APPLICATION NO. : H11 0896 92

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FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H11/0896/92 Received:24-SEP-92 Type:SEC 73 MODIFICATION

Name: Mr & Mrs R Southgate
81 Little London
Long Sutton
Spalding
Lincs

Agent: D N Eastwood
7 The Paddocks
Burwell
Cambridge
CB5 0HQ

Description: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0665/78)
Location : The New House Wisbech Road
Long Sutton Spalding, Lincs

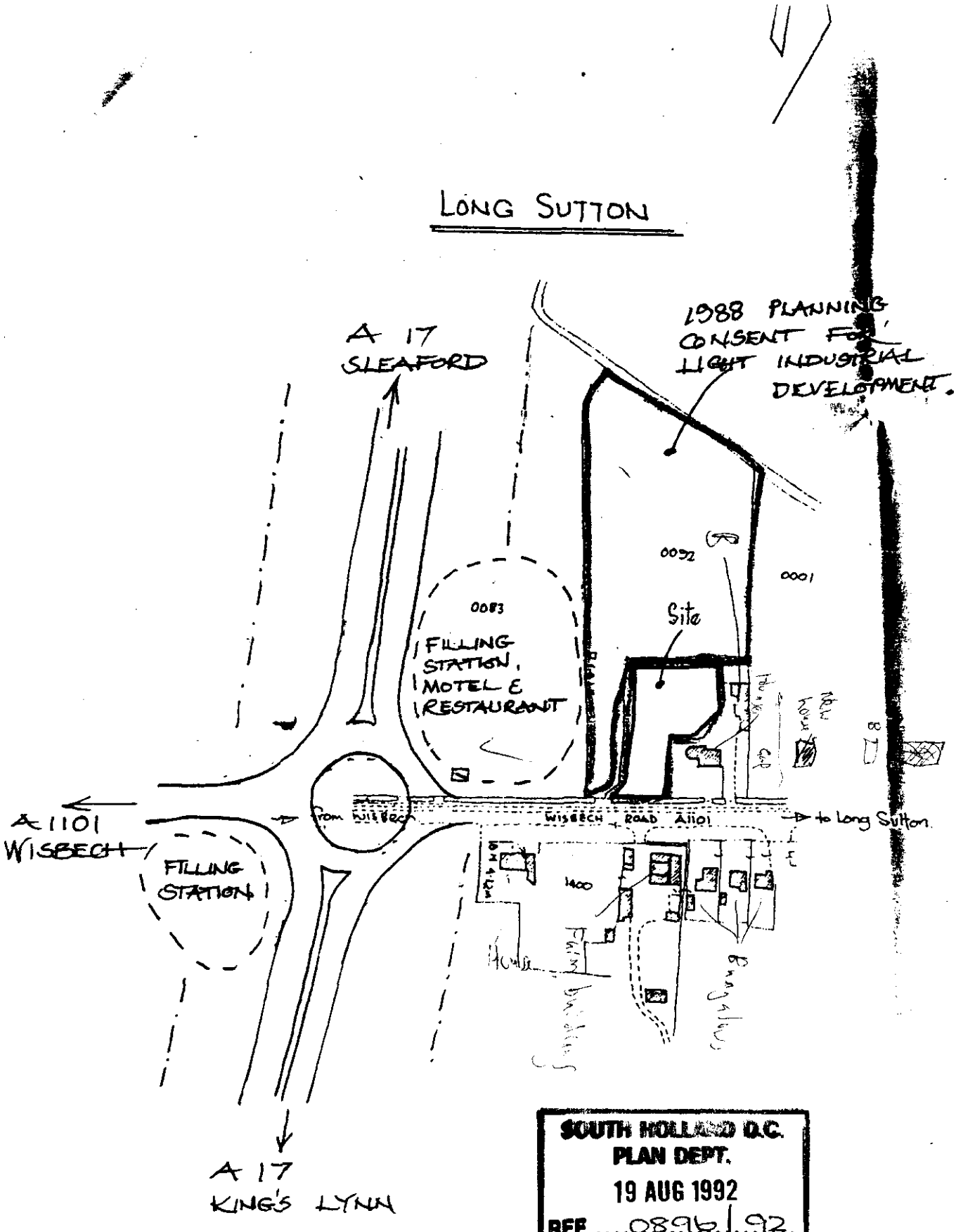
South Holland District Council hereby gives notice that PERMISSION HAS BEEN GRANTED for the proposal described above, subject to any condition(s) set out below:

Director of Planning and Building Control Services
17-NOV-92 H11/0896/92

This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)



SOUTH HOLLAND D.C.
PLAN DEPT.
19 AUG 1992
REF ....0896/92.

THE NEW HOUSE, WISBECH ROAD, LONG SUTTON.

LOCATION PLAN 1:2500

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H11/0896/92

Date Registered 19 AUG 1992

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR & MRS ROGER & LINDA SOUTHGATE,
81, LITTLE LONDON
LONG SUTTON
LINCS

Tel. No. 0406-363014 (Home) / 0553-770057 (Work)

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

D.N. EASTWOOD
7, THE PADDOCKS,
BURWELL
CAMBRIDGE CB5 0HP

Tel. No. 0638-741798
(Personal contact name) David Eastwood

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

THE NEW HOUSE, WISBECH ROAD, LONG SUTTON

OFFICE COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

REMOVAL OF AGRICULTURAL OCCUPANCY CONDITION ON THE NEW HOUSE (APPLIC^N H/11/146/78)

Please complete

I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £ 58 ..... If you consider no fee is payable include a written explanation instead.

Signed: ..... Date 17th Aug. 92 ..... Previous application No.

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

2. **TYPE OF APPLICATION**

(✓)

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

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

Please state Site Area [ ] (Hectares)

Please tick **any** box where you are including details which you wish to be considered as part of this application.

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

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

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

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

A. Please state Reference Number of pervious permission B. Please state Condition Number referred to C. Please state variation required **Now complete an Ownership Certificate.**	H 11/146/78 No. 4 Removal of Agricultural Occupancy Condition

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

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

Prospective Purchaser

2. **OWNERSHIP OF THE SITE**

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

If the applicant is the **sole owner of the whole site,** complete **Certificate A.**
In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B.** (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

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

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

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.
Owner's Name:
Address of owner at which notice was served: State Date notice served:

(1) Nat West Home Loans,
PO Box 156,
38, Colmore Circus,
Queensway
Birmingham B4 6AL

(2) Mr & Mrs A B Barton
Roman Lodge
Wiobeck Road,
Long Sutton

13th Aug 1992

Signed ..... (~~Applicant~~ / Agent) Date 17th Aug 92

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

If the land is not in agricultural use complete Certificate 1.
If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

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

Signed ..... (~~Applicant~~ / Agent) Date 17th Aug 92

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

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

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection | Accuracy | Neighbours NC | Boundaries

Site features | Other R/P conifers on north & south boundaries difficult to overgrown shrubs undergrowth for sometime no way mention. North-facing kitchen 2 storey dwelling

Inspected by GS
Date 8-1-92

Notice posted by GS
Date 8-1-92

Site re-inspected 18/9 by DMG

Resident Notices required

Sent | Delivered

Case Officer Conclusions

RECOMMENDATION

COMMITTEE

Departure from Policy .....

Ward Member request .....

Recommend approval against material objection .....

Other circumstance viz: .....

Change to Committee recorded

DELEGATED

Case Officer .....

Senior Officer .....

Case Officer Recommendation

Approve | Refuse

Signed .....

Conditions/Reasons
(continue overleaf)

Notes to applicant

- [ ] Disabled
- [ ] Outstanding RM
- [ ] Amended plans

DC RECORD SHEET

APPLICATION REF:

Directions

Art 7 (Outlines)
RM checklist

	Siting	Design	Ext app	Access	Landscape
Previous					
Current					
Required					

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

Other .... DMG 9/9

Precise details, for non-standard direction: Details of any offers made (including names and price) and why they were rejected. DONE 9/9

DMG 17/9

Senior Officer authorised: ..... Sent: .....

Revalidation after Direction DMG 15/9

Information satisfactory/~~unsatisfactory~~ Signed: DMG 15/9

Further direction: Precise details:

Amended description:

New valid date: 14/9 (RE-ACKNOWLEDGEMENT/RECEPTION 17/9

Consultation/Publicity Required

		Requested	Sent
Extra Publicity:			
	Departure	.....	.....
	Setting of LB	.....	.....
	Public Right of Way	.....	.....
	Discretionary	.....	.....
Extra Consultations:			
	Dept of Transport	.....	.....
	Environmental Serv.	.....	.....
	LB/Cons. Area - Local	.....	.....
	- Local & National	.....	.....
	- English Heritage	.....	.....
	Consultant: Name.....		..... Order No .....
	Other:	.....	.....

