APPLICATION No. H11/0869/93

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FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H11/0869/93 Received:14-OCT-93 Type:SEC 73 MODIFICATION

Name: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Description: Modification of time limit for residential development (Condition 1 of H11/0593/90)
Location : Land fronting The Delph Station Road
Long Sutton Spalding Lincs

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

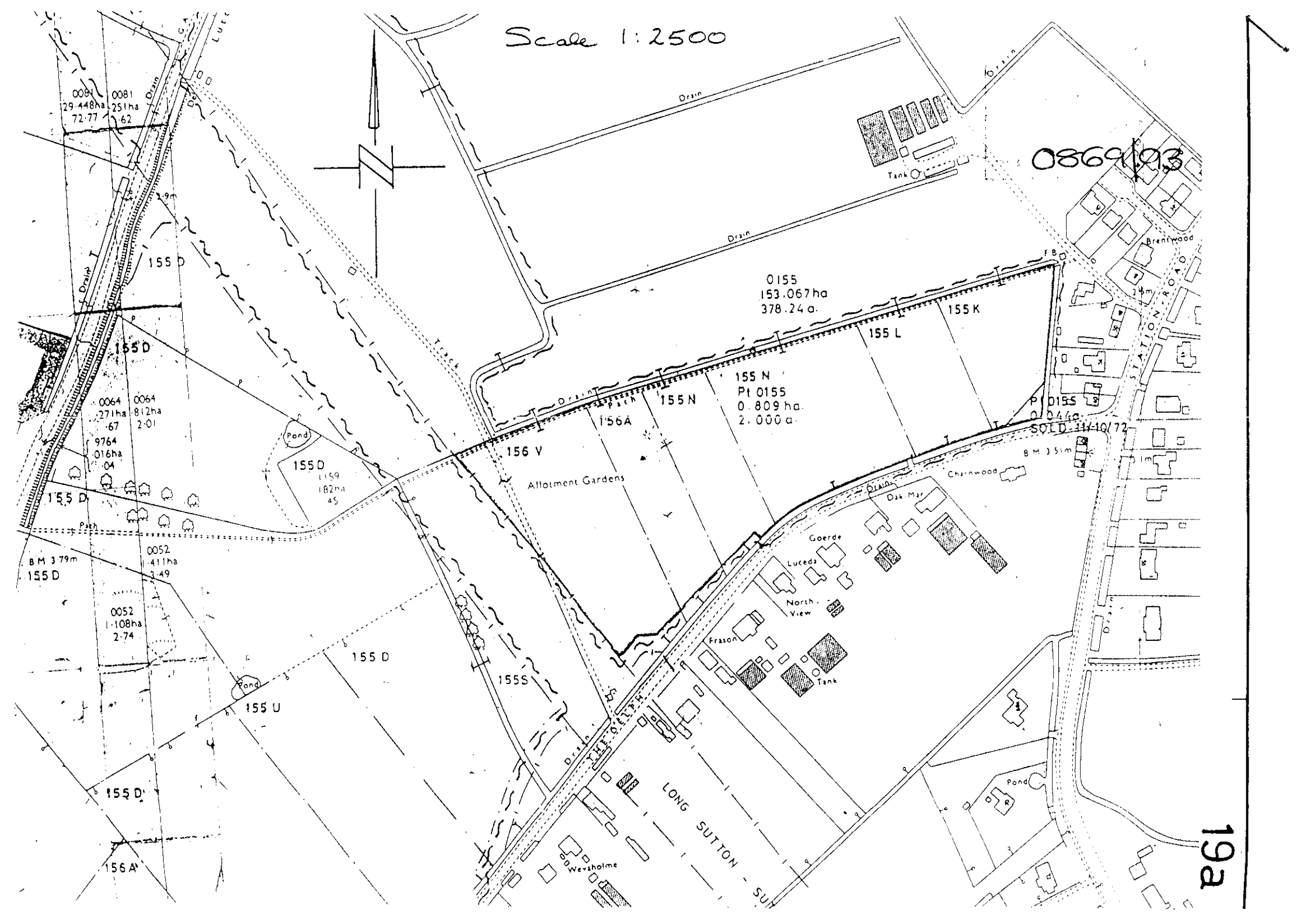
1 The site is outside the Long Sutton and Sutton Bridge Development Boundary (adopted 1 March 1990) in an area where it is contrary to Local Plan Policy H4 and also Approved Structure Plan Policy 7A to grant permission for additional residential development, except that essential in the agricultural interest. In view of the fact that there are currently sufficient residential permissions and also available land within the boundary of development, there appears to be no circumstances that would justify extending the grant of permission contrary to Local Plan and Structure Plan Policy and also advice contained within Department of the Environment Planning Policy Guidance Notes 1 and 3 in particular.

Director of Housing and Planning Services
15-MAY-95 H11/0869/93

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.

MRS SALLY WALTHAM BA (Hons) F.C.I.H. Director of Housing & Planning Services

Housing & Planning Services Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 01775 761161)


Scale 1:2500
0869193
0155
153.067ha
378.24a.
155 K
155 L
155 N
Pt 0155
0.809 ha.
2.000a.
156 V
Allotment Gardens
156A
155 D
155 N
155S
155 U
Pt 0155
0.044a.
SOLD 11/10/72
Brentwood
Chesnwood
Oak Mar
Goerde
Luceda
North View
Frason
Tank
Pond
Drain
Track
Path
STATION ROAD
LONG SUTTON - SU
Wevsholme
0084
29.448ha
72.77
0081
251ha
.62
0064
.271ha
.67
0064
812ha
2.01
9764
.016ha
.04
0052
.411ha
1.49
0052
1.108ha
2.74
BM 3.79m
BM 3.51m
194

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

Accuracy :
Neighbours : Currently agricultural land.
Boundaries : Large verge + small drain along frontage.
Site Features : Residential to east. Tennis court to west.
Residential opposite.

Inspected by DMG
Date 6/10

Site Notice posted by
Date DMG
Expiry Amended Notice 6/10
GS. 19/10.

Individual Resident Notices required:

Addresses to be sent to – ——

Addresses delivered to – As per separate sheet.
[redacted] Delivered by GS 7/10 [redacted]

Case Officer Conclusions

RECOMMENDATION/DECISION

NON–DETERMINATION

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

Senior Officer confirmed .....

Withdrawn .....

DELEGATED DECISION

Case Officer Recommendation

Approve (or equiv) Refuse (or equiv)

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

COMMITTEE

Confirmed as agenda ....D. 22/1

SUB–COMMITTEE

Confirmed as agenda .....

DPBCS AUTHORISED

Decision Issue confirmed .....

Notes:

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

Conditions/Reasons: (cont overleaf)

DC INSTRUCTION SHEET

APPLICATION REF: H11/0869/93

Directions

Art 7 ☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

Reg 4 ☑ DM 8/10 LB ☐ Advt ☐ Other.....

Scale dwg: Highway S/W: Agric appraisal:

Non-std: Details needed: ① It is noted that deemed planning permission (reference H11/593/90) authorised the carrying of residential development in accordance with memoranda dated 7 June and 18 July 1990 copies of these are therefore required.

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

Revalidation after Direction

Information satisfactory Signed DM Date 14/10

Valid date: 14/10

Amended description: ~~Residential development~~ (renewal of ~~H11/593(90)~~ / clone 1410)

Reconsultations: All ☑ See below ☐

including neighbours, Environmental Services & Archaeology Group. No additional info received. Also Site Notice.

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

Precise details:

Additional Consultation/Publicity Required

RECONSULTS

Press
PC
WM
Residents

		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/ Drainage WAT	Env Services	✓
	NRA	.....
	IDB	.....
	Env Assess	..... G ENV Specify:
Conservation LB	LB Demolish	✓ G* DEM
	Archaeology	✓ G ARC Specify:
	Eng Heritage	.....
	Consultant	..... Order No:
	Other	..... Specify:
Hazards	HSC Group	..... G* HAZ
	Specific	..... Specify:
Other PLA		..... Specify:

Case Officer: DAVID GODFREY

Senior Officer Confirmed ..... Date 15/9 Recorded DC....

ADON RECORD SHEET

Initial

Submitted Fee £60
Receipt No P3244
Date first Rec'd 10 SEP 1993

Registration

Reference H11/0869/93
Cross-Ref
Date 15-SEP-93 JAC

Validation

TYPE REN

Site area
No of dwellings
Floorspace

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

Description to be recorded

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

Fees
Correct fee £60
Nil fee
Discounted
Previous app – ref:
Type of app
Reason:

Additional £
Refund £
Receipt No
Voucher No
Date
Date

Information

Index sheet 210 OS Plots
Grid ref 543380 322600
Ward K Parish L. SUTTON
Inside IBD NO Inside LP area YES

Constraints:

CA Cons Area
LB Listed – Grade:
ARC Archaeology
AM Ancient Mon
SSI Special Int

Hazards –
Dist Bound
Other: Archaeological site

TR Rural
BP TR proposed 67m
LC Level Cross
FP Footpath
TPO Tree Pres
HAZ Site
AIR Safeguard
LIN Elect
PIP Pipe
CON Waste/contamin

Linked to site Ref / 692
Linked to property Ref

Planning Records:
Earlier apps 593/90

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

222. **PLANNING APPLICATIONS** (Continued)

(b) **Applications Refused**

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

Plan No. and Applicant		Proposal
H11/0869/93 Land and Buildings Consultancy		Section 73 renewal - residential development on land fronting The Delph, Station Road, Long Sutton.

(It was also agreed that Counsel be instructed to investigate further the validity of reserved matters application H11/1016/93.)

(Councillor M S L Rollinson entered the meeting during consideration of the above application.)

H08/0133/95 *Mrs Garner*		Bungalow with garages (Renewal of H08/1402/89) *adjacent Cawood Hall, Cawood Lane, Gosberton.*
H08/0152/95 J R L & A J Cooke		Change of use of farm buildings into residential dwellinghouse at Woodbine Farm, Beck Bank, Gosberton Clough.

(Councillor C J T H Brewis left the meeting during consideration of the above application.)

H09/0168/95 Mr C G Godfrey	O.A.	Single storey domestic garage, including siting, means of access and external appearance rear 3 North Parade, Creewood Close, Holbeach.
H08/0187/95 D P Sandall	O.A.	Bungalow and garage at Cheal Road, Gosberton Risegate.
H08/0229/95 Miss S Bartrum		Detached double garage with games room at first floor, 5 Siltside, Gosberton Risegate.
H03/0233/95 Mr R P Tinsley	O.A.	Pair of semi-detached dwellings at Campains Lane, Deeping St Nicholas.
H16/0246/95 Burton Group plc		Shop front at 32-33 Hall Place, Spalding.

(Councillors N I Capes and B A Paul left the meeting during consideration of the above application.)

H16/0247/95 Burton Group plc	Advertisement consent for fascia and projecting signage at 32-33 Hall Place, Spalding.

(Councillors N I Capes and B A Paul left the meeting during consideration of the above application.)

APPLICATION REFERENCE: H11/0869/93 DATE RECEIVED: 14-OCT-93

TYPE: Permission Renewal

DESCRIPTION: Residential development (renewal of application H11/0593/90)

LOCATION: Land fronting The Delph, Station Road, Long Sutton.

APPLICANT: Land and Buildings Consultancy AGENT:

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 25 APR 1995

REASON FOR COMMITTEE CONSIDERATION

Recommendation of refusal; objections received.

RECOMMENDATION

Refuse Permission.

1 *The site is outside the Long Sutton and Sutton Bridge Development Boundary (adopted 1 March 1990) in an area where it is contrary to Local Plan Policy H4 and also Approved Structure Plan Policy 7A to grant permission for additional residential development, except that essential in the agricultural interest. In view of the fact that there are currently sufficient residential permissions and also available land within the boundary of development, there appears to be no circumstances that would justify granting permission contrary to Local Plan and Structure Plan Policy and also advice contained within Department of the Environment Planning Policy Guidance Notes 1 and 3 in particular.*

COMMENTS

1 County Council obtained deemed planning permission for residential development on 26 October 1990 (H11/0593/90). Details relating to number and type of property were "reserved".

2 Main issue, therefore, is whether there has been a material change in planning circumstances which would warrant an alternative decision.

3 This is indeed considered to be the case. Section 54A has since become law and requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

4 Further, PPG1, 1992 (General Policy and Principles) states that an applicant who proposes a development which is clearly in conflict with the development plan needs to produce convincing reasons to demonstrate why the plan should not prevail. There is not considered to be such

reason in this instance. Within the current boundary of development there are already commitments for around 456 dwellings besides this particular site. There are also limited opportunities for development elsewhere within the boundary and these commitments are considered to be of such a level that they should provide enough land to meet Long Sutton's needs for housing not only to 1996 but beyond, to 2001. The site is also outside the development boundary defined within the Consultation Draft District Local Plan.

5 The Committee should also be aware the Authority is currently considering an application (H11/1016/93) for approval of the reserved matters.

REPRESENTATIONS

Parish Council: No objections.

County Highways: Request conditions and improvement of existing road.

Heritage Lincolnshire: Medieval pottery found during construction of adjacent site - therefore possibility of medieval settlement. A watching brief is recommended.

Environmental Services: Suggest condition should be imposed in accordance with road traffic policy (i.e. L10, 18 hour 65 dB(A) measured at 1 metre from residential facade for greenfield sites).

Public: Objections received from owner/occupiers of 15, 21 and 23 Delph Road. (Summarised).

- Rural area and high density development would create estate type environment.
- Delph Road too narrow and unfit for extra traffic.
- Retired here 5 years ago for peaceful environment. If granted will find ourselves in centre of an estate which is most unacceptable.
- Will properties match those existing on Delph Road?
- When R K Wilson and Son applied for access to Delph Fields via Delph Road they were refused due to width and condition of road.

Applicant: Summarised:
Whilst site has been available for purchase for the past 3 years the general economic climate and slump in demand has prevented it from being sold.

ADDENDUM

1 On 17 November 1993, the Planning Committee accepted the above report and its recommendation, and notice of refusal was issued on 24 November 1993.

2 Subsequently, the County Council wrote to challenge the section of the Act that the application was determined under, stating that they had wanted it to be determined under Section 73 of the act rather than Section 70.

3 To explain, all applications have imposed upon them a condition requiring a commencement of development and/or submission of reserved matter details to be carried out within a certain time period. Once that period has expired without the appropriate action being taken by the applicants, a subsequent commencement, or submission of reserved matters, is contrary to the condition and out of time. Under Section 70 of the act, there is a special procedure to allow any such permissions that are about to become time expired to be renewed. However, there is also a general provision under Section 73 of the Act that allows any condition of a planning permission to be modified. Although a reserved matter application had been submitted, the County stated that they wanted the time limiting condition modified to allow further reserved matter applications to be submitted within a further three years, under the Section 73 procedure rather than a renewal under Section 70.

4 The County Council contended that if Section 73 is used, only the question of the conditions could be taken into account, and not the principle of whether development should be allowed or not. Whilst this might be fair with application to vary most conditions, with the time limiting condition, it is clear that the question of whether the development should be allowed to proceed or not is fundamental to determining whether the condition should be changed.

5 Counsel's advice has, therefore, had to be sought as to whether the County Council was entitled to require the application to be determined under the provisions of Section 73 and also, if that was the case, whether matters such as the development plan provisions, and the fact that the proposal was contrary to them, could be taken into account. His view is that whilst the County were right on the first point, and could require this authority to determine the application under Section 73, they were not on the second point, and therefore the Authority was entitled to take Development Plan Policies into account. This means that the reason behind the earlier refusal, if not the section under which it was issued, remains valid.

