

FILE COPY

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H14/0067/92

Received:03-FEB-92 Type:OUTLINE

Name: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding Lincs

Agent: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

Description: Industrial Park and Nursery/ Garden Centre

Location : Land off Wardentree Lane Pinchbeck
Spalding Lincs

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

- 1 In the opinion of the Local Planning Authority there is insufficient justification to warrant a departure from Policy ID1 of the adopted Spalding and Pinchbeck Local Plan which still provides sufficient land for industrial development in that part of Pinchbeck, and insufficient justification to contravene Policy ID1 of the Draft Spalding and Pinchbeck Local Plan Review and the proposal would, if permitted, lead to the premature loss of the open countryside and productive agricultural land and could be prejudicial to the amenities of nearby residential development as a result of general disturbance and traffic noise.

Director of Planning and Building Control Services
08-DEC-92 H14/0067/92

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.

Town and Country Planning Act etc

DRAFT DECISION

Reference: H14/0067/92

Received: 03-FEB-92 Type: OUTLINE

Name: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding Lincs

Agent: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

Description: Industrial Park and Nursery/ Garden Centre

Location : Land off Wardentree Lane Pinchbeck
Spalding Lincs

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

- 1 In the opinion of the Local Planning Authority there is insufficient justification to warrant a departure from Policy ID1 of the adopted Spalding and Pinchbeck Local Plan which still provides sufficient land for industrial development in that part of Pinchbeck, and insufficient justification to contravene Policy ID1 of the Draft Spalding and Pinchbeck Local Plan Review and the proposal would, if permitted, lead to the premature loss of the open countryside and productive agricultural land and could be prejudicial to the amenities of nearby residential development as a result of general disturbance and traffic noise.

Authorised to issue:

07-DEC-92 H14/0067/92

AD...*AP*.....DC.....*u*

7/12

1/17

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE
SECTIONS.

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

1. APPLICANT'S INTEREST

Please state interest (e.g. owner, prospective purchaser)

Owner

2. OWNERSHIP OF THE SITE

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

If the applicant is the **sole owner of the whole site**, complete **Certificate A**.

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

Certificate A

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

Signed [Signature] (Applicant/Agent) Date 18.1.92
pp John D Lynch Partnership

Certificate B

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

State Name and address of owner:

State Date notice served:

Signed (Applicant/Agent) Date

3. AGRICULTURAL HOLDINGS CERTIFICATE

If the land is not in agricultural use, complete Certificate 1.

If the land is agricultural, but there is no agricultural tenant, complete Certificate 1.

If the site does relate to an agricultural holding, you must give notice to any tenant, and complete Certificate 2. (You can use the notice at the bottom of the form to send to the tenant). If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

Certificate 1

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

Signed (Applicant/Agent) Date

Certificate 2

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

State Name and address of tenant:

State Date notice served:

NOT APPLICABLE

Signed [Signature] (Applicant/Agent) Date 18.1.92
pp John D Lynch Partnership

NOTICE UNDER SECTION 27 OF TOWN AND COUNTRY PLANNING ACT 1971

Proposed development at

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

for planning permission for

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

Signed Date

TO BE COMPLETED
BY APPLICANT OR
HIS AGENT

FURTHER INFORMATION / CONSULTATIONS

APPLICATION REF:

DIRECTIONS

Art 7 (Outlines)

RM :

Siting Design Ext App Access Lands

Previous
Current
Required

Reg 4 Scale drawing Highway S/W Agric appraisal
(or equiv)

Precise details, for non-standard requirement:

CONSULTATION/PUBLICITY REQUIRED

Publicity : General ✓
Departure ✓
Setting of LB Viz

Consults : Dept of Transport
Env Health

Conservation consults : Local

Local & National

English Heritage

LBC I, II*

Setting I, II*

Major CA

Consultant : Name

Order No:

Other :

PM 6-2-92

*DTR on Elsom's App
went to ADAS + DDT
Downed to in this
through hawthorn previously?*

REVALIDATION

Information satisfactory/unsatisfactory

Further direction - details:

Amended description:

Reconsultations required -

Parish Council

Ward Members

Residents

Advertise

Other

New valid date

Re-Registered

Ack/Reception/Filesheet

Consultation

ADMIN RECORD SHEET

INITIAL

Submitted Fee £ 2114...

Receipt Issued No.

Date First Received 17 JAN 1992

REGISTRATION

REFERENCE H14/0067/1

Cross-Ref N/A

Date:

VALIDATION

Date 2

Type OUTLINE Earliest permission date (Cert B)

Site area No. of dwellings Floorspace

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

Earlier permission ref

BM:- Siting Design Ext app Access Lands

Previous
Current

Description

Technical:

Certificate
Site plans
Description

Accuracy
Incomplete form

S65 Advert required

--

Expiry date

Fees:

Nil fee - previous app
- type

☒

Ref H14/0748/91

Discounted fee

Reason

Correct fee £ 2760

Additional £ 2760

Receipt no. P.610

Refund

£

Issued

CONSTRAINTS

Date 22.12.91

Index Sheets 148 OS Nos

Grid Ref 550000

350000

Ward 100 Parish 1212222222

TR Rural

CA

Grade

Inside IBD 100 Inside LP Area 1212222222

TR Bypass

Level crossing

Footpath

LB

TPO

Other:

Linked to site.....Ref 302

Linked to property.....Ref

Planning Records:
Earlier apps

B Reg Records:

Already submitted Ref

Requested

Inputs completed.....

Interview missed

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes: Accuracy

Neighbours

Other

Boundaries

Site Features

Inspected by: PM
date: 25-2-92

Residents notified on site visit:

Case Officer Conclusions (Issues)

Field between Smedleys & applications
Mrs Andrews opposite. go to rear. Pinchbeck beyond

Case Officer Recommendations (summary). (details overleaf)

Delegation

Confirmed by
Case Officer

Recommended approvals -

Departure from policy

Yes ☐ No ☐

Fast number request

Yes ☐ No ☐

Recommend approval against
material objection

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

Reason:

Other circumstances needing
Committee decision

Yes ☐ No ☐
Delayed by Senior Officer
Signed: _____

Reason:

ALL OF ABOVE

Recommended refusals -

Refusal on adopted policy
grounds on these applications

Yes ☐ No ☐
Any one of above ☐
Other than this ☐
Signed: _____

Committee
report

Sub-committee
SV recommended
Yes/No recommended

Delegation
confirmed by
Senior Officer

APPLICANT: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding
Lincolnshire

AGENT: J D Lynch Partnership
65 Pinchbeck Road
Spalding
Lincolnshire

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE

Date

1- DEC 1992

TYPE: Outline

DESCRIPTION: Industrial park and nursery/garden centre

LOCATION: Land off Wardentree Lane, Pinchbeck

Parish Council: Recommend Refusal.

Ward Member: No objections if land can be brought within IBD. Pennygate Drain provides natural boundary to IBD. The drain provides boundary to south of proposal and logical to continue it to north of Wardentree Lane.

County Highways: Request conditions.

Public Objections: Two letters received from Mr & Mrs Richardson, 65 Wardentree Lane and one from Mrs Lawson, Small Drove Lane, West Pinchbeck.

- If plans pass will SHDC move us out. Will be in middle of Industrial Park.
- Noise from Smedley and Fast Fruit is so bad night and day.
- Go out all day on Saturday and Sunday for some peace, keep windows closed.
- Will go to Ombudsman if nothing is done.
- My feelings to the proposal remain unchanged.
- Notice kerbs in Wardentree Lane have been laid to enable access to land.
- My mother-in-law Mrs Richardson does not seem to get any help from the Council.

Broadgate Builders.

- Conceptual and speculative.
- Offers nothing that cannot be done on land currently zoned for industry.
- Take exception to 18.5 acres being removed from Local Plan to allow this land to be incorporated.
- Land adjacent to (existing) A16 has been identified by British Gas and Anglian Water as route for their services.
- Land adjacent to A16 has Lincolnshire County Council support for infrastructure provision.

Environmental Services: - Concerned about developing land for commercial/industrial purposes owing to impact on residential properties, particularly 65 Wardentree Lane.

- Traffic movements likely to have significant impact on this dwelling unless long term solution can be found.

- Information from Applicant: - 23 acre site.
- Provide alternative land for industrial and horticultural use.
 - Intend to provide soft landscaping and proposal based on informal layout and landscaped park principles.
 - Visual screen to existing development, entrance approach to town through this estate.
 - Will encourage others to follow example.
 - Hillsdown site has moved boundary over old railway line.
 - Will establish clear boundary and retain previous aim of keeping Spalding and Pinchbeck separate.

PLANNING POLICIES/DOE ADVICE

Policy ID1 - Spalding and Pinchbeck Local Plan.

Minute 272(C) - Suggested interim boundary for future development on the northern side of Wardentree Lane eastwards from the former railway line - supported.

The site is also outside the proposed industrial area in the Spalding and Pinchbeck Local Plan Review which has been through the public consultation exercise.

Planning Policy Guidance Note 1 - General Policy and Principles.

PREVIOUS DECISIONS

(on the site)

H14/1189/85 - Farmhouse - J Nickols - Granted.

H14/0940/86 - Dwellinghouse - J Nickols - Granted.

H14/0612/90 - Garden centre and industrial development J Nickols - Refused.

H14/0486/91 - Light industrial and cereal processing plant for animal feed - Withdrawn.

H14/0748/91 - Garden centre and industrial development - J Nickols - Refused.

(on nearby sites)

H14/1117/86 - Nursery, garden centre, farm shop, restaurant and car park - J Nickols - Granted.

H14/1921/88 - Relocate and expand premises for Superior Growers - Granted.

H14/1922/88 - Relocate and expand premises for Superior Growers - Granted.

H14/0017/89 - Factory and Offices - Hillsdown Ltd - Granted.

H14/1162/89 - Factory and Offices - Hillsdown Ltd - Granted.

H14/0831/90 - Elsoms (Spalding) Ltd - Distribution units, Class A1, garden centre and means of access - Refused.

H14/1060/91 - Elsoms (Spalding) Ltd - Class B1 and B2 industrial distribution units and Class A1 food and non-food retail development with garden centre refused.

H14/0304/92 - Elsoms (Spalding) Ltd - Industrial development B1, B2 and B8 - Called in for determination by Minister.

H14/1005/92 - Elsoms (Spalding) Ltd and South Holland District Council B1, B2 and B8 - current application.

PLANNING ISSUES

- 1 The whole of the application site, which amounts to 9.3 hectares (23 acres) lies outside the area allocated for industrial development in the adopted Spalding and Pinchbeck Local Plan (1985) and outside the area allocated in the

Spalding and Pinchbeck Local Plan Review. The applicants have objected to the exclusion of their land from the Review and to the inclusion of other land. The legal difficulties associated with the Planning and Compensation Act 1991 means that the applicant is unable to make formal representations on the Review at this stage. A course open to him is to appeal to the Secretary of State against any refusal of planning permission.

- 2 The determining issue with this application is therefore, whether or not there are sufficient reasons to justify the release of additional land at this scale bearing in mind the availability of land already with the benefit of planning permission and other land either already included within the statutory local plan without permission or proposed as a consequence of the Local Plan Review.
- 3 Permission was granted to Hillsgown Holdings immediately to the east as an exception to policy since it was a long established and significant local employer forced to vacate its existing premises, and one who, being part of a national company may have otherwise moved away from the District. Consequent upon that decision the Council resolved until such time as the review of the Local Plan had been completed to support in principle any further development eastwards towards the proposed by-pass and, given the proximity of the Hillsgown access to adjoining residential properties to consider should the opportunity arise accessing the site from the adjoining land to the east.
- 4 Likewise permission was granted to Superior Growers on the south side of Wardentree Lane opposite the site as an exception to Policy, since it was a local company who wish to relocate with specific expansion plans which commercially would have been advantageous to the District. Unfortunately Superior Growers were unable to implement the permission and subsequently the site has been acquired by Declan Kelly who obtained permission for an industrial estate (8 acres). The site which is served by an industrial estate road from Wardentree Lane is now being developed by Fast Fruit Ltd and an extension to the warehouse distribution centre has been constructed on a one acre plot. The remaining seven acres are currently being advertised for sale, and permission has been granted to extend the estate road to provide access adjoining land to the south.
- 5 Anglian Water Services Ltd have not responded to this application, which is a resubmission of an earlier proposal, but have previously objected on the grounds that there is insufficient water capacity to cater for any development, other than that which already has planning permission.
- 6 The applicant has, in this resubmission, included a lengthy supporting written statement and well presented plans. In support of the proposal the applicant argues that this particular area of land should be included within the plan boundary rather than other land. The Local Plan Draft is used to support the applicants claim that this area of land will provide an environmentally attractive high profile industrial site to attract modern industry, and well presented drawings illustrate his point. The argument is that the so called "Enterprise Park" does not provide a "park" setting to attract modern industry, it being a general industrial estate, but that the applicants site can fulfil the environmental and economic aspects of the plan.
- 7 Under Minute 598d/92 ... which commissioned the report under (i) of this agenda item it was also resolved that the Planning Committee be advised on the consequences to the Council's

development strategy of including this additional land (ie, up to the Pennygate Drain both north and south side of Wardentree Lane) whilst recognising the need to safeguard the established residential environs of Pinchbeck in accordance with the views of Pinchbeck Parish Council.