Case Officer ~~DAVID GODNEY~~ **Recorded on board:**

ADMIN RECORD SHEET

Initial

Submitted Fee £ 55

Receipt Issued 4 AUG 92

Date first Rec'd 19 AUG 92

Registration

Reference H11 | 0896 | 92

Cross-Ref N/A

Date 20/8/92

Validation

TYPE MOD

Earliest permission

Site area

No of dwellings

Floorspace

Description

Tech

Certificate
Site plans
Description

Accuracy
Incomplete form

Fees

Nil fee

Discounted fee

Previous app Type

Correct fee £55

Additional Refund

Receipt Issued

Information

Newbuild/Redevelopment/Change of use/Extension/Alteration/Works

Earlier permission Ref

RM

	Siting	Design	Ext app	Access	Landscaping
Previous					
Current					

Index sheets 230

OS No's

Grid ref 544080 321930

Ward K

Parish L. SUTTON

Inside IBD NO

Inside LP area YES

TR Rural
TR Bypass
Level Cross
Footpath

CA
LB
TPO

Linked to site

Ref

Linked to property

Ref

011379

Planning Records:
Earlier apps

S/SD/89

146/78

B Reg Records:
Already submitted - Ref
Request
Requested

APPLICATION REFERENCE: H11/0896/92

APPLICANT: Mr & Mrs R & L Southgate
81 Little London
Long Sutton
Spalding
Lincs

REPORT TO PLANS SUB-COMMITTEE ON: 9 November, 1992

Addendum to report on page 28 of the report to Planning Committee on 7 October, 1992.

A. It was resolved after the site visit that consideration of the application be deferred to enable the Director of Planning & Building Control Services to ask the applicants if they were prepared to provide sufficient information to enable the Council to seek the advice of the District Valuer on whether the property is being offered at a fair price.

The applicants have now submitted a residential property mortgage valuation report from the West Bromwich Building Society which, in their opinion, reflects the present condition of the property and the fact that it has an agricultural occupancy clause attached. This information, together with a copy of the report to the Committee and a plan showing previous decisions, has been forwarded to the District Valuer and I am currently awaiting his advice in respect of whether the property has been offered at a fair price. I anticipate that this will be reported verbally to the Committee.

Recommendation

That subject to the advice of the District Valuer, permission be granted in accordance with my earlier recommendation.

772. PLANNING APPLICATIONS (Continued)

Plan No. and Applicant	Proposal
H01/0891/92 Patterson Properties	Pair of semi-detached houses at 85 Backgate, Cowbit.

RESOLVED: Planning permission be granted for the above development in accordance with the recommendation of the Director of Planning and Building Control Services, subject to the provision of a single central access to serve the proposed dwellings.

H11/0896/92 Mr & Mrs R Southgate	Occupation of dwelling without complying with agricultural condition of permission H11/0665/78 at The New House, Wisbech Road, Long Sutton.

RESOLVED: Consideration of this application be deferred to enable the Director of Planning and Building Control Services to ask the applicants if they are prepared to provide sufficient information to enable the Council to seek the advice of the District Valuer on whether the property is being offered at a fair price.

773. PLANNING APPLICATIONS PREVIOUSLY DEFERRED

The following applications were determined as indicated:-

Plan No. and Applicant		Proposal
H16/0407/92 Mr G Elkin & Mrs D E Simpson	O.A.	Dwelling at rear of 45 Love Lane, Spalding.

RESOLVED: Planning permission be granted for the above development contrary to the recommendation of the Director of Planning and Building Control Services, subject to standard conditions including satisfactory details of siting and access arrangements.

(Councillor R.C. West requested that his vote against the above decision be recorded.)

H01/0560/92 Mr B N Ruck	O.A.	Residential building plot on part garden of 66 Barrier Bank, Cowbit.

RESOLVED: Planning permission be granted for the above development in accordance with the recommendation of the Director of Planning and Building Control Services subject to appropriate conditions including satisfactory details of siting and access arrangements. (The applicant to be advised that the additional details received do not form part of the application, and that any proposed dwelling should be commensurate with the size and scale of the existing adjoining dwelling).

(O.A. denotes Outline Application)

(End of Minutes)

APPLICATION REFERENCE: H11/0896/92 DATE RECEIVED: 24-SEP-92

APPLICANT: Mr & Mrs R Southgate
81 Little London
Long Sutton
Spalding
Lincs

AGENT: D N Eastwood
7 The Paddocks
Burwell
Cambridge CB5 0HQ

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
- 7 OCT 1992

TYPE: SEC 73 MODIFICATION

DESCRIPTION: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0665/78)

LOCATION: The New House, Wisbech Road, Long Sutton

Parish Council: If agricultural occupancy condition is removed it will set a precedent for other dwellings in the area.

County Highways: No objections.

Information from Applicants Agent: (summarised)

- Small holding attached to house was divorced from it more than three years ago following the cessation of farm activity because of poor financial returns.
- Attached land was the subject of Outline consent for light industrial development in 1988 (H11/0565/88).
- Property has been on the market for three years (repossessed by Lloyds Bank). The log shows 17 enquiries since that date. The sales particulars make clear the agricultural occupancy condition.
- Prospective buyers have clearly been put off by the problem of this condition.
- Recent development has taken place nearby to bring the property more in the confines of the village. The Wisbech Road area between the site and the village has also been the subject of new housing consents without agricultural occupancy conditions (e.g. a recent appeal decision for two dwellings nearby on a builders yard). Inspector concluded that "the area from the appeal site to the A17(T) is clearly developed and appears to be continuing...the site forms part of a continuing pattern of development in the area".
- In the 3 years the house has stood empty it has started to deteriorate and this will get worse unless it is brought into use.

- Only has 0.4 acre of gardens and cannot provide any income for agricultural use.
- Circumstances of the property and nature of existing development have therefore seriously changed over the last 12 years.

PLANNING POLICIES/DOE ADVICE
Outside Long Sutton boundary of development.
Local Plan Policy H4
Structure Plan Policies 5A, 6A and 7A
PPG7, 1992 (The Countryside and the Rural Economy)

PREVIOUS DECISIONS
H11/0665/78 - Outline - Erection of dwelling and double garage with alteration to access, Wisbech Road - Permitted subject to agricultural occupancy condition.

PLANNING ISSUES
1 The determining issue in this particular case is whether the removal of the condition would be acceptable on policy grounds.
2 The dwelling in question is located on the western side of Wisbech Road approximately 150 metres from the roundabout. It is set well back from the road (approx. 60 metres).
3 Existing development on the western side of Wisbech Road consists of a mixture of residential and agricultural dwellings. The latter in the main have small holdings (including glasshouses) attached. Members are reminded that an application for two dwellings on what is presently a builders yard approximately 250 metres to the north was recently allowed on appeal (ref. H11/1115/91). Two infill plots have just been permitted in the locality on the eastern side of Wisbech Road.
4 Part of the smallholding previously attached to the house (separated approximately 3 years ago) was the subject of an Outline consent for light industrial development in 1988 (H11/0565/88). This has since expired.
5 An existing petrol filling station/restaurant/motel complex is located immediately to the south between the site and the A17 roundabout.

CONCLUSIONS
1 Although the site is outside the Long Sutton boundary of development it is no longer, in my view, in an area of "open countryside". Indeed, during the determination of a recent appeal approximately 250 metres to the north, the inspector concluded that "the area from the appeal site to the A17 Trunk Road is clearly developed and development appears to be continuing." The character and pattern of existing development in the locality is therefore considered to be such that the removal of the agricultural occupancy condition would not now conflict with Structure Plan Policy 7A, nor Long Sutton and Sutton Bridge Local Plan Policy H4 - This is especially the case given the recent decisions in the locality.

RECOMMENDATION - Grant Permission.

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730. PLANNING APPLICATIONS (Continued)

(c) Applications Deferred (Continued)

Plan No. and Applicant	Proposal
H16/0805/92 Mr R Branton	Sectional concrete garage at 2 St Paul's Road, Spalding.

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

H22/0834/92 Mr & Mrs I D Holmes	Retention of dwelling without complying with agricultural clause on planning permission H22/0174/92 at Moulton Chapel Road, Cowbit.

(For the Director of Planning and Building Control Services to consider with other similar outstanding applications and to report thereon to a future meeting.)

H16/0873/92 Patterson Properties	Pair of semi-detached houses at 22 Wygate Road, Spalding.

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

H01/0891/92 Patterson Properties	Pair of semi-detached houses at 85 Back Gate, Cowbit.

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

H11/0896/92 Mr & Mrs R Southgate	Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0665/78) at The New House, Wisbech Road, Long Sutton.

(Pending a site inspection to assess the suitability of the proposal in the light of the character and pattern of existing development.)

H22/0364/92 C R Bustance	Abattoir with associated external storage facilities and staff car parking at Wimberley Hall Farm, Stonegate, Weston.

(Pending a site inspection, and to enable the Plans Sub-Committee to consider the proposal in greater detail at an extraordinary meeting, following which the application be referred back to this Committee for determination.)

(In respect of the above application it was moved and seconded that the application be refused, following which an amendment was moved and seconded that the application be deferred pending a site inspection, and to enable the Plans Sub-Committee to consider the proposal in greater detail at an extraordinary meeting, following which the application be referred back to this Committee for determination. Prior to voting on the amendment it had been requisitioned under Standing Order No.15 that the matter be the subject of a recorded vote so as to show how each Member present and voting gave his or her vote. The voting on the amendment was as follows:-

RESOLVED: Planning permission be granted for the above development, contrary to the recommendation of the Director of Planning and Building Control Services.