6 Counsel also raised the question of whether the application for reserved matters, currently submitted under the original outline H11/0593/90 was made within the relevant three year period, and was a valid application. This doubt has been raised because there is a discrepancy between the date when the outline application was first deemed to be granted by the County Council and the date of issue of a decision notice. However, he would need to do further research, including the examination of some unreported cases, before he could advise on this.

7 Currently the department is still considering the application for reserved matters made under the original outline permission, having initially queried with the County Council the date of its submission, but having been assured by them that it was valid. Now that the matter has been raised by Counsel, members may feel that it is important for it to be resolved.

RECOMMENDATION

1 *That a further refusal notice be issued, under Section 73 of the Planning Act refusing to modify Condition 1 of application H11/0869/93 in the same terms as the original refusal.*

2 *That the Committee consider whether to authorise Counsel to investigate further the question of the validity of the reserved matter application H11/1016/93.*

25th APRIL 1995 PLANNING COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Page No	Application Number	Case Offr	Instructions/ Decision
1	H11/0869/93 Land and Buildings Consultancy	NRM	Refused plus authorised to investigate validity of reserved matter application H11/1016/93 as recommended.
5	H08/0921/94 Charles Mayfield	DJR	Deferred. Report back re 3 sworn declarations. Report to state very clearly what may have been proved and what we are satisfied about and what is law re "haulage" in use classes. Remind members of entitlement to view details in public files. Amend last word of line two of applicants comments on page 6 to read "Act".
7	H02/0986/94 W E & A Slater	DJR	Grant as recommended plus add note asking building to be sited as far as possible from 105 North Street which has side windows overlooking site.
9	H08/0064/95 Eastman Security	PJU	DHPS Auth subject to checking relevance of public comment saying adjacent property restricted to one storey. Amend second word of line one of comments on page 9 to read "formerly"
12	H05/0069/95 Regalbourne Ltd	JB	Grant as recommended.
14	H16/0105/95 H16/0202/95 Swallow Homes	DJR DJR	Grant as recommended. Amend word on line 4 of last public representation on page 15 to read "petition". Ltr to Swallow Homes asking them to seek a better way of accessing the site at the current phase of development to reduce nuisance to residents at Claudette Avenue from contractors vehicles.
17	H12/0111/95 M E Bunn	DMG	Deferred for site visit. Request Parish Council clarify their views as previously they wished to see the open area remain grassed and are now supporting this area as being used for car parking.
19	H08/0133/95 Mrs Garner	DJR	Refused as recommended.
21	H18/0145/95 ASB Greenworld	JB	Grant as recommended plus additional condition re noise rating being restricted to 45 dba - See John Chapman for correct wording.
24	H08/0152/95 J R L & A J Cooke	PJU	Refused as recommended. Amend wording of line three of refusal reasons to read "render them fit for"
26	H08/0156/85 Parochial Church Council	DJR	DHPS Auth as recommended plus additional condition re accoustic insulation. Amend envirnomental services comments on page 27 as follows: Line 3 last word to read "for". Line seven last word to read "vents".
28	H09/0168/95 Mr C G Godfrey	DMG	Refused as recommended.

30	H08/0187/95 D P Randall	DJR	Refused as recommended.
32	H18/0193/95 D A Rollins Esq	DMG	DHPS Auth as recommended.
34	H22/0199/95 Miss M Hawkins	DMG	Grant contrary to recommendation. Add relevant conditions.
35	H16/0207/95 Mr G Russell	DJR	Grant as recommended. Ensure fencing scheme includes if necessary boundary between property and existing bungalow to front.
37	H14/0318/95 Mr & Mrs R Harpham	PJU	Grant as recommended.
38	H08/0229/95 Miss S Bartrum	PJU	Refused as recommended.
40	H03/0233/95 Mr R P Tinsley	DJR	Refused as recommended.
41	H01/0240/95 Trustees: F J Braybrooke	DJR	DHPS Auth as recommended. Advise Local Plans that development brief should encompass whole of triangle at Cowbit. Amend word four of last line of Anglian Water comments on page 42 to read "foul"
43	H16/0246/95 H16/0247/95 Burton Group	DJR	Refused as recommended.
45	H17/0253/95 Mrs E Garner	DJR	Grant as recommended.
47	H16/0269/95 Mr A R Bennett	DJR	Deferred for site visit. Refer back to Highways with formal letter requesting further consideration as members feel that the bad road conditions at St Thomas's Road will be made worse by this development.
49	H02/0282/95 G M Riddington	DJR	No objection as recommended except emphasise that cttee are concerned that grant should be restricted to 2 year trial period. Advise that it would appear that work has already commenced on site.
52	H23/0290/95 R B Mayer	DMG	DHPS Refused as recommended.
55	H14/0307/95 Executors of Guy Bray - Deceased	PJU	Grant as recommended.
56	H14/0227/95 Mr I Campbell	PJU	Deferred for site visit.
Item 4	H13/1058/94 Robert Scrimshaw	JB	Refused as recommended.

Date: 26th Apr 95

Signed: .....

N R Midlen
Development Control Manager

Maples & Son

SOLICITORS

COMMISSIONERS FOR OATHS

A. R. Withyman, M.A., LL.B. (Cantab)
Richard W. Lewis, LL.M. (Lond)
Philip A. N. Crew, LL.B. (Leeds)
Malcolm Charlesworth, LL.B. (Hull)
David Hicken, LL.B. (Sheffield)
Michael H. Pepper, M.A. (Cantab)
Anita L. Davies, LL.B.

23 NEW ROAD
SPALDING
LINCS. PE11 1DH

DX 267006-Spalding
Telephone (01775) 722261
Fax (01775) 767525

Our Ref: W/KG.SHDC01/369

Your Ref: JMB/PK/PL6

Date: 14 March, 1995

Dear Sir,

re: South Holland District Council
re: The Delph, Station Road, Long Sutton

We have now received Counsel's advice by facsimile and enclose herewith a photostat copy for your consideration.

You will note that Counsel's advice is that it is incumbent on the Council to have regard to the Development Plan and we hope therefore that this will enable the Council to pursue the matter.

If you require any further information, please let us know.

Yours faithfully,
MAPLES & SON

The Director of Administration,
South Holland District Council,
Priory Road,
SPALDING,
Lincs.

Enc.

This firm is regulated by the Law Society in the conduct of investment business

RE SOUTH HOLLAND DISTRICT COUNCIL

AND LINCOLNSHIRE COUNTY COUNCIL

RE: THE DELPH

OPINION

---

1. Two issues arise out of my Instructions dated 15th February 1995, as supplemented by letter dated 28th February 1995. They are as follows:

   a. Was the application for reserved matters pursuant to application H11/593/90 made within the three year time period referred to in Part 2 condition 1(b) of the Deemed Planning Permission granted in 1990?;

   b. When, when considering an application under section 73 of the Town and Country Planning Act 1990to vary that condition so as to extend the period within which an application for reserved matters should be submitted, is it legitimate to have regard to the development plan.

2. I shall take the second issue first since, in my view, the determination of that issue may render the first issue academic.

3. In my view it is incumbent upon the authority to have regard to the provisions of the development plan, and to any other material considerations

when determining this application. Whilst section 73(2) requires the local Planning Authority to consider "only the question of the condition subject to which planning permission should be granted", it has to be remembered that the particular condition in question in this case is one for which provision is expressly required to be made under section 92 of the Act. Indeed section 92(3) states that if the outline planning permission had been granted without the conditions required by sub-section (2) of section 92, "it shall be deemed to have been granted subject to those conditions.

4. Section 92(2) states that an outline planning permission

"shall be granted subject to conditions to the effect -

(a) that, in the case of any reserved matter, application for approval must be made not later than the expiration of 3 years beginning with the date of the grant of outline planning permission; and

(b) that the development to which the permission relates must be begun not later than -

(i) the expiration of 5 years from the date of the grant of outline planning permission; or

(ii) if later, the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved."

5. Sub-section 4 of section 92 states that a local authority may in applying sub-section (2),

"substitute, or direct that there be substituted for the periods of 3 years, 5 years or 2 years referred to in that sub-section such other periods respectively (whether longer or shorter) as they consider appropriate".

6. Further, sub-section (5) provides that separate periods may be specified for separate parts of the development to which the planning permission relates.

7. Section 92(6) states as follows:

"In considering whether to exercise their powers under sub-sections (4) and (5), the authority shall have regard to the provisions of the development plan and to any other material considerations."

8. Section 54A provides:

"Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."

9. It will be noted in section 92(6) that the authority is to "have regard to the provisions of the development plan", which is the basis for the application of section 54A. Thus, not only is the authority to have regard to the provisions of the development plan, but also to determine the application in accordance with the plan unless material considerations indicate otherwise.

10. There is no secret that the District Council strongly objected to the deemed planning permission which the County Council granted to itself in 1990.

11. The following reasons were expressed:

> "(i) The site is situated outside the Boundary of Development for Long Sutton as contained in the adopted Long Sutton and Sutton Bridge Local Plan and referred to under Policy H1.
>
> (ii) In the opinion of the Local Planning Authority sufficient land exists within the Boundary of Development for Long Sutton to cater for the likely demand for housing within the foreseeable future and a departure from the policies of the adopted Local Plan is not justified.
>
> (iii) The development would result in an unwarranted extension built-up area of Long Sutton into the open countryside and be detrimental to the open rural character of the landscape contrary to the aims of Structure Plan Policy 5."

12. There has been no material change in the development plan since: indeed although the Local Plan is under review, the Consultation Draft excludes land, including the site owned by the Lincolnshire County Council, from the boundary of development.

13. In my view it seems perfectly rational to maintain the objection to an extension of time within which to submit reserved matters. The planning permission is not wanted and the local authority does not wish actively to assist development which it regards as contrary to its development plan. The consequence of an extension of time is that the existing application for approval of reserved matters would no doubt be withdrawn because an approval of the existing reserved matters would mean that development would have to be commenced within 2 years.

14. If there is no market, as the County Council suggest, for the houses which it wishes to build, then there is a realistic prospect that the County Council will not embark upon such development within the 2 years following the reserved matters approval.

15. One can well understand the motivation behind the County Council's application. Their candour in referring to the economic circumstances is helpful because it reveals that there is no planning reason whatsoever which the County Council is advancing in support of its application.

16. I turn, then, to the first issue which I identified at the beginning of this Opinion, namely whether the application for approval of reserved matters was submitted within the 3 year time period. Ultimately this may be an academic matter, because if I am right as to the advice I have already given, then even if there is an extant planning permission (which is clearly capable of being a material consideration), then the local authority is entitled to act, in my view, as it wishes to do.

17. The footnotes to section 73 refer to an unreported case of R v Secretary of State for the Environment ex parte Corby Borough Council (8th February 1994) (decision of Pill J. as he then was). Apparently in that case the Judge held that it is possible to apply for an extension of time for the submission of reserved matters for approval where one has failed to meet the deadline for the submission of those reserved matters. He apparently took the view that the effect is that the

application is deemed not to be in accordance with the condition, rather than that the whole permission is to be regarded as having lapsed.

18. Section 93(4) states as follows:

> "In the case of planning permission (whether outline or other) which has conditions attached to it by or under section 91 or 92 - ...
>
> (b) An application for approval of a reserved matter, if it is made after the date by which the conditions require it to be made, shall be treated as not made in accordance with the terms of the permission."

19. As the commentary states:

> "The intended effect is presumably that the planning permission should be taken to have lapsed if development has not been begun with the specified period, or if any requisite application for approval of reserved matters has not been made within the specified period. But, as the section is drafted, it is by no means clear that this is its effect."

20. There is thus some doubt as to whether the failure to meet the deadline means that the permission lapses.

21. I have not seen (because it is unreported) the decision in the Corby case, but my Instructing Solicitors may wish, if it becomes relevant, to obtain a copy from the Borough Council concerned. It seems likely that the Judge took the view, contrary to the "intended effect" referred to in the commentary above, that the permission did not lapse; if the permission had lapsed then there would have been nothing to extend.

22. *If that is the correct understanding* (a) *of the decision and* (b) *of the law* then it matters not whether the date of the grant of deemed planning permission was July or October of 1990.

23. If it is incorrect and the permission is capable of having lapsed, then it would be relevant and necessary to look at the committee resolution to ensure that it does indeed reflect what is suggested in the letters from the County Council, namely that the committee resolved to delegate the power to make a resolution to the Chief Executive and that that resolution was made in October 1990.

24. It can thus be seen that the first issue identified may be peripheral to the second issue. If my Instructing Solicitor would wish me to pursue the first issue I would be happy to do so with the benefit of a copy of the committee resolution and the Corby decision.

25. To summarise my views I would answer the two questions raised in paragraph 1 (in the order set out) respectively "possibly" and "yes". No doubt my Instructing Solicitor will let me know if I can assist further.

RICHARD HUMPHREYS

4/5 Gray's Inn Square
London WC1R 5AY
rh\south.op

7 March 1995

22

Maples & Son
Solicitors
23 New Road
Spalding
Lincs.
PE11 1DH

Miss J M Berridge

JMB/PK/PL6
W/KG.SHDC01/369

23rd February, 1995

Dear Sirs

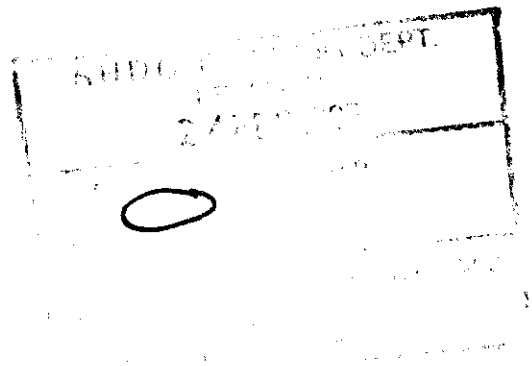
SOUTH HOLLAND DISTRICT COUNCIL
THE DELPH, STATION ROAD, LONG SUTTON

I refer to my letters dated 22nd November, 1994 and 16th January, 1995 relating to the above. The Council's Director of Planning and Building Control Services is committed to submitting a further report back to the Planning Committee very shortly, and I wonder if you are yet in a position to forward your advice.

I look forward to hearing from you as soon as possible.

Yours faithfully

Director of Administration



Land and Buildings Consultancy

A Professional Consultancy of Lincolnshire County Council

Estate Management Valuation
Design & Building Services

County Offices, Newland, Lincoln LN1 1ZA
Telephone (0522) 552222 Fax Lincoln (0522) 552611 DX 701680 LINCOLN 5

L&BC

J. David Trafford
FRICS
General Manager

When calling please ask for
P D WARDILL
Direct Line (0522) 552688

N Midlen Esq
Principal Planning Officer
Planning & Building Control Department
Council Offices
Priory Road
Spalding
Lincs
PE11 2XE

YOUR REF: NRM/JJ/H11/0869/93

MY REF: V2954/PDW/LMC

10 November 1994

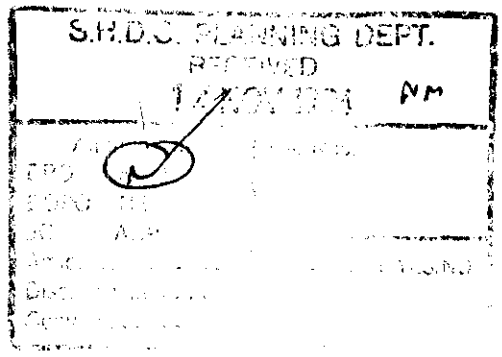
Dear Sir

THE PLANNING APPLICATION AT THE DELPH, LONG SUTTON

We note the contents of your letter dated 7 November 1994 and would be grateful if our application is reported back to the Planning Committee for determination under Section 73 at the next available opportunity.