- 8 As the report under (i) above records Policy ID1 of the Spalding and Pinchbeck Local Plan Review recognises that the total amount of land identified for industrial development will be sufficient to meet the needs of the plan period and beyond. North of Wardentree Lane, and eastwards of Hillsdowns site 60 hectares (approximate) of land has been allocated a part of which is the subject of application H14/1005/92 which is dealt with under part (iii) of this agenda item. As previously asserted land allocated on that scale represents a generous allocation and in today's economic climate that amount of land will at present take-up rates last well into the 21 Century.
- 9 During the consultation process of the Local Plan Review, MAFF raised no objection to the proposed industrial land allocation although they did object to application H14/0304/92 (hence its call-in by the Secretary of State), but have not objected to the second application H14/1005/92. These initiatives by MAFF emphasise, their concern about the potential loss of agricultural land, and despite the Plan's other policies to protect agricultural land, they are more than likely to lodge a strong objection to any extension of the proposed boundary. Their advice on this application will be reported to the meeting.
- 10 The inclusion of any land further westwards along Wardentree Lane towards Pinchbeck would exacerbate the environmentally damaging aspects of industrial development at the southern end of Pinchbeck village, a concern expressed by the Environmental Services Committee, and nullify the benefits to this area that the construction of a link road referred to under the explanation of Policy ID1 seeks to achieve.

CONCLUSIONS

- 1 Notwithstanding the case put forward on behalf of the applicant, I am satisfied that sufficient land has been identified for industrial development and that if permitted the development would result in the further loss of productive agricultural land and be prejudicial to the amenities of nearby residential development. The site lies outside the adopted Local Plan area for industrial development including additional land identified as a consequence of the Local Plan Review.

RECOMMENDATION - Refuse Planning Permission.

- 1 In the opinion of the Local Planning Authority there is insufficient justification to warrant a departure from Policy ID1 of the adopted Spalding and Pinchbeck Local Plan which still provides sufficient land for industrial development in that part of Pinchbeck, and insufficient justification to contravene Policy ID1 of the Draft Spalding and Pinchbeck Local Plan Review and the proposal would, if permitted, lead to the loss of the open countryside and productive agricultural land and could be prejudicial to the amenities of nearby residential development as a result of general disturbance and traffic noise.
-

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

Com



Application no: H14/0067/92

Type: OUTLINE

Applicant: Mr J Nickols
Tel:

Agent: John D Lynch Ptnrs
0775 724187

Description: Industrial Park and Nursery/
Garden Centre

Location: Land off Wardentree Lane
Pinchbeck
Spalding
Lincs

Valid date: 03-FEB-92

Terminal date: 30-MAR-92

Target dates:

Target Committee: 25-MAR-92

To case officer 08-FEB-92

Report deadline: 11-MAR-92

Inspected by 13-FEB-92

Extra contacts 18-FEB-92

Case Officer:

Report if not clear by 09-MAR-92

P J UDY

S Carno Q

DEVELOPMENT/CONSTRAINTS

Size: 9.3 HA

Category: Newbuild

Listed building:

Conservation Area:

CONSULTATIONS CARRIED OUT

	Sent	Expiry	
Mr & Mrs Richardson			<i>object</i>
Mrs P J Lawson			
Clerk to Pinchbeck P	0775 723838	06-FEB-92	20-FEB-92
Cllr T Bray	0775 323794 (Of	06-FEB-92	20-FEB-92
Cllr Mrs P J Buffham		06-FEB-92	20-FEB-92
Advertisement:		03-MAR-92	24-MAR-92

Comments

LCC - Obs Attached to CS 27-2-92

SITE DETAILS

Grid ref: 525000 325200

OS Sheets: 145

Parcel:

1/1

OBJECTION

BRIAN BARBER ASSOCIATES LTD
Chartered Town Planning Consultants

3 Albion Place, Northampton NN1 1UD. Tel: (0604) 26004 (3 lines) · Fax: (0604) 250857

Our Ref: LW/MED

B Smith Esq
Director of Planning & Building Control Services
South Holland District Council
Council Offices
Priory Road
Spalding
Lines PE11 2XE

27 November 1992

S.H.D.C. PLANNING DEPT.
RECEIVED
30 NOV 1992

Attention of
DPO NKM
DOPO ES
JC ACP
Action by
Discuss with
Copy to

RESNO
30/11

Dear Mr Smith

APPLICATION H14/0067/92
INDUSTRIAL PARK AND NURSERY/GARDEN CENTRE
LAND OFF WARDENTREE LANE, PINCHBECK FOR MR J NICKOLS

As you know we represent Elsoms (Spalding) Limited in respect of their development proposals for land north of Wardentree Lane and east of the disused railway line. Because of the views expressed by members of the planning committee at the meeting on November 18th in favour of allocating land west of the Hillsdown factory for industrial development, my clients wish to make strong objection to the above application for the following reasons.

As you know the Government has enshrined within the recent Planning Act their intention to create a plan-led town planning system. It is their belief that major releases of land for new development should follow allocations set out within District wide Local Plans which are subject to statutory rights of public consultation, objection and debate. Your Council has been preparing a local plan review for Spalding and Pinchbeck for over 2 years and which would have proceeded further towards adoption save for the requirements imposed by the 1991 Town and Country Planning Act that local plans should cover the whole of a local planning authorities administrative area.

The Local Plan Review carries forward the main aims and objectives of the 1985 plan, albeit subject to minor revision, and sets out the Council's intention to provide sufficient land for housing and industrial purposes to meet your needs of the district to 2001. In accordance with that objective land has been allocated north of Wardentree Lane and east of the disused railway line for industrial purposes together with further land between the Spalding Enterprise Park and the A16. The Consultation Draft of the Review was approved by your Planning Committee in March 1991 and the Plan was the subject of a public consultation exercise from May 1991.

The representations received as a result of that consultation exercise were considered by the Local Plan Sub Committee of your Council on the 9th January 1992 when both the strategy and industrial allocations were confirmed. The industrial strategy and allocations were the subject of further scrutiny and debate by your Plans Sub Committee in July where it was recommended that there should be no alteration to the northern boundary of the land currently



B Smith Esq
Director of Planning & Building Control Services

27 November 1992

included in the draft Plan and no further allocations. It is clear therefore that your Council, having considered the allocations of industrial land on three occasions in the past 2 years and confirmed their views on each occasion, firmly believe that the land north of Wardentree Lane and west of the Hillsdown factory should be excluded from development.

If your Council at the Planning Committee meeting next Tuesday, December 1st, resolves to allocate the land west of the Hillsdown factory for development then they should reissue the plan for consultation purposes prior to making a decision on the application. Such an application would increase the overall industrial allocations to a level well in excess of that set out in the structure plan and could lead to a situation where the County Council will not issue a certificate of conformity thereby delaying the progress of the plan whilst the matter is resolved.

The Town and Country Planning Act 1990 requires that where a determination is made on any planning application, that determination shall be in accordance with the provision of the development plan unless material considerations indicate otherwise. Whilst the existing Spalding and Pinchbeck Local Plan 1985 remains the statutorily adopted policy for the area until such time as the new policies are finally adopted, the policies of the amended draft review are a material consideration when making planning decisions. In neither the 1985 plan nor the Local Plan Review is the land west of the Hillsdown factory allocated for development and therefore the application should be refused on the grounds of conflict with the development plan. If your Council are minded to grant consent then they should follow the departure procedure laid down in the Development Plans (England) Direction 1981 requiring advertising the resolution to permit and inviting the Secretary of State to consider calling in the application.

With the growth of Spalding in recent years, the separate identity of the settlement of Pinchbeck has been retained primarily because of the strong policy stance adopted by your Council in resisting applications for development in the strategic "gap" between the settlements. The grant of consent on this land will erode the "buffer" between Spalding and Pinchbeck, making it more difficult to refuse further applications in this area with the ultimate result of a coalescence of the two settlements. As you know one of the Government's intentions is to safeguard the identity of settlements where this would be detrimental to their character. Indeed I understand that Pinchbeck Parish Council have objected on these grounds.

With the allocation of land in the draft review, sufficient land will be available to meet the needs of industry throughout the plan period and into the next century. There is no quantitative or qualitative need for additional land to be released over and above the allocations in the review document. The land is of high agricultural quality and its loss should be resisted, in accordance with Central Government advice, as there is a no overriding need for further releases of land at the present time.

B Smith Esq
Director of Planning & Building Control Services

27 November 1992

Any grant of consent would be wholly contrary to the work you have carried out on the review to date and would seriously undermine the credibility of the local plan.

My clients strongly support your recommendation that planning permission should be refused for this application and would be prepared to support any refusal at a subsequent appeal.

Yours faithfully

A handwritten signature in black ink, appearing to read 'L Wilbraham', with a large, stylized flourish at the end.

Laurence Wilbraham
Senior Associate



Ministry of Agriculture, Fisheries and Food

Land Use Planning Unit

Block B, Government Buildings, Brooklands Avenue, Cambridge CB2 2DR

Telephone: 0223-462727

LATE OBS: Offr. Fax: 0223-455652

Salient points highlighted

The Director of Planning and Building

Control Services

South Holland District Council

Council Offices

Priory Road

Spalding

Lincolnshire

PE11 2XE

S.H.D.C. PLANNING DEPT.	
RECEIVED	
17 NOV 1992	
Attention of	File No.
DPO	18/11/92
DOPO	
BC	
ACD	
Action by	ACKNOWLEDGE YES/NO
Enclosed with	by
Copy to	date

Your reference:

JC/SJS H14/0067/92

Our reference:

5/EL 24/0492

Date:

16L

17 November 1992

Dear Sir

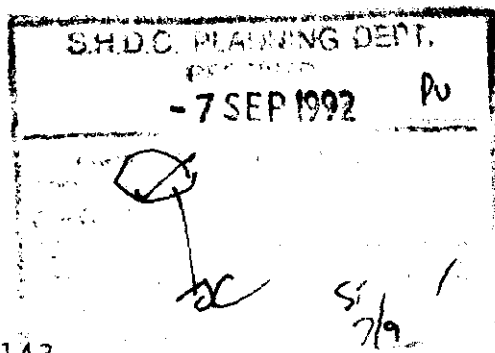
PLANNING PROPOSAL, INDUSTRIAL PARK/GARDEN CENTRE, WARDENTREE LANE, PINCHBECK, SPALDING

I refer to your letter dated 22 October 1992 consulting this Department in accordance with Article 18(1) of the Town and Country Planning General Development Order 1988 concerning a proposal submitted by John D Lynch Partnership on behalf of Mr J Nichols for the change of use of approximately 9.3 hectares of land in OS 006, Wardentree Lane, Pinchbeck, Spalding from agriculture to an industrial park and garden centre.

This Department has considered this proposal in the light of the Government's policy for the safeguarding of agricultural land as set out in paragraphs 2.5-2.6 of revised Planning Policy Guidance Note 7, dated January 1992. In response we wish to draw your Authority's attention to the relevant agricultural considerations.

The subject land is shown on the Ministry's Published Provisional Agricultural Land Classification Map (Sheet 123) within an area of Grade 1 quality agricultural land. A detailed site-specific land classification survey of the application area, under the Ministry's Revised Guidelines and Criteria for grading the quality of agricultural land, has not at this stage been undertaken. Grade 1 land is described in the Revised Guidelines and Criteria as excellent quality agricultural land, having no or very minor limitations to agricultural use, and capable of growing a very wide range of agricultural and horticultural crops.

If the agricultural land grading on the published Provisional Map for the subject site were to be confirmed by detailed survey, then such land would be within the "best and most versatile" category mentioned in paragraph 2.6 and Annex A of PPG7. Such land is a national resource for the future, proposed



JOHN
paran
CHART
ARCHIT

JDL/EE/1143

3rd September 1992

South Holland District Council
Planning and Building Control Department
Council Offices
Priory Road
Spalding
Lincs

Attn Mr B Smith, District Planning Officer

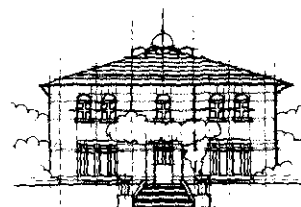
Dear Sir

Change of Use from Agricultural Land to Industrial Park and
Garden Centre at Wardentree Lane. App No. H14/0067/82

We acknowledge receipt of your letter dated the 20th August 1992, and I confirm that I have discussed this matter with my Client. As you know, my Client has co-operated with the Authority's wishes and agreed various extensions to the consideration period from the end of April 1992 to the 31st October 1992, in a wish to give the Authority the time it needs to fully consider this application. You now suggest that the application should be withdrawn and this is not acceptable.

Although we appreciate that the Authority has much wider interests than simply our Client's application, the Authority must equally appreciate that each Applicant has his or her particular reasons for seeking a valid Planning Permission at or around the point of application. In this particular case, it is because there is a clear need for an alternative source of land with industrial permission outside the established network at Benner Road. No other land exists which can be made available at this time and which would reflect a competitive position within the current market place.

../2..



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE
TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay RIBA A.

South Holland District Council

3rd September 1992

We now have considerable evidence to demonstrate that this need exists. There is no guarantee that this will necessarily be around in 1994 and beyond and such investment, vitally important to the well being of the community, could very well be lost to other towns.