H16/0873/92 — Pair of semi-detached houses at 22 Wygate Road, Spalding.

Patterson Properties

RESOLVED: Planning permission be refused for the above development in accordance with the recommendation of the Director of Planning and Building Control Services.

(Councillor R.C. West requested that his vote against the above decision be recorded.)

H01/0891/92 — Pair of semi-detached houses at 85 Backgate, Cowbit.

Patterson Properties

RESOLVED: Planning permission be granted for the above development in accordance with the recommendation of the Director of Planning and Building Control Services subject to the provision of a single central access to serve the ~~first~~ proposed dwellings.

H11/0896/92 — Occupation of dwelling without complying with agricultural condition of permission H11/0665/78 at The New House, Wisbech Road, Long Sutton.

Mr & Mrs R Southgate

RESOLVED: Consideration of this application be deferred to enable the Director of Planning and Building Control Services to ask the applicants if they are prepared to provide sufficient information ~~in order~~ to enable the Council to seek the advice of the District Valuer on whether the property is being ~~advertised~~ offered at a fair price.

PLANNING APPLICATIONS PREVIOUSLY DEFERRED

The following applications were determined as indicated:-

H16/0407/92 — O.A. Dwelling at rear of 45 Love Lane, Spalding.

Mr G Elkin & Mrs D E Simpson

RESOLVED: Planning permission be granted for the above development contrary to the

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

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

SOUTH HOLLAND DISTRICT COUNCIL

COM.

Application no: H11/0896/92 Type: SEC 73 MODIFICATION

Applicant: Mr & Mrs R Southgate Agent: D N Eastwood
Tel: 0406 363014 H/0553 770057 WORK 0638 741798 David Eastwood

Description: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/~~0146~~665/78) ✓ amended
Location: The New House
Wisbech Road
Long Sutton
Spalding, Lincs

Valid date: ~~14~~ 24-SEP-92 Terminal date: ~~09~~ 19-NOV-92
Target dates: Target Committee: 27-OCT-92
To case officer 19-SEP-92 Report deadline: 13-OCT-92
Inspected by 24-SEP-92
Extra contacts 29-SEP-92 Case Officer:
Report if not clear by 19-OCT-92 D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Misc works
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Clerk to Long Sutton	0406 362402	25-AUG-92	08-SEP-92
Cllr D A Tennant		25-AUG-92	08-SEP-92
Cllr E J Clarey	0406 363141	25-AUG-92	08-SEP-92
Cllr M D Booth	0406 350034	25-AUG-92	08-SEP-92
Site/Press Advert MIN		08-SEP-92	29-SEP-92

L.C.C - No Objections JCB 26/8/92

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Com

Application no: H11/0896/92 Type: SEC 73 MODIFICATION

Applicant: Mr & Mrs R Southgate Agent: D N Eastwood
Tel: 0406 363014 H/0553 770057 WORK 0638 741798 David Eastwood

Description: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0146/78)
Location: The New House
Wisbech Road
Long Sutton
Spalding, Lincs

Valid date: 19-AUG-92
Target dates:
To case officer 24-AUG-92
Inspected by 29-AUG-92
Extra contacts 03-SEP-92
Report if not clear by 23-SEP-92

Terminal date: 14-OCT-92
Target Committee: 07-OCT-92
Report deadline: 23-SEP-92

Case Officer:
D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Misc works
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Clerk to Long Sutton	0406 362402	25-AUG-92	08-SEP-92
Cllr D A Tennant		25-AUG-92	08-SEP-92
Cllr E J Clarey	0406 363141	25-AUG-92	08-SEP-92
Cllr M D Booth	0406 350034	25-AUG-92	08-SEP-92
Site/Press Advert MIN		~~28-AUG-92~~	~~18-SEP-92~~

L.C.C - No objections to ds 26/8/92

DAVID EASTWOOD B.A. PLANNING ADVISOR
7 THE PADDOCKS, BURWELL CAMBRIDGE CB5 0HQ 0638-741798

LATE OBS: Offr ... Date
Salient points highlighted

Date :- 6th Nov. 92.

With Compliments Attention Mr. Brian Smith.

I understand Mr Southgate has met you to discuss the lack of progress on his application. Enclosed is a letter to your Chairman — we can only hope he & the Committee will see reason. I hope you can persuade them, since the last thing any of us would want is an Appeal.

Thanks.

David Eastwood

DAVID EASTWOOD B.A. PLANNING ADVISOR

THE PADDOCKS, BURWELL, CAMBRIDGE CB5 OHQ 0638-741798

Ref 030/92

5th November 1992

Councillor B Alcock
81 Postland Road
Crowland
Peterborough PE6 0JB

S.H.D.C. PLANNING DEPT.
RECEIVED
- 9 NOV 1992

Dear Councillor,

The New House, Wisbech Road, Long Sutton, Application H11/896/92
Mr & Mrs R & L Southgate

I wrote to you on 13th October to urge your Committee to approve the Southgate's application for occupancy of the above house without complying with an agricultural occupancy condition. We were very disappointed that the decision was deferred notwithstanding your Planning Officer's recommendation for approval.

I understand your Members wished for further information from the District Valuer on the validity of the price the Southgates have offered. I have been aked to point out that the Southgates had offered £53,000 when they started this exercise in August. This was made clear to the Planning Officer in the covering letter with the application. This amount was written into the contract to buy, subject to the planning consent.

As we know, property prices have continued to fall since then, while this application has been with your Council and it may be that the D V 's figure could reflect this. At the time the Southgate's offer was felt to be a fair one related to the circumstances.

The Planning Officer is still so I believe recommending approval at the 9th November meeting. I would ask that your Members should now approve this application with no further delays. There are three families caught up in a chain of purchase, and the situation is now causing some distress and hardship.

Yours sincerely,

D N EASTWOOD

CC Mr & Mrs R Southgate
Chief Planning Officer

Valuation Office

LATE OBS: Offr. M. G. D. 3/11
Salient points highlighted

D J Gilbert FRICS
District Valuer and Valuation Officer
Peterborough

Crescent House
46 Priestgate
Peterborough PE1 1JB

Planning & Building Control Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs
PE11 2XE

Tel 0733-347842 extn 221
Fax 0733-893443

Your reference : DMG/SJS H11/0896/92
Our reference : OGD.26381/PAH/PMMR
Please ask for : Mr Halmshaw

Date : 28 October 1992

Dear Sir

THE NEW HOUSE, WISBECH ROAD, LONG SUTTON
AGRICULTURAL OCCUPANCY CONDITION

I refer to your letter of 22 October 1992 in which you request valuation advice in relation to the above.

An external inspection of the property has now been made and, having considered the information provided with your letter, I am of the opinion that the current value of the dwelling, subject to the agricultural occupancy condition, is in the region of £50,000.

I note that the offer which has been made is subject to the condition being removed, and it is my opinion that in the absence of the condition the value will be in the region of £70,000 (seventy thousand pounds).

It should be noted that the above valuations are based on an external inspection of the property only. Also, no structural or soil survey has taken place, and it has been assumed that no abnormal development difficulties or structural problems exist.

This report is considered Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (see section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985) and your Council is recommended to treat it accordingly.

If you have any queries on this matter please do not hesitate to contact me on the above extension.

Yours faithfully

District Valuer

9/11 Sch. Ctte

S.H.D.C. PLANNING DEPT.
- 2 NOV 1992 DG

District Valuers & Valuation Officer
Inland Revenue
Crescent House
Priestgate
Peterborough
Cambridgeshire
PE1 1JN

D M Gedney

DMG/SJS H11/0896/92

22 October 1992

For the attention of Mr Halmshaw **URGENT**

Dear Sir

Planning Application H11/0896/92 - Occupation of dwelling without complying with agricultural occupancy condition of permission H11/0665/78 - The New House, Wisbech Road, Long Sutton, Spalding

I refer to the above application, submitted by Mr and Mrs R Southgate, who are the prospective purchasers.

The application was considered at the Plans Sub-Committee Meeting held on the 19 October 1992, when it was resolved after a site visit that consideration of the application be deferred to enable the Director of Planning and Building Control Services to ask the applicants if they are prepared to provide sufficient information to enable the Council to seek the advice of the District Valuer on whether the property is being offered at a fair price.

In accordance with the Minutes, therefore, I would be pleased if you would carry out a valuation of the property in question with the agricultural restriction on it. For your information, the property was first marketed in April 1991, when offers were invited. Two offers were consequently received, which later fell through. However, a sale has now been agreed at £53,000 to Mr and Mrs R Southgate, subject to the agricultural condition being removed.

Further to the above, the applicants have submitted a mortgage valuation report from the West Bromwich Building Society which values the property at £50,000 in its present condition, ie, with the agricultural occupancy clause attached.

Cont/...

Cont/...

The application is to be referred back to the Plans Sub-Committee on the 9 November 1992. I consequently apologise for the short notice given and would be most grateful if you could respond formally by early November.

I enclose the relevant information (including the mortgage valuation report referred to) for your assistance.