Yours faithfully

for General Manager



A M Hey FRICS
Head of Practice
Estates Services

R C Poucher MCIBSE
Head of Practice
Design Services

J L Wilcox Bsc CEng FIEE FCIBSE
Head of Practice
Building Services

D J Simpson IPFA
Business Manager

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H11/0869/93 Received:14-OCT-93 Type:PERMISSION RENEWAL

Name: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development (renewal of application H11/0593/90)
Location : Land fronting The Delph Station Road
Long Sutton 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 Long Sutton and Sutton Bridge Development Boundary (adopted 1 March 1990) in an area where it is contrary to Local Plan Policy H4 and also Approved Structure Plan Policy 7A to grant permission for additional residential development, except that essential in the agricultural interest. In view of the fact that there are currently sufficient residential permissions and also available land within the boundary of development, there appears to be no circumstances that would justify granting permission contrary to Local Plan and Structure Plan Policy and also advice contained within Department of the Environment Planning Policy Guidance Notes 1 and 3 in particular.

Director of Planning and Building Control Services
24-NOV-93 H11/0869/93

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)

APPLICATION REFERENCE: H11/0869/93 DATE RECEIVED: 14-OCT-93

TYPE: Permission Renewal

DESCRIPTION: Residential development (renewal of application H11/0593/90)

LOCATION: Land fronting The Delph, Station Road, Long Sutton.

APPLICANT: Land and Buildings Consultancy AGENT:

REASON FOR COMMITTEE CONSIDERATION

Recommendation of refusal; objections received.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 17 NOV 1993

RECOMMENDATION

Refuse Permission.

1 *The site is outside the Long Sutton and Sutton Bridge Development Boundary (adopted 1 March 1990) in an area where it is contrary to Local Plan Policy H4 and also Approved Structure Plan Policy 7A to grant permission for additional residential development, except that essential in the agricultural interest. In view of the fact that there are currently sufficient residential permissions and also available land within the boundary of development, there appears to be no circumstances that would justify granting permission contrary to Local Plan and Structure Plan Policy and also advice contained within Department of the Environment Planning Policy Guidance Notes 1 and 3 in particular.*

COMMENTS

1 County Council obtained deemed planning permission for residential development on 26 October 1990 (H11/0593/90). Details relating to number and type of property were "reserved".

2 Main issue, therefore, is whether there has been a material change in planning circumstances which would warrant an alternative decision.

3 This is indeed considered to be the case. Section 54A has since become law and requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

4 Further, PPG1, 1992 (General Policy and Principles) states that an applicant who proposes a development which is clearly in conflict with the development plan needs to

produce convincing reasons to demonstrate why the plan should not prevail. There is not considered to be such reason in this instance. Within the current boundary of development there are already commitments for around 456 dwellings besides this particular site. There are also limited opportunities for development elsewhere within the boundary and these commitments are considered to be of such a level that they should provide enough land to meet Long Sutton's needs for housing not only to 1996 but beyond, to 2001. The site is also outside the development boundary defined within the Consultation Draft District Local Plan.

5 The Committee should also be aware the Authority is currently considering an application (H11/1016/93) for approval of the reserved matters.

REPRESENTATIONS

Parish Council: No objections.

County Highways: Request conditions and improvement of existing road.

Heritage Lincolnshire: Medieval pottery found during construction of adjacent site - therefore possibility of medieval settlement. A watching brief is recommended.

Env. Services; Suggest condition should be imposed in accordance with road traffic policy (i.e. L10, 18 hour 65 dB(A) measured at 1 metre from residential fascade for greenfield sites).

Public: Objections received from owner/occupiers of 15, 21 and 23 Delph Road. (Summarised).

- Rural area and high density development would create estate type environment.
- Delph Road too narrow and unfit for extra traffic.
- Retired here 5 years ago for peaceful environment. If granted will find ourselves in centre of an estate which is most unacceptable.
- Will properties match those existing on Delph Road?
- When R K Wilson and Son applied for access to Delph Fields via Delph Road they were refused due to width and condition of road.

Applicant: (Summarised).
Whilst site has been available for purchase for the past 3 years the general economic climate and slump in demand has prevented it from being sold.

BRIAN SMI)ip 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

H11/0869/93

PERMISSION RENEWAL

Applicant: Land & Buildings Consultancy Agent: Land & Buildings Consultan
Tel: 0522 552222 0522 552222

Description: Residential development (renewal of application H11/0593/90)

Location: Land fronting The Delph
Station Road
Long Sutton
Spalding Lincs

Valid date:	14-OCT-93	Terminal date:	09-DEC-93
Target dates:		Target Committee:	07-DEC-93
To case officer	21-OCT-93	Report deadline:	23-NOV-93
Inspected by	28-OCT-93	Agreed TD Ext:	
Extra contacts	04-NOV-93	Case Officer:	
Report if not clear by	18-NOV-93		D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Newbuild
Listed building: ARCHAEOLOGICAL SITE Other Constraints: BP
Conservation Area:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
~~Owner/Occupier~~	~~07-OCT-93~~	~~28-OCT-93~~
~~owner/Occupier~~	~~07-OCT-93~~	~~28-OCT-93~~
Owner/Occupier, 62 Station Road	14-OCT-93	04-NOV-93
Owner/Occupier, 60 " "	14-OCT-93	04-NOV-93
Owner/Occupier, 58 " "	14-OCT-93	04-NOV-93
* Owner/Occupier, 56 " "	14-OCT-93	04-NOV-93
Owner/Occupier, 50 " "	14-OCT-93	04-NOV-93
Owner/Occupier, 48 " "	14-OCT-93	04-NOV-93
Owner/Occupier, 29 Delph Road	14-OCT-93	04-NOV-93
Owner/Occupier, 27 " "	14-OCT-93	04-NOV-93
Owner/Occupier, 21A " "	14-OCT-93	04-NOV-93
Owner/Occupier, 21 " "	14-OCT-93	04-NOV-93
Owner/Occupier, 13 " "	14-OCT-93	04-NOV-93
Owner/Occupier, Charnwood, Delph Rd	14-OCT-93	04-NOV-93
Owner/Occupier, Ty Gwyn, " "	14-OCT-93	04-NOV-93
Owner/Occupier, Darrens Field House	14-OCT-93	04-NOV-93
Owner/Occupier, Dak mar, 9 Delph Rd	14-OCT-93	04-NOV-93

* Disabled lady.

Additional info. rec'd.

L C C - Obs. Attached fec's 21/10/93

BRIAN SMI 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

H11/0869/93

PERMISSION RENEWAL

Applicant: Land & Buildings Consultancy Agent: Land & Buildings Consultan
Tel: 0522 552222 0522 552222

Description: Residential development (renewal of application H11/0593/90)

Location: Land fronting The Delph
Station Road
Long Sutton
Spalding Lincs

Valid date:	14-OCT-93	Terminal date:	09-DEC-93
Target dates:		Target Committee:	07-DEC-93
To case officer	21-OCT-93	Report deadline:	23-NOV-93
Inspected by	28-OCT-93	Agreed TD Ext:	
Extra contacts	04-NOV-93	Case Officer:	
Report if not clear by	18-NOV-93		D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Newbuild
Listed building: ARCHAEOLOGICAL SITE Other Constraints: BP
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry	
Owner/Occupier, Coerde, 17 Delph Road		14-OCT-93	04-NOV-93	Additional info rec'd.
Owner/Occupier, Lucheda, 19 "	"	14-OCT-93	04-NOV-93	
Owner/Occupier, Sheridan, "	"	14-OCT-93	04-NOV-93	
Owner/Occupier, Frason, 23 "	"	14-OCT-93	04-NOV-93	
Owner/Occupier, Peteshe, 25 "	"	14-OCT-93	04-NOV-93	
Site/Press Advert DEP		19-OCT-93	09-NOV-93 ✓	
Clerk to Long Sutton	0406 362402	14-OCT-93	28-OCT-93	Additional info rec'd.
Department of Transp	0602 476121	14-OCT-93	28-OCT-93	
National Rivers Auth	0522 513100	14-OCT-93	28-OCT-93	
Dir of Environmental		14-OCT-93	28-OCT-93	
Heritage Lincolnshire	0529 306327	14-OCT-93	28-OCT-93	
County Monuments Off	0522 30401	14-OCT-93	28-OCT-93	
Cllr D A Tennant		14-OCT-93	21-OCT-93	Additional info rec'd.
Cllr E J Clarey	0406 363141	14-OCT-93	21-OCT-93	
Cllr M D Booth	0406 350034	14-OCT-93	21-OCT-93	

BRIAN SMI 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

H11/0869/93

PERMISSION RENEWAL

Applicant: Land & Buildings Consultancy Agent: Land & Buildings Consultan
Tel: 0522 552222 0522 552222

Description: Residential development (Renewal of H11/0869/93). ✓ done 14/10

Location: Land fronting The Delph
Station Road
Long Sutton
Spalding Lincs

Valid date:	~~10-SEP-93~~ 14-OCT-93	Terminal date:	~~05-NOV-93~~ 09-DEC-93
Target dates:		Target Committee:	26-OCT-93
To case officer	17-SEP-93	Report deadline:	12-OCT-93
Inspected by	24-SEP-93	Agreed TD Ext:	
Extra contacts	01-OCT-93	Case Officer:	
Report if not clear by	15-OCT-93		D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Newbuild
Listed building: ARCHAEOLOGICAL SITE Other Constraints: BP
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry	
Owner/Occupier	Delph Road	07-OCT-93	28-OCT-93	HAND DELIVER
owner/Occupier	Station Road	07-OCT-93	28-OCT-93	
Site/Press Advert DEP		08-OCT-93	29-OCT-93	
Clerk to Long Sutton	0406 362402	01-OCT-93	15-OCT-93	
Department of Transp	0602 476121	01-OCT-93	15-OCT-93	
National Rivers Auth	0522 513100	01-OCT-93	15-OCT-93	
Cllr D A Tennant		01-OCT-93	08-OCT-93	
Cllr E J Clarey	0406 363141	01-OCT-93	08-OCT-93	
Cllr M D Booth	0406 350034	01-OCT-93	08-OCT-93	

SITE RECORD

Grid ref: 542350 322600
OS Sheet: 210 Parcel:

THE DEPARTMENT OF TRANSPORT

EAST MIDLANDS REGIONAL OFFICE
CRANBROOK HOUSE CRANBROOK STREET
NOTTINGHAM NG1 1EY
TELEX 377681
SWITCHBOARD 0602 350602 Ext 469
GTN 6202

S.H.D.C. PLANNING DEPT.
RECEIVED
- 3 NOV 1993 DG

The District Planning Officer
South Holland District Council
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2EX

Your Ref: H11/0869/93

Our Ref: EMRT F422224

Date: 1st November 1993

For the attention of D. M. Gedney Esq

Dear Sir

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
CONTROL OF DEVELOPMENT ALONGSIDE TRUNK ROADS
PROPOSED RESIDENTIAL DEVELOPMENT (RENEWAL OF APPLICATION H11/0593/90) AT LAND ON WEST SIDE OF THE DELPH AND NORTH OF THE BYPASS AT SUTTON BRIDGE.
A17 KING'S LYNN – NEWARK TRUNK ROAD

I refer to the Detailed application dated 14th October 1993 in respect of the above mentioned development. In accordance with the T&CP GDO 1988 this application is appropriately dealt with under Article 18.

I would not wish to raise objection to the development in particular, however in the interests of trunk road traffic safety I suggest that you impose the following conditions for the reasons stated to any planning permission that you may issue:-

1) There shall be no direct access of any kind either vehicular or pedestrian between the site and the trunk road.
2) A continuous minimum 1·8m high solid fence, wall or other barrier shall be erected along the whole of the southern boundary of the site prior to the commencement of any building operations at the site.

REASONS FOR CONDITIONS ADVISED ABOVE:-

1) To ensure that all access between the site and the proposed trunk road is gained indirectly in order to minimise potential interference with the safety and free flow of trunk road traffic.
To limit the number of direct accesses to the trunk road and discourage vehicles from parking on the trunk road carriageway.
2) To prevent pedestrians from straying onto the trunk road with consequent danger to themselves and trunk road traffic.

NOTE:-

I would wish to draw to your attention to the 'Noise Insulation Regulations 1975' (SI 1975/1763) as amended by the 'Noise Insulation (Amendment) Regulations 1988' (SI 1988/2000) as from 2nd November 1988. These regulations impose a statutory duty on a highway authority to protect properties from road traffic noise (within specified limits) on new highways.

I look forward to a copy of the decision notice on determination of the planning application.

Yours faithfully

J J BACH
for Director of Network Management and Construction

cc The Director of Highways and Planning, Lincs County Council

Mr K & Mrs J M Sidebottom
21 Delph Road
Long Sutton
Spalding
Lincolnshire
PE12 9BX

D M Gedney

DMG/SJS H11/0869/93

1 November 1993

Dear Mr and Mrs Sidebottom

Planning Application H11/0869/93 - Residential Development (Renewal of application H11/0593/90), Land fronting The Delph, Station Road, Long Sutton - Land and Buildings Consultancy

I refer to your recent letter in respect of the above.

In response to the queries raised within Paragraph 3 I can confirm that this particular application is for a renewal of deemed planning permission granted by the Lincolnshire County Council on the 26 October 1990 (reference H11/0593/90).

Further, I can advise that details relating to type and number of housing do not form part of this particular application and are "reserved". Proposed access is obvicusly onto The Delph and not the A17 trunk road.

Finally, I also inform you that another application has recently been submitted for "reserved matters" pursuant to the original outline planning permission (reference H11/1016/93). This particular application is for 50 dwellings in total.

I hope the above information is of assistance to you.

Yours faithfully

DMG

N R Midlen
Principal Planning Officer
(Development Control)

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

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

SOUTH HOLLAND DISTRICT COUNCIL

NB: Further information has been received.

Application no: H11/0869/93

Applicant: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consultanc
Design and Building Service
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development (renewal of application H11/0593/90)

Location: Land fronting The Delph Station Road
Long Sutton Spalding Lincs

Type: PERMISSION RENEWAL

Date received: 14-OCT-93

14-OCT-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 28-OCT-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Long Sutton PC
56 Garnsgate Road
Long Sutton
Spalding Lincs
PE12 9BT

FOR PARISH COUNCIL USE ONLY

Comments:

No objections

S.H.D.C. PLANNING DEPT.
RECEIVED
- 1 NOV 1993
DG

Signed:

M. Batchelor

S.H.D.C. PLANNING DEPT
RECEIVED DG
14 OCT 1993

APPLICATION NO.
H11/0869/93

12. 10. 93.

OBJECTION

Dear Sir

With reference to the notice of development of the land fronting The Delph, Station Road, we wish to lodge our strong objections to this, if it is the nature of high density housing.

Properties in this road are in a rural type area, which is why we built here, & high density housing would virtually put us in

a first class estate type environment. The undesirability of this is obvious.

