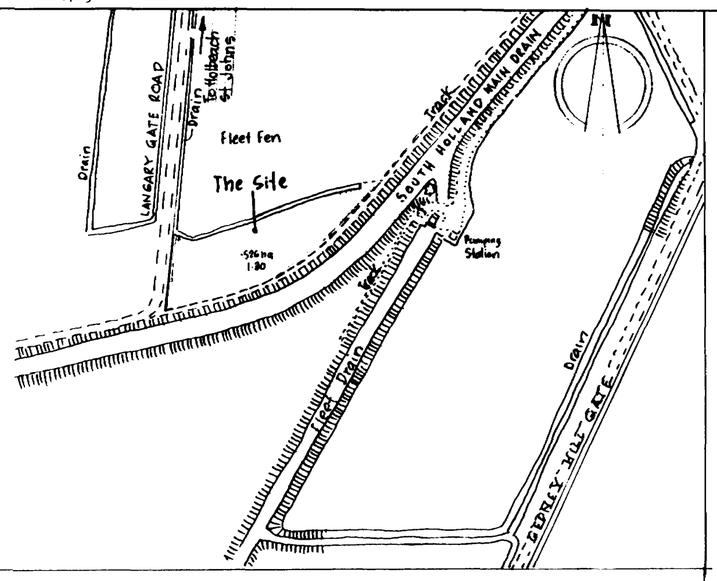
Should the project include the filling of a dyke alongside a highway, the prior approval and specification of the South Holland District Council's Housing & Property Services Department must be obtained.

A copy of this letter is being forwarded to the Director of Planning in order he is aware of my observations.

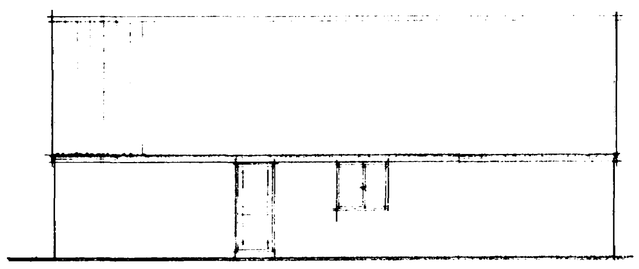
Yours faithfully,

ENGINEER TO THE BOARD

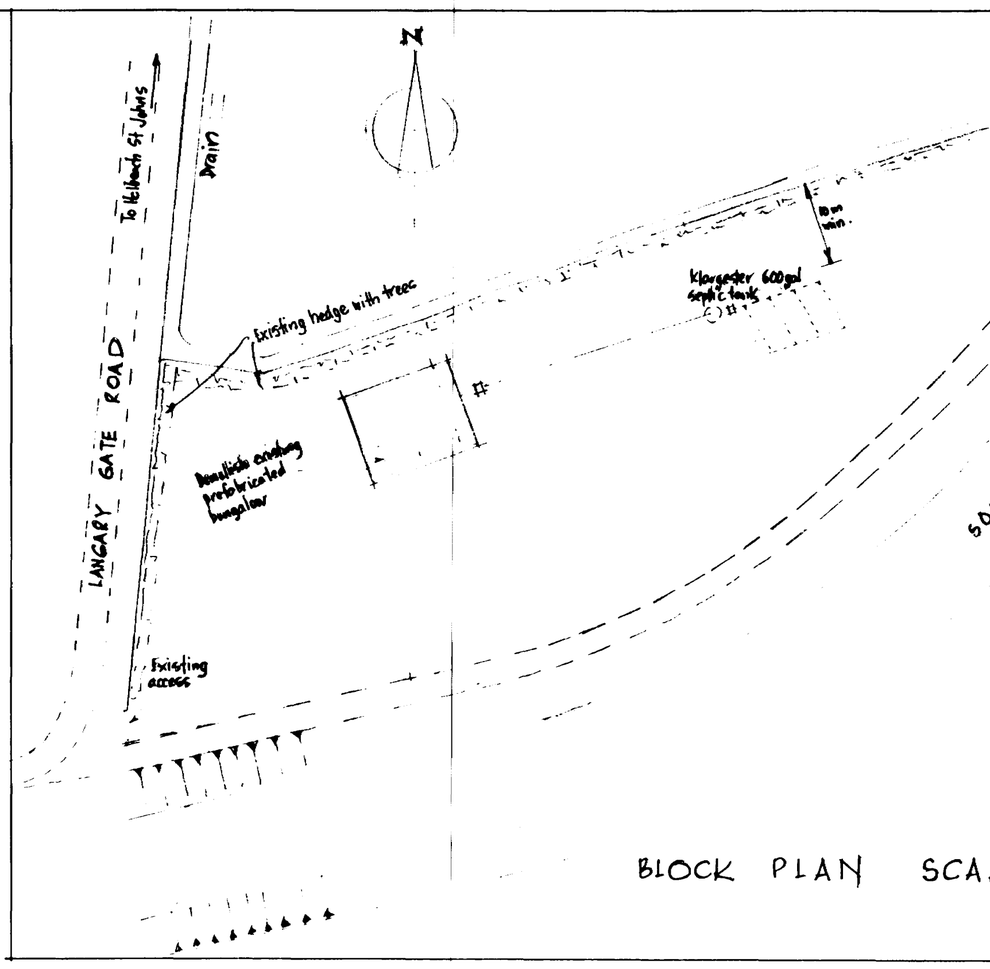
Mr. M.J. Woodberry,
Travellers Rest,
Joys Bank,
Langary Gate Road,
Holbeach St. Johns,
Spalding, Lincs.