Yours faithfully

N R Midlen
Principal Planning Officer
(Development Control)

Enclosures

est romwich uilding ociety

Residential Property Mortgage Valuation Report

Processing Branch MOSELEY

Application no. 07A 975804

Applicant's copy - white
Society's copy - cream
Valuer's copy (to be retained) - grey

1. MORTGAGE DETAILS

a) Property address: The New House, Wisbech Road, Long Sutton, Lincs

Post Code: PE12 9AG

b) Applicant(s): Mrs. Linda Christine Southgate

c) Purchase Price £: 53,000

d) Advance £: 38,000

e) Term of years requested by Applicant(s): 25

2. TENURE

a) Freehold/Leasehold/Feuhold: FReehold, but the property is subject to an agricultural restriction

b) Leasehold unexpired term

c) Rent i) Ground/chief/feu £

ii) Fixed/escalating

d) Maintenance charge

3. TENANCIES (if any):

Give details and rent(s): None

S.H.D.C. PLANNING DEPT.
RECEIVED
21 OCT 1992

4. DESCRIPTION OF PROPERTY

a) Detached, semi-detached, terraced: Detached

b) House, flat, bungalow etc.: House

c) Year built (approximate): 1970

d) Number of storeys: 2

5. FLATS

a) Which floor(s)/Number of storeys

b) Number in block

c) Number in development

6. ACCOMMODATION (Listed by floors, include garage or garage space, outbuildings etc.)

Ground Floor: Entrance hall, cloak room, sitting room, dining room, kitchen, breakfast room, utility

First Floor: Landing, 3 bedrooms, (en-suite shower to bedroom 1), bathroom

Outside: Attached, double garage

Garden at front, side and rear.

7. CONSTRUCTION

a) Main Building

i) Walls: 250mm brick faced cavity with block inner leaf

ii) Roof(s): Double pitch, gang nail truss clad with concrete tiles on felt underlay

b) Garage(s): Brick & tile

c) Other Buildings: N/A

8. SERVICES: Mains water & electricty. Believed to be septic tank drainage.

9. a) CENTRAL HEATING: Oil fired central heating
b) DOUBLE GLAZING: Part secondary double glazing

10. IF NEW PROPERTY:
a) Name of builder
b) NHBC/Foundation 15/RIBA Supervision
c) Stage of construction
d) Is reinspection necessary?

11. OTHER MATTERS THAT MAY MATERIALLY AFFECT VALUE

a) Is the property readily resaleable at or about the valuation figure?	No, but see general remarks
b) In cases of flats etc. is proper management/maintenance apparent?	N/A
c) Has any alteration been made within the last 4 years for which planning permission or Building Regulation Approval was required?	No
d) Any other important factors?	The location of the property could deter some prospective purchasers

12. BUILDING INSURANCE

a) R.I.C.S. House Rebuilding Reinstatement Cost	£80,400
b) Floor area: State internal/external, include integral garages	1,458 sq.ft., external
c) Does the area warrant special consideration in respect of any insurance risk?	The property is within 100m of a petrol filling station

13. MATTERS TO BE CHECKED BY CONVEYANCERS

a) Rights of Way/Easements/Wayleaves (where apparent on inspection)	No
b) Road Agreements/Liability	No
c) *In the case of flats etc., a properly* formed Management Company	No
d) Drains/sewers liability	No
e) Other	No

14. ROADS/FOOTPATHS (including side and/or rear)
a) State if made/partly made/unmade: Made
b) Cost of making up £

15. GENERAL OBSERVATIONS - include comment on Locality, Amenities and Environment

At the present time, the property is subject to an agricultural restriction clause and although an application is being made to have the clause lifted, there is no certainty that this will be achieved, depsite the professional opinion of the applicants advisor. If the restriction is not lifted, the property could not be considered as readily saleable as it will almost inevitably take a considerably longer period to find a purchaser who complies with this category. At the same time, although there are high hedging trees around the boundaries, there is a petrol filling station, a Little Chef restaurant and travel lodge and the A17 by-pass adjoining the southern boundary of the property.
Consequently, although the property is situated within a short distance of the amenities in the centre of Long Sutton, the detracting features have a significant effect on its value and these have been taken into account in the valuation.

Applicant's copy - white
Society's copy - cream
Valuer's copy (to be retained) - grey

SECURITY ADDRESS The New House, Wisbech Road, Long Sutton

16. WORKS TO BE CARRIED OUT - as condition of mortgage subject to Retention

a) Is a Structural Engineer's Report required ? No

If yes, state nature

b) Other Specialist Reports or repairs required

A tree surgeon should be instructed to report on the advisability of removing/lopping the various trees which adjoin the house.

c) Amount of recommended Retention £ NIL
(This is not an estimate of costs)

d) Are stage payments appropriate ?

17. WORKS TO BE CARRIED OUT - as condition of mortgage subject to an Undertaking

Completion of all works recommended by tree surgeon.

18. ANY OTHER COMMENTS

None.

19. VALUATION FOR MORTGAGE PURPOSES (assuming vacant possession unless otherwise stated)

a) Is the property a suitable security for the Society? Yes

b) Valuation in present condition £ 50,000

c) Valuation upon completion of any works required £ 50,000
Do not value if answer to (a) is no

LATE OBS: Offr..... Date.....
Salient points highlighted

Established 1770

LONGSTAFF

Legal & General
Appointed Representative
Legal and General is a member of LAUTRO.

CHARTERED SURVEYORS
AUCTIONEERS, VALUERS & ESTATE AGENTS

2 West End, Holbeach, Lincs. PE12 7LW. Tel: (0406) 22760

Your ref: Mr. D.M. Gedney Our ref: JMD/AMC/H1015 Date: 5th October 1992

South Holland District Council,
Priory Road,
Spalding,
Lincolnshire.

S.H.D.C. PLANNING DEPT.
RECEIVED
-6 OCT 1992 DG
DPO
DDPO SE
JC ACP
Action by .....
Discuss with .....
Copy to .....
File nos.
Acknowledge YES/NO
by
date

Dear Sir,

Re: Removal of Agricultural Occupancy Condition
New House, Wisbech Road, Long Sutton, Lincolnshire

We understand from Mr. D. Eastwood, Planning Adviser, of 7 The Paddocks, Burwell, Cambridge, that you require details of the previous offers we have received for the above property prior to making any decision in respect of lifting the agricultural occupancy condition.

We first began marketing the property in April 1991 and in May of that year received two offers.

Offer No. 1 was from Mrs. M.A. Barton, C/O Norwich Union House, 26 Tuesday Market Place, King's Lynn, in the sum of £105,000.

This offer, we believe, was probably at that level because Mrs. Barton had an interest in adjoining land to the rear and required access to it. After very lengthy and drawn out negotiations which involved a boundary dispute, it transpired that she was unable to proceed due to lack of funds. Therefore, in reality, this bid could not be considered as truly reflecting the circumstances.

During this time the property was still being marketed with a sale board in place.

The other offer was from Warrant Officer and Mrs. J.E. Skinner, then living in Germany, in the sum of £60,000, which subsequently fell through.

A sale has now been agreed at £53,000 to Mr. and Mrs. R. Southgate and we understand that they are in a position to exchange contracts, subject to the agricultural condition being removed.

/Continued

South Holland District Council,
Priory Road,
Spalding,
Lincolnshire.

The above information is forwarded to you on the understanding that it will not be passed on to any other party for any reason whatsoever.

We trust that you will now be able to reach an early decision in respect of this matter.

Yours faithfully,

R Longstaffe

DF discussed with KCP/ NEW 19/10
Both agree that this should not be reported to committee

DAVID EASTWOOD B.A. PLANNING ADVISOR

THE PADDOCKS, BURWELL, CAMBRIDGE CB5 0HQ 0638-741798

Ref 030/92 Your Ref H11/0896/92

11th September 1992

Director of Planning
South Holland D C
Council Offices
Priory Road
Spalding
Lincs PE11 2XE

F A O Mr D M Gedney

Dear Sir,

Removal of Agricultural Occupancy Condition, New house, Wisbech Road, Long Sutton, Mr & Mrs R Southgate

I refer to your letter received 10th September with a request for detailed information of previous offers for the property, and reasons for non-purchase. I have contacted the estate agents, Messrs Longstaffs at the Holbeach office with a request for such details.

Unfortunately they are not able to help. This is simply because of the confidentiality they need to maintain in respect of the business affairs of the potential purchasers who did not proceed. As we know, a planning application and its contents normally becomes accessible to the public, and Longstaffs are clearly anxious not to make problems for themselves by disclosing what would otherwise be confidential information.

The best way forward I can suggest is if your Case Officer was to approach Longstaffs directly to verify this matter and maybe discuss the sales history of the property with a member of their staff. This could give some further insight to the situation.

The only other way I could see this information being provided is through a possible application of the Access to Information Act which may be used to safeguard such information from public disclosure. If this is possible, it would probably be necessary for your Council to provide the necessary assurances to Longstaffs and for you to obtain for your Department's private information the detailed requirements. I imagine they would not wish to release such information to the Southgates as the present potential buyers.

Reg 4

S.H.D.C. PLANNING DEPT.
RECEIVED
14 SEP 1992

Attention of
DPO BRM
DOPO BS
JC AGP
Action by .....
Discuss with .....
Copy to .....

File nos. This is with

YES/NO

14/9

I can only repeat that as far as I have been made aware, all efforts to sell the house with the condition attached have failed, and I have given as much supporting information as possible. Please can the application now be determined as soon as possible.