However, if consent is given to build fairly low density properties, reasonably spaced, & provided the road in front of us is widened sufficiently. (on the development side, not our side) and if had this assurance, we would consider withdrawing our objections.

We are

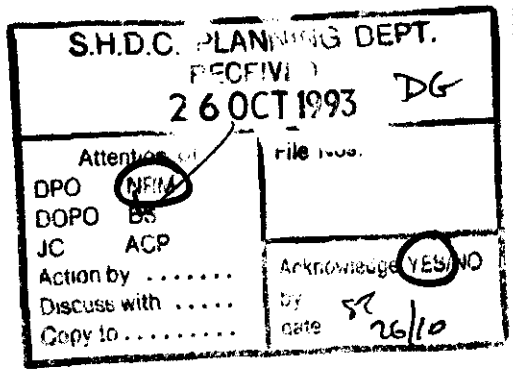
Sincerely.

Mr & Mrs R. A. Fisher

OBJECTION

21 Delph Road,
Long Sutton,
Spalding,
Lincs PE12 9BX

Director of Planning and Building Control,
Planning and Building Control Department,
Councill Offices,
Priory Road,
Spalding,
PE11 2XE.



Dear Sir,

Re: Application No. H11/0869/93

With reference to the above planning application made by the Land and Building Consultancy, we object on the following grounds -

1. Access to the plot. Since we moved to this address another builder wished to have access from Delph Road to a plot behind our property but was refused on the grounds that Delph Road was too narrow, and unfit for the extra traffic.

2. When we retired here five years ago we wanted a peaceful environment. We refused to buy properties in an estate position. Since that time permission has been granted for building to the rear of our bungalow - this will be well away from us and well screened.

Should this application be granted we will find ourselves in the centre of an estate, probably facing the rear of housing opposite, which is most unacceptable.

3. We are unable to get answers to any of our questions -

1. What type of housing ?
2. How many properties ?
3. Where will the access road be ?

We are naturally very unhappy with the state of affairs and wish to voice our strong protest.

Yours faithfully,

K Sidebottom

pp. Kenneth and Joyce M. Sidebottom

HERITAGE LINCOLNSHIRE

SOUTH HOLLAND ARCHAEOLOGICAL CONSULTANCY

Planning Ref: H11/0869/93 **Week beg**.....

Application: Residential development

Location: The Delph, Station Rd., Long Sutton.

✓ 1. Watching Brief

2. Evaluation

3. Survey

4. Scheduled Ancient Monument.

5. Listed Building.

S.H.D.C. PLANNING DEPT.
RECEIVED
26 OCT 1993 DG

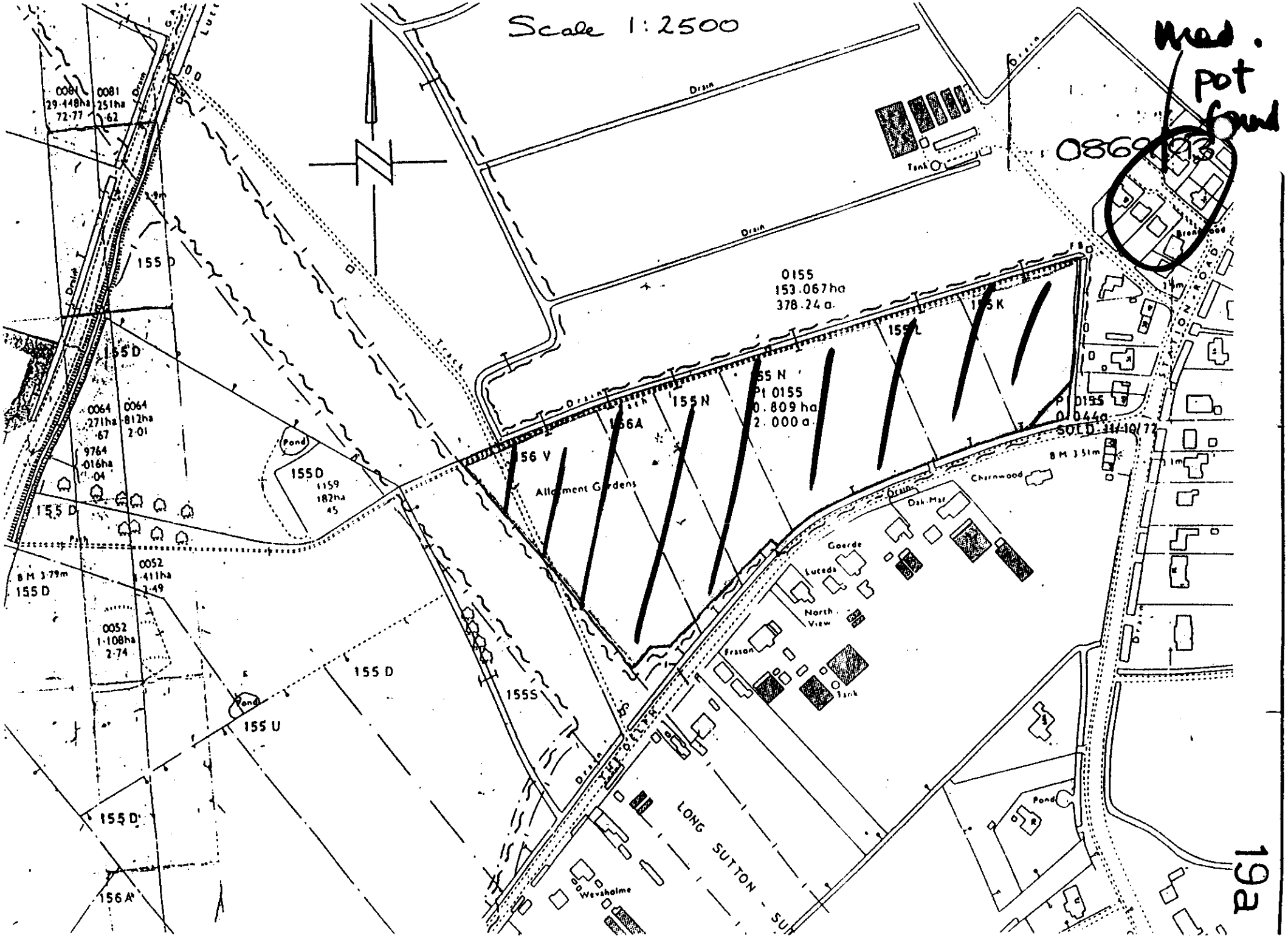
Attention of	File Nos.
DPO NEM	
DOPO BS	
JC ACP	
Action by	Acknowledge YES/NO
Discuss with	by
Copy to	date

COMMENT:

Medieval pottery was found during construction of the adjacent site — precise location not recorded, — and therefore there is a possibility of medieval settlement extending into the area concerned. In view of the lack of definite knowledge a paid Watching Brief is recommended.

Signed.....R.H. Healey. **Date**.....25/10/93

28 Boston Road, Sleaford, Lincs. NG34 7EZ
Tel & Fax (0529) 306327


Scale 1:2500
Mod. Pot found
0155
153.067ha
378.24a.
155N
Pt 0155
0.809 ha
2.000a.
Pt 0155
0.044a
SOLD 11/10/77
156V
Allotment Gardens
155D
155U
155S
LONG SUTTON - SU
Drain
Pond
Tank
Charnwood
Oak-Mar
Goerde
Luceda
North View
Fraser
Wevsholme
Pond
194

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

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

RECEIVED
18 OCT 1993
LINCOLNSHIRE

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H11/0869/93

Applicant: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consulta
Design and Building Servi
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development (renewal of application H11/0593/90)

Location: Land fronting The Delph Station Road
Long Sutton Spalding Lincs

Type: PERMISSION RENEWAL

14-OCT-93

Dear Sir/Madam,

CONSULTATION ON PLANNING APPLICATION

I have received an application for the above proposal, and should be pleased to receive any observations you may wish to make.

Your comments should be sent to me by 28-OCT-93 quoting the above reference number. Please note that I cannot guarantee confidentiality as your comments to be taken into account may need to be reported to Planning Committee and therefore be available for public inspection.

Should you need to contact the department, the officer dealing with this application is D M GEDNEY

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Heritage Lincolnshire
28 Boston Road
Sleaford
Lincs
NG34 7ET

Land and Buildings Consultancy

A Professional Consultancy of Lincolnshire County Council

Estate Management Valuation
Design & Building Services

County Offices, Newland, Lincoln LN1 1ZA
Telephone (0522) 552222 Fax Lincoln (0522) 552611 DX 701680 LINCOLN 5

L&BC

J. David Trafford
FRICS
General Manager

When calling please ask for
P D Wardill
Direct Line (0522) 552688

Director of Planning and Building Control Services
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs
PE11 2XE

S.H.D.C. PLANNING DEPT.
RECEIVED
14 OCT 1993

For the attention of D N Gedney Esq

Yr ref: H11/0869/93
My ref: V2954/PDW/KDH
13 October 1993

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION

We refer to your letter of the 10 September 1993 and enclose herewith the memoranda of the 7 June and 18 July 1990. Also enclosed is a memorandum from the Department of Highways and Planning regarding the works and costings for a Section 278 Agreement and revised costings carried out by the Engineering Consultancy Services on the assumption that the principal access into the development site is at the eastern end of the delph. The revised costings and drawings have been prepared following extensive consultations with Mr Briggs from the Highways Department.

I trust the additional information contained herein will now enable you to deal with this application without further delay.

Yours faithfully

P. Wardill.

for General Manager

A M Hey FRICS
Head of Practice
Estates Services

R C Poucher MCIBSE
Principal Head of Profession
Design Services

J L Wilcox BSc CEng FIEE FCIBSE
Head of Practice
Building Services

D J Simpson IPFA
Business Manager

Please file 2954

DIRECTOR OF HIGHWAYS & PLANNING
For the attention of Mr D Gregory

I J WILLSON EXT. 2733

MY REF: V2594/IJW/LC
X7

18 July 1990

REGULATION 5 - DEEMED PLANNING APPLICATION - RESIDENTIAL DEVELOPMENT - COUNTY FARM LAND - THE DELPH, OFF STATION ROAD, LONG SUTTON

Further to the telephone conversation between Mr A M Hey and Mr D Gregory on the 13 July 1990 in respect of the above, I note the sale of this site will be subject to the purchaser entering into a Section 278 Agreement to carry out necessary highway works.

for Director of Property Services

SOUTH HOLLAND D.C.
PLAN DEPT
14 OCT 1993
REF 869/93

Director of Highways and Planning
for attention of Mr D Gregory

IJ Willson Ext 2733

My Ref : V2954/IJW/PL
7 June 1990

Regulation 5 Deemed Planning Application
Residential Development County Farm Land
The Delph, off Station Road, Long Sutton

I refer to Mr D Gregory's recent telephone conversation with the writer in respect of the above.

I note that the Department of Transport are almost certain to direct refusal if the application provided for access to be taken from the new Long Sutton/Sutton Bridge by-pass. As such I can confirm that the application should be restricted to access being taken from The Delph only.

I trust this will enable you to progress matters further.

For Director of Property Services

SOUTH HOLLAND D.C.
PLAN DEPT
14 OCT 1993
REF 869/93

Memorandum

Lincolnshire County Council

Department of Highways and Planning

For further information contact

Mr C Briggs
Telephone Extension 3127

Your Ref: 2954/IJW/KH
My Ref: CB/DEVT/2/278/AL

20 March 1991

FILE

TO: Director of Property Services

LAND OFF THE DELPH, LONG SUTTON
DEEMED PLANNING CONSENT REF H11/0593/90

Further to my memorandum of 21 November several discussions between our two Departments, have now resolved the outstanding details regarding the necessary road improvements required to facilitate the development of this site.

The junction visibility at the Delph and Station Road has been shown to be 2.4m x 90m within highway limits and is therefore acceptable for this level of development.

The improvements now required are as follows:-

(1) The carriageway widened to 5.0m from the pumping station to the south western end of the site.

(2) The existing ditch requires piping and a 1.8m wide footway constructed along the frontage.

(3) Kerbing, drainage, street lighting and a carriageway overlay of 100mm (due to the poor condition of the existing road).

I enclose a typical cross section showing the required improvements. The street lighting will need to be the current standards.

It should be noted that there are existing accesses opposite this site which may require amendments due to the improvement works and that there are 4 electricity poles which require repositioning.

The estimate for these works, which requires to be incorporated into the Section 278 Agreement Bond, is £133,500.

I look forward to receiving instructions regarding the Section 278 Agreement.

SOUTH HOLLAND D.C.
PLAN DEPT
14 OCT 1993
869/93

C Briggs

for Director of Highways and Planning

21536.flm

Engineering Consultancy Services

MEMORANDUM

Our Ref: ECS/AS/S0890/01/LMS

Your Ref:

TO: Phillip Wardill
Land & Building Consultancy

For further information please contact

Mr A Stevenson

Ext: 552913 Fax. 2925

1 February 1993

LONG SUTTON, DELPH ROAD DEVELOPMENT SITE ACCESS

Please find attached drawing No. D/13861/2 showing the proposed layout and typical section.

My cost estimate for the scheme is as follows:

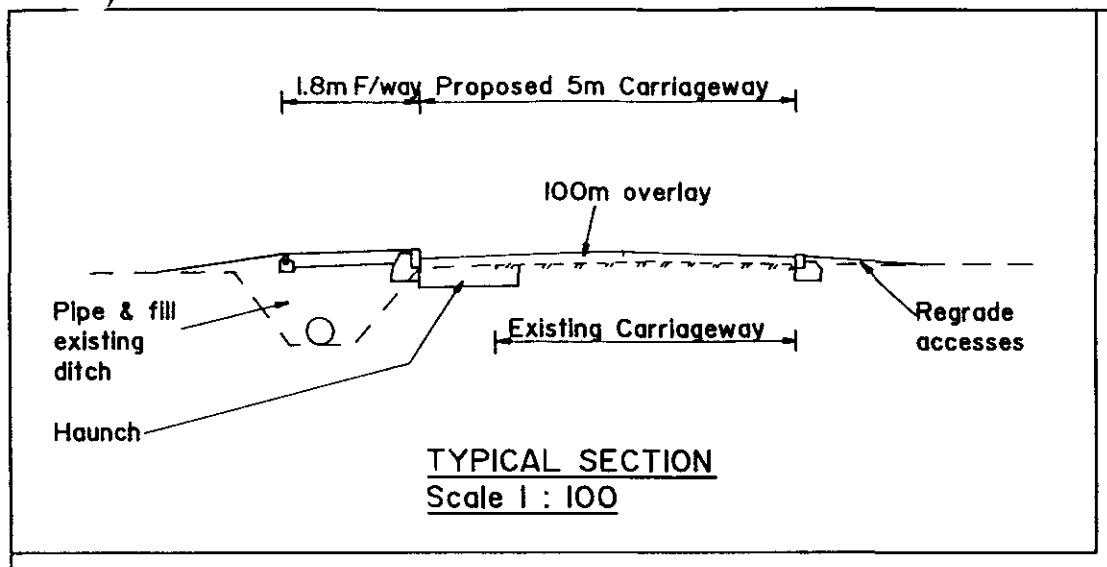
Works Cost	22,382.75
Testing	783.40
PUSWA	2,879.07
Design/Supervision	4,285.71
Contingencies	2,526.18
	32,857.11