We therefore now request that our application be determined by the terminal date agreed of the 31st October 1992

Yours faithfully

pp John D Lynch Partnership



John D Lynch

Joan Lynch Partnership,
Mercia Lodge,
Pinchbeck Road,
SPALDING
PE11 1QF

Mr. B. Smith

BS/DPBCS/JH
H14/0276/92

20th August 1992

Dear Sirs,

RE: SPALDING AND PINCHBECK LOCAL PLAN REVIEW:
ECONOMIC AND INDUSTRIAL DEVELOPMENT PROPOSALS

I refer to your client's (Mr. Nickolls) current planning application for development on the north side of Wardentree Lane, and to our subsequent correspondence, including the reasons that I set out for requesting an extension of time for the determination of the application.

I can now advise you of the recommendations which the Plans Sub Committee are making to the Planning and Building Control Services Committee following their review of the situation with regard to the employment and industrial policies for the development of land in the Wardentree Lane area, and to that end, I enclose for your information, a copy of the minutes of the Plans Sub Committee.

I would draw your attention in particular to part (d) of the enclosed minutes, from which you will see that I have been instructed to extend the work on the Development Brief, and to submit a further report to the Planning Committee to advise them on the consequences which might occur to the Council's development strategy if the present policy were to be revised to include not only your client's land within the ambit of the Council's policy for industrial development.

As a consequence of the recommendations, I advised the Plans Sub Committee that if ultimately they resolved to revise the policy to the extent which may be inferred from the minute, then, in my opinion, the Council would be duty bound to carry out a public consultation exercise on the revised proposals. If those circumstances were to materialise, then it is inevitable that there could be a further delay in determining your client's application other than

cont/d...2/.

determining it in the context of the current statutory Local Plan, in which case, I would anticipate that planning permission would be refused for reasons similar to those put forward with the previous application.

By way of conclusion therefore, can I suggest that you discuss the situation with your client, since I believe that any further extension of time would not be appropriate, given the instructions from the Plans Sub Committee, and that your client should consider whether or not to withdraw the application, or allow it to be determined, in which case, I believe it should be refused planning permission as being contrary to the policies of the current statutory Local Plan.

Should you wish to discuss the situation with me further, then no doubt you will contact me.

Yours faithfully,

J. H. Smith
P.P. B. SMITH MRTPI
DIRECTOR OF PLANNING AND
BUILDING CONTROL SERVICES.

(Dictated by Mr. Smith and signed in his absence)

JOHN D LYNCH
partnership
CHARTERED
ARCHITECTS

JDL/EE/1143

28th July 1992

South Holland District Council
Council Offices
Priory Road
Spalding

S.H.D.C. PLANNING DEPT.	
RECEIVED 29 JUL 1992	
Attention of DPG (NRM) DOHO BS JC ACP	File Nos. (Pu)
Action by	Acknowledge YES/NO
Discuss with	by
Copy to	date

Attn Mr B Smith

Dear Sirs

Industrial Park at Wardentree Lane - Mr J Nickols

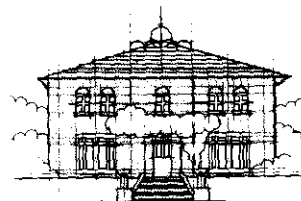
We acknowledge receipt of your letter dated 24th July 1992 in respect of a request for a further extension of time for determination of the above application, from the 31st August 1992 to the 31st October 1992.

Obviously, we must express our concern about this further delay, but in the circumstances feel that we have little choice but are obliged to accept it, which we therefore now do. Nevertheless, we are disappointed that the planned site meeting considered to be essential for the determination process on the 19th June 1992 will not take place until 7th August 1992.

No doubt you will appraise us if any further changes are envisaged.

Yours faithfully
pp John D Lynch Partnership

John D Lynch



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE
TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

J D Lynch Partnership
Mercia Lodge
Pinchbeck Road
Spalding
Lincs

Mr B Smith
BS/DPBCS/LAB
H14/0067&0276/92

24 July 1992

Dear Sirs

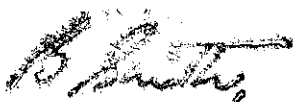
Industrial Park And Nursery/Garden Centre, Wardentree Lane, For
Mr J Nickols.

I refer to the above application and further to my earlier correspondence. In view of the Planning Services Committee's commitment to review the planning policy for the area I anticipate that following the inspection by the Plans Sub-Committee on the 7 August 1992 the timetable is likely to be as follows:-

- 1 Report and recommendations to Planning Full Committee 26 August 1992.
- 2 Report and recommendations to Policy and Resources Committee 23 September 1992.
- 3 Recommendations of Planning and Resources to Full Council 30 September 1992.
- 4 Determination of application either 7 October or 27 October 1992.

Consequently I would request an extension of time for the determination of your client's application until the 31 October 1992. I shall be pleased if your could confirm whether or not your client is agreeable to that course of action which in my view is an inevitable consequence as a result of the programme I have set out above.

Yours faithfully



B SMITH MRTPI
DIRECTOR OF PLANNING AND BUILDING CONTROL SERVICES

JOHN D. LYNCH
partnership
CHARTERED
ARCHITECTS

JDL/EE/1143
Your Ref: BS/DPBCS/JH
H14/0067/92

22nd June 1992

South Holland District Council
Planning Department
Priory Road
Spalding
Lincs

S.H.D.C. PLANNING DEPT. RECEIVED 23 JUN 1992	
Attention of ✓ MRM ✓ PO BS ✓ JC ✓ JCP	File nos.
Author by Approved by Drawn to	By Date

Attn Mr B Smith

Dear Mr Smith

Proposed Industrial Park and Garden Centre
at Wardentree Lane, Pinchbeck, Nr Spalding

I acknowledge receipt of your letter dated 19th June 1992 in connection with the above application and note your request for an extension to the period for the determination from the 24th June 1992 to the 31st August 1992. Contrary, however, to the reason offered why this is necessary, we would contend that our client's application does not seek to contest the 'Raison d'etre' of the Council's policy for the Wardentree Lane Industrial Area, but seeks to adjust and rationalise a boundary which was arbitrarily determined by a previous Planning Permission.

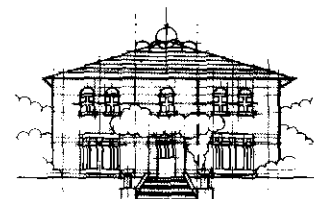
It is not our wish to force the Council into taking decisions on such an important issue if new evidence is available, which might influence their fundamental policy considerations. In that respect, therefore, we consent to an extension of the time period to the end of August.

By this consent we would wish the Committee's attention to be drawn to the fact that our client's application is one that concerns frontage land to Wardentree Lane, the centre thrust of their Planning Policy for Industrial land. On the other hand, the County Council's latest offer of financial assistance, the fundamental reason for this reconsideration, will ultimately result in gravitation towards an industrialised Pinchbeck Road.

Yours sincerely
pp John D Lynch Partnership

John D Lynch

c.c. Mr J Nickols



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE.
TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

Mr. J. Lynch,
Mercia Lodge,
Pinchbeck Road,
SPALDING
PE11 1QF

Mr. B. Smith

BS/DPBCS/JH
H14/0067/92

JDL/TME/1143

19th June 1992

Dear Mr. Lynch.

RE: PROPOSED INDUSTRIAL PARK, TOGETHER WITH GARDEN CENTRE ETC
WARDENTREE LANE, SPALDING: REQUEST FOR EXTENSION OF PERIOD FOR
DETERMINATION.

Further to my meeting with your client, Mr. J. Nickols on the 17th June and my subsequent telephone conversation with you yesterday on this matter, I am writing to request an extension of the period for the determination of your client's application until the 31st August 1992.

The reasons for the request are similar to those which I outlined to you during our telephone conversation, and I will, therefore, attempt to summarise them once again in this letter.

As you are aware, your client Mr. J. Nickols submitted objections to the review of the Local Plan during the public consultation period, but notwithstanding those objections, the Council elected to reaffirm their support for the policy ID1 as set out in the Plan which provides for the future development of industrial land in the Wardentree Lane area. Not unnaturally, therefore, your client's current application seeks to contest the *raison d'etre* of that policy. At the same time the District Council have received a request from the County Council to consider contributing to the cost of providing a link road between the existing industrial area and the A16 on the Pinchbeck Road on the basis that the County Council are prepared to invest as part of their economic development policy, money into providing that industrial estate road. This initiative by the County Council is also at a time when the road improvements to Wardentree Lane have been completed and during which time your client has also achieved the provision of an access road with a right turning facility to land which is covered by the current application. In considering the proposal from the County Council, the District Council have resolved that whilst they

Cont/d...2/.

are prepared to negotiate in principle, they will need to take into account the availability and extent of both existing and industrial land in the area. I can also confirm that other land owners/applicants have corresponded with the Council in the light of the County Council's initiative.

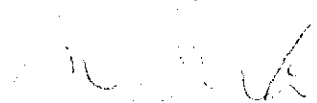
In planning terms, the situation in which your client and others find themselves at this time is not helped by the fact that, as a consequence of changes in Government legislation governing the procedures for dealing with and producing statutory Development Plans, the opportunity to hold a Local Inquiry into objections to the recent review of the Spalding and Pinchbeck statutory Local Plan has been deferred until such time as the District Plan is also the subject of such an Inquiry, and in my view, the opportunity for that is unlikely to take place earlier than 18 months from now. Consequently, it is reasonable to anticipate that the Council acting as a local planning authority will be faced with other applications which seek to contest the policies that have emerged from the review of the Spalding and Pinchbeck Local Plan, whilst at the same time, the policies in the existing Plan remain the statutory policies for industrial development in Spalding and Pinchbeck.

Consequently, and following discussions with the Chairman of the Planning and Building Control Services Committee, Councillor B. Alcock, it has been decided to submit a report upon the situation to the Planning Committee at its meeting on the 14th July next, which will take account of the prevailing set of circumstances and will encompass a review of the situation, including the planning policies of the County and District Councils: and the issues raised by the current submissions and the proposed initiative of the County Council. Overall, therefore, to assist in the infrastructure of the area, the Chairman of the Planning and Building Control Services Committee is concerned to ensure that, given the current set of circumstances which prevail, the review of the situation takes place before any planning applications currently deposited are determined and also before the District Council has concluded its negotiations with the County Council. I anticipate that the recommendations will also provide for the Members of the Planning Committee to inspect not only your client's application site, but other land and facilities within the industrial area of Wardentree Lane.

Finally, I should add that I shall be having similar discussions to those which I had with your client with other current applicants and their agents who have also made an appointment to discuss the current situation.

In the meantime, I shall be pleased if you would discuss the situation with your client and advise me whether or not you agree to the proposed extension of time.

Yours sincerely,


B. SMITH MRTPI
DIRECTOR OF PLANNING AND
BUILDING CONTROL SERVICES.

c.c. Councillor B. Alcock
Chief Executive
Mr. J. Nickols.

JOHN D. LYNCH

partnership
CHARTERED
ARCHITECTS

JDL/TME/1143

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

Attn Mr B Smith

24/6 Htee 10 June 1992

S.H.D.C. PLANNING DEPT. RECEIVED 12 JUN 1992	
Attention of DPP DOPO/BS JC Action by ... Discuss with ... Copy to ...	File Nos. Acknowledged YES/NO 12/6

Dear Sirs

Re Change of Use from agricultural land to industrial
park and garden at Wardentree Lane, Spalding
Planning Application No H/14/0067/92

We enclose herewith 4 copies of a Concluding Statement which we would request is brought to the attention of your Planning Committee, in view of the time it has taken to progress this application.

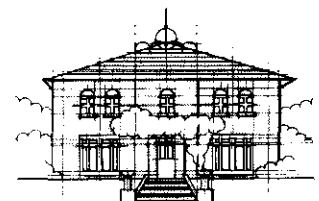
The enquiries which we have had from potential purchasers of industrial land would suggest that outside the Enterprise Park, there is little or no land available for immediate infrastructure commencement and development. Although we appreciate that the authority must encourage continuing development of the existing park, its solitary position as the provider is not necessarily in the public interest. This application is of considerable importance in this context.

Yours faithfully
pp John D Lynch Partnership

John D Lynch

Enc

copy to Mr J Nickols



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE
TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

PLANNING APPLICATION
NO. H/14/0067/92
LAND AT WARDENTREE LANE
ORDNANCE SURVEY FIELD NO. 006
CHANGE OF USE FROM AGRICULTURAL
LAND TO INDUSTRIAL PARK
AND GARDEN CENTRE

John D Lynch Partnership
Partnered Architects
Mercia Lodge
65 Pinchbeck Road
Spalding
Lincs PE11 1QF

Tel Spalding 724187

SUPPLEMENT TO PLANNING STATEMENT LODGED ON 16 JANUARY 1992
IN CONJUNCTION WITH PLANNING APPLICATION

CONCLUDING STATEMENT

1. Introduction

- 1.1 The following Planning Supplementary statement is to be read in conjunction with a Planning Statement made on 16 January 1992 accompanying Planning Application No H/14/0067/92.
- 1.2 This concluding statement has considered the many views expressed during the processes of the planning procedures and has addressed the Council's current support for the draft Spalding and Pinchbeck local plan review.
- 1.3 This statement summarises the salient points to consider in the determination of this proposal.