Yours faithfully,

D N EASTWOOD

(1) Department records indicate that the application should be for "Occupation of dwelling without complying with agricultural occupancy condition of permission H11/0665/78." Could you please confirm that this is the case.

JOHN

COULD YOU PLEASE SIGN THIS REG 4 LETTER, AS DAVID'S AWAY ALL WEEK. THANKS

BRIAN SMITH p 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: H11/0896/92

Applicant: Mr & Mrs R Southgate
81 Little London
Long Sutton
Spalding
Lincs

Agent: D N Eastwood
7 The Paddocks
Burwell
Cambridge
CB5 0HQ

Description: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0146/78)

Location: The New House
Wisbech Road
Long Sutton
Spalding, Lincs

Type: SEC 73 MODIFICATION

Date received: 19-AUG-92

09-SEP-92

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:

Details of any previous offers made (including names and price) and why they were rejected.

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

BRIAN SM 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: H11/0896/92

Applicant: Mr & Mrs R Southgate
81 Little London
Long Sutton
Spalding
Lincs

Agent: D N Eastwood
7 The Paddocks
Burwell
Cambridge
CB5 0HQ

Description: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0146/78)

Location: The New House Wisbech Road
Long Sutton Spalding, Lincs

Type: SEC 73 MODIFICATION Date received: 19-AUG-92

25-AUG-92

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 09-SEP-92. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

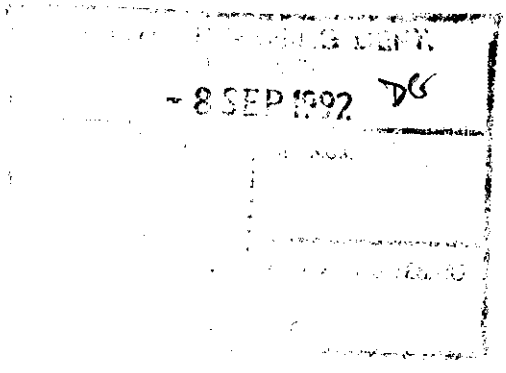
Yours faithfully
B SMITH
Director of Planning and Building Control Services

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

FOR PARISH COUNCIL USE ONLY

Comments: If agricultural occupancy condition is removed it will set a precedent for other dwellings in the area.

Signed:



16/4 Mrs Cranfield, 28 Haywood Ave. Holbeach
16/4 Mrs Sayers, The Red House Pinchbeck Lane - Pinchbeck
16/4 Mrs Saunders, 65 Spalding Rd. Holbeach
18-4. Mr. Bristow, Lindale, Millgate Rd., Whaplode Fen.
18-4. M. Stanmore, 24 New Rd. - Stokenchurch, High Wycombe, Bucks -
20/4 Mrs. Davis, % Scotland, Fold Farm Rd. Pinchbeck
1-5 Miss. L. Brown, 23 Braycourt, N. Shoebury, ESSEX.
14-5 Mrs. Payne, 192 Wootton Rd., Kl Lynn.
20-5 Mr. Salter, Sutton Rd. Transport, Bridge Rd., LSutton
11.12 Mrs Sullivan, 24 Lancaster Ave., Long Sutton +14.1.
14/1 S. Secker, 10 Roman Bank L.S. Ltn
14.1. Mrs Kirby, The Willows, Station Rd., Rayden, Kl Lynn.
26/2 Mrs. Hilliam, Connaught Hse., Market St., LSutton
21.4 J. Simms, 149 Bush Rd., Cuxton, Rochester, Kent.
27/4 MR N Shutt 15 West Park Ave. Inverbervie Scotland
8/5 Mrs Tallack, 41 Dick Turpin Way, L. Sutton.
1/) Mrs Butler, Beechfield House Roman Bank Nr/ Bank.

DAVID EASTWOOD B.A. PLANNING ADVISER

7 THE PADDOCKS, BURWELL, CAMBRIDGE CB5 OHQ 0638-741798

LATE OBS: Off. D.M.G. Date 3.11.1
Salient points highlighted

Ref 030/92 Your Ref H11/896/92

23rd September 1992

Director of Planning
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs PE11 2XE

F A O Mr D M Gedney

Dear Sir,

Occupancy of Dwelling without Complying with Agricultural Occupancy Condition, The New House, Wisbech Road, Long Sutton, Mr & Mrs R & L Southgate

Further to your letter of 19th August, I confirm the application description is amended to:-

Occupation of dwelling without complying with the agricultural occupancy condition of permission H11/0665/78.

Yours faithfully,

D N EASTWOOD

7/10 Allen

S.H.D.C. PLANNING DEPT.
RECEIVED
24 SEP 1992 DG
Allocated to
DPO
DCPO
JC ACP
Action by .....
Discuss with .....
Copy to .....
File No.
Acknowledge YES/NO
by
date

5 NEW ROAD
SPALDING 766766

3 HIGH STREET
MARKET DEEPING 342466

LONGSTAFF

Est 1779

3 WEST END
HOLBEACH 22760

1 NORTH STREET
CROWLAND 210517

New instructions

UNIQUELY DESIGNED INDIVIDUAL RESIDENCE



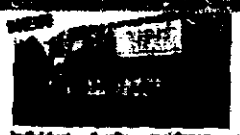
'THE CEDARS', LONG SUTTON

set in **EXCELLENT MATURE GROUNDS** of about **1 ACRE**

Superbly situated overlooking the historic parish church to the front and town playing field to the rear, this most attractive property enjoys privacy, yet is only a short walk from the town centre and other amenities. Recep spacious accommodation inc: Recep hall, lounge, dining rm, drawing rm, kitchen/brkfst rm, utility, cllks, conservatory, 4 bedrms, 2 bathrms. Full ch. Double garage with playrm over, stables/store sheds. Equestrian potential.



SPALDING
£42,950



SURFLEET
£85,000



PINCHBECK
£49,950

For Sale by Private Treaty

'HOLBROOK LODGE', PINCHBECK, Nr SPALDING

A MOST ATTRACTIVE INDIVIDUAL FAMILY BUNGALOW

set in mature gardens of about **1¼ ACRES**



Ideally situated in a semi-rural location on the outskirts of this popular village, this impressive property at present offers: Recep hall, cllks, lounge, dining room, fitted kitchen, conservatory, 4 beds, bathroom. Gas ch, 3' wide internal doors. Lge dble garage. S2433

PINCHBECK
£150,000

For Sale by Private Treaty

THE PRESTIGIOUS INDIVIDUAL COUNTRY RESIDENCE



'CAWOOD HALL', GOSBERTON

together with **SUPERB LANDSCAPED GROUNDS** of about **7 ACRES**

A unique opportunity to acquire one of the area's finest properties, which has been renovated regardless of expense and now provides exceptionally spacious and well appt accommodation incl: Recep hall, drawing room, 38ft reception room, sitting room, dining room, lux fitted breakfast kitchen, utility room, cloakroom, 4 bedrooms, 2 lux fitted bathrooms, sep games rm/garden rm, excellent range of outbuildings, incl garages, stables, barns and stores. Superb landscaped grounds incl ponds. Viewing essential and highly recommended. S2394

AN ATTRACTIVE INDIVIDUAL FAMILY RESIDENCE

NEW



Enjoying a non-estate location on the outskirts of town, and set in good size private gardens. Present accommodation incl: Ent hall, lounge, dining room, kitchen/breakfast rm, sun room, cloaks, 3 beds, bathrm. Dble garage. Full ch, part dg. Subject to April Hob closes. Viewing highly recommended. H1815

LONG SUTTON
Offers Invited



Delightfully spac and well appt res lounge, within easy reach of amenities. 22' lounge/dining rm, kitchen/brkfast rm, bathrm, sep wc, utility, 3 beds, Gas ch, dg. Garage. Close to river walks.

SUTTON BRIDGE
£39,950

New instructions

VALUABLE FREEHOLD BUILDING PLOT

at

HILLGATE, GEDNEY HILL

with OPP for the erection of one dwelling

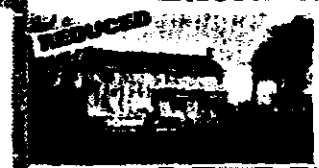
Frontage: 58 feet
Depth: 171 feet
(subject to survey)

GEDNEY HILL
O.I.R.O £20,000



Tastefully and conveniently situated family house in heart of village. Spac accom incl: Entrance hall, lounge, dining room, kitchen, conservatory, 3 beds, bathroom, study. Useful outbuildings. Garage. H1811

WHAPLODE
£84,950



With many attractive features, set in good size well established grounds. Accom incl hall, sitting/dining room, fully fitted breakfast kitchen, utility, cloakroom, family room, 4 double beds, 2 bathrooms. Oil fired ch. Double garage. Viewing essential and highly recommended. S2218

GOSBERTON RISEGATE
£129,500

By Direction of the Moulton-Heaver Educational Foundation

VALUABLE DEVELOPMENT PROPERTY

with attractive village house suitable for refurbishment and Outline Planning Permission for 4 additional dwellings



By Direction of Executors and Private Vendors

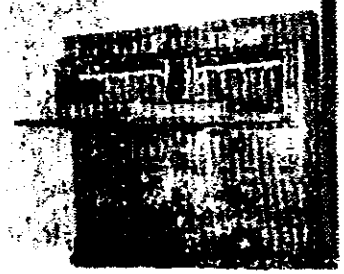
R. LONGSTAFF & CO

will sell by auction on

FRIDAY, APRIL 26, 1991

at Winfrey Avenue, Spalding

ANTIQUE AND REPRODUCTION FURNITURE, BRASS, COPPER, SILVER, PLATE,



By Direction of the Executor of A. D. Phoenix Dec'd

MOULTON CHAPEL & COWBIT WASH

FOR SALE BY AUCTION

on Tuesday, April 30, 1991 at the Black Swan Hotel, New Road, Spalding, at 7pm.

