FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H09/0640/92 Received:11-JUN-92 Type:SEC 73 MODIFICATION

Name: Mr & Mrs U Hilliam
Nutts Lane
Holbeach St Johns
Spalding
Lincs

Agent: Loweth Cowling Design
Station House
Station Street
Holbeach
Spalding Lincs

Description: Continuation of permission without complying with Condition No 6 (limited period)
Location : Nutts Lane Holbeach St Johns
Spalding

South Holland District Council hereby gives notice that PERMISSION HAS BEEN REFUSED for the proposal, for the following reason(s):

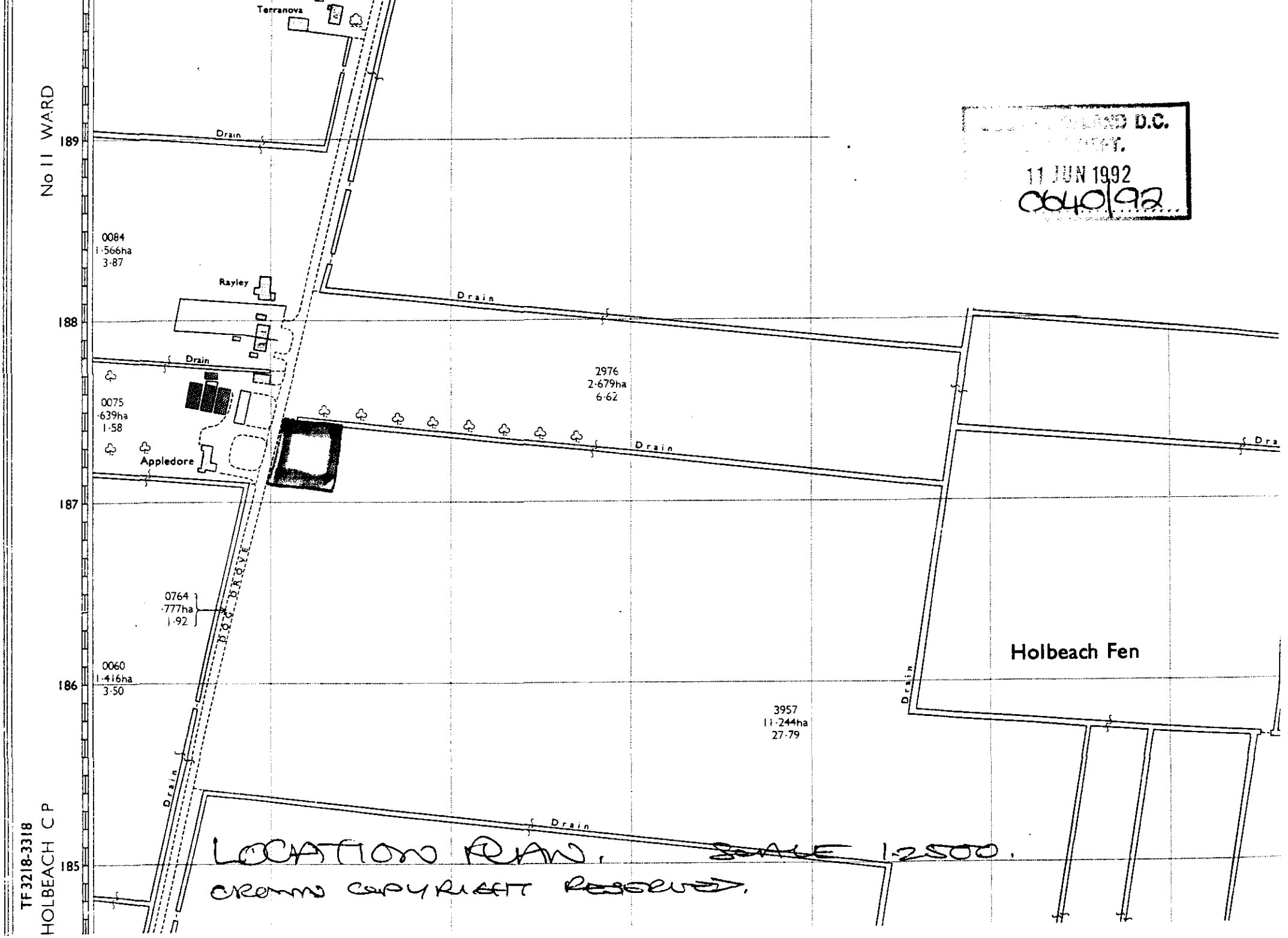
1 In the opinion of the Local Planning Authority, permission should only be granted for the development for a temporary period in order for the Authority to be able to review the effect of the development on the amenities of the locality.