2. The Draft Spalding and Pinchbeck Local Plan Review

- 2.1 The application site, located in Wardentree Lane is part of an area to the north of Spalding which has been identified as the principal location for new industrial development in Spalding.
- 2.2 The site would provide readily identifiable physical boundaries to the western end of the industrial development, currently existing as a post and wire fence.
- 2.3 The site, if granted, would maintain the historical separation of Pinchbeck and Spalding which has been a primary planning objective since 1965.
- 2.4 The proposal is in line with the policies and objectives of the South Holland District Council.

3. Environment

- 3.1 The creation of a real industrial park in accordance with the aims of the proposal, is intended to provide an attractive landscaped entrance to an industrial zone currently not noted for its environmental enhancement.

- 3.2 This park will place the emphasis on the creation of natural landscaping features and informal layout.
- 3.3 The proposal will provide an attractive entrance to the general industrial area.

4. Market Forces and Economic Factors

- 4.1 The land currently available for disposal, is largely within the control of one developer and is not subject to competitive market forces.
- 4.2 Although appreciating the large investments necessary with infrastructure for industrial land, open competition and market forces should be permitted to apply in the wider public interest.
- 4.3 This application site is intending to be available for disposal to meet a demand which currently exists. This is not the case with other areas of land to the north of Wardentree Lane which are included in the draft plan.
- 4.4 The site in both planning terms and economic terms would regularise the area of land with permission to be on both sides of Wardentree Lane making more effective use of the public highway.

5. Conclusion

- 5.1 On both planning and environmental grounds, the application site if granted permission would be in accordance with the policy and objectives defined by the District Council. Although there may be concern over the area of land intended to be included in this review which will be removed from agriculture, this site is the only site to the north of Wardentree Lane which will be offered for disposal at this time.

It is believed, therefore, that it is in the district's interests to grant permission for this change of use at this time.

PLANNING APPLICATION
NO. H/14/0067/92
LAND AT WARDENTREE LANE
ORDNANCE SURVEY FIELD NO. 006
CHANGE OF USE FROM AGRICULTURAL
LAND TO INDUSTRIAL PARK
AND GARDEN CENTRE

John D Lynch Partnership
Chartered Architects
Mercia Lodge
65 Pinchbeck Road
Spalding
Lincs PE11 1QF

Tel Spalding 724187

SUPPLEMENT TO PLANNING STATEMENT LODGED ON 16 JANUARY 1992
IN CONJUNCTION WITH PLANNING APPLICATION

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PLANNING APPLICATION
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LAND AT WARDENTREE LANE
ORDNANCE SURVEY FIELD NO. 006
CHANGE OF USE FROM AGRICULTURAL
LAND TO INDUSTRIAL PARK
AND GARDEN CENTRE

John D Lynch Partnership
Chartered Architects
Mercia Lodge
65 Pinchbeck Road
Spalding
Lincs PE11 1QF

Tel Spalding 724187

SUPPLEMENT TO PLANNING STATEMENT LODGED ON 16 JANUARY 1992
IN CONJUNCTION WITH PLANNING APPLICATION

CONCLUDING STATEMENT

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5. Conclusion

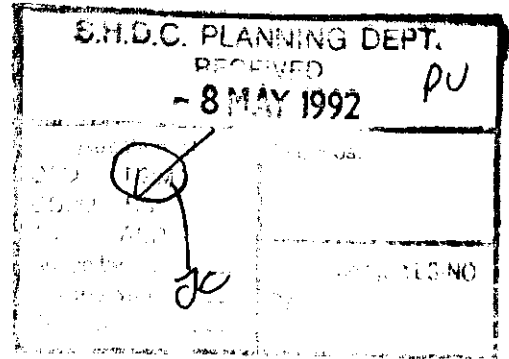
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It is believed, therefore, that it is in the district's interests to grant permission for this change of use at this time.

JDL/EE/1143

7th May 1992

South Holland District Council
Planning Department
Council Offices
Priory Road
Spalding



Attn Mr P J Udy

Dear Sir

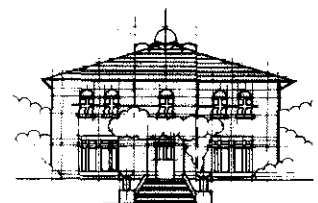
Industrial Park and Nursery/Garden Centre and New Vehicular
Access: Land off Wardentree Lane, Pinchbeck for Mr J Nickols

We acknowledge receipt of your letter in connection with the above and note that in respect of the application dated the 16th January 1992, you wish to have the time period for consideration extended to the 24th June 1992. This we accept and agree.

You state that you are currently corresponding with the Department of Transport and suggest that this is the reason why this determination has been delayed. We would be obliged if you could inform us as to the nature of your enquiry and the circumstances which might have arisen which were not known when the application was lodged. This would greatly assist us when we report the delay to our client.

Yours faithfully
pp John D Lynch Partnership

John D Lynch



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TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

J D Lynch Partnership
65 Pinchbeck Road
Spalding
Lincs

Mr P J Udy

PJU/LAB
H14/0067 & 0276/92

5 May 1992

F.A.O. Mr Croker.

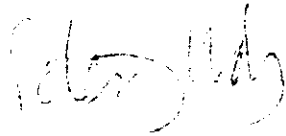
Dear Sir

Industrial Park And Nursery/Garden Centre, And New Vehicular Access,
Land Off Wardentree Lane, Pinchbeck, For Mr J Nickols.

I refer to the above application which you have submitted for consideration.

I am currently corresponding with the Department of Transport and would be grateful if you would agree in writing to an extension of time until 24 June 1992 which owing to the Committee timetable is the next available Committee date at which these applications can be considered.

Yours faithfully


N R Midlen
Principal Planning Officer
Development Control

Minutes of a meeting of the **SPALDING AND PINCHBECK LOCAL PLAN SUB-COMMITTEE** held in the Council Chamber, Council Offices, Priory Road, Spalding on Thursday, 9th January, 1992.

PRESENT

Councillors:

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

Mrs. A.M. Newton
Mr T. Barker

Mr. E.N. Davies
Mr. J.A. Dobney

Mr. R.C. West

The Director of Planning and Building Control Services, the Deputy Director of Administration and the Deputy Director of Environmental Services.

In attendance: The Press.

Apologies for absence were received from or on behalf of Councillors W.D. Skells, Mrs. P.J. Buffham and Mrs E.O. Hall-Patch.

1. **MINUTES**

The Minutes of the meeting held on 30th January, 1991 were signed by the Chairman as a correct record.

2. **SPALDING & PINCHBECK LOCAL PLAN - THE RESULTS OF CONSULTATIONS AND PUBLIC PARTICIPATION**

Consideration was given to the report of the Director of Planning and Building Control Services (copies circulated) which summarised the representations received from the public and various authorities and organisations on the draft Spalding & Pinchbeck Local Plan review following the consultation and public participation exercise held from 27th May to 8th July 1991. The report included recommendations on the draft review in the light of the representations received, and on other matters which had arisen since the draft review was published.

The Committee was informed that under the provisions of the Planning and Compensation Act 1991 the Council would now be required to prepare a single development plan in order to achieve complete coverage of the district by statutory planning policies and, as a result, the Spalding and Pinchbeck Local Plan review could not be processed further unless placed on deposit by the commencement of the new provisions, currently anticipated during February 1992. As it would not be feasible to comply with this deadline, it would now be necessary to amalgamate the review with the South Holland District Development Plan currently being prepared which would then, in conjunction with the adopted Long Sutton and Sutton Bridge Local Plan, achieve district-wide coverage by statutory planning policies. Although this would inevitably delay the formal adoption of the policies, it was important to maintain progress on the plan so that the unavoidable legal hiatus did not delay the adoption of the review proposals as local policies which would be a material consideration in the determination of planning applications.

Following consideration of all of the policies contained in the draft review in the light of the observations received, it was

RESOLVED:

- (a) Subject to the following amendments, the recommendations of the Director of Planning and Building Control Services be approved and adopted:-

SPALDING AND PINCHBECK LOCAL PLAN SUB-COMMITTEE - 9th January, 1992

2. SPALDING & PINCHBECK LOCAL PLAN - THE RESULTS OF CONSULTATIONS AND PUBLIC PARTICIPATION (Continued)

Paragraph 5.6(ii) The additional policy relating to the planting and maintenance of new trees and the management of existing trees be extended to incorporate the preservation of hedgerows as and when the appropriate legislation becomes available.

Policy R1 In view of the sensitive nature and setting of the site, "Freirs Field", Pinchbeck Road, Spalding be the subject of a development brief to include reference to a low density of development, landscaping, the improvement of its junction with Woolram Wygate and Pinchbeck Road, and the relationship between the site and the existing property to the north.

Policy ID4 The text be amended to clarify the local planning authority's objective that the former sugar beet factory site be identified as a major site for industrial development notwithstanding that reference to the Simplified Planning Zone has been omitted from the policy.

Environment Policies Reference to the provision of residents-only on-street parking be made within the policies relating to the environment.

Policy L5 An additional policy be included as follows: "There will be a general presumption in favour of the continued development of Springfields and its immediate surroundings for activities related to the horticultural, commercial, leisure and tourism functions of Springfields".

(b) The Director of Planning and Building Control Services be authorised to amend the draft written statement and maps to take account of the decisions at (a) above;

(c) The Director of Planning and Building Control Services submit a report to a future meeting regarding the possibility of including additional land at Pode Hole for residential development, the quantity of land being appropriate for the village and avoiding the need to compensate by the omission from the plan of land identified for development elsewhere in the plan area; and

SPALDING AND PINCHBECK LOCAL PLAN SUB-COMMITTEE - 9th January, 1992

2. SPALDING & PINCHBECK LOCAL PLAN - THE RESULTS OF CONSULTATIONS AND PUBLIC PARTICIPATION (Continued)

- (d) The Director of Planning and Building Control Services be authorised to prepare a formal statement of consultation and public participation as required by Section (39) of the Town and Country Planning Act 1990.

(End of Minutes)



OBJECTION

✓ in capital
who reject
PM 6-4-92

Broadgate Builders (Spalding) Limited

Broadgate House, Weston Hills, Spalding, Lincolnshire. PE12 6DB.
Telephone: (0406) 380532
Fax: (0406) 380014

Our Ref: HRP/E22

Director of Planning and Building Control
South Holland District Council
Priory Road
Spalding
Lincs

S.H.D.C. PLANNING DEPT. RECEIVED 10 MAR 1992 P.U.	
APPROVED BY [Signature] ACP	ACKNOWLEDGE YES/NO [Signature] by date 5/12/92
9th March 1992	

Dear Sir,

Re: Proposed Industrial Park and Nursery
Garden Centre Ref: H14/0067/92

I am writing in response to the Public Notice included in The Lincolnshire Free Press dated 3rd March 1992.

Our Comments submitted to you regarding Application H14/0784/91 which was refused, remain valid.

The resubmission has been prepared by a new agent and although the presentation has improved the content is conceptual and speculative. The applicant does not appear to be committing himself to investment in the site and offers nothing that cannot already be catered for by land currently zoned for industrial development or included within the draft Local Plan Review.

We take particular exception to the proposal that 18.5 acres of land within the draft local plan industrial area should be removed with the inclusion of the applicants land as a replacement. The 18.5 acres which is adjacent to Spalding Road A16, is the prime location for a Business Park, will provide a second point of access to Wardentree Lane and has been indentified by Anglian Water and British Gas as the route for reinforcement mains from the A16 into the industrial area. This 18.5 acres site has already received support from Lincolnshire County Council in the provision of infrastructure to benefit the whole of the Wardentree Lane area.

In summary, the application before you is ill-conceived and the Agents proposal for realigning the draft local plan industrial boundaries would have far-reaching consequences that would benefit no-one but their client.

We have been waiting for further meetings with Lincolnshire County Council and South Holland's Economic Development departments before submitting an Outline Planning Application for the land between A16 Spalding Road and the South Holland Enterprise Park.

continued....



Directors: D.D. Bissett-Clarke (Managing) N.J. Rayner ACMA (Financial) Mrs. W. A. Rayner (Company Secretary)
Registered Office as above. Registered in England No. 1242542



continued.....

However, to ensure that our long term strategy is not prejudiced we will be making a formal submission within the next four weeks.

Yours faithfully,

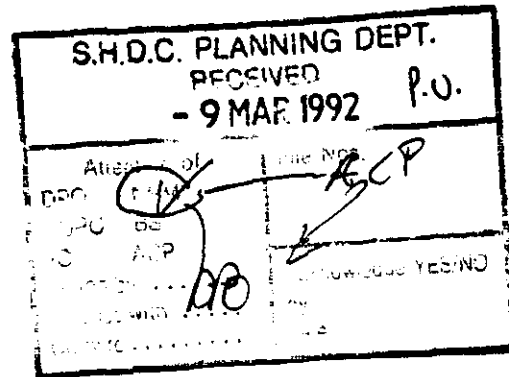
A handwritten signature in cursive script, appearing to read "H. Price".