LOT No. 1:

Valuable Freehold Building Land with Outline Planning consent for 3 dwellings
WOODGATE ROAD — MOULTON CHAPEL
TOTAL SITE AREA 0.32 ACRES
Mains Electricity, Water and Drainage available.
S2468

LOT No. 2:

VALUABLE FREEHOLD ARABLE FIELD WITH

TOWN AND COUNTRY PLANNING ACT 1971

OUTLINE PLANNING PERMISSION

APPLICATION NO: H11/0124/86 7 K DATE RECEIVED: 10/02/86

APPLICANT: G Parker
'Aleen'
Wisbech Road
Long Sutton
Nr SPALDING

AGENT: Loweth Cowling Design
4 Victoria Street
Holbeach
Nr SPALDING
Lincs

TYPE: Outline GRID REF: 544090 321990

DESCRIPTION: Erection of agricultural dwelling and car garage on site of old cottage

LOCATION: Wisbech Road, Long Sutton

The South Holland District Council hereby give notice that **outline planning permission has been granted** for the carrying out of the development in accordance with the application and plans submitted, subject to the following condition(s):

1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates:
(a) the expiration of five years from the date of this permission.
(b) the expiration of two years from the final approval of reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 41 of the Town and Country Planning Act 1971.

2 The following matters are reserved for subsequent approval by the Local Planning Authority, and no development to which they relate shall be carried out until these matters have been approved, viz:
1) Detailed drawings to a scale of not less than 1:100 showing the siting, design and external appearance of the buildings, including particulars of the materials to be used for external walls and roofs;
2) The siting and design of any vehicular access to a road;
3) Landscaping of the site, including details of positions, heights on planting and species of trees and shrubs.

Reason: The application was submitted in outline only.

Cont/

This permission refers only to that required by the Town and Country Planning Acts.
If approval is required under any other enactment this must be obtained separately.

SOUTH HOLLAND DISTRICT COUNCIL

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

3 The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, locally in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or a dependent of such a person residing with him, or a widow or widower of such a person.

Reason: The site is in a rural area where it is the policy of the Local Planning Authority not to permit residential development except in the interests of agriculture or where related to the use of the land. The circumstances of this case relate to an agricultural need, and permission is therefore confined to it.

4 Before the access is commenced to be used, provision shall be made within the site to the satisfaction of the Local Planning Authority for a motor vehicle to turn to enable it to enter and leave the highway in forward gear.

Reason: To enable vehicles to enter and leave the highway in forward gear in the interest of road safety.

5 The approved scheme of landscaping and/or screening shall be carried out in its entirety within a period of two years beginning with the date on which development of the land is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. The trees, shrubs or bushes shall be adequately maintained by the owner(s) of the land on which they are situated for a period of ten years beginning with the date of completion of the scheme, and all losses shall be made good during that period.

Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily.

6 No trees or shrubs on the site shall be lopped, topped, felled or uprooted without the prior written consent of the Local Planning Authority. Any trees dying or becoming dangerous shall be replaced with trees of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: In the interest of the amenity of the area.

NOTE TO APPLICANT:
This planning permission has been granted after the applicant has entered into a Section 52 Agreement with the Local Planning Authority.

District Planning Officer (C)
25th November 1986

PREVIOUS DECISIONS

H11/787/84 - Outline - Erection of house and car garage - refused

H11/194/85 - Outline - Erection of house and car garage on site of Old Cottage - refused

H11/802/85 - Outline - Erection of house and car garage on site of Old Cottage - refused

PLANNING ISSUES

1. This is a full fourth application received for this development, and the site was inspected by the Sub Committee on 31st October 1984 and 18th June 1985.
2. The applicant's agent has submitted a letter to inform Committee that the applicant will be joining his father to work full time on the holding and he is now willing to accept an agricultural clause condition on any planning permission. In previous applictions, it has specifically been stated that the application was not in connection with agriculture as Mr. G. Parker did not work full-time in horticulture and a restrictive clause would make financing the building of the dwelling very difficult.
3. There are two other dwellings on the holding - a bungalow occupied by Mr. W.A. Parker's wife's sister who is an invalid and takes no part in the agricultural business, and a small wooden bungalow let out to a person inconnected with the holding.
4. The proposed new dwelling would use the existing access immediately south of the wooden bungalow, but provide a new turning area to the front of the new dwelling.
5. Sewer and water connections are laid to the site boundary.

CONCLUSIONS

An increase in cropping along the lines proposed appear to justify the residence of an additional full time help on the site, and therefore provided that the expansion in the business does occur, permission would seem to be justified for the erection of a dwelling to accommodate the applicant, with the appropriate agricultural clause condition. However as the prospective purchaser (Mr. G. Parker) is not the owner of the land on which the increased cropping will be undertaken, it will be necessary to use a Section 52 Agreement to link the planning permission to the condition of increased production.

PLANNING OFFICER'S RECOMMENDATION -

That subject to the applicant Mr. G. Parker, agreeing to a Section 52 Agreement (which would be worded "Before the dwelling hereby permitted is occupied, the area of second hand glasshoues either in the form of a 715m2 static house or an equivalent area of mobile glass (as described by Mr G.A. Parker at his meeting with MAFF on is purchased by Mr W.A. Parker and brought into use.) the District Planning Officer be authorised to grant permission on the following conditions.

1. SC8 Details
2. SC39 Agricultural habitation
3. B21
4. SC27 Implementation of planting
5. SC28 Protection of planting

Reasons:

1. Standard
2. Standard
3. F5 - To enable vehicles to enter and leave the highway in forward gear in the interests of road safety.
4. Standard
5. In the interests of the amenity of the area.

The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

(11)

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218927
Switchboard 0272-218811
Fax No 0272-218769
GTN 1374

S.H.D.C. PLANNING DEPT.
RECEIVED
21 JUL 1992

Hix & Son
28 Church Street
Holbeach
Nr Spalding
Lincolnshire
PE12 7LL

Your Reference
CS/5974/SEC
Our Reference
T/APP/A2525/A/92/204325/P2
Date
20 JUL 92

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY LONG SUTTON BUILDERS LTD
APPLICATION NO: H11/1115/91

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the South Holland District Council to refuse outline planning permission for the erection of two residential dwellings on the site of a builder's yard, Wisbech Road, Long Sutton. I have considered the written representations made by you and by the council and also those made by other interested persons. I inspected the site on 13 July 1992.

2. From my consideration of the representations and my inspection of the site and the area I have formed the opinion that the main issue in this case is the effect of the proposal on the character and appearance of the area and the setting of the listed building having regard to the aims of the policies of the development plan for the area.

3. The appeal site is a builder's yard located on the western side of Wisbech Road. Wisbech Road connects the village of Long Sutton to a recently constructed by-pass carrying the A17 Trunk Road. Within the site and occupying most of its area is a fenced enclosure. Within the enclosure are two single storey buildings, one clad in corrugated asbestos the other in corrugated iron. On the north western side of the asbestos building is a caravan. To the rear of the site are open storage areas for builder's materials.

4. To the south east of the site is a Grade II listed building, Brunswick Mill.

5. Opposite the site on the eastern side of Wisbech Road is a pre-war bungalow. Between the site and the by-pass there are a series of dwellings and other buildings on both sides of the road. These include both pre-war and post war dwellings some of which are of recent construction. I understand also from the representations that planning permission has been granted recently for a further dwelling in this group. At the junction of Wisbech Road with the by-pass there is a modern restaurant, motel and filling station.

6. The County Structure Plan Alteration No1 was approved in 1991. The

100% RECYCLED PAPER

Long Sutton and Sutton Bridge Local Plan was adopted in 1990. Both plans contain policies aimed at protecting the character and appearance of the countryside by restricting new residential development development in the open countryside. These aims reflect the Government's aim of safeguarding the countryside. Policy EN5 of the Local Plan includes the aim of improving the built environment of the Plan area by the development of unused or underused land. The Local Plan defines a development boundary for Long Sutton. The appeal site lies outside that boundary. The development plan is up to date and both its housing and environmental policies are material to this proposal. I therefore accord its policies considerable weight.