Director of Planning and Building Control Services
04-AUG-92 H09/0640/92

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)


No 11 WARD
TF3218-3318
HOLBEACH C P
189
188
187
186
185
Terranova
Drain
Rayley
0084
1·566ha
3·87
Drain
Drain
2976
2·679ha
6·62
0075
·639ha
1·58
Appledore
Drain
Dra
0764
·777ha
1·92
BOSTON DROVE
0060
1·416ha
3·50
Holbeach Fen
Drain
3957
11·244ha
27·79
Drain
Drain
Drain
D.C.
11 JUN 1992
C640/92
LOCATION PLAN. SCALE 1:2500.
CROWN COPYRIGHT RESERVED.

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H09/0640/92

Date Registered 11 JUN 1992

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR + MRS. U. HILLIAM.
NUTTS LANE.
HOUBEACH ST. JOHNS
SPALDING.
LINCS.
Tel. No.

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

LOVETH PLANNING DESIGN
STATION OFFICE
STATION STREET
HOUBEACH. LINCS.
Tel. No. 0406 22176
(Personal contact name) LOVETH

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

NUTTS LANE. HOUBEACH ST. JOHNS
SPALDING. LINCS.

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

CONTINUATION OF PERMISSION WITHOUT COMPLYING WITH CONDITION NO. 6. (~~temporary~~ limited period permission)

Please complete

I attach * Four copies of all plans
*an ownership certificate (see back page)
*a fee of £55.00 If you consider no fee is payable include a written explanation instead.

Signed. [signature] Date. 10.6.92. 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 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: H09/0357/92
B. Please state Condition Number referred to: No 6.

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

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

Use the notice at the bottom of th ge 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).

Owners

2. **OWNERSHIP OF THE SITE**

This certificate is to make sure that the owners of land are aware of applications made on it.

If the applicant is the **sole owner of the whole site**, complete **Certificate A.**
In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B.** 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 ..... ~~Applicant~~/Agent) Date 10/6/92

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 ..... ~~Applicant~~/Agent) Date 10/6/92

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 .....

9128. Continuation of P.P. H09/0357/92 without complying with condition No 6. — Mr & Mrs U. Hillam, Nutts Lane Halbeach St. Johns.

Further to receipt of P.P. H09/0357/92 it has been brought to the notice of our clients that considerable correspondence has been sent to you by the occupiers of 'Appledore' a near neighbour and it would appear that do to this your committee imposed condition No 6 on the above permission.

You may recall that at your meeting in early 1991 our clients application ref. H09/1361/90 was approved without such condition and only was not released because of a technical 'hitch' which our clients had no knowledge of until a refusal notice was issued. This led to the present one ref. H09/0357/92.

Our clients have now taken legal advice to the

9128.

matters put to you in writing by the occupiers of Appledore and as there would appear to be grounds for action in respect to libel this is being looked at in depth at this time.

It is also understood that another neighbour just as close to the site as Appledore has, in fact, written to you (not at the time to our clients knowledge) stating that the complaints by Appledore are completely unfounded, our clients also refute the accusations made.

We understand that in the past the Environmental Health dept have been involved but could find no reason to approach our clients.

We therefore request that Condition No 6 on P.P. H09/0357/92 is removed.

Yours faithfully.

pp.

10/6/92.