HOWARD PRICE

JDL/EE/1143

6th march 1992

South Holland District Council
Planning Department
Council Offices
Priory Road
Spalding



Attn Mr B Smith

Dear Sirs

Industrial Park and Garden Centre, Wardentree Lane

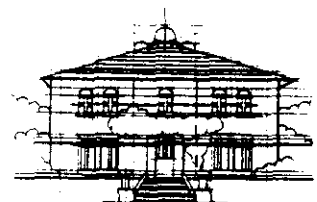
The public notice displayed in the Free Press dated the 3rd March 1992 reference the above application, is a matter of some concern. The concern exists because of the specific wording used, i.e.

"The proposal conflicts with or prejudices the implementation of a development plan"

and we consider that to be a Factual Inaccuracy. Furthermore, we consider that by implication it is damaging because it presupposes that the Planning Authority has already determined its view, which is that it is clearly in opposition to the Applicant. This cannot be the case when the purpose of the Notice is designed to promote comment which should be taken into account before the determination point.

In any event, it is our contention that the application is not in conflict with the objectives and aims of the Authority's Planning Policies, but is a minor variation of the details contained in the Draft Local Plan Review, and which has not formally been adopted.

.../2...



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QF.
TELEPHONE 0775 724187, FACSIMILE 0775 762212
John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

South Holland District Council

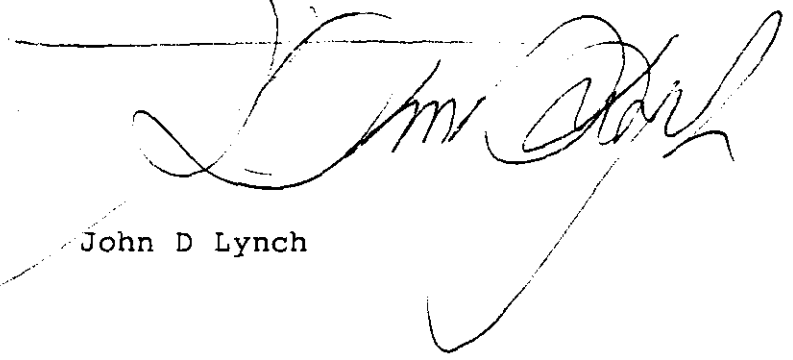
6th March 1992

Furthermore, this variation does not "prejudice" the implementation of the Review which is not dependent upon the determination of our Applicant's site. To imply that it will damage the Authority's interests is certainly not proven.

In this Plan Review Period an Applicant is entitled to a fair hearing and this includes any public views or opinions arising out of the Public Notice. It is hoped that the documentation as presented will be given due consideration before the decision is taken, and that the Notice will not have had any damaging effects.

Yours faithfully

pp John D Lynch Partnership



John D Lynch

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES

DATE: 25.2.92

OUR REF: JC/SS/PC

TO: DIRECTOR OF PLANNING AND BUILDING
CONTROL

YOUR REF:

Planning Application H14/0067/92
Industrial Park, Nursery and Garden Centre, Wardentree Lane

I write with reference my previous memoranda concerning the above and my concern over developing this land for commercial/industrial purposes bearing in mind the impact on nearby residential properties, particularly 65 Wardentree Lane.

Whilst it may be possible to restrict the development to a light industrial classification, traffic movements are likely to have a significant impact on this particular dwelling unless a longterm solution can be found.

I trust this information is of assistance to you.

Shapman
PP Director of Environmental Services

S.H.D.C. PLANNING DEPT.	
RECEIVED	
26 FEB 1992	
Author of	File No.
DDO	NEW
CCFO	ES
IC	ACP
Approved by	by
Approved date	date
CCFO	date

PLANNING APPLICATION

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

DEPARTURE FROM DEVELOPMENT PLAN

The proposal conflicts with or prejudices the implementation of a development plan.

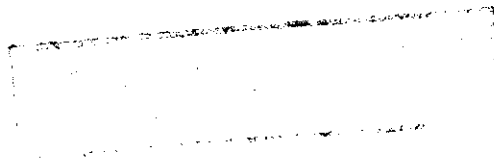
Reference No: H14/0067/92
Description: Industrial Park and Nursery/
Garden Centre

Location: Land off Wardentree Lane
Pinchbeck
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 24-MAR-92 quoting the above reference number.

B Smith
District Planning Officer

03-MAR-92



**GOODS VEHICLE
OPERATOR'S
LICENCE**

price of 80 colours 248147
APPROVED Contractor

WRIGHTS

PAUL COTT, trading as Paul Cott Commercial Vehicle Repairs, of Glen Helen, High Road, Whaplode, Spalding, Lincs PE12 6TX is applying to replace without change a licence to use 66 Barrier Bank, Cowbit, Spalding, Lincs PE12 6AQ as an operating centre for six

choice of 80 colours 24
APPROVED Contractor

**WRIGHTS
OF HOLBEACH**

12A Park Road

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: SOUTH HOLLAND District Council

Application Reference H 14/0067/92.

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	5	0	2	5	2

2. Address or location

LAND OFF WARDENREE LANE, PINCHBECK.

3. Name, classification and number of road

UC

4. Date application referred

27 - 2 - 92

5. State whether outline, detailed application etc.

OL.

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

INDUSTRIAL PARK & NURSERY / GARDEN CENTRE

- 7.

Delete as
appropriate

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:—

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

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 10b as shown overleaf.~~

Date:

27 - 2 - 92

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) C2(a) - - - buildings - - -

(3) C3.

(4) F1

Delete as
appropriate

- (i) REASONS FOR a, b, or c overleaf
- (ii) COMMENTS FOR FORM T.R. 108 para 10b

(1) C1

(2) C2(a)

(3) C3

(4) F1

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161



Application no: H14/0067/92

Applicant: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding Lincs

Agent: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

Description: Industrial Park and Nursery/ Garden Centre

Location: Land off Wardentree Lane Pinchbeck
Spalding Lincs

Type: OUTLINE

Date received: 03-FEB-92

06-FEB-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 21-FEB-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 P J UDY

Yours faithfully

B SMITH

Director of Planning and Building Control Services

Clerk to Pinchbeck PC
17 Rotten Row
Pinchbeck
Spalding Lincs
PE11 3RQ

FOR PARISH COUNCIL USE ONLY

Comments:

Recommend refusal on grounds similar to the recent application which of course was refused.

Signed:

ed: *W. H. Cunningham*

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

LAND CH. PLANNING DEPT. RECEIVED - 6 FEB 1992 6/92	
APPROVED BY (Signature) DATE 6/92	Acknowledge YES/NO by S date 6/92

Glendon

Small Grove Lane

West Anchbeck

Spalding, Lincs

3rd February 1992

Dear Mr Smith,

Re: planning application made by Mr J. Nickols.

Once again I am writing to oppose the planning application made by Mr J. Nickols. Assuming you keep on file a record of complaints made against his last planning application, I would like to stress my feelings have not changed. The amount of distress that the approval of Mr Nickols' plan would cause to my family cannot be outweighed by the benefit it will create. My mother-in-law (Mrs Sylvia Richardson)

has had no joy with her correspondence with the council and her health and mental state has further deteriorated.

It seems however that Mr Nickols has already had some help by the council.

It has not gone unnoticed that the kerb which is presently being laid in Warden Tree Lane has conveniently been laid to enable easy access to the land which is outlined for development by Mr Nickols.

I hope you will consider this letter as my formal opposition to the planning application made and I only wish you would first consider Mrs Richardson's position before Mr Nickols.

Yours sincerely

P.J. Lawson (Mrs).

S.H.D.C. PLANNING DEPT.	
RECEIVED	
- 5 FEB 1992 67/92	
Atten: ☒ Mr. [unclear]	Atten: Mrs. ☒ [unclear]
PRO ☒ [unclear]	PRO ☒ [unclear]
6/92	6/92

65 Warden Tree Lane
 Spalding
 Lincs
 PE11-30F
 2-2-92

Dear Counillors.

Once again I see in the
 Spalding Guardian plans for
 Industrail Development at 5 Nickols
 Two Hooks Warden Tree Lane.

If you pass this will you
 buy our Bungalow and help us
 move out.

Smedley ana Fast Fruit are still
 making our lives unbearable we
 stidl can't get a good nights
 sleep.

Sat. and Sundays Fast Fruit
 working we have to go out all
 day to get some peace.

Also keep windows closed
 when we get home from work

Its been over 1 year since
we ask for help. no one
does anything.

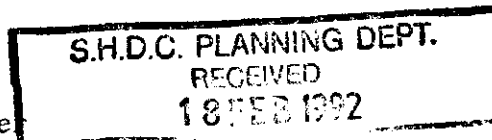
You people passed the plans
your to blame.

We are going to get help
from the Ombudsman if nothing
is done.

Would you people like to live
~~here~~. We you move us out
and let us get on with our
lives.

Yours sincerely
Mr Mrs Richardson

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



*National Rivers Authority
Anglian Region*

14 February 1992

Our ref.GT/92/1/SH/0053

Dear Sir

**PLANNING APPLICATION NO. H14/0067/92
PROPOSED INDUSTRIAL PARK & NURSERY/GARDEN CENTRE AT WARDENTREE LANE,
PINCHBECK, BY J. NICKOLS.**

With regard to the above-mentioned application received on 13 February 1992, I would inform you that the NRA Anglian Region has the following observations to make on the proposal:

Foul drainage from the proposed development should be connected to the main foul sewer.

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

Details of surface water drainage for the site shall be submitted to, and approved by, the local planning authority before any work on the site commences. The drainage works shall be constructed in accordance with the approved plans.

For your information, we enclose a copy of a letter received from Welland & Deepings Internal Drainage Board, who were also consulted about the application.

Yours faithfully

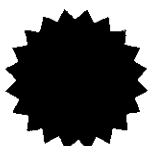
R F Morgan
Planning Engineer

cc John D Lynch Partnership
65 Pinchbeck Road
Spalding

ROGER HYDE
Regional General Manager

Aqua House
Harvey Street
Lincoln
LN1 1TF
Tel: 0522 513100
Fax: 0522 512927

VJC





Deeping House,
Welland Terrace,
Spalding, Lincs.
PE11 2TD
Tel: Spalding (0775) 725861
Fax: Spalding (0775) 767689

John Honnor
General Manager

Our Ref. SWP/TF
Your Ref.

This matter is
being handled by

Sean Pywell

24th January, 1992

The Planning Engineer,
National Rivers Authority,
Anglian Region,
Harvey Street,
Lincoln.
LN1 1TF.

10/1/92

For the attention of G. Thornalley

Dear Sirs,

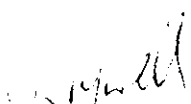
Planning Application No. H14/0067/92
Proposed Garden Centre/Industrial Development - Wardenree Lane, Spalding
Mr J. Nickols

With reference to the above application, I would comment as follows:-

1. The Board's Blue Gown Drain runs along the north side of the site. In compliance with the byelaws no building, fence, tree etc. may be placed within 9 metres of the brink of the drain.
2. Surface water from the development may be discharged into the above drain subject to the Board's formal consent. This will be conditional upon a contribution being paid towards the costs of new drain works and pumping station to be constructed to accommodate the additional run-off from the Wardenree Lane area. The contribution will be assessed at £ 22,266 per hectare of impermeable area of the site (plus V.A.T.). The Board will expect a formal agreement to cover this payment before full planning consent is issued.

I shall be pleased to advise the applicant further when more detailed proposals are available.

Yours faithfully,


Senior Engineer.

S.H.D.C. PLANNING DEPT.
RECEIVED
11 FEB 1992

067/92

MR MRS J RICHARDSON

65 WARDENTREE LANE
SPALDING
Lincs
PE 11-30F

7-2-92

Dear P J Udg

I understand you are dealing with Mr J Nickels of Two Hoots Wardentree Lane's planning Application for Industrial Park ect.

Should you pass these plans, will you and South Holland Council help move us out because we have had ~~so~~ much as we can take from Fast Fruit and Smedley. the noise from them is so bad at night, and day. We will be right in the middle of a Industrial Park Please see the Environmental Health Dept first.

Yours faithfully, Mr Mrs J Richardson

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161



Application no: H14/0067/92

Applicant: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding Lincs

Agent: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

Description: Industrial Park and Nursery/ Garden Centre

Location: Land off Wardentree Lane Pinchbeck
Spalding Lincs

Type: OUTLINE

Date received: 03-FEB-92

06-FEB-92

Dear Cllr Mrs P J Buffham

NOTIFICATION TO WARD MEMBER

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

As applications can be determined under delegated powers in many cases,
please let me know by 16-FEB-92 if you feel that this proposal should
be brought to the attention of the Planning Committee for any reason.

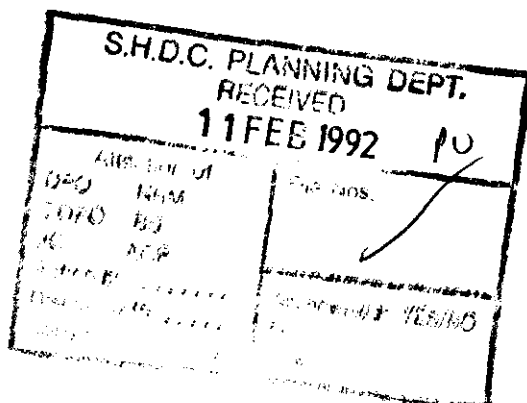
Yours faithfully

B SMITH

Director of Planning and Building Control Services

Cllr Mrs P J Buffham
Fir Tree House
Northgate, West Pinchbeck
Spalding, Lincs
PE11 3TB

I request that this application be
considered by Planning Committee,
because
Welcome back to an old friend! (Don't quote me!!)
No objections if the land
The can be brought within the IB.
The Runggate Drain seems to provide
a natural boundary ~~to the south~~
to the IB. The drain provides the boundary
Signed: to the south of the proposed
development and it seems logical to
continue it to the north of Warden
Tree Lane.