7. At the time of my visit the site appeared to be underused and I understand from the representations that the firm is moving to new premises in the area. This area is clearly detached from the village of Long Sutton by open fields. Even so the area from the appeal site to the A17 Trunk Road is clearly developed and that development appears to be continuing. The appeal site and the buildings it contains are part of this developed area in my view. PPG7 makes it clear that in considering rural housing development the creation of ribbon development or a fragmented pattern of development should be avoided. In this case however it appears to me that the site and its buildings form part of the existing pattern of development in this area. PPG7 also points out that minor extensions to groups of dwellings may be acceptable depending on the character of the surroundings. In my opinion the present use of the site and the appearance of the buildings it contains is not in character with the mainly residential nature of this area. The proposal would provide a development which would be in character with the area in my view. The proposal, in that it would involve the redevelopment of an existing builder's yard, would not extend development into the open countryside. It seems to me also that the removal of the existing structures on the site and their replacement by suitably designed dwellings would provide an environmental improvement to this under used site.

8. In relation to the effect of the proposal on the listed building I think that the present appearance of the site does not contribute visually to the setting of Brunswick Mill. It appears to me that suitably designed and sited dwellings with appropriate landscaping could improve the setting of this listed building. In this regard I believe that the scale of the dwellings would need to be carefully considered and that the mill should be visually dominant. I think that this could be achieved by making the proposed dwellings single storey and I propose to introduce a condition to that effect.

9. I have come to the conclusion therefore that the proposal would not harm the character of the area and that it would improve the setting of the listed building. In coming to that conclusion I have had in mind the aims of the policies of the development plan. I do not consider that the proposal would undermine the aims of the housing policies of the plan. In my view the proposal would be in line with aims of policy EN5 of the adopted Local Plan.

10. It would clearly be necessary in the interests of amenity to ensure that the design, siting and external appearance of the proposed dwellings and the landscaping of the site was appropriate to the area. Also in the interests of highway safety the form of access to the site needs to be properly determined. These matters can be properly dealt with as reserved matters and I do not think that there is a need to deal with them in greater detail at this stage. The council has expressed

oncern that if this appeal were allowed a precedent would be created for further development. I do not consider this to be the case. The site is an underused site containing buildings which are closely associated with existing development. The development of this site would have the advantage of improving the setting of a listed building. I cannot believe that there would be many sites having these characteristics. In any event each case has to be considered on its merits. In allowing this appeal I must say that I believe that the site would not be capable of accommodating more than two dwellings without adversely affecting the character of the area and the setting of the listed building. I have taken account of all other matters raised in the representations but find none to outweigh the factors that have led to my decision.

11. For the above reasons and in exercise of the powers transferred to me I hereby allow this appeal and grant planning permission for the erection of two residential dwellings on the site of a Builder's Yard, Wisbech Road, Long Sutton in accordance with the application (No H11/1115/91) dated 12 November 1991 and the plans submitted therewith subject to the following conditions:

1a approval of the details of the siting, design and external appearance of the buildings the means of access thereto, and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the local planning authority.

1b application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this letter.

2. the development hereby permitted shall be begun on or before whichever is the later of the following dates:

a. 5 years from the date of this letter or

b. 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 approved.

3. the dwellings hereby permitted shall be single storey dwellings.

12. Attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission and for the approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

13. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

I am Gentlemen
Your obedient Servant

H H Jones RIBA DipTP MRTPI
Inspector

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: H11/0896/92

Applicant: Mr & Mrs R Southgate
81 Little London
Long Sutton
Spalding
Lincs

Agent: D N Eastwood
7 The Paddocks
Burwell
Cambridge
CB5 0HQ

Description: Occupation of dwelling without complying with agricultural occupancy condition of permission (H11/0146/78)

Location: The New House
Wisbech Road
Long Sutton
Spalding, Lincs

Type: SEC 73 MODIFICATION

Date received: 19-AUG-92

22-SEP-92

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:

Departmental records indicate that the application should be "Occupation of dwelling without complying with agricultural occupancy condition of permission H11/0665/78". Could you please confirm that this is the case.

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

S.H.D.C. PLANNING DEPT.
RECEIVED
24 SEP 1992 DG
Initial Copy
TPO NKM
DOPO PG
JC ACP
Action by .....
Discuss with .....
Copy to .....
File Nos.
Acknowledge YES/NO
by
date

81 Little London,
Long Sutton,
Spalding,
Lincs

Your Ref:- H11/0896/92

LATE OBS. Off. DG Date 22.9.92
Salient points highlighted

Director of Planning,
South holland District Council,
Council Offices
Priory Rd.,
Spalding,
Lincs

21 September 1992

Ref:- New House, Wisbech Rd., Long Sutton, Spalding, Lincs.

For the Attention of Mr. D. M. Gedney

Dear Sir,

Further to our application for the removal of the Acricultural Occupancy condition via Mr. Eastwood, and your subsequent request for details of previous buyers; Although Mr. Eastwood has sent a letter explaining why this cannot be provided, we thought it might be useful to explain the history of the property and surrounding area to help the Council come to a decision on this matter.

Since the property was built, major developments have oocured in respect of the land surrounding it. The land to the left of it has been developed for the new A17 by-pass and also a Garage, shop, Little Chef and Hotel are now adjacent to the property. Further new development has been, a bungalow to the right of the property, and the land to the rear of the property has since been passed by the Council for light industrial units. This therefore means the property in question no longer has any land for agricultural use available.

The property has been re-posessed by the Nat-West Bank, and they have been trying to sell this on the open Market for 3 years. However, the agricultural clause, together with the close development of the surrounding area, have obviously put potential buyers off. The property has only 0.4 acre of gardens, and cannot provide any income for agricultural use.

It would seem that over a period of 12 years, the circumstances of the property and the development in this area has seriously changed.

Yours faithfully,

Roger Southgate

DAVID EASTWOOD B.A. PLANNING ADVISOR

7 THE PADDOCKS, BURWELL, CAMBRIDGE CB5 0HQ 0638-741798

Ref 030/92

17th August 1992

SOUTH HOLLAND D.C.
PLAN DEPT.
19 AUG 1992
REF 0896/92

The Director of Planning
South Holland District Council
Council Offices
Priory Road
Spalding Lincs

Dear Sir,

Removal of Agricultural Occupancy Condition, The New House, Wisbech Road, Long Sutton, Mr & Mrs R & L Southgate.

Please find attached a planning application for the above, together with copies of relevant correspondence from the estate agent selling the property.

Notice No 1 has been served on NatWest Home Loans who own the house and most of the site, and Mr & Mrs A B Barton who own land containing the access.

The following facts are submitted in support of the application:-

1 The smallholding attached to the house was divorced from it more than 3 years ago following the cessation of farm activity because of poor financial returns. . The attached land was the subject of an outline consent for light industrial development in 1988.(H 11/~~0656~~/88). This consent was not implemented and has now expired, but my understanding of policies in the statutory Long Sutton Local Plan is that such industrial developments will continue to be promoted. As far as is known all the conditions attached to the original outline consent H 11/146/78 were met, with the glasshouses in particular being built. The smallholding was worked commercially for over five years.

565 not correct no.

2 The property has been on the market for three years, and with Messrs Longstaffs since April 1991. The log shows 17 enquiries since that date. The advertisement and* sales particulars make clear the encumbrance of the agricultural occupancy condition. Longstaffs have stated the asking price without the condition would be £60,000 +, and the Southgate's offer is £53,000. Prospective buyers have clearly been put off by the problem of the condition.

* to follow.

3 Recent development has taken place nearby to bring the property more within the confines of the village proper. In particular the new route of the A17 (T) close by and the building of a filling station / restaurant / motel complex close by on the outward side from the village have altered the former rural character of the area. The Wisbech Road area between the site and the village has also been the subject of new housing consents without agricultural occupancy conditions. In particular an Appeal decision on a scheme for two dwellings nearby on a builders yard near the mill (H 11 1115/91) is relevant. In allowing the Appeal the Inspector commented that there were dwellings between that site and the bypass, inluding the filling station etc.
"The area from the Appeal site to the A17 (T) is clearly developed and appears to be continuing.... the site forms part of a continuing pattern of development in the area."

4 The proposal meets the criteria set out in Circular 16/87. ~ Superseded

5 In the three years the house has stood empty, it has started to deteriorate, and this can only get worse unless it is brought into immediate beneficial use. As matters stand, even if it was let short - term it would not not comply with the condition.

It would be very much appreciated if the application could be dealt with as speedily as possible in that the offer and eventual purchase by the Southgates is dependent on your Council's decision. If further information is needed, please get in touch.

Yours faithfully,

D N EASTWOOD cc Mr & Mrs R Southgate

Letter to MS Southgate.

Explain that deferred for further info, that will be referred to District Valuer for his advice.

I can therefore advise that the applic will be determined on the 4th Nov 1992

(3) ~~Send~~ Once advice received send Letter, application form, information + plan showing other decisions to District Valuer.

- Ask for his valuation with agricultural clause.

791. PLANNING APPLICATIONS

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

Plan No and Applicant		Proposal
H07/0776/92 Mr M G Thompson		Three bedroomed bungalow with garage, front of "Ersanmine", Hillgate Road, Gedney Hill.

RESOLVED: Planning permission be refused for the above development in accordance with the recommendation of the Director of Planning and Building Control Services.

H09/0870/92 P Cunnington	O.A.	Extension to factory at Cranmore Lane, Holbeach.