LOVETH CARLING DESIGN

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes: Accuracy | Neighbours | Other

Boundaries | Site Features

Bungalows only one on the side of frontage
Southend res. properties upp. Agn. Samrad.

Inspected by: CS
date: 19/6

Case Officer Conclusions (issues)

Case Officer Recommendations (summary)
(details overleaf)

GRANT
REFUSE

Recommended approvals -

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

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

Recommend approval against material objection — Yes ----

Any objection received? No
If yes, is any obj. material? No ----
Yes
Yes ----
(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

LICATION REF:

DIRECTIONS

		Siting	Design	Ext App	Access	Lands
Art 7 (Outlines)						
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

D2 16/6

Publicity : General
Departure
Setting of LB Viz

Residents (Postal):
done Appledore, Nutts Lane
Rayley, 1 & 2 Nutts Lane

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

INIT.: AG

Submitted Fee £ 55

Receipt Issued ..... No. P1278

Date First Received 11 JUN 1992

REGISTRATION

REFERENCE H09/0640/92

Cross-Ref N/A

Date 12/6/92 JAB

VALIDATION MOD

Date 11/6/92

Type SEC73 Earliest permission date (Cert B) .....

Site area ..... No. of dwellings ..... Floorspace .....

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

Earlier permission ref .....

EM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

Technical:
- Certificate ☐
- Site plans ☐
- Description ☐
- Accuracy ☐
- Incomplete form ☐

S65 Advert required ☐ Expiry date .....

Fees:
- Nil fee – previous app ☐ Ref .....
- – type ☐
- Discounted fee ☐ Reason .....

Correct fee £ 55 Additional £ ..... Receipt no. .....

Refund £ ..... Issued .....

CONSTRAINTS Date 1.5.6

Index Sheets 291 OS Nos ..... Grid Ref S 534120 B 187280

Ward ...H... Parish .....HOUGHTON

Inside IBD ...NO Inside LP area...NO

TR Burial	☐	CA	☐
TR Bypass	☐	LB	☐
Level crossing	☐	TPO	☐
Footpath	☐	Other: Airfield	☐

Grade

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

Planning Records:

Earlier apps
- 907/87 — 350/70
- 1201/89 — 449/71
- 1410/87 — 1361/70

B Reg Records:

Already submitted Ref.....

Requested .....

Inputs completed.....

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: H09/0640/92 Type: SEC 73 MODIFICATION

Applicant: Mr & Mrs U Hilliam Agent: Loweth Cowling Design
Tel: 0406 22126

Description: Continuation of permission without complying with Condition No 6 (limited period)
Location: Nutts Lane
Holbeach St Johns
Spalding

Valid date:	11-JUN-92	Terminal date:	06-AUG-92
Target dates:		Target Committee:	05-AUG-92
To case officer	16-JUN-92	Report deadline:	22-JUL-92
Inspected by	21-JUN-92		
Extra contacts	26-JUN-92	Case Officer:	
Report if not clear by	16-JUL-92	D M GEDNEY	

DEVELOPMENT/CONSTRAINTS

Size:
Category:
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Clerk to Holbeach PC 0406 26739	16-JUN-92	30-JUN-92
Cllr N P Judge MBE 0406 330300	16-JUN-92	30-JUN-92
Owner/Occupier 'Appledome' Nutts Lane	19-JUN-92	03-JUL-92

C C - No objs to CS 18/6/92.

Owner/Occupier, 'Rayley', Nutts Lane, 30-JUN-92 14-JUL-92
Owner/Occupier, 1 & 2, Nutts Lane " "

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
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SOUTH HOLLAND DISTRICT COUNCIL

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Extra contacts 26-JUN-92 Case Officer:
Report if not clear by 16-JUL-92 D M GEDNEY

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Cllr N P Judge MBE 0406 330300	16-JUN-92	30-JUN-92

L.C.C - No Obs fcB 16/6/92

Town and Country Planning Act etc

DRAFT DECISION

Reference: H09/0640/92 Received:11-JUN-92 Type:SEC 73 MODIFICATION

Name: Mr & Mrs U Hilliam
Nutts Lane
Holbeach St Johns
Spalding
Lincs

Agent: Loweth Cowling Design
Station House
Station Street
Holbeach
Spalding Lincs

Description: Continuation of permission without complying with Condition No 6 (limited period)
Location : Nutts Lane Holbeach St Johns Spalding

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

1 In the opinion of the Local Planning Authority, permission should only be granted for the development for a temporary period in order for the Authority to be able to review the effect of the development on the amenities of the locality.