Pauline Buffham
10/2/92

H14 / 2767/92

NR57/Case Officer

A valiant attempt has been made
to justify granting permission / including
the land in local Pla.

What a pity that we cannot follow
the matter through to local Pla inquiry
because of the changes in the law.

However good their case ^{or may not} may be,
we seem to have no option but
to refuse p.p. and allow the matter
to progress to appeal.

11/1
27/1

JOHN D. LYNCH
partnership
CHARTERED
ARCHITECTS

MAC/EE/1143

16th January 1992

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



Dear Sis

Proposed Industrial Park and Nursery/Garden Centre
at Wardentree Lane, Pinchbeck for Mr J Nickols

Please find enclosed herewith the following documents in
respect of an Outline Planning Application.

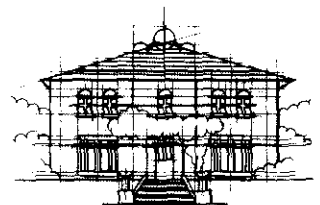
4 copies of Planning Application
4 copies of Drawing Nos. 1143/AK1,
AK2 (1)
AK3(1)
AK4

4 copies of Report
A Ownership Certificate

A Planning Fee is not necessary and this is a re-
submission.

Yours faithfully
pp John D Lynch Partnership

Mark A Croker



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE
TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161



Application no: H14/0067/92

Applicant: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding Lincs

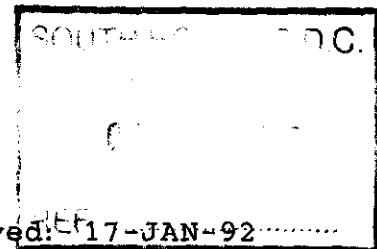
Agent: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

Description: Industrial Park and Nursery/
Garden Centre

Location: Land off Wardentree Lane
Pinchbeck
Spalding
Lincs

Type: OUTLINE

Date received: 17-JAN-92



21-JAN-92

Dear Sir/Madam

NOTICE THAT APPLICATION IS INVALID
Requirement for additional information, fees etc

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

The maximum fee of £2760 (Application Reference H14/0748/91) has already had the benefit of the "Free" submission following the refusal of Application Reference H14/0612/90.

If I do not hear from you within the next 14 days it will be assumed that you have no wish to continue with the application. It will then be filed away and any fee already received will be reimbursed. If you wish to contact the department at any time, please ask for Mrs Maxwell quoting the above reference.

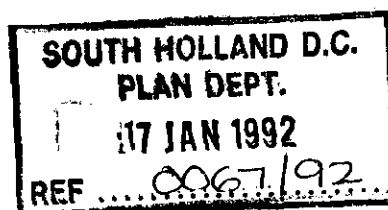
Yours faithfully

Principal Administrative Officer

PLANNING APPLICATION

LAND AT WARDENTREE LANE
ORDNANCE SURVEY FIELD NO. 006

CHANGE OF USE FROM AGRICULTURAL
LAND TO INDUSTRIAL PARK
AND GARDEN CENTRE



John D Lynch Partnership
Chartered Architects
Mercia Lodge
65 Pinchbeck Road
Spalding
Lincs PE11 1QF

Tel: Spalding 724187

1. Introduction

This statement is to be considered as an integral part of a planning submission for the inclusion of land for industrial purposes identified as Ordnance Survey Field No 006, to the north of Wardentree Lane, within the industrial zoning for Spalding and Pinchbeck

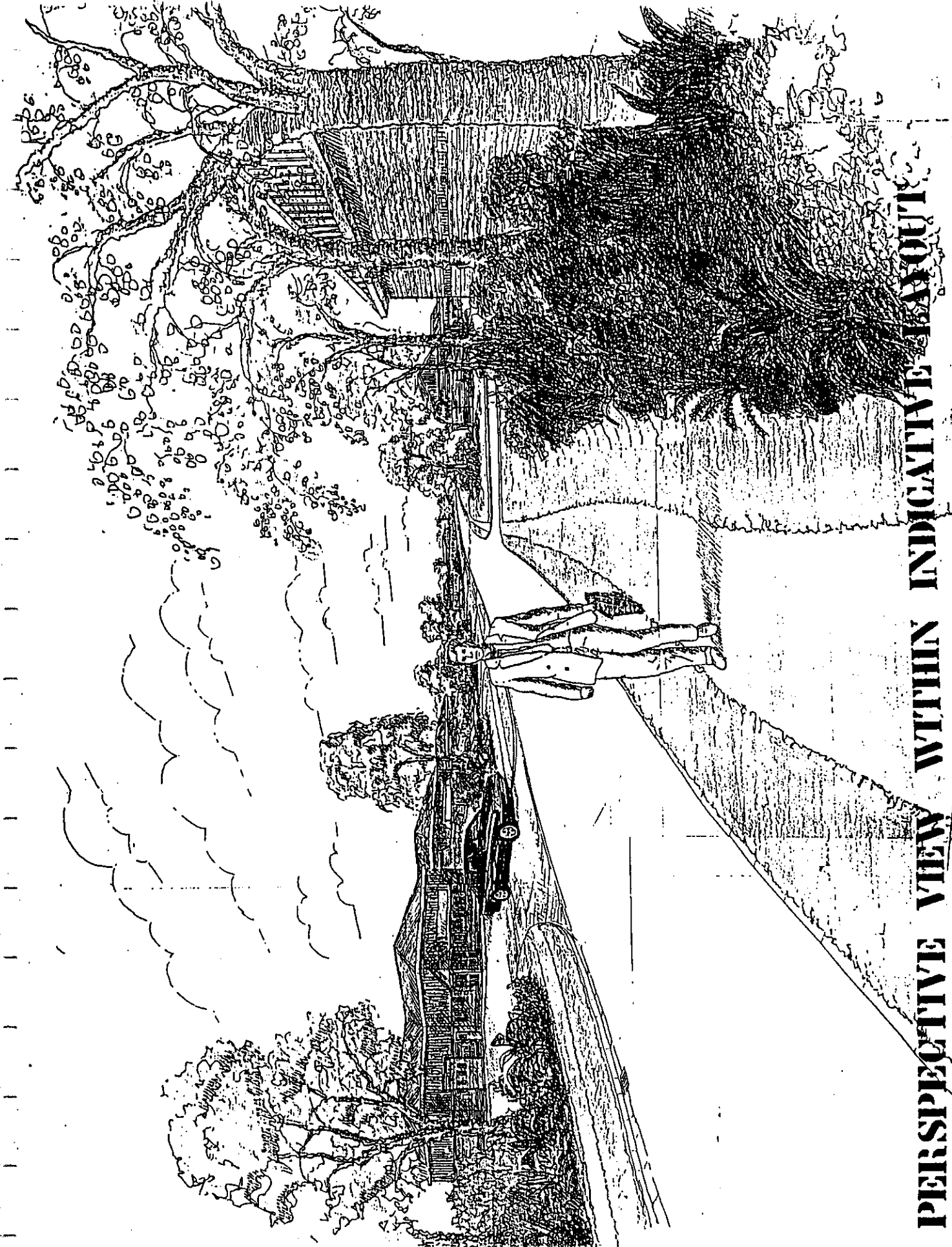
This document will therefore examine the issues and will seek to establish the reasons why it is considered that Approval should be granted. It will further demonstrate support for the South Holland District Council's draft proposals and objectives for the Planning Policies of the Local Plan which have been accepted in draft form, and by an examination of its conformity with both previous and current policy.

2. The Site

The site comprises 23 acres of agricultural land and lies on the north side of Wardentree Lane, adjoining the western boundary of the Hillsdown Food Processing factory. It is bounded on the north and west by the Blue Gowt Drain and the Pennygate Drain. On the opposite side of Wardentree Lane and to the south, the land is currently zoned for industrial use.

3. The Proposal

The proposal is to provide an alternative area of land for light industrial and horticultural use. It is intended to provide a soft landscaped approach to the industrial park, and will be based upon an informal layout and landscaped park principles. It is designed to offer an attractive alternative to those enterprises which have an interest in the environment, and who wish their businesses and workforce to be located within an environment which is more than a park by name only. To achieve this, the land adjacent to the existing farm dwelling is designated to be a horticultural centre providing the framework to the western boundary, within which these aims can be achieved.



PERSPECTIVE VIEW WITHIN INDICATIVE EXAMOUT

It is further considered that the proposal will act as a visual and attractive screen to the existing developments to the north and south of Wardentree Lane, which it cannot be argued currently contribute little to the environment. This should enable the approach to the town itself through this estate to be enhanced for the greater benefit of the community at large.

The applicant believes that a realistic attempt to provide an industrial 'park' within the South Holland District will offer a genuine alternative which to date has not been available in Spalding.

It is further hoped that its success will encourage others to the view that people do care about their surroundings at their workplace and if benefits can be obtained on this land, it will be followed by others.

4. Review of the Local Plan in Context

'ENVIRONMENT

1. To conserve and enhance the area's urban and rural heritage for the benefit of inhabitants and visitors, and to recognise the importance of a high quality environment as a factor in the attraction of inward investment'

The Local Plan currently being considered is a review of the policies which were adopted in October 1985, based primarily upon information and knowledge gained in the period between 1981 and 1983.

It is intended that the current review should be largely effective into the 21st century, i.e. covering a 10 year period and due consideration will therefore be placed on the need to provide sufficient flexibility to cover such an extended period. In essence, the Review is considered to be:

'overall, a shift in emphasis in favour of policies to make the most of the existing resources'

It is designed to place greater emphasis on the improvement of the Urban and Rural Environment.

Within this context, there is a significant departure from the October 1985 plan where objective no. V:

'To retain the separate physical identities of Spalding and Pinchbeck'

has been omitted.

This particular objective has historically been one of the cornerstones of Local Planning Policy, with its desirability being forcefully discussed in the Local Plan Brief and report to the Council in May 1977.

The current review of industrial land provision by seeking to extend the developable land on the west of the Pennygate Drain and former rail line land to the Pinchbeck Road is a significant departure from these policies. This application will demonstrate that both objectives are obtained whilst creating sufficient provision to meet the assessed needs within the Planning Review Period.

The Wardnetree Lane industrial site approval in 1974 envisaged a direct link with the bypass, when this route was generally favoured by the District Council and followed the disused railway line to the centre of town. This link was abandoned with the demise of the red route bypass option and the estate was subsequently considered to be adequately served by a cul-de-sac. At no time was a situation envisaged where the industrial primary carriageway became a through route for vehicles which had no reason to be in the industrial area.

5. Review of Current Industrial Provision

'THE PRINCIPAL LOCATION FOR NEW INDUSTRIAL DEVELOPMENT WILL BE AT WARDENTREE LANE'

Wardentree Lane is widely accepted within the District as being the primary location for new industrial development, but in the first years since the Planning Permission was granted in 1974 this was not the case. This anomaly was recognised in the last review in 1981, but its practical implementation and uptake only took practical effect after 1984. Since that time the uptake of development land was swift, but has fallen back recently only because of the severity of the current recession which took hold in 1989. These factors are crucial to the understanding of the needs to provide sufficient opportunities for both existing and new industries over a review period, within which our integration with Europe and forthcoming economic stability through monetary union will play major parts. It is intended that the review will cover a period of time which is, in practice, well in excess of the length of time over which the last review was projected.

In practical and economic terms, it is uneconomical to develop on one side of a road only and the previous and current policy did not distinguish the land to the south as opposed to the north in terms of its primary objective.

The granting of permission for the Hillsdown food processing unit to the north of Wardentree Lane, and on the eastern boundary of the application site, addressed this issue. Although it could be argued that it might have been better located to the east of the disused railway line, it is considered that this debate is now largely irrelevant. It does not however seem to make sense that the future planning policy and interim development boundary should be linked to the post and wire fence which just happened to be the width of their factory requirements.

The applicant's site is clearly identifiable with physical restrictions which provide the Authority with a readily sustainable physical limitation of development, following the substantial line of the Blue Gout Drain and the Pennygate drains. Furthermore, it retains the previous aims of ensuring that the physical separation between Pinchbeck and Spalding is fundamentally retained.

The applicant has structured his proposal to enhance both the general environment, the separation of the two identifiable communities and created the opportunity for a properly landscaped entrance to the industrial estate which at present pays lip service only to the community's idea of a 'park'. This proposal is a genuine attempt to provide and offer the Business Community within the South Holland District an attractive working environment within which those employed spend much of their working lives. It is widely accepted that such improved environmental locations are having an increasing share of the industrial landscape throughout this country.

The Applicant supports the draft Local Plan Review in its general aims

'To protect and enhance the environment'

and

'To promote employment generating development'

This application is in line with these general aims and is a demonstration of its commitment to improving the quality of life of its inhabitants.