RESOLVED: (a) Planning permission be refused for the above development in accordance with the recommendation of the Director of Planning and Building Control Services; and (b) The Director of Planning and Building Control Services have a dialogue with the applicants to see if an acceptable form of development is possible.

H23/1025/92 The Trustees of Whaplode St Catherine Methodist Church	O.A.	Two dwellings and garages at Ravensbank, Whaplode St Catherine.

RESOLVED: Subject to the applicants agreeing to retain the War Memorial comprising part of the entrance arch to the church and if necessary its relocation elsewhere within the village, planning permission be granted for the above development in accordance with the recommendation of the Director of Planning and Building Control Services.

792. PLANNING APPLICATION

The following application was determined as indicated following a previous inspection of the site:-

Plan No and Applicant	Proposal
H11/0896/92 Mr & Mrs R Southgate	Occupation of dwelling without complying with agricultural condition of permission H11/0665/78 at the New House, Wisbech Road, Long Sutton.

RESOLVED: That, in view of the advice now received from the District Valuer, planning permission be granted for the above development in accordance with the recommendation of the Director of Planning and Building Control Services.

793. PROPOSED RESIDENTIAL DEVELOPMENT OFF ROSE LANE, PINCHBECK BY DAVID PARKER HOMES LIMITED

The Director of Planning and Building Control Services reported that the Planning Committee on 27th October 1992 had, in refusing planning application H14/0576/92 for proposed residential development off Rose Lane, Pinchbeck by David Parker Homes Limited, instructed the Sub-Committee to consider the amended plans submitted in respect of the site and advise the applicant of its findings prior to the submission of a fresh application. Consideration was therefore given to the latest plans received which again showed two blocks of 8 flats and 19 two-bed houses at the same density, but with amendments to the layout, details of which were reported together with an appraisal thereof.

H19/896/92.

DAVID EASTWOOD B.A. PLANNING ADVISOR

7 THE PADDOCKS, BURWELL, CAMBRIDGE CB5 0HQ 0638-741798

20th August 1992.

The Director of Planning,
South Holland DC,
Council Offices,
Priory Road,
SPALDING
Lincs PE11 2XE

Dear Sir,

Planning Application to lift Agricultural Occupancy Condition, The New House, Wisbech Road, Long Sutton, Mr & Mrs R. Southgate.

(Further to the recent application for the above, please find attached relevant details of the Sale particulars as supplied by the Estate Agent.

Yours faithfully

D Eastwood

896/92

S.H.D.C. PLANNING DEPT.
RECEIVED
21 AUG 1992
DG

Attention of: DPO NEM, DOPO BS, JC ACP
Action by .....
Discuss with .....
File Nos

TIONEER VALUERS & ESTATE AGENTS
H. TERED SURVEYORS.
st 1770

LONGSTAFF

5 New Road, Spalding, Lincs. PE11 1BS.
Tel. (0775) 766766
8 High Street, Market Deeping, Peterborough PE6 8EB.
Tel. (0778) 342466
2 West End, Holbeach, Lincs. PE12 7LW.
Tel. (0406) 22760
1 North Street, Crowland, Peterborough PE6 0EJ.
Tel. (0733) 210517

H1015 New House, Wisbech Road, Long Sutton OFFERS INVITED



Attractive Detached Family House set in good sized secluded gardens of approximately 0.4 of an acre. Located on the outskirts of Long Sutton the property is within easy reach of the town centre. Accommodation includes Entrance Hall, 23' Lounge, Dining Room, Fitted Breakfast Kitchen, Sun Room, Cloaks, Utility, 3 Bedrooms - one with En-Suite Shower Room, Bathroom, full oil central heating, part double glazing, Double Garage and very attractive and private Gardens.

THE PROPERTY IS SUBJECT TO AN AGRICULTURAL HABITATION CLAUSE

* * * R E C O M M E N D E D * * *

A C C O M M O D A T I O N

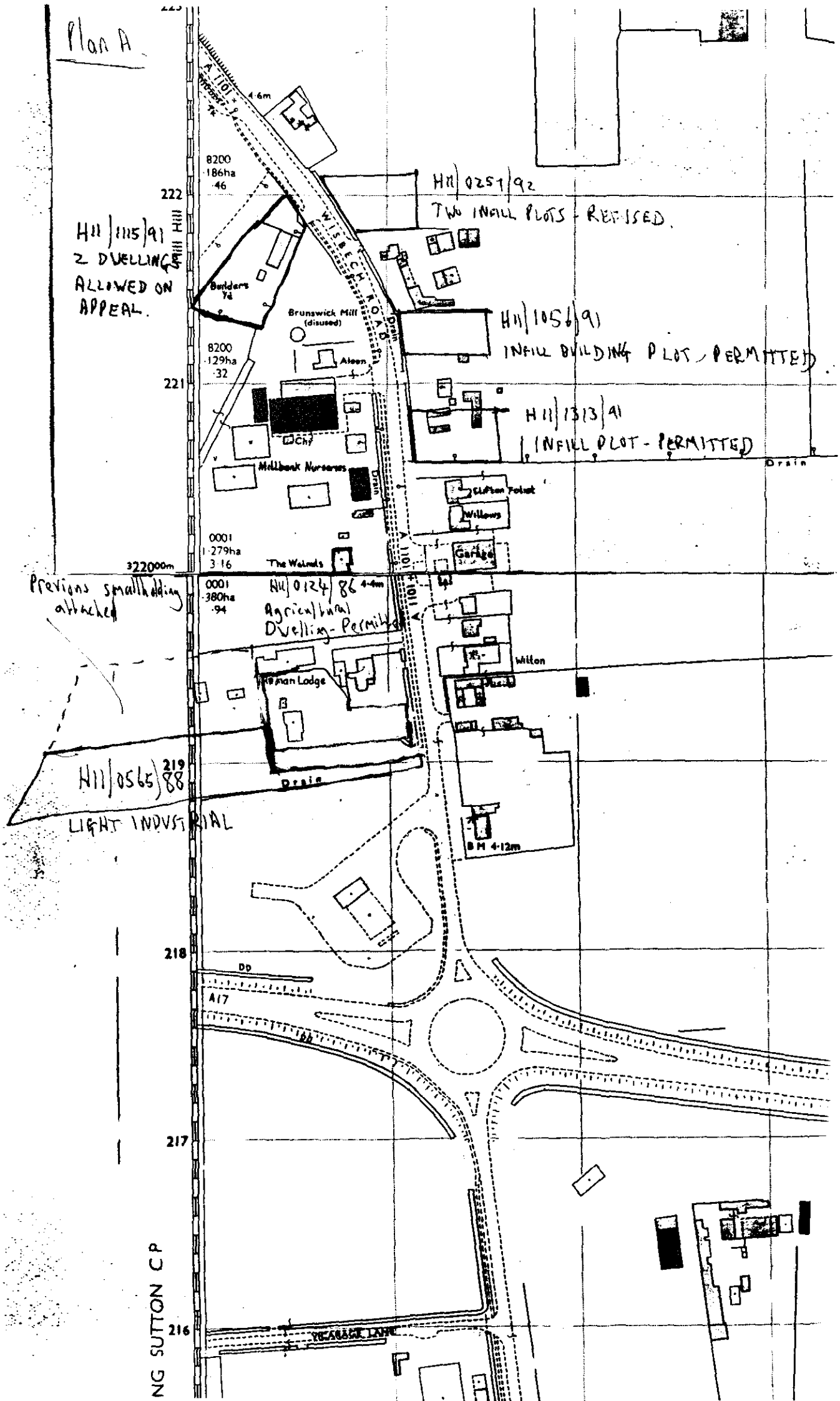
CANOPIED ENTRANCE PORCH: With courtesy light.

ENTRANCE HALL: Having solid front entrance door with glazed side panel, radiator, door chimes, 1 single power point, useful understairs storage cupboard, central heating thermostat, artexed and coved ceiling, fitted carpet.

LOUNGE: 23'4" into bay x 14'4", with feature slate open fireplace having matching side plinths with recesses for hifi and video, and hardwood mantle, 2 radiators, TV aerial point, 4 double power points, 4 wall light points, double glazed patio doors, artexed and coved ceiling, fitted carpet.

Legal & General Appointed Representative
Legal and General is a member of LAUTRO

These particulars are issued subject to the property described above not being sold, let, withdrawn, or otherwise disposed of. The particulars are believed to be correct, but their accuracy cannot be guaranteed and they do not constitute an offer or a contract.


Plan A
H11/1115/91
2 DWELLINGS
ALLOWED ON
APPEAL.
H11/0251/92
TWO INFILL PLOTS - REFUSED.
H11/1056/91
INFILL BUILDING PLOT - PERMITTED
H11/1313/91
INFILL PLOT - PERMITTED
Previous smallholding attached
H11/0565/88
LIGHT INDUSTRIAL
Brunswick Mill (disused)
Millbank Nurseries
Aleen
Chf
Clifton Point
Willows
Garage
The Walnuts
Wilton
Drain
BM 4-12m
A17
Dp
WISBECH ROAD
Builders Yd
8200 ·186ha ·46
8200 ·129ha ·32
0001 1·279ha 3·16
0001 ·380ha ·94
322000m
222
221
219
218
217
216
NG SUTTON C P