Authorised to issue:

31-JUL-92 H09/0640/92 AD...AL....DC..AL....
48

APPLICATION REFERENCE: H09/0640/92 DATE RECEIVED: 11-JUN-92

APPLICANT: Mr and Mrs U Hilliam
Nutts Lane
Holbeach St Johns
Spalding
Lincs

AGENT: Loweth Cowling Design
Station House
Station Street
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Lincs

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

TYPE: SEC 73 Modification

DESCRIPTION: Change of use to residential and plant storage without limited period imposed by Condition No 6 of H09/0357/92

LOCATION: Nutts Lane, Holbeach St Johns, Spalding

Parish Council: No response on expiry date (30th June 1992)

Information from Applicants (Summarised)

- Brought to our attention that considerable correspondence has been sent to you by the occupiers of 'Appledore' a near neighbour. It would appear that it was for this reason that condition 6 was imposed.
- No such condition was imposed in respect of previous application H09/1361/90 which was only not released because of a technical hitch.
- Our clients have now taken legal advice and there would appear to be grounds for action in respect of libel by the occupiers of 'Appledore'.
- Also understood that another near neighbour has written to you and the claims are completely unfounded.

PLANNING POLICIES/DOE ADVICE
Outside I.B.D.

PREVIOUS DECISIONS

H09/1361/90 - Change of Use from residential to residential and business purposes - Refused on basis that applicants not prepared to enter into a Section 106 Agreement tying the dwelling to the business.
H09/0445/91 - Extension to existing dwelling - Permitted
H09/0357/92 - Change of Use from residential to residential and plant storage only - Permitted
Condition 6 - At the expiration of a period of three years from the date of this permission the use hereby permitted shall be discontinued and the site reinstated to the reasonable satisfaction of the Local Planning Authority.
Reason
To enable the Local Planning Authority to review the effect of the proposed development on the amenities of the locality.

PLANNING ISSUES

1 The determining issue in this particular case is whether the application would have been refused by the Planning Committee in the absence of the condition referred to.

2 The applicants maintain that in respect of the earlier application (H09/1361/90) it was resolved that permission be granted (subject to a Section 106 Agreement tying the dwelling to the business) without any reference to a temporary period. As such they consider that it is unreasonable to now impose such a condition.

CONCLUSIONS

1 In respect of application H09/0357/92 the Planning Committee considered that the proposal was only acceptable if it were granted for a temporary period to enable the Local Planning Authority to review the situation. This in my judgment was a reasonable course of action, in the interest of the amenities of the locality, and as such it is considered that the condition should remain.

RECOMMENDATION - Refuse permission.

In the opinion of the Local Planning Authority, permission should only be granted for the development for a temporary period in order for the Authority to be able to review the effect of the development on the amenities of the locality.

PLANNING COMMITTEE - 14th July, 1992

48. PLANNING APPLICATIONS (Continued)

(b) **Applications Refused** (Continued)

Plan No. and Applicant		Proposal
H16/0518/92 Kiddicare		Change of use of disused Telephone Exchange to retail sales (ground floor) and storage of goods (first/second floor) at former Telephone Exchange, Gore Lane, Spalding.
H15/0556/92 D C Stanhope	O.A.	Dwelling on land adjoining Scheveningen, Quadring Bank Road, Quadring.
H13/0519/92 Mr A Harrison	O.A.	Residential Development - One plot at Fengate Road, Moulton Chapel.

(Councillor N P Judge MBE declared an indirect interest in the above application, and left the Council Chamber during consideration thereof.)