6) Existing and Proposed Development at Wardentree Lane

Although Industrial Use was granted in 1974, no significant industrial activity was created at Wardentree Lane until after 1980. At that time, disposal of land for industrial purposes was considered unviable, in a climate where industrial permission could be obtained on land elsewhere which was obtainable at agricultural values.

Only during the 1980's did Wardentree Lane begin to realise its early potential and during the period of 1984 to 1989 the bulk of the development which now exists was carried out.

The infrastructure which is in place was undertaken by a private developer on the basis that the site was planned and intended to be an industrial estate only, when it was conceived in 1974. The general intentions, aims and layout have not significantly been changed although the title has been altered to an "Enterprise Park".

It is considered that a much greater emphasis is now being placed on the environmental issues by the public at large, and employment parks of varying kinds have been created in the majority of towns and cities throughout the country. These are practical attempts at addressing the issue of the quality of the environment at the workplace. The relevant objectives of the Local Plan are stated as follows:

ENVIRONMENT

1. To conserve and enhance the area's urban and rural heritage for the benefit of inhabitants and visitors, and to recognise the importance of a high quality environment as a factor in the attraction of inward investment

DEVELOPMENT

7. To provide land for employment generating activities sufficient to meet existing and future needs and to recognise the trends of modern industry towards high quality, environmentally attractive and high profile locations.
8. To locate important traffic generators with satisfactory access to the strategic road system.

It is further stated that:

'These aims help to give an understanding of the basis of the Local Plan and they also provide a basis for the monitoring and assessment of the performance of local Plan policies. Aims may not always be compatible, for example reconciling development with the conservation of agricultural land. A function of the Local Plan, however, is to demonstrate a balance between different considerations.'

In general terms, whilst acknowledging the wishes to provide sufficient allocations to meet the needs over the next decade, it is accepted that this must be balanced against the need to conserve agricultural land.

Of the 65 acres originally planned for in 1984 at the last review, over 73 acres have now been developed, some of which is outside the then Interim Boundary of Development. Approximately 27 acres of the original allocation remains undeveloped over this 6 year plan period. Of the 49 acres now available in total, 43 acres are retained within the ownership of a single developer.

On the North side of Wardentree Lane it is proposed that, to the east of Hillsdawn factory, the industrial zoning be extended to the bypass to incorporate a further 50 acres approx of land. This land is held within two ownerships, one of which is a pension fund and its release to the open market is subject and conditional to other considerations. In practical terms, at this time, land availability which is capable of being serviced without other considerations lies principally within the hands of one operator and as such is not necessarily within the wider public interests. Although recognising that development costs are high and must be recovered, this does not obviate the need to provide alternatives and promote competition in this market place.

The physical barriers of the Blue Gowl Drain and the Bypass form the natural and defensible physical boundaries in this situation. As a continuation of this, an extension to include the applicant's land to the Pennygate Drain of an additional 23 acres is logical.

7. Market Forces

The infrastructure necessary to support industrial development is very costly and it is essential for a developer to be able to recover such costs. The disposal price of the land is a critical factor in the equation facing a potential purchaser and may mean the difference between developing or not with the consequential potential for possible job creation. In a healthy economy it is essential that competition for disposal of serviced land is introduced.

This competition will make a positive contribution to the quality of land and the environment on offer and will do much to create the framework for improving the conditions at our workplaces. At this present time the environmental issues do not play any significant part in decision makers process, simply because there is little or no choice. If greater freedom of choice was available, the market place would decide that if environmental issues were the only material difference between the sites on offer, the more attractive locations would succeed.

8. Summary

The attached application supports the long term objectives of the South Holland District Council's Planning Policies and considers that it is operating within the framework of the conditions set by the current review. It offers the following advantages.

- 1) Provides clear physical boundaries for the attachment of Interim Boundaries.
- 2) Maintains essential separation between communities of Spalding and Pinchbeck.
- 3) Creates a new environmentally conscious entrance screen to the industrial area and alternatively Spalding.
- 4) Offer genuine competition for industrial land availability.
- 5) Provides sufficient land for the period of the 21st century.
- 6) Maintains Wardentree Lane as primarily an industrial area for which it was designed and does not create a non-industrial through route for passing transport seeking access to the bypass.

PLANNING COMMITTEE - 1st December, 1992

90. SPALDING AND PINCHBECK LOCAL PLAN REVIEW: ECONOMIC INDUSTRIAL DEVELOPMENT PROPOSALS (Continued)

- (h) The Director of Planning and Building Control Services consult the owners of the British Sugar site on their future intentions for the land and also ascertain whether Derelict Land Grant is available for redevelopment of the site;
- (i) The Policy and Resources Committee informed of the above resolutions so that they can be taken into account when considering the proposed link road to the A16;
- (j) Outline planning application H14/0067/92 for an industrial park and nursery/garden centre on land off Wardentree Lane be refused in accordance with the recommendations of the Director of Planning and Building Control Services and also because the application is considered to be premature at this stage;
- (k) Application H14/0276/92 for a new vehicular access to land off Wardentree Lane, Pinchbeck be granted in accordance with the recommendation of the Director of Planning and Building Control Services; and
- (l) Outline application H14/1005/92 for industrial development comprising classes B1, B2 and B8 including details of means of access at Wardentree Lane, Pinchbeck be granted in accordance with the recommendations of the Director of Planning and Building Control Services, subject to condition 8 being amended to read "the final layout shall make provision for a road link to land to the west and to the east."

901. RESIDENTIAL ESTATE DEVELOPMENT IN VILLAGES (851/92)

The Committee considered a report of the Director of Planning and Building Control Services which recommended a comprehensive and consistent approach to residential estate development in villages and sought to achieve a more appropriate scale of development, when considered in relation to the following criteria:-

- (i) The Structure Plan
- (ii) The character of the village in question.
- (iii) Time Scale of development.
- (iv) Intrinsic merits of development
- (v) Benefits of development
- (vi) Affordable housing
- (vii) Government advice

JOHN D. LYNCH
partnership

CHARTERED
ARCHITECTS

LATE OBS: Offr..... Date.....

Salient points highlighted

JDL/EE/1143

29th October 1992

Your Ref: JC/SAH H14/0067/92

South Holland District Council
Planning Department
Priory Road
Spalding
Lincs

S.H.D.C. PLANNING DEPT.	
RECEIVED	
30 OCT 1992 P.O.	
AL. (1/2/92)	1/2/92
DPO	1/2/92
DDMO	1/2/92
JO	1/2/92
ACP	1/2/92
Action by	1/2/92
Discuss with	1/2/92
Copy to	1/2/92

Dear Sir

Mr John Nickols - Wardentree Lane, Pinchbeck

I acknowledge receipt of your letter dated the 27th October 1992 in response to my telephone conversation with Mr Brian Smith.

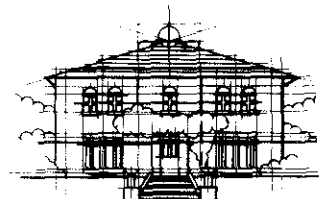
As mentioned by telephone, my client has indicated that he is in agreement with an extension of time until the 18th November 1992, for consideration of his application for a Nursery/Garden centre and Industrial Park. It is noted that the delay has been caused by inter-related Planning matters which you inform me concern the possible Lincolnshire County Council funding and the new road link with the A16 crossing the old railway line.

Irrespective of those issues, my client's application is for a parcel of land to be made available now in a suitable location and does not influence, in our opinion, those "inter-related" considerations. Nevertheless, as stated, the extension of time is conceded.

Yours faithfully

pp John D Lynch Partnership

John D Lynch



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE.

TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

copy to Mr Nickols

John D. Lynch Partnership
Meridia Lodge
Lincoln Road
Spalling
Dunee PELL 10F

Mr A C Pickering
ACP/JF/H14/0067/92
JDL/EE/1143
16 March, 1992

Dear Sir

Industrial Park and Garden Centre, Wardenree Lane

I refer to your letter of 6 March, 1992.

I understand your reaction although the advertisement does not, I believe, convey the impression which you feel it does. Any departure from a statutory plan must be advertised, and clearly the fact that a proposal is a departure means that the initial position is unfavourable. It then requires the Planning Authority to make a judgement as to whether that departure is a reasonable and justified one. I can assure you that the applicant's case will be given a fair hearing.

The question of whether any particular proposal is indeed a departure is a matter of opinion for the Planning Authority, and the form of words for advertisement is laid down by Regulation. You will be interested to learn that the Regulations have changed within the last few days and from now on the advertisement will be phrased to indicate that a proposal "does not accord with the provisions of the development plan".

Yours faithfully

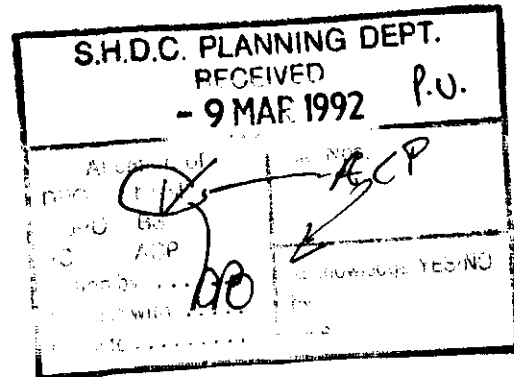


A C PICKERING
PRINCIPAL ADMINISTRATIVE OFFICER

JDL/EE/1143

6th march 1992

South Holland District Council
Planning Department
Council Offices
Priory Road
Spalding



Attn Mr B Smith

Dear Sirs

Industrial Park and Garden Centre, Wardentree Lane

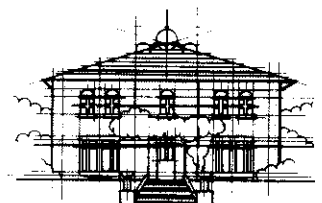
The public notice displayed in the Free Press dated the 3rd March 1992 reference the above application, is a matter of some concern. The concern exists because of the specific wording used, i.e.

"The proposal conflicts with or prejudices the implementation of a development plan"

and we consider that to be a Factual Inaccuracy. Furthermore, we consider that by implication it is damaging because it presupposes that the Planning Authority has already determined its view, which is that it is clearly in opposition to the Applicant. This cannot be the case when the purpose of the Notice is designed to promote comment which should be taken into account before the determination point.

In any event, it is our contention that the application is not in conflict with the objectives and aims of the Authority's Planning Policies, but is a minor variation of the details contained in the Draft Local Plan Review, and which has not formally been adopted.

../2..



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE
TELEPHONE 0775 724187, FACSIMILE 0775 762212
John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.
Trevor A. Clay, RIBA Associate.

South Holland District Council

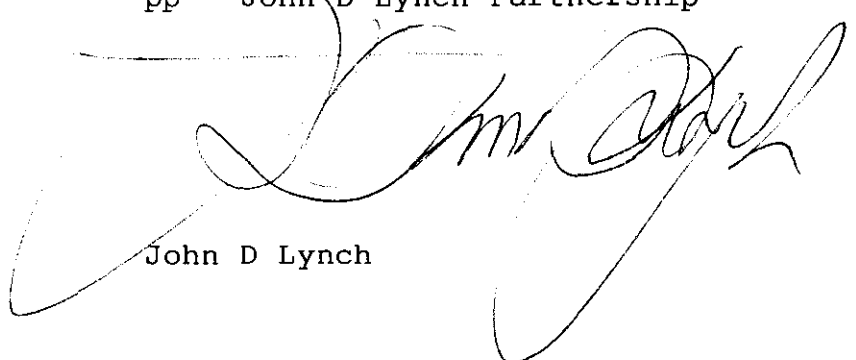
6th March 1992

Furthermore, this variation does not "prejudice" the implementation of the Review which is not dependent upon the determination of our Applicant's site. To imply that it will damage the Authority's interests is certainly not proven.

In this Plan Review Period an Applicant is entitled to a fair hearing and this includes any public views or opinions arising out of the Public Notice. It is hoped that the documentation as presented will be given due consideration before the decision is taken, and that the Notice will not have had any damaging effects.

Yours faithfully

pp John D Lynch Partnership



John D Lynch

To JC

JOHN D. LYNCH
partnership
CHARTERED
ARCHITECTS

JDL/EE/1143

26th March 1993

All Members of Planning Committee
South Holland District Council

Dear Councillor

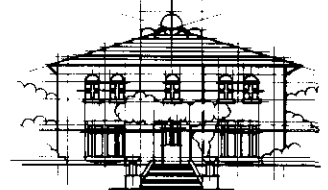
Industrial Park and Nursery/Garden Centre - Land off
Wardentree Lane Spalding, for Mr J Nickols
Application Reference No. H14/0067/92

I much regret having to communicate with you once more over the above Application, but the circumstances surrounding the Planning Officer's Conclusions and Recommendations contained within his Planning notes to Councillors compel me to do so.

With reference to the above application, the principle of the inclusion of the 9.3 hectares at some stage has not been the subject of any disagreement within this Council. This Change of Use of the land complies with the policies and the aims of the District Council and is fully in line with the general strategy for concentrating the industrial development of the District at Wardentree Lane. The question which has now been identified regarding this site is whether the granting of such a permission is premature on the grounds that other land with permission is currently available.