Andrew Stevenson

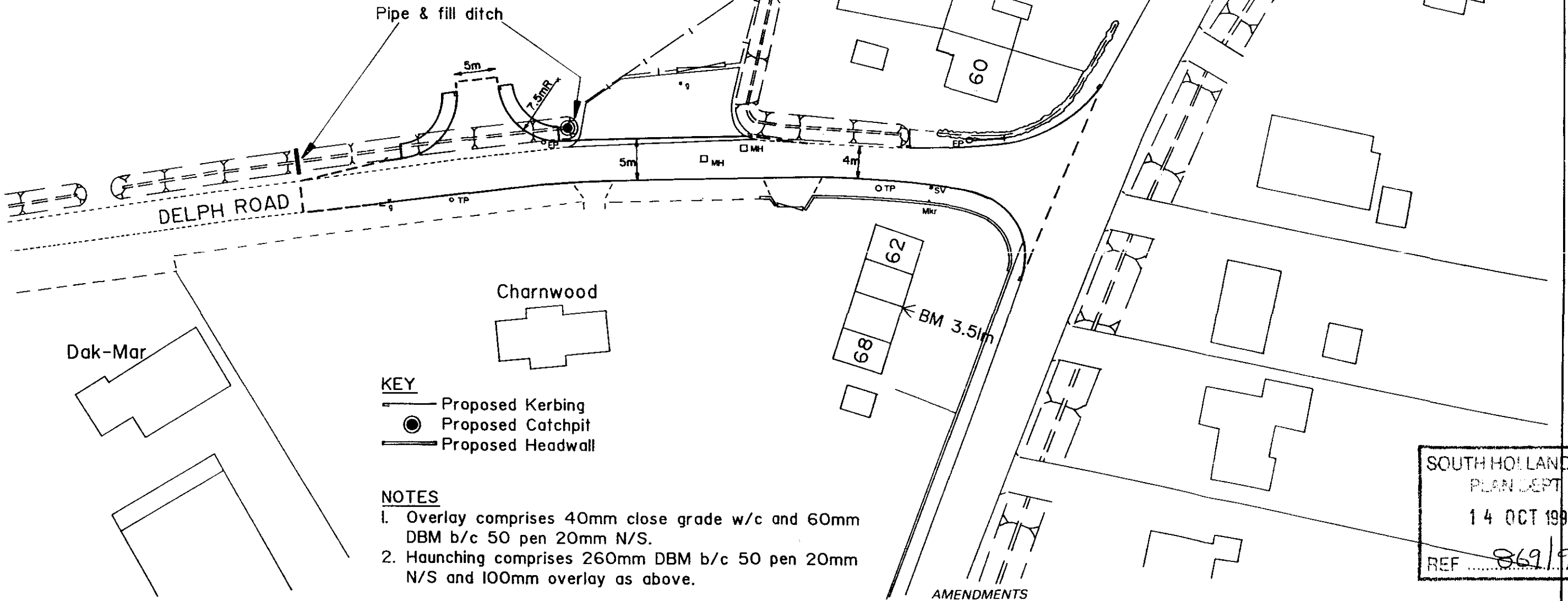
for Chief Engineer (ECS)

REF 869/93

D



TYPICAL SECTION
Scale 1 : 100



KEY
- Proposed Kerbing
- Proposed Catchpit
- Proposed Headwall

NOTES
1. Overlay comprises 40mm close grade w/c and 60mm DBM b/c 50 pen 20mm N/S.
2. Haunching comprises 260mm DBM b/c 50 pen 20mm N/S and 100mm overlay as above.

SOUTH HOLLAND D.C.
PLAN DEPT
14 OCT 1993
REF 869/93

AMENDMENTS

Lincolnshire
COUNTY COUNCIL

J. EMMERSON B.Sc. M.Sc. Ph.D
C.Eng. M.I.C.E.
DIRECTOR OF HIGHWAYS & PLANNING
LINCOLN
LN1 1DB

SCALE
Plan 1 : 500.
Section 1 : 100

FILE	CORR.	S0890/283	
	SEC.	E.C.S.	
APPROVED			1/2/93
SURVEYED	AS		1/93
DRAWN	AS		1/93
TRACED	AS		1/93

DRAWING NUMBER D 1 3 8 6 1 2

U/C LONG SUTTON
DELPH ROAD, SECTION 278 AGREEMENT
DEVELOPMENT SITE ACCESS
PROPOSED LAYOUT AND TYPICAL SECTION.

6458-1184

6459-1184

OBJECTION

20th October 1993

Director of Planning & Building Control
Planning & Building Control Deprtment
Council Offices
Priory Road
Spalding
Lincs
PE11 2XE

Mr S E Wilson
"Frason"
23 Delph Road
Long Sutton
Spalding
Lincs

Dear Sir

Re:Application No.H11/0869/93

With regards to the above planning application made by the Land & Buildings Consultancy we have the following observations:-

1/Type of Properties - are they going to match those existing properties in Delph Road.

2/Regarding Access - when R K Wilson & Son Ltd applied for access to Delph Fields(formally Darrens Fields) via Delph Road they were refused because of the width of the entrance and condition of the actual road with concern of deterioration through increase in traffic.

3/Surrounded by Housing - From being a bungalow on a single plot we now are going to have both properties in front and behind us.We have been screened off from the rear which is not a problem.How is the new housing development to be screened ?

Yours Faithfully

S E Wilson
(S E Wilson)

DEPT.
DG

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: SOUTH HOLLAND District Council Application Reference H11/0869/93

Form of notification by the County Director of Highways and Planning for DEVELOPMENT AFFECTING HIGHWAYS

With reference to the application dated
relating to the following proposed development:

1. National Grid Reference of a central point on site

horizontal				vertical		

2. Address or location

LAND FRONTING THE DEEPH, LONG SUTTON

3. Name, classification and number of road

UC

4. Date application referred 21 - 10 - 93

5. State whether outline, detailed application etc.

OL

6. Description of proposed development/change of use including access details

PERMISSION RENEWAL FOR RESIDENTIAL DEVELOPMENT (PREVIOUS PP H11/0593/90).

7. Notice is hereby given under the provisions of article 15 of the Town and Country Planning General Development Order, 1988, that the County Council as local highway authority: —

Delete as appropriate

a. ~~Does not wish to restrict the grant of~~ permission.

b. (b.) Requests that any permission given by the local planning authority shall include the conditions shown overleaf.

c. ~~Requests that the local planning authority refuse~~ the application (reason overleaf).

d. Requests the local planning authority to complete Form T.R. 108 para 10~~5 as shown overleaf~~.

Date: 21/10/93 Signed: [signature]
Director of Highways and Planning

CONDITIONS:—

Delete as appropriate

(i) For applications where items are to be reserved for subsequent approval in consultation with the Director of Highways and Planning

(ii) For other applications

(1) C1

(2) C7(a)

(3) C3

(4) ~~The~~ No dwellings shall be commenced until such time as adequate vehicular access is provided (including any necessary widening) in accordance with details to be approved.

Delete as appropriate

(i) REASONS FOR a, b, or c overleaf

(ii) COMMENTS FOR FORM T.R. 108 para 10b

(1) C1

(2) C7(a)

(3) C3

(a) To ensure adequate access is provided via the highway network

Note:— use continuation sheet(s) as necessary.

LFP 19/10/93.

PUBLIC NOTICES

PLANNING APPLICATION

NOTICE IS HEREBY GIVEN that application has been made to the Council in respect of the following proposals:
The following application(s) do not accord with the provision of the relevant development plan.

H11/0869/93	Land & Buildings Consultancy Residential development (renewal of application)
H11/0593/90	Land fronting The Delph, Station Road, Long Sutton, Spalding, Lincs PERMISSION RENEWAL (Addditional information received)

Applications and plans showing the above proposals can be inspected at the Planning Department, Priory Road, Spalding, during normal office hours. Any comments should be sent to me within 21 days of this notice, quoting the relevant reference number.

B. SMITH
Director of Planning and Building Control Services

19 October, 1993

SOUTH HOLLAND DISTRICT COUNCIL

q5048

RE: JOYCE HELEN CRUST DECEASED
PURSUANT TO THE TRUSTEE ACT 1925
NOTICE IS HEREBY GIVEN that any person having a claim against or an interest in the estate of Joyce Helen Crust deceased, late of 85 Pinchbeck Road, Spalding, Lincolnshire, who died on the twenty eighth day of September 1993, is hereby required to send particulars in writing of their claim or interest to the undersigned, the Solicitors for Maurice Eric Hare and Peter Start, the Executors named in the Will, on or before the third day of January, 1994, after which date the Executors will proceed to distribute the assets of the said deceased amongst the persons entitled thereto having regard only to the claims and interests of which they shall then have had notice.

Dated this 13th day of October, 1993.

CRUSTS,
Solicitors for the said Executors.
"Highbury",
64 Pinchbeck Road,
Spalding, Lincs.

s£WVN 6868 187/507 LF19-10

GOODS VEHICLE OPERATOR'S LICENCE

E. H. JACKSON, trading as E. J. Freight Ltd, of 16 Queensway, Long Sutton, Spalding, Lincs PE12 9DW, is applying for a licence to use The Farm, Blazegate, Lutton, Spalding, Lincs as an operating centre for three goods vehicles.
Owners or occupiers of land (including buildings) in the vicinity of the operating

PERSONAL

CONSIDERATE Male 28, own car, likes cinema, walking, music, occasional drink, seeks sincere unattached Female 20-30, Spalding area, for outings and lasting friendship, possible romance. All letters answered. Write Box No 50243, Newspaper Offices, The Crescent, Spalding PE11 1AB.
CONSULT Gladys for personal problems. Evidential clairvoyant crystal readings — Past, present and future. Reasonable fee. Tel 0406 26895.
HAIRDRESSING Budget Price Perm, £18 including cut / blow / set, on Tuesday, Wednesday, Thursday, Friday. The Hair and Beauty People, 38A New Road, Spalding. Tel 0775 723857.
MASSAGE Total relaxation, professionally trained lady. Tel 0945 76453.
RESIDENTIAL INTENSIVE Diploma training courses in massage therapy. Tel (0485) 532840.
SPIRITUALIST Medium and Clairvoyant. Private sittings. Tel 0775 88 367.
TREAT YOURSELF to a relaxing massage, sauna and Jacuzzi. Warm, friendly atmosphere and staff. QC Studios. (0945) 474993.
WANTED: 2 people to share car to Peterborough Station, early morning (6.30 am). Please contact Mr Fisher, 0775 766412, after 7 pm.
WIDOW, 58, would like to meet gentleman for friendship. I don't want to spend Christmas on my own. Apply in writing to Box No. 50250, Lincs Free Press, The Crescent, Spalding.

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Slim, Shy, 38 year old
MALE
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Member W.A.I.A.
DSP5080

AUCTIONEERS

ANTIQUE AUCTION
Further entries now being accepted for our annual antique sale.
To be held at SPRINGFIELDS
SUNDAY, OCTOBER 31
All enquiries to:
Main Events, 6 Broad Street, Spalding
Tel: 0775 712100/ 722650 DSP5080

CRUSO + WILKIN

On the Instructions of M. H. Carter Esq, the farm having been sold

IMPORTANT DISPERSAL SALE of 14 TRACTORS, COMBINE HARVESTER, SANDERSON FORKLIFT, CATERPILLAR CRAWLER, FARM MACHINERY AND EQUIPMENT

at

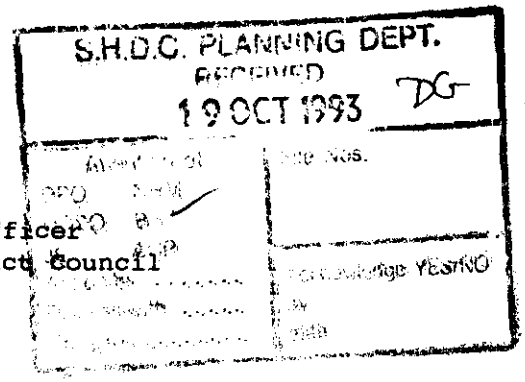
MANOR FARM, TYDD ST GILES, WISBECH, CAMBS

on THURSDAY, OCTOBER 28th, 1993
commencing at 10.30am

To incude: 1988 J Deere 3350 4WD, 2 x 1984 J Deere 2140 4WD. 1985 J Deere 2140 2WD. 3 x 1983 J Deere 2140 2WD. 1983 J Deere 2040S 2WD. 1982 J Deere 2140 2WD. 1977 Ford 6600 2WD c/w Bomford Brigand Flail Mower. 1977 Ford 4100. 3 x M Ferguson. 35X Tractors (one with McConnell Forklift with side shift and one with Pallet Forks). D5 Caterpillar Crawler Tractor on large low loader. 1979 Sanderson SB70 TC Forklift. 1984 J Deere 1075 Combine (12' cut, strawchopper). 10T Wootton Tip Trailer. 8T B&A Hi-Tip Trailer. 8T A S Marston Hi-Tip Trailer. 6 Row Stanhay S8 Drill. M Ferguson 30 Disc Drill, FAHR HD400 Baler. FAHR HD360 Baler. Pettit Discs. Bush Hog Discs, Dowdeswell 5F Plough. Lemken 4F Plough. SKH Power Harrow. Feraboli Power Harrow. Box Tippler. 2 Row Tasker Potato Planter. 2 x Howard Potato planters. Gooch Potato Shaker. Gangs of Cambridge Rolls, together with further cultivation equipment, farm machinery and workshop equipment, etc. etc.

Further details and catalogues from the Auctioneers
Waterloo Street, King's Lynn, Norfolk PE30 1NZ. Tel: 0553 691691. Fax: 0553 692388

n4865



NRA

National Rivers Authority
Anglian Region

14th October 1993

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

Our Ref: 93/1/SH/0267
Contact: G.THORNALLEY

Dear Sir,

Planning Application No. H11/0869/93

PROPOSAL: RESIDENTIAL DEVELOPMENT
LOCATION: THE DELPH, STATION ROAD, LONG SUTTON
APPLICANT: LAND & BUILDINGS CONSULTANCY

I refer to your consultation received on 5th October 1993.

This Authority has no objection to the proposed development, as submitted, provided that the following conditions are imposed on any planning permission granted:-

CONDITION: Foul drainage from the proposed development shall be discharged to the main foul sewer.
REASON: To prevent pollution of the water environment.

CONDITION: Prior to the commencement of any development, a scheme for the provision and implementation of a surface water drainage system shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the NRA and the South Holland Internal Drainage Board.
REASON: To prevent the increased risk of flooding, by providing a satisfactory means of surface water disposal.

Advice to Planning Authority

The South Holland Internal Drainage Board were consulted and their response letter is enclosed.

contd ...

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

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

Yours faithfully



R.Morgan
Planning Manager

267

SOUTH HOLLAND
Internal Drainage Board

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

Please contact: Mr. Elsey

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

Our Ref. JTE/PA-H/0869/93/JAM **Your Ref.** **Date** 12 October 1993

Dear Sirs,

PERMISSION RENEWAL - LAND & BUILDINGS CONSULTANCY
RESIDENTIAL DEVELOPMENT AT THE DELPH, LONG SUTTON

I refer to your consultation in respect of the above regarding which I have the following observations.

No Board's watercourse adjoins the site which drains via the bordering privately owned and maintained dykes to my Board's Lutton Eau Drain situated some 200 metres to the North West. An alternative route also exists to the Board's system via the highway dyke alongside the A.17 Long Sutton bypass.