H09/0640/92 Mr and Mrs U Hilliam		Change of use to residential and plant storage without limited period imposed by Condition No 6 of H09/0357/92 at Nutts Lane, Holbeach St Johns.
H22/0619/92 Mr and Mrs R White		House and garage adjacent to 54 Austendyke Road, Weston Hills.
H23/0667/92 Ashwood Homes		Two cottages and garages at Roman Bank, Saracens Head.
H18/0678/92 Trustees of L A Walton	O.A.	Bungalow and garage, including details of means of access at rear of Glenada, Wharf Street, Sutton Bridge.

(c) **Applications Deferred**

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

Plan No. and Applicant	Proposal
H08/0266/92 National and Provincial Building Society	Modification of Condition 6 (lighting scheme) of H08/0977/86 - Residential development at Gosberton Hall Site, High Street, Gosberton.

(To enable the Director of Planning and Building Control Services to negotiate with the applicants a satisfactory amended lighting scheme.)

H05/0431/92 H Payne	O.A.	Garden and farm sales with associated vehicle parking at Anglia Motel, A17 Trunk Road, Fleet.

(To enable the application to be considered at the same time as application reference H05/0088/92 which is currently being discussed with the applicants.)

H16/0548/92 Boston & South Holland ITEC	Advertisement consent for two wall signs at 27/29 The Crescent, Spalding.

(To enable the Director of Planning and Building Control Services to discuss with the applicants the provision of a more suitable sign.)

BRIAN SMITH Dip TP MRTPI
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Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H09/0357/92 Received:23-MAR-92 Type:FULL

Name: Mr & Mrs U Hilliam
Nutts Lane
Holbeach St Johns
Spalding
Lincs

Agent: Loweth Cowling Design
Station House
Station Street
Holbeach
Spalding, Lincs

Description: Change of use from residential to residential and plant storage only

Location : Nutts Lane Holbeach St Johns
Spalding Lincs

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

1 The use of the site and operation of the plant therein started shall be limited to the occupiers of the adjoining dwelling or their employees.

Reason: The proximity of the site and the dwelling makes it environmentally unsuitable unless the occupancies are linked.

2 The premises shall not be used at any time on Sundays nor between the hours of 7.30 pm and 7.30 am on other days.

Reason: To protect the amenities of this residential area.

3 No servicing or repairs of the plant machinery shall take place on site.

Reason: To protect the amenity of dwellings in the vicinity.

4 No plant machinery shall be left or stored on any part of the applicants curtilage other than that described as the business curtilage.

Reason: To protect the visual amenity.

5 The access and business curtilage shall be hard surfaced with tarmacadam (or some other material to be agreed with the Local Planning Authority) in accordance with details to be submitted to the Local Planning Authority within three months of the date of this decision and carried out within a period of three months after the date of approval.

Reason: To protect the amenity of dwellings in the vicinity from noise disturbance.

AN SMITH Dip TP MRTPI
ector of Planning & Building Control Services
Planning & Building Control Department,
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Priory Road, Spalding,
Lincolnshire. PE11 2XE

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SOUTH HOLLAND DISTRICT COUNCIL

6 At the expiration of a period of 3 years from the date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the reasonable satisfaction of the Local Planning Authority.

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

sgd B SMITH
Director of Planning and Building Control Services

01-JUN-92 H09/0357/92

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
[illegible] Road, Spalding,
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SOUTH HOLLAND DISTRICT COUNCIL

LATE OBS: Offr. DG Date. 1/7
Salient points highlighted ✓

Application no: H09/0640/92

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Type: SEC 73 MODIFICATION Date received: 11-JUN-92

16-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 01-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: Supported

Signed: [signature]

6/7/92

S.H.D.C. PLANNING DEPT.
RECEIVED
- 9 JUL 1992 PG

Attention of
DPO MDM
DOPO BJ
JC ACP
Action by .....
Discuss with .....
Copy to .....

File nos.