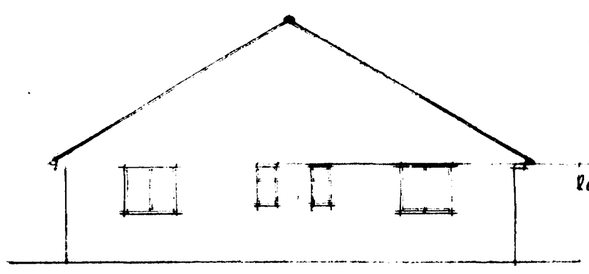
SITE PLAN SCALE 1:2500



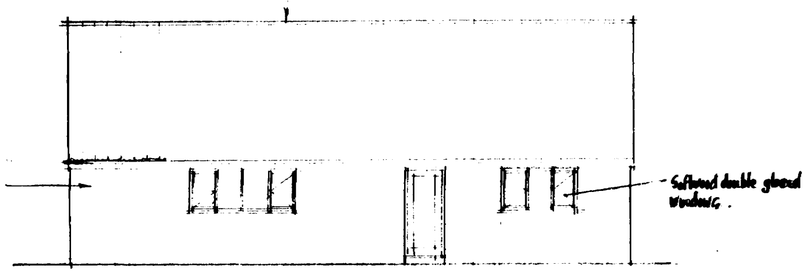
ELEVATION NORTH



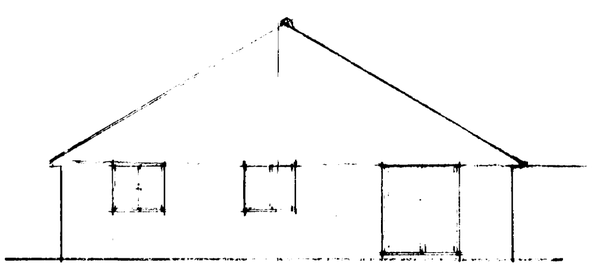
BLOCK PLAN SCA



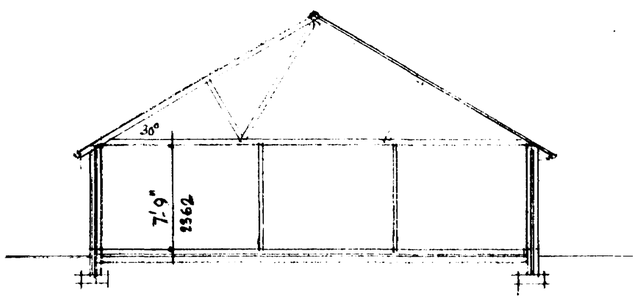
ELEVATION EAST



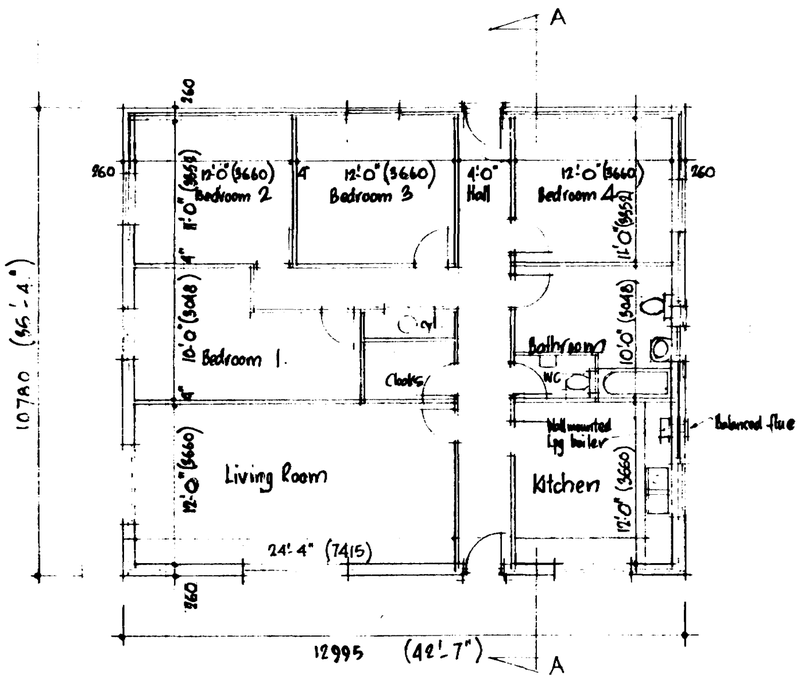
ELEVATION SOUTH
TO SOUTH HOLLAND MAIN DRAIN



ELEVATION WEST
TO LANGARY GATE ROAD

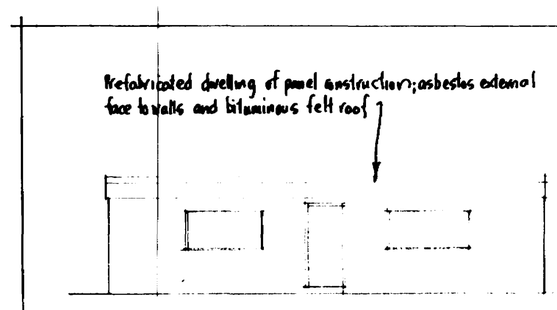


SECTION A-A



FLOOR PLAN

PROPERTY AS PROPOSED



ELEVATION SOUTH

PROPERTY AS EXISTING