The riparian owners consent must be obtained prior to any filling being undertaken or extra storm water run-off discharged to the private dyke. Prior to such works being undertaken however full details must be provided for my Board's approval in order I can ensure existing drainage interests will not be affected. Should improvements be required to privately owned dykes to cater for increased flows from the development such works must be carried out at the applicants expense following my Board's approval of details. The applicant is advised that should a direct surface water outfall be constructed to either a Board's or private watercourse, the Board will seek a single once and for all time contribution towards future improvements of their system to ensure adequate capacity for increasing flows from continuing developments. The contribution rate is currently £7,040 per acre of new impermeable surface drained via a direct outfall and subject to engineering and administration fees as set out in the scale below, and V.A.T., but these figures are subject to periodic review. Full details of the route and quantity of run-off for surface water disposal will be required for my prior approval.

The Engineering and Administration Fees are:-

Contribution		Percentage Fee
up to	£25,000	15%
£25,000 to	£100,000	12.5%
over	£100,000	10%

MINIMUM CHARGE £35

In view of the fact that the private dyke along the sites Eastern boundary will be situated between developments my Board will require that the watercourse be piped at the applicants expense in order to safeguard local drainage.

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

F.A.O. Mr. G. Thornally,
Planning Engineer,
N.R.A. Anglian Region,
Northern Area,
Aqua House, Harvey Street,
Lincoln. LN1 1TF

Yours faithfully,

J J Elsey.

ENGINEER TO THE BOARD

original to follow in post!

PLANNING APPLICATION

Notice is hereby given that application has been made to the Council in respect of the following:

DEPARTURE FROM DEVELOPMENT PLAN

The proposed development does not accord with the provisions of a development plan.

Reference No: H11/0869/93
Description: Residential development (renewal of application H11/0593/90)

Location: Land fronting The Delph Station Road Long Sutton Spalding Lincs

"Additional information has been received"

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me by 09-NOV-93 quoting the above reference number.

B Smith
Director of Planning and Building Control Services

19-OCT-93

FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

B 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: H11/0869/93

Applicant: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consultanc
Design and Building Service
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development

Location: Land fronting The Delph Station Road
Long Sutton Spalding Lincs

Type: PERMISSION RENEWAL

Date received: 10-SEP-93

01-OCT-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 15-OCT-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Long Sutton PC
56 Garnsgate Road
Long Sutton
Spalding Lincs
PE12 9BT

FOR PARISH COUNCIL USE ONLY

Comments:

No objections

Signed:

R. Batchelor

S.H.D.C. PLANNING DEPT.
RECEIVED
14 OCT 1993
DG

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TRANSPORT hereby gives notice that he has made an Order under sections 82(2) and 83(1) of the Road Traffic Regulation Act 1984 on the A17 Trunk Road known as Washway Road at Moulton in the District of South Holland in the County of Lincolnshire, which comes into force on 11 October 1993.

2. The effect of the Order is to remove a 30 mph speed limit on a section of the A17 Trunk Road described in the Schedule to this notice.

3. NOTICE of the Secretary of State's intention to make this Order was published under the reference number 824 on 4th May 1993 in the London Gazette. The effect of this Order is the same as described in that notice.

4. Copies of the Order have been deposited at the offices of the Deputy Director of Network Management and Construction, Department of Transport, East Midlands Region, Cranbrook House, Cranbrook Street, Nottingham NG1 1EY; the Chief Executive, Lincolnshire County Council, County Offices, Newland, Lincoln; and of the Holbeach Library, Church Street, Holbeach, Lincolnshire, where they may be inspected, free of charge, during normal office hours for a period of 6 weeks from the date of this Notice.

5. Copies of the Order may be obtained by application to the offices of the Deputy Director of Network Management and Construction, Department of Transport, East Midlands Region, Room 805, Cranbrook House, Cranbrook Street, Nottingham NG1 1EY quoting reference EMCM 5065/28/8/TR51/7.

R A HODSON
A Senior Executive Officer
in the Department of Transport

SCHEDULE

The A17 Trunk Road known as Washway Road in the Parish of Moulton in the District of South Holland in the County of Lincolnshire, from a point 170 metres south-east of its junction with (B1357) Common Road for a distance of 245 metres in a southerly direction.

THE DEPARTMENT OF TRANSPORT

— SOUTH HOLLAND 2000 —

THE SOUTH HOLLAND DISTRICT LOCAL PLAN

PUBLIC EXHIBITIONS

The South Holland District Local Plan has been published in draft form for consultation. It will provide policies for the development and use of land in the District, to 2001. All comments should be submitted to the address below, to arrive no later than 31 December 1993.

Public exhibitions about the Plan will be held as follows (exhibiting from 10 am until 6 pm, unless otherwise stated):

HOLBEACH - Monday 11th and Tuesday 12th October 1993 at the Methodist Church Hall, Albert Walk, Holbeach.

SPALDING - Friday 15th October 1993 (4 pm until 9 pm) and Saturday 16th and Sunday 17th October 1993 (10 am until 6 pm) on the District Council Stand, Broadgate Home and Garden Show at Springfields Exhibition Centre.

CROWLAND - Tuesday 19th and Wednesday 20th October 1993 at the Parish Rooms, Hall Street, Crowland.

SUTTON BRIDGE - Friday 22nd October 1993 at the Village Hall, Bridge Road, Sutton Bridge.

GEDNEY HILL - Monday 25th October 1993 at the Memorial Hall, Gedney Hill.

LONG SUTTON - Thursday 28th and Friday 29th October 1993 at the 1st Long Sutton Scout Headquarters, Park Lane, Long Sutton.

DONINGTON - Tuesday 2nd November 1993 at the Pop-In Centre, Red Cow Paddock, Donington.

Enquiries may be made by telephoning the LOCAL PLAN HOTLINE: (0775) 761161 (extension 4345).

B. SMITH MRTPI
Director of Planning and Building Control Services
Council Offices
Priory Road
Spalding
Lincs PE11 2XE
8 Oct, 1993

SOUTH HOLLAND DISTRICT COUNCIL

b4569

The Order has been made to allow for works by British Gas and will have a maximum duration of 18 months. The restriction is expected to commence on or about October 11, 1993 and last for 3 weeks or the completion of the works.

The effect of the Order is to prohibit vehicles from proceedings on Pudding Poke Lane and will apply at all times when traffic signs are displayed.

The alternative routes for affected traffic are:

1. Northbound via Marriots Gate and Low Gate
2. Southbound via Roman Bank, Collys Gate and Marriots Gate

J. EMMERSON
Director of Highways and Planning
Lincolnshire County Council

b4570

PLANNING APPLICATION

NOTICE IS HEREBY GIVEN that application has been made to the Council in respect of the following proposals.

H11/0914/93 Energy From Waste Holland Ltd
Straw waste boiler plant
Land: Hundreds Lane Long Sutton
Spalding Lincs
OUTLINE

H12/0919/93 Mountains Road Haulage
Proposed use of indust. site for parking of 25 goods vehicles without complying with Cond. 2 of H12/1111/85
Main Road Lutton Gowts
Spalding
SEC 73 MODICATION

H20/0908/93 Kings Quality Homes
Residential development with sewerage treatment works. All as H20/0644/89.
Needham House and rear of Chapelgate
Sutton St James Spalding Lincs
OUTLINE

The following application(s) do not accord with the provisions of the relevant *Development plan.*

H01/0910/93 Mr & Mrs S W Sewell
Erection of dwelling with garage including details of means of access
Barrier Bank Cowbit
Spalding Lincs
OUTLINE

H11/0909/93 Land & Buildings Consultancy
Residential development
Land fronting The Delph Station Road
Long Sutton Spalding Lincs
PERMISSION RENEWAL

The following proposal(s) involve, or affect the setting of, a building listed by the Secretary of State for the Environment as a building of special architectural or historic interest, and/or affect the character of a Conservation Area.

H09/0850/93 Mr N Revill
Extension, alterations and change of use to form three retail outlets with five one-bedroomed flats over Park Road Holbeach
Spalding Lincs
FULL

H09/0916/93 Mr N. Revill
Change of use, alterations and extension to form three retail units with five one-bedroomed flats over
Park Road Holbeach
Spalding Lincs
LISTED BUILDING

H09/0917/93 Mr S Kent
Proposed detached single garage and drive off Back Street including altered access
Land off Back Street rear of 13 Albert Street
Holbeach Spalding
FULL

H23/0895/93 Mr & Mrs M C Dye
Erect glasshouse, store and fence
Whaplode House Stockwell Gate
Whaplode Spalding Lincs
FULL

Applications and plans showing the above proposals can be inspected at the Planning Department, Priory Road, Spalding during normal office hours. Any comments should be sent to me within 21 days of this notice, quoting the relevant reference number.

B SMITH
Director of Planning and Building Control Services

08-OCT-93

SOUTH HOLLAND DISTRICT COUNCIL

b4568

by regulations made by the Secretary of S
him a copy of the published proposals.

(2) Any ten or more local government electors within the period of two months after the the proposals, submit an objection to the pr education authority, any objections to the be submitted to the authority within th Governors of any voluntary school affecte and by any local education authority cc authority by whom the proposals were pub one month after the end of that perio Secretary of State copies of all objectio withdrawn in writing) in that period; tc observations on the objections."

An objection shall not be regarded as a "statutory ob
(1) It has been signed by ten or more p government electors of the area; or
(2) It is clear that the signatory is acting on bel local government electors for the area; or
(3) There is clear evidence to show that the i making the same points are jointly submitt to each other or submitted under a comm

SOUTH HOLLAND 2

THE SOUTH HOLLA DISTRICT LOCAL PL

ON WEDNESDAY, SEPTEMBER 29, 1993, South H Council published the South Holland District Loca Holland 2000") in draft form. The Plan sets out the Authority's draft policies and proposals for the de use of land in the District, to 2001. It is bein accordance with the requirements of the Town Planning Act 1990 and associated Regulations.

The Council is now undertaking consultations, and who are interested in the future development of So submit comments on the draft Plan.

THE PLAN MAY BE INSPECTED at the Council Office Spalding, during normal office hours. It may be pu at a cost of £10 per copy (£14 by post).

Copies are also available for reference at p throughout the District.

AN EXHIBITION ABOUT THE PLAN may be viewec Council Offices. An exhibition will also visit a nur around the District, from Monday, October 11, 19

ENQUIRIES ABOUT THE PLAN, about the arra publicity and the procedures involved, may be Reception, Department of Planning and Building telephoning the:

LOCAL PLAN HOTLINE: Tel: (0775) 761161, exter

ALL COMMENTS ON THE DRAFT PLAN should b writing, to the Director of Planning and Building C at the address below, TO ARRIVE NO LATER THA 31, 1993.

SOUTH HOLLAND DISTRICT COUNCIL

Director of Planning and Buil Services
Council Offices,
Priory Road,
Spalding,
Lincolnshire
PE 11 2XE.

SwEWVN 4402

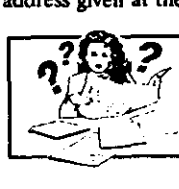
GOODS VEHICLE OPERATOR'S LICENCE

A.V.L. TRANSPORT of 192 Bridge Road, Sutton Bridge, Spalding Lincs PE12 9SF is applying to change existing licence as follows to keep an extra one vehicle and two trailers at their operating centre at King John Bank, Walpole St Andrews, Wisbech, Cambs.

Owners and occupiers of land (including buildings) in the vicinity of the operating centre or centres, who believe that their use or enjoyment of that land will be prejudicially affected, may make written representations to the Licensing Authority at Eastern Traffic Area, Terrington House, 13-15 Hills Road, Cambridge, CB2 1NP within 21 days following the publication of this notice.

Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice.

b4633



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10

SPG
5/10/93

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: H11/0869/93

Applicant: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consulta
Design and Building Servi
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development

Location: Land fronting The Delph
Station Road
Long Sutton
Spalding Lincs

REF Valid

Type: PERMISSION RENEWAL

Date received: 10-SEP-93

08-OCT-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

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

The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:
It is noted that deemed planning permission, reference H11/0593/90, authorised the carrying of residential development in accordance with memoranda dated 7 June and 18 July 1990. Copies of these are therefore required to enable the Council to ascertain the precise context of this permission.
Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is D M GEDNEY

Yours faithfully

Principal Planning Officer

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 12.10.93

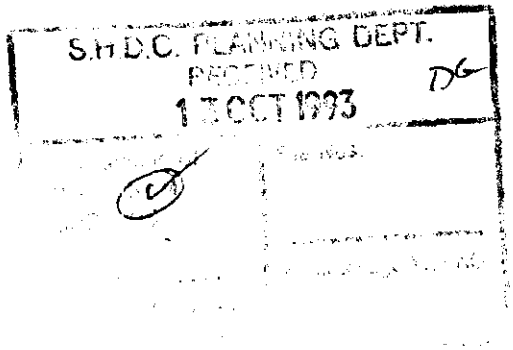
OUR REF: JC/SS/PC

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

Planning Application H11/0869/93
Residential development, The Delph, Long Sutton

I write in response to the above and would suggest that condition 7 should be in accordance with the Road Traffic Policy i.e., L10 18hr 65dB(A), measured at 1 metre from residential fascade for greenfield sites (Circular 10/73).

Director of Environmental Services



BRIA 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: H11/0869/93

Applicant: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consulta
Design and Building Servi
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development

Location: Land fronting The Delph
Station Road
Long Sutton
Spalding Lincs

Type: PERMISSION RENEWAL

Date received: 10-SEP-93

08-OCT-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

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

The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:
It is noted that deemed planning permission, reference H11/0593/90, authorised the carrying of residential development in accordance with memorandum dated 7 June and 18 July 1990. Copies of these are therefore required.

Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is D M GEDNEY

Yours faithfully

Principal Planning Officer

Resident Letters Hand Delivered by G. Smith 8/10/93

Delph Road :- ✓ Charnwood ✓
✓ Ty Gwyn ✓
✓ Darrens Field House (7) ✓
✓ Dak Mar (9) ✓
✓ 13 ✓
✓ Sheridan ✓
✓ Coerde (17) ✓
✓ Lucheda (19) ✓
✓ 21 ✓
✓ 21A ✓
✓ Frason (23) ✓
✓ Peteshe (25) ✓
✓ 27 ✓
✓ 29 ✓

Station Road :- ✓ 48 ✓
✓ 50 ✓
✓ 56 ✓
✓ 58 ✓
✓ 60 ✓
✓ 62 ✓

PLANNING APPLICATION

Notice is hereby given that application has been made to the Council in respect of the following:

DEPARTURE FROM DEVELOPMENT PLAN

The proposed development does not accord with the provisions of a development plan.

Reference No: H11/0869/93
Description: Residential development

Location: Land fronting The Delph
Station Road
Long Sutton
Spalding Lincs

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me by 29-OCT-93 quoting the above reference number.

B Smith
Director of Planning and Building Control Services

08-OCT-93

SOUTH HOLLAND DISTRICT COUNCIL

Land and Buildings Consultancy

A Professional Consultancy of Lincolnshire County Council

Estate Management Valuation
Design & Building Services

County Offices, Newland, Lincoln LN1 1ZA
Telephone (0522) 552222 Fax Lincoln (0522) 552611 DX 701680 LINCOLN 5

L&BC
Keith Stevens
Dipl Arch RIBA
General Manager

When calling please ask for
P D WARDILL
Direct Line (0522) 552688

District Planning Officer
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs

REF 0869/93

MY REF: V2994/PDW/SSD

7 September 1993

Dear Sirs

LAND FRONTING THE DELPH, STATION ROAD, LONG SUTTON

Deemed Planning Permission for residential development was granted by Lincolnshire County Council on 26 October 1990 under the planning reference number H11/593/90, copies of both a location plan and consent notice are enclosed for your ease of reference. With the pending expiry of this deemed consent we would wish to extend the time limits referred to within Part 2 (Conditions) 1. for a further three years pursuant to S.73 of the Town and County Planning Act 1990. We enclose the appropriate application fee of £60.00.