Acknowledge YES/NO
by
date

RIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire, PE11 2XE
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SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

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Fax: (0775) 710772

SOUTH HOLLAND DISTRICT COUNCIL

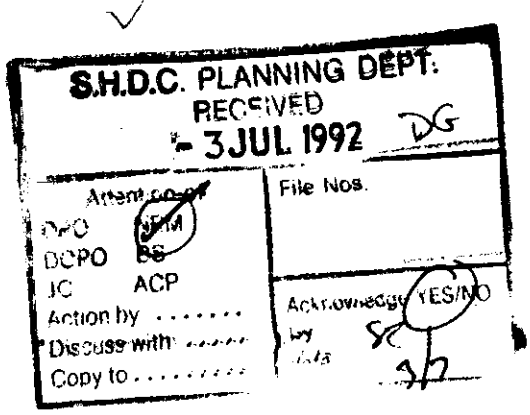
6 At the expiration of a period of 3 years from the date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the reasonable satisfaction of the Local Planning Authority.

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

sgd B SMITH
Director of Planning and Building Control Services

01-JUN-92 H09/0357/92

"Appledore"
Nutt Lane.
Holbeach St. Johns.
Lincs.



Dear Mr. Smith.

RE. Plan. Appli. No. H09/6640/92
Type: Sec. 73. Modification.

We have now read the Full Planning Application granted for "Change of Use ... to Res. and Plant Storage only". We have studied the 6 conditions and they seem eminently reasonable. Especially when you consider that the Hilliams have no 'Agricultural Tenancy' agreement, and, also, that they have not had to wait 10 years, as one friend in Notts has, to build a house on 10 acres they have always farmed.

Mr. & Mrs. Hilliams current application requests that condition 6 be lifted for 4 reasons,

1). Correspondence from us to Plan. Dept.
2). That we are liars.
3). That a near neighbour refutes our complaints.
4). That the Env. Health Dept think Mr. & Mrs Hilliam are perfect neighbours.

We would like to reply to these in order...

1). We have a legal and democratic right to object to any Planning Application that affects us. Also both the Planning and E. Health Dept. required us to monitor the disturbances.

2). We have never needed to lie about Mr. Hilliams activities, until very recently he has persistently

increased the noise level from machinery etc. when it was most likely to annoy us, (ie: evenings + weekends) in an attempt on this part to stop our objections about noise by making more. In an attempt to drive us out; and punish us for exercising our FREE democratic rights. The logical thing to do would have been to reduce noise at these times to stop any possible objections!!.

Now that Mr. + Mrs. Hilliam have 'stopped' harassing us with noise etc in recent weeks, and if he can sustain this reasonable behaviour, there will be no problem with a confirmation of his application. However, it is always possible that the Hilliams could lapse, as he has been reminding us during the week your letter arrived.

3). Mr. Hilliam's uncomplaining neighbour has only recently moved here, and as they are frequently out (70%) do not seem reliable. Further they do not live opposite but in a council house 75 metres away. They are members of the Price Demolition family, are very close friends of the Hilliams and would say <u>anything</u> to support them.

4). The Env. Health Dept. have <u>not</u> given Mr. Hilliam a complete 'bill of health'; together with the Planning Dept they have asked us to monitor affairs, and at one time served an 'Enforcement Order', and even advised us to take court action which we decided against.

In CONCLUSION we would like to comment that condition 6 is perfectly reasonable and a protection against another upsurge of unreasonable behaviour, which could so easily happen. <u>If Mr. Hilliam continues to behave in the reasonable way he has done during the last few months</u>, we will need to do no monitoring and make no objections. (If we were liars we would not be freely admitting

this: 4) We would like to point out to Mr. Hilliam that we made no new objections on his last application, that we freely said his behaviour had moderated and become more reasonable. The Plan. Dept and committee did not discuss condition 6 with us, and made their own mind up on this. We would like to finish on a positive note, and say that if Mr. & Mrs. Hilliam allow us to live our lives in peace and quiet, and run their building and hire business in a considerate and reasonable manner, they will hear no words of complaint from us.

Yours faithfully

Ivan. R. Scales.

James. C. Scales.