Whilst this development site has been available for purchase for the past three years, the general economic climate and slump in demand for development sites has prevented the site from being sold.

We look forward to your further communication in due course.

Yours faithfully

P. Wardill

for General Manager

NOT RECEIVED
See Sect 73(4)
(Not yet expired.)
Treat as renewal, granting new planning permission under Reg 4

S.H.D.C. PLANNING DEPT.
RECEIVED
10 SEP 1993
Acknowledged
DPO NSM
DDPO BS
JC ACP
File Nos.

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

FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P3244
Date received : 10-SEP-93

Received from

Lincs County Council

Address

City Hall
Beaumont Fee
Lincoln

Fee paid	£	60.00
VAT	£	0.00
Total received	£	60.00

Cash/Cheque : Cheque

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

LCP.16

Lincolnshire County Council
Deemed Planning Permission

H11/0869/93

10 SEP 1993

Town and Country Planning Act 1990

Town and Country Planning General Regulations 1976

Date of Proposal 21 May 90 Planning Reference No.H11/593/90

Part 1 Planning Permission

1. On 30 July 1990 the Lincolnshire County Council resolved, for the purposes of Regulation 5 of the Town and Country Planning General Regulations 1976, to authorise the carrying out of the following development

   namely, to erect dwellings and construct accesses in accordance with the memoranda of 7 June and 18 July 1990 from the Director of Property Services at Land off The Delph, Long Sutton.

2. Take notice that Planning Permission is thereby deemed to have been granted, on that date, by the Secretary of State for the Environment to carry out that development subject to the following condition(s).

Part 2 Condition(s)

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than which ever is the later of the following dates:

   (a) the expiration of five years from the date of this permission; or

   (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

2. Before any development is commenced, details of the siting, design and external appearance (including materials) of the proposed dwellings and of any garages, and of the means of access thereto and of all boundary walls, fences or other means of enclosure, shall be submitted to and approved by the local planning authority.

Signed .....
Lincolnshire County Council

Date 26 OCT 1990

NOTES:

1. This permission must be entered in the statutory register of planning decisions maintained by the District Council (as required by the Town and Country Planning General Regulations 1976). In addition the District Council is requested to make an entry in the Land Charges Register of any conditions attached to this permission.

2. This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

16058.flp

3. Before any development is commenced the approval of the Local Planning Authority is required to:-

(i) a *specification of the type of construction proposed for roads and/or footways;

(ii) a programme for the making up of the roads and/or footways;

(iii) details of the method and means of disposal of surface water;

(iv) detailed plans to a scale of 1/500 showing the layout of the roads and footways together with longitudinal sections to a scale of 1/500 horizontal and not less than 1/100 vertical showing the gradients of carriageways and full details of surface water drainage proposals. (Cross sections taken at not more than 30 metres intervals normal to the proposed carriageway plotted to a scale of 1/100 natural will also be required where the adjoining ground levels will vary 0.5 metres plus from the proposed finished footway levels of the estate road.)

(v) details of all proposed services showing location within the highway in accordance with the Report of the Joint Committee on the location of underground services published by the Institution of Civil Engineers in 1963.

*This specification shall be such as to enable the local highway authority in due course to take over the roads and/or footways as highways maintainable at the public expense.

4. No dwelling to which this permission relates shall be commenced unless or until the carriageway basecourse and kerb foundation of the new estate road onto which it fronts, is adjacent to, or gains access has been constructed to the satisfaction of the District Planning Authority.

5. Before any development is commenced the approval of the Local Planning Authority is required to the detailed design of the scheme to provide for the satisfactory disposal of surface water run-off from the development; and such scheme as approved shall be carried out before any building is occupied.

6. When application is made to the Local Planning Authority for approval of the "reserved matters", that application shall be accompanied by a scheme of landscaping and tree planting (indicating, inter alia, the number, species, height on planting and positions of all the trees) in respect of the land to which that application relates; and such scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as approved by the Local Planning Authority shall be carried out in its entirety within the period of 12 months beginning with the date on which development of that land is commenced (or within such longer period as may be agreed in writing with the Local Planning Authority). All trees, shrubs and bushes shall be adequately maintained for the period of 10 years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

7. Development shall not begin until a scheme, incorporating earth mounding and tree planting, for protecting the proposed dwellings from noise from the trunk road A17 to the west of the site, has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the proposed dwellings is occupied. The scheme shall make provision for the attenuation of traffic noise, in respect of any dwelling, to a maximum internal level of 40dB(A) with windows closed, and on the L10 (18 hour) scale referred to by Department of the Environment Circular 10/73 - Planning and Noise.

Lincolnshire County Council

26 OCT 1990

16058.f1p

REASONS

The reason(s) for the condition(s) is (are):-

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. The proposal is in "outline" form.

3. To ensure an adequate standard of access to the estate in the interests of local amenity and convenience.

4. To enable the position of the dwelling(s) and associated estate road(s) in the layout to be fixed more accurately in the interests of the proper planning of the area.

5. To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the amenity of nearby land.

6. In the interests of visual amenity and to enhance the appearance of the proposed development when seen from the trunk road A17 to the west of the site.

7. In the interests of securing a satisfactory residential environment.

NB. Attention is drawn to:

(i) the advice of Anglian Water Services contained in their letter of 4 June 1990 (ref SH/90021) addressed to Lincolnshire County Council

(ii) the requirements of:

(a) National Rivers Authority in their letter of 11 June 1990 (ref GT/90/1/LCC/0053) addressed to Lincolnshire County Council

(b) South Holland Internal Drainage Board in their letter of 5 June 1990 (ref RS/SH285/H/JAM) addressed to Anglian Water/National Rivers Authority

(iii) the presence of Public Footpath No. 7 within and bordering the northern boundary of the site and the need to retain this public right of way and to maintain it at a width of at least 2 metres, and the desirability of making provision for its connection to the proposed estate road/footway system within the site.

Lincolnshire County Council

26 OCT 1990

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: H11/0869/93

Applicant: Land & Buildings Consultancy
Design and Building Services
County Offices
Newlands
Lincoln LN1 1ZA

Agent: Land & Buildings Consulta
Design and Building Servi
County Offices
Newlands
Lincoln LN1 1ZA

Description: Residential development (renewal of application H11/0593/90)

Location: Land fronting The Delph Station Road
Long Sutton Spalding Lincs

Type: PERMISSION RENEWAL

25-NOV-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

K & JM Sidebottom
21 Delph Road
Long Sutton
Spalding
Lincs. PE12 9BX

Mr & Mrs R. R. Hiller
Sheridan
Delph Road
Long Sutton
Spalding, Lincs
PE12 9BX.

S. E. Wilson
Frason
23 Delph Road
Long Sutton
Spalding
Lincs

PLANNING COMMITTEE - 17th November, 1993

752. PLANNING APPLICATIONS (Continued)

(a) Applications Granted (Continued)

Plan No. and Applicant		Proposal
H09/0850/93 Mr N Revill		Extension, alterations and change of use to form three retail outlets with five one-bedroomed flats over at Park Road, Holbeach.
H09/0916/93 Mr N Revill		Listed building consent for change of use, alterations and extension to form three retail units with five one-bedroomed flats over at Park Road, Holbeach.
H11/0896/93 Cowpers Gate Development	O.A.	Residential development on land at Cowpers Gate, Long Sutton.

(b) Applications Refused

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

Plan No. and Applicant	Proposal
H11/0869/93 Land and Buildings Consultancy	Residential development (renewal of application H11/0593/93) on land fronting The Delph, Station Road, Long Sutton.
H05/0911/93 Mr W Jordan	Chalet bungalow at Main Road, Fleet Hargate.

(Councillor N.I. Capes left the meeting following consideration of the above application.)

(c) Applications Deferred

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

Plan No. and Applicant		Proposal
H13/0109/93 J T Biggadike	O.A.	Four dwellings including details of means of access at The Mill, High Street, Moulton.

(To enable the Director of Planning and Building Control Services to provide the applicant with a copy of the Consultant Architect's report and to arrange for the applicant to discuss the matter with the Chairman and Vice-Chairman of the Committee, the Consultant Architect and the Director with a view to attempting to resolve the outstanding points as a matter of urgency.)

(The Committee endorsed the Director's recommendation but agreed that this would be interpreted flexibly taking account of the advice from the Consultant Architect.)

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC)
Planning and Building
Control Services

To: Director of Administration

Our Ref: NRM/JJ H11/0869/93

Your Ref:

Date: 16 Feb 1995

THE DELPH, STATION ROAD, LONG SUTTON.

I refer to Maples and Son letter of 1st December, and my memorandum to you of the 5th January, and am writing to enquire whether there has been any progress in resolving the issue. I am committed to reporting the application back to the Planning Committee in due course, and anticipate that the County Council will themselves be asking for a progress report very soon.

N Midlen
Principal Planning Officer
Development Control

Land and Buildings Consultancy,
County Offices,
Newlands,
Lincoln.
LN1 1ZA.

Mr N Midlen

NRM/JJ H11/0869/93

V2954/PDW/KDH

07 Nov 1994

Dear Sir,

PLANNING REFUSAL AT THE DELPH, LONG SUTTON.

Further to our previous correspondence, I can advise you I have now had the legal opinion sought and this confirms your view that the application could, and should, have been determined under Section 73 of the Planning Act as you initially requested. I must apologise for what is obviously an error in this Department. Do you now wish the application to be reported back to the Planning Committee for them to determine under Section 73?

Yours faithfully

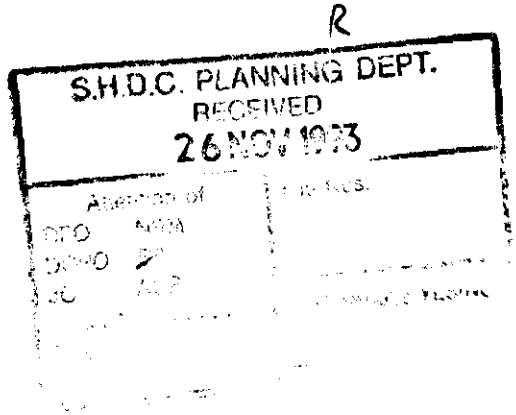
N Midlen
Principal Planning Officer
Development Control

Anglian Water

Anglian Water
Services Limited

P.O. Box 62
Waterside House
Waterside North
Lincoln LN2 5HA

Telephone 0522 557000
Facsimile 0522 557992



Our ref
SH/930120

Your ref
H11/0869/93

24 November 1993

District Planning Officer
South Holland District Council
Council Offices
Priory Road
SPALDING Lincs
PE11 2XE

Dear Sir,

Proposal : Erect dwellings on residential development
Location : Land off The Delph, Long Sutton
Applicant: Lincolnshire County Council

With regard to the above-mentioned Application, I would inform you that whilst Anglian Water have no objections to raise in principle to the proposals, I wish to make the following observations.

The foul drainage from this development can be accommodated in the existing public sewer.

There are no surface water sewerage facilities in the vicinity of the proposed development.

All surface water from roofs should be piped direct to a watercourse, surface water system, or shallow soakaways. Open gullies should not be installed.

The use of soakaways at this site should be proven adequate in accordance with BS6297:1983.

However, should soakaways prove impracticable another method of disposal must be found by the applicant and approved by Anglian Water.

Surface water will not in any circumstances be permitted to discharge to the foul sewer.

From a water supply aspect, the company have existing water mains in this area from which the development could be supplied. cont'd

Registered in England No 2366656
Registered Office:
Anglian House Ambury Road
Huntingdon Cambridgeshire PE18 6NZ

24 November 1993

If any further information is required concerning the above please contact my Senior Engineer (Planning) Mr. D. Hellier.

Yours faithfully,

P A Laws

Philip Laws
Customer Services Manager

SOUTH HOLLAND DISTRICT COUNCIL

REPORT TO: PLANNING COMMITTEE 22ND NOVEMBER 1989

BY: DISTRICT PLANNING OFFICER

1.0 **SUBJECT:** **LINCOLNSHIRE STRUCTURE PLAN REVIEW**

PURPOSE: **To report further on the District Council's future housing development strategy in the context of the Structure Plan Review, to consider future housing allocations to settlements and to consider the role of Spalding (in pursuance of Minute no. 628/89).**

1.1 Background
The Lincolnshire Structure Plan review assumes about 6000 new dwellings in the South Holland District between 1988 and 2001. The average annual required rate of house building would be somewhat in excess of that achieved since 1976.

1.2 Structure Plan policies for residential development remain unchanged ie residential development is to be encouraged through a hierarchial settlement policy of towns, main villages and smaller villages/hamlets with a presumption against development in the open countryside i.e. outside the defined development boundaries of settlements.

1.3 The general locational strategy is to guide large scale new development into those settlements best able to cope with the increased demand for services, infrastructure and facilities. More sensitive development in some of the minor settlements could be beneficial in sustaining basic village facilities.

1.4 The broad conclusion from those replies received as a result of the questionaire sent to Parish Councils was that no 'Town' or 'Main Village' wished to see future house building at a greater rate than in the past.

1.5 A small majority of the 'Smaller Villages' wished to see future house building at a rate similar to the past, those preferring to see a greater rate were the smaller of these settlements seeing growth as a way of maintaining a basic level of services.

1.6 The Committee accepted the 6000 new dwellings growth figure as reasonable for the purposes of planning for the year 2001. As a consequence it was resolved that the District Council should consider further its future housing development strategy in the context of the Structure Plan Policies, and in the light of this and the results of the questionnaire consider future housing allocations to settlements, or groups of settlements and to the role of Spalding in readiness for responding to the County Council's formal consultation.

1.7 Against this background the table in appendix II summarises the historical and existing situation of building rates in the towns and main villages together with a commentary about future allocations.

1.8 The Role of Spalding

Spalding is the commercial, employment and administrative centre of the District with the potential for further growth. Talks of town centre redevelopment, railway electrification and associated commercial development, the A16 by-pass, large scale long planned residential and industrial developments have yet to fully materialise on the ground. It is nevertheless the key settlement in the District.

1.9 Of all the 'Towns' Spalding is the only one that has failed to reach its original structure plan allocation for residential development - the numerical short fall approaching 350 dwellings. The actual number of completions averages 94 dwellings a year.

1.10 Nevertheless there has always appeared to be a large amount of 'available land' in terms of land with the benefit of planning permission. Circular 15/84 (Land for Housing) calls for "an adequate and continous supply of land with planning permission suitable and available for immediate development." In reality 'suitable' land has been subject to constraints e.g. ownership issues, lack of available access or other factors which have prevented or delayed its development.

1.11 The District Council (and other public authorities) have in recent years invested heavily in Spalding in the provision of a sewerage scheme, sports complex, environmental improvements, civic and cultural facilities and infrastructure provision. New development will see a return on this investment. Similarly a growing population will attract private investment in commercial and industrial development all of which lead to increased opportunities and choice for the people of the town and the District.

1.12 There is no reason to doubt the ability or desirability of Spalding to accommodate the scale of new residential development proposed. It will be for the forthcoming review of the Spalding and Pinchbeck Local Plan to assess the success of existing policies for the location of new residential development, and if necessary to propose alternatives.

1.13 Towns, Main Villages and the Smaller Villages

Referring now to the tables in Appendix I and II ....
.... the first matter which I would bring to the attention of members is that I have suggested that Sutton Bridge is redesignated a 'Town'. It is the 5th largest settlement in the District with industries and other businesses providing employment, it now has a thriving port and associated activities, is strategically located on the improved A17 and has potential for both further industrial and residential development. It already has many of the community facilities associated with a town and a sewerage scheme completed in the recent past.

1.14 I also suggest the redesignation of Whaplode as a 'Main Village' and Gedney Hill as a 'Smaller Village'. Whaplode is strategically located between the towns of Holbeach and Spalding but has not had the status of its sister villages of Weston and Moulton due solely to the lack of sewerage.
Recent public investment has now provided this facility and the settlement has recently been subject fairly intense development pressures. It is already the tenth largest settlement in the District.

1.15 By contrast Gedney Hill is only the twenty-ninth largest settlement and despite its original main village designation has not been subject to development pressure with a building rate of less than 4 dwellings a year despite a high level of land availability. The recent review of the boundary of development, however, will ensure no loss of potential. This redesignation reflects the reality of the situation since the Structure Plan base date of 1976.

1.16 For the most part the suggested allocations are capable of being met by existing planning permissions, land with potential within the existing boundary or with only relatively minor enlargements. There are exceptions, notably Spalding, Pinchbeck, Gosberton and Whaplode.

1.17 The distribution of the housing allocations in the Structure Plan should continue to be regarded as a guide and not as an absolute threshold or ceiling. Experience tells us that some settlements will, over a number of years, exceed their allocated figure whilst others will not achieve theirs and District Councils should be free to prepare and modify their plans locally, whilst conforming to the overall general strategy of the Structure Plan.

1.18 It may be noted that 'Main Village' status is a reflection of a settlements size, function (as a service centre serving a rural area) level of services and provision of infrastructure and is not necessarily, as the tables show, an indication of its growth potential. Members have already expressed concern that certain villages, eg Gosberton, Moulton have reached their environmental capacity and that further large scale growth should be resisted. It may be considered essential that the Structure Plan Policies should differentiate between these two types of 'Main Village'.

1.19 The suggested distribution of the allocation between the 'Towns' 'Main Villages' and 'Smaller Villages' is 66.66% : 18.33% : 15.0% and is in numerical terms 4000 : 1100 : 900. In this distribution the 'Smaller Village' allocation shows a percentage increase (from 12.5%) over its 1976 allocation but is numerically the same, the 'Main Village' allocation is less than previously reflecting the rapid growth of some settlements in the past and the concern already highlighted. The 'Towns' therefore show an increase in both their percentage and numerical allocation, this being particularly true in the case of Spalding.

1.20 <u>New Villages</u>

One of the strategic options available for accommodating new development is by the creation of "new villages". The justification for such a strategy may arise from a variety of circumstances, one of which may be when existing settlements are unable to accommodate all the anticipated new development. The towns and villages in South Holland have the capacity to accommodate this District's new development, and so this particular factor does not create the need for the Structure Plan to promote a "new village" as part of the development strategy. Other circumstances may emerge, both during this Structure Plan review and later, which cause the issue of new villages to be reconsidered, and of course the current planning application will have to be judged on its merits, having regard to current circumstances and policies.

1.21 <u>Conclusions</u>

The overriding conclusion is that the 6000 new dwellings allocated to the District is over the Structure Plan Review period can be accommodated within the existing hierarchial settlement policy of 'Towns' 'Main Villages' and 'Smaller Villages' but with Sutton Bridge redesignated as a 'Town', Whaplode redesignated as a 'Main Village' and Gedney Hill redesignated as a 'Smaller Village'.

1.22 The distribution of housing allocations to individual settlements are to be regarded as a guide and not as an absolute threshold or ceiling. What is more important is the overall housing strategy. The distribution of the overall allocation to categories of settlements should be the prerogative of the District and not the County Council.

1.23 'Main Village' status is a reflection of a settlements size, and function and not an indication of its potential for growth. Structure Plan Policies should differentiate between the two.

1.24 Existing settlements are able to accommodate the District's anticipated new development, and from this view point there appears to be no need for the Structure Plan to provide for a "new village" in South Holland.

1.25 Spalding is the key settlement in the District and there is no reason to doubt the ability or desirability of the town to cope with new development within the parameters set by the Spalding and Pinchbeck Local Plan.

1.26 **PLANNING OFFICER'S RECOMMENDATION**

1) That in the draft alterations of the Structure Plan to be published for consultation the Lincolnshire County Council be asked:-
(i) to redesignate Sutton Bridge as a 'Town' alongside Crowland, Holbeach, Long Sutton and Spalding.
(ii) to redesignate Whaplode as a 'Main Village' alongside Cowbit, Donington, Gosberton, Moulton, Pinchbeck and Weston.
(iii) be asked to redesignate Gedney Hill as a 'Smaller Village'.

2) That the Lincolnshire County Council be advised that the South Holland District Council do not favour specific allocations to individual settlements, believing that broad allocations to categories of settlement will enable the District Council to properly carry out its duties as Local Planning Authority, to determine the development plans for each settlement in the light of local considerations.

3) That the allocations referred to in the appendix II be used as a guide for the future planning of the District.

4) That Lincolnshire County Council be advised that this Council believes that existing settlements in the District are able to accommodate the scale of development envisaged, and from that viewpoint there is no necessity for the Structure Plan to make provision for a new settlement in this District.

5) That the Lincolnshire County Council be asked to produce separate policies relating to development in the different types of 'Main Village'.

Background Papers:- F.1521

Local Government (Access to Information) Act 1985

The Officer to whom reference should be made concerning inspection of the background papers is The District Planning Officer, Chatterton Tower, Winfrey Avenue, Spalding, Lincolnshire. Tel. Spalding (0775) 761161

Appendix I

SOUTH HOLLAND DISTRICT COUNCIL

LIST OF SETTLEMENTS IN ORDER OF SIZE (1988)

Position	Settlement	Estimated Population within Boundary of Development
1	Spalding	19125
2	Holbeach	5335
3	Long Sutton	3850
4	Crowland	2870
5	Sutton Bridge	2610
6	Pinchbeck	2390
7	Donington	1955
8	Gosberton	1380
9	Moulton	1345
10	Whaplode	850
11	Surfleet & Seas End	695
12	Weston	650
13	West Pinchbeck/Northgate	635
14	Saracens Head/Holbeach Bank/Clough	615
15	Tydd St Mary & Tydd Gote	595
16	Gosberton Clough & Risegate	551
17	Quadring	545
18	Fleet Hargate	535
19	Deeping St Nicholas	470
20	Cowbit	465
21	Sutton St James	395
22	Moulton Chapel	380
23	Whaplode Drove	355
24	Pode Hole	345
25	Gedney Drove End	335
26	Moulton Seas End	330
27	Lutton	325
28	Gedney Dyke	295
29	Gedney Hill	280
30	Weston Hills (St Johns)	270
31	Gedney (Church End)	260
32	Whaplode St Catherine	250
33	Holbeach St Marks	190
34	Holbeach Hurn	175
35	Holbeach Drove	170
36	Weston Hills (Austendyke)	150
37	Tongue End	150
38	Nene Terrace	135
39	Sutton St Edmund	130
40	Shepeau Stow	130
41	Holbeach St John	125
42	Throckenholt	90
43	Gedney (Black Lion)	70
44	Fleet	65
45	Dowsdale	15

Source - Planning Department House Count Survey

Appendix II

LINCOLNSHIRE STRUCTURE PLAN REVIEW

TOWNS

	Crowland	Holbeach	Long Sutton	Sutton Bridge	Spalding
a) Position by size	4	2	3	5	1
b) Original Structure Plan allocation dwellings 1976-1991	260	400	400	200	1800
c) Required average annual rate 1976-1991 (dwellings)	17.3	26.6	26.6	13.3	120
d) Actual average, building rate 1976-1989 (dwellings)	21.3	33.8	32.5	13.3	94.1
e) SUGGESTED ALLOCATION *	260	500	380	260	2600
f) Required annual rate 1988-2001	20	38.5	29.2	20	200
g) Are allocations capable of being met by existing planning permissions, land with potential within existing boundary or with only relatively minor enlargements	Yes	Yes	Yes	Yes	No

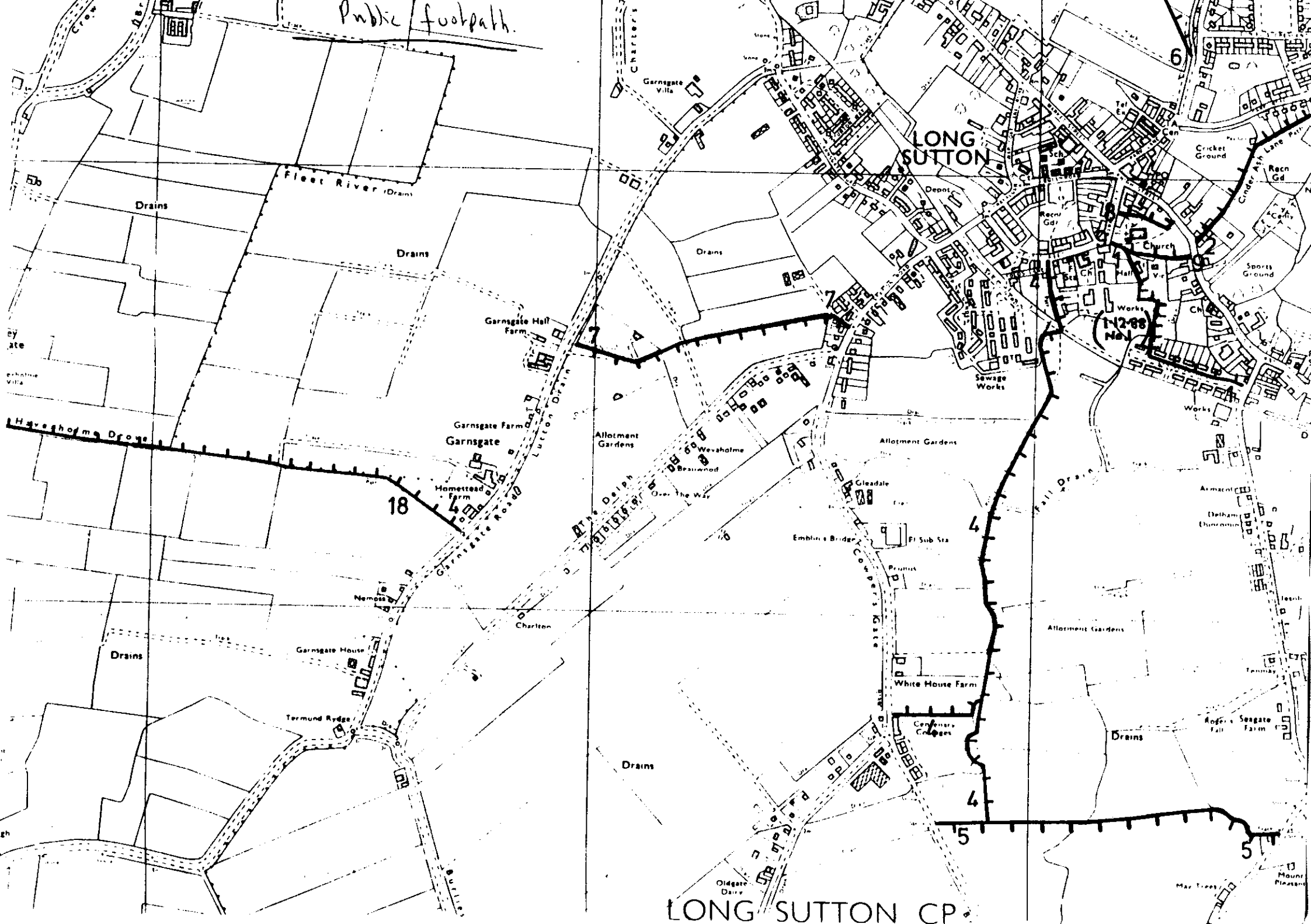
MAIN VILLAGES

	Cowbit	Donington	Gosberton	Moulton	Pinchbeck	Weston	Whaplode
a) Position by size	20	7	8	9	6	12	10
b) Original structure Plan allocation dwellings 1976-1991	60	260	200	140	300	60	N/A
c) Required average annual rate 1976-1991 dwellings	4.0	17.3	13.3	9.3	2.0	4.0	N/A
d) Actual average building rate 1976-1989 (dwellings)	3.6	12.7	11.8	8.8	24.8	4.7	N/A
e) SUGGESTED ALLOCATION *	200	120	70	70	300	140	200
f) Required annual rate 1988-2001	15.4	9.2	5.4	5.4	23.1	10.8	15.4
g) Are allocations capable of being met by existing planning permissions land with potential within the existing boundary or with only relatively minor enlargements	Yes	Yes	No	Yes	No	Yes	No

* NOTE - Allocations suggested by District Planning Officer. Attention is drawn to paragraph 1.20 of report.

Settlement Housing "Target" Performance: 1988-2001

Settlement	Structure Plan Allocation		Annual Cumulative Performance against "target" (numerical)									
	No. of Dwellings	Required Annual Average	1988-89		1989-90		1990-91		1991-92		1992-93	
			Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual	Plan	Actual
South Holland	6000	462	462	276	924	710	1386	1405	1848	2022	2310	
Urban	3860	297	297	179	594	436	891	875	1188	1198	1485	
Crowland	260	20	20	12	40	18	60	29	80	37	100	
Holbeach	400	31	31	38	62	125	93	258	124	372	155	
Long Sutton	400	31	31	23	62	75	93	99	124	110	155	
Spalding	2600	200	200	100	400	195	600	412	800	562	1000	
Sutton Bridge	200	15	15	6	30	23	45	77	60	117	75	
Rural (incl. open countryside)	2140	165	165	97	330	274	495	530	660	824	825	
Main Rural	1100	85	85	35	170	88	255	115	340	158	425	
Cowbit	200	15	15	9	30	12	45	19	60	21	75	
Donington	120	9	9	13	18	48	27	58	36	69	45	
Gosberton	70	5	5	1	10	3	15	5	20	20	25	
Moulton	70	5	5	1	10	11	15	17	20	20	25	
Pinchbeck	300	23	23	8	46	10	69	11	92	23	115	
Weston	140	11	11	3	22	4	33	5	44	5	55	
Whaplode	200	15	15		30		45		60		75	
Other Rural (incl. open countryside)	1040	80	80	62	160	181	240	408	320	659	400	


Public footpath.
LONG SUTTON
Fleet River (Drain)
Drains
Garnsgate Hall Farm
Garnsgate Farm
Garnsgate
Hagshorne Drove
Homestead Farm
Garnsgate Road
Nemoss
Charlton
Garnsgate House
Termund Ridge
Allotment Gardens
Weyaholme
Beaumont
Gleadale
Over the Way
Embleton Bridge
Fl Sub Sta
Primrose
White House Farm
Centenary Cottages
Sewage Works
Depot
Cricket Ground
Sports Ground
Church
Works
Cinder Ash Lane
Oldgate Dairy
LONG SUTTON CP