Having identified this principle of having the industrial development for the District at Wardentree Lane, the issue of whether there is a demand for land surely must be the criteria for consideration of this application rather than the fact that some land with permission is presently available. As previously mentioned, there are businesses in this district which do not wish to enter negotiations with the parties on the south side who have such available land. The number of positive enquiries which our client and others have received on the other hand demonstrates quite clearly that such demand exists. You should be aware that much needed industrial development land and corresponding employment prospects in this district are being stifled by the current restrictions.

.../2...



MERCIA LODGE, PINCHBECK ROAD,
SPALDING, LINCOLNSHIRE PE11 1QE
TELEPHONE 0775 724187, FACSIMILE 0775 762212

John D. Lynch, Dip Arch (Dundee) ARIBA, Partner.

Trevor A. Clay, RIBA Associate.

ers of The Planning Committee

26th March 1993

this is a ludicrous situation at a time when we are struggling to recover from a most destructive recession. In this particular case where the District Council has had an interest in the land to the south, it should be seen to demonstrate its support for its own policy by ensuring that other land is available in the interest of permitting market forces and competitive acquisition to play their proper parts.

The Planning Officers have attempted to seek the views of the general public within the area by carrying out a so called Public Consultation exercise. This exercise, as it was conducted, is not a proper consultation and neither can it be so judged. It is a notification of proposals which relies totally upon the goodwill of the public to respond. The level of response merely demonstrates that the interest was extremely low. Of the 100 or thereabouts number of leaflets circulated, only 18 responses were returned by those who had particularly strong feelings either for or against the proposal. If any such similar exercise was carried out anywhere in this country, it is a foregone conclusion that serious objectors would predominate in such responses and this is what has happened here.

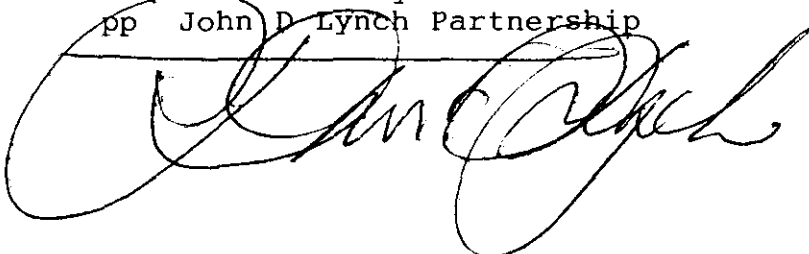
The Planning Officers, nevertheless, have drawn unconvincing conclusions from this less than satisfactory consultation in an attempt to support their original policy. I would ask you to apply a more accurate interpretation, if any such interpretation is to be concluded from its findings.

The vast majority of the area's residents had no great concerns over whether this land should or should not be included at this time. 82% of those who were circulated did not find sufficient reason to warrant a response. 86% did not object to the inclusion of the 9.3 hectares. Of the 14% who felt strongly enough to voice concern, it would seem that the principle area of concern was whether the inclusion of this land was necessary at this time. What such respondents were not aware of, was the extent of the level of demand that currently exists.

I would ask that you consider whether it is reasonable to draw the conclusions which the Planning Officers are attempting to draw from this exercise. By its very nature, it does not and cannot properly or adequately investigate the public feeling. The prosperity of this community and the well being of its inhabitants in general are at stake and I would urge that you support this application in those interests.

Yours faithfully

pp John D Lynch Partnership

A large, stylized handwritten signature in black ink, appearing to read 'John D. Lynch', is written over the typed name and extends across the bottom of the page.

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



Application no: H14/0067/92

Applicant: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding Lincs

Agent: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

Description: Industrial Park and Nursery/ Garden Centre

Location: Land off Wardentree Lane Pinchbeck
Spalding Lincs

Type: OUTLINE

09-DEC-92

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

Mr & Mrs Richardson
65 Wardentree Lane
Spalding
Lincs
PE11 3UF

Mrs P J Lawson.
"Grendon"
Small Drove Lane,
West Pinchbeck,
Spalding,
Lincs

Broadgate Bldrs
Broadgate House,
Weston Hills,
Spalding,
Lincs.
PE12 6DB.

Brian Barber Assoc.
3 Albion Place,
Northampton.
NN1 1UD.

APPLICATION REFERENCE: H14/0276/92

DATE RECEIVED: 05 03 92

APPLICANT: Mr J Nickols
"Two Hoots"
Wardentree Lane
Pinchbeck
Spalding
Lincs

AGENT: John D Lynch Ptnrs
65 Pinchbeck Road
Spalding
Lincs

TYPE: Full

DESCRIPTION: New vehicular access to site

LOCATION: Land off Wardentree Lane, Pinchbeck

Parish Council: Recommend approval.

County Highways: Request conditions.

Public Consultations: Mr & Mrs Richardson (summarised).
- More noise pollution.
- Expansion of industry in general area surrounding their property.
- Cannot sell house - will Council buy us out?
- Affecting health.

PLANNING ISSUES

- 1 The access has already been constructed and a right turn facility provided as part of the County Council's improvements to Wardentree Lane. Development proposed under application H14/0067/92 would be served by this access. During the preparation of the highway improvement scheme this department's advice was ~~at~~ a right turn facility was not needed to serve industrial development.
- 2 Nevertheless such a facility has been provided to serve only agricultural land. Whilst there is nothing wrong in this the applicant should be absolutely clear that this in no way infers any presumption in favour of development.

RECOMMENDATION - Grant Permission.

- 1 The proposed access shall be located as shown on the amended plan and in any event tie in with the current improvements to Wardentree lane.
- 2 B12 - (radii and width of access)...15 metres...7.3 metres.
- 3 The visibility splays shall be provided as shown on the amended plan.

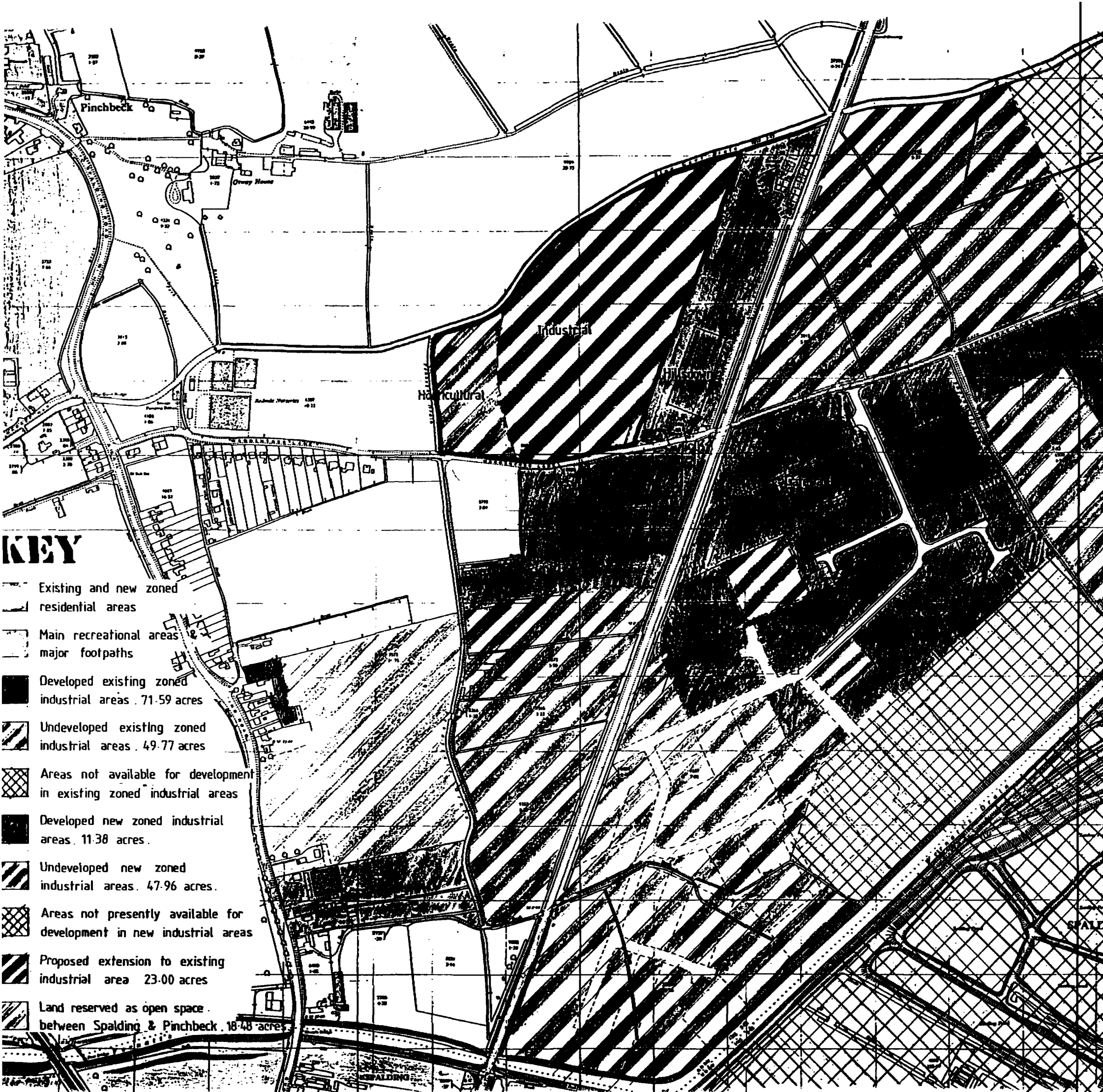
Reasons

- 1 B1.
- 2 B6.
- 3 B4.

Note

You are advised that the grant of permission in no way infers any presumption in favour of future development served by this access.

am
12/6



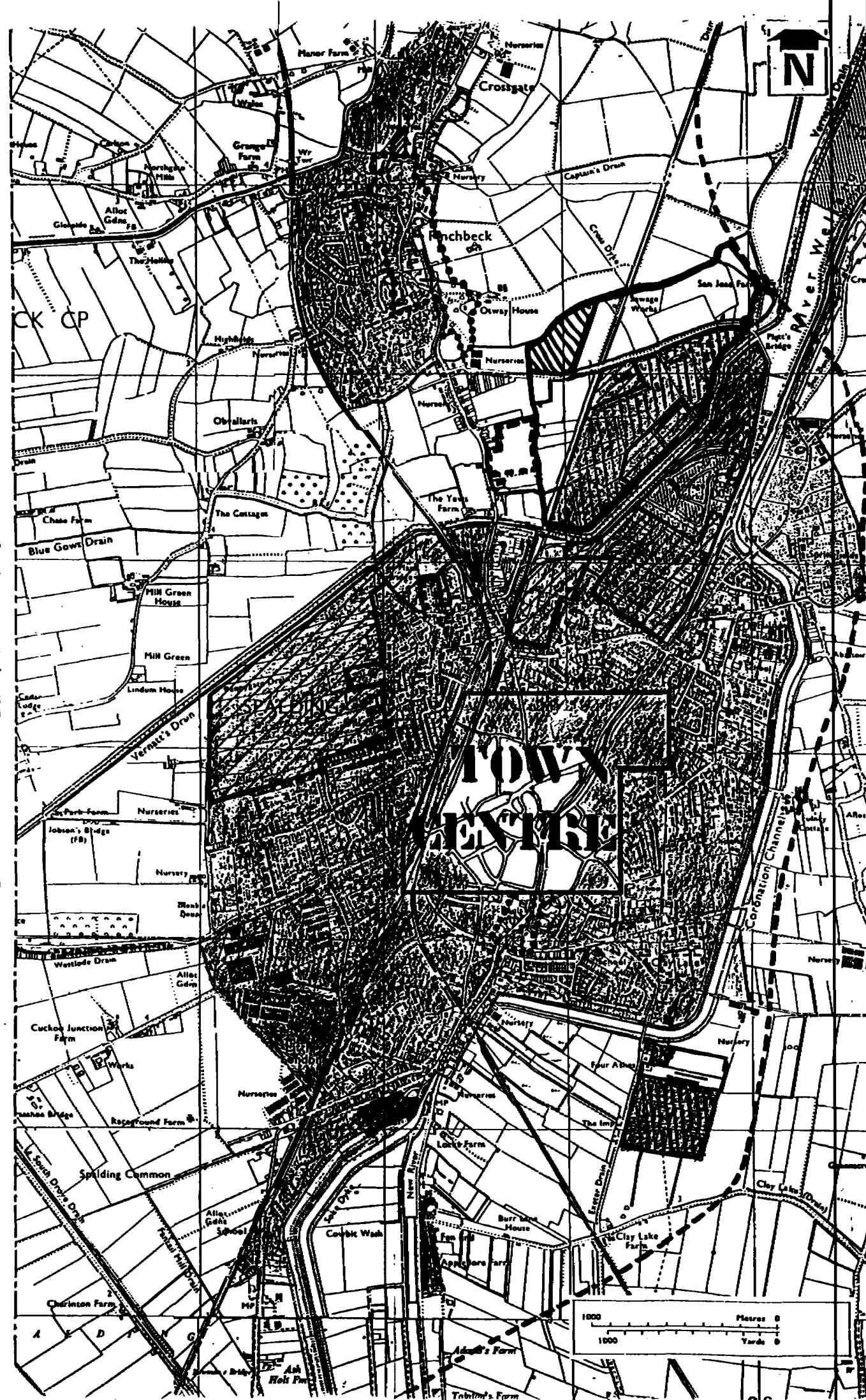
EXISTING PROPOSED
INDUSTRIAL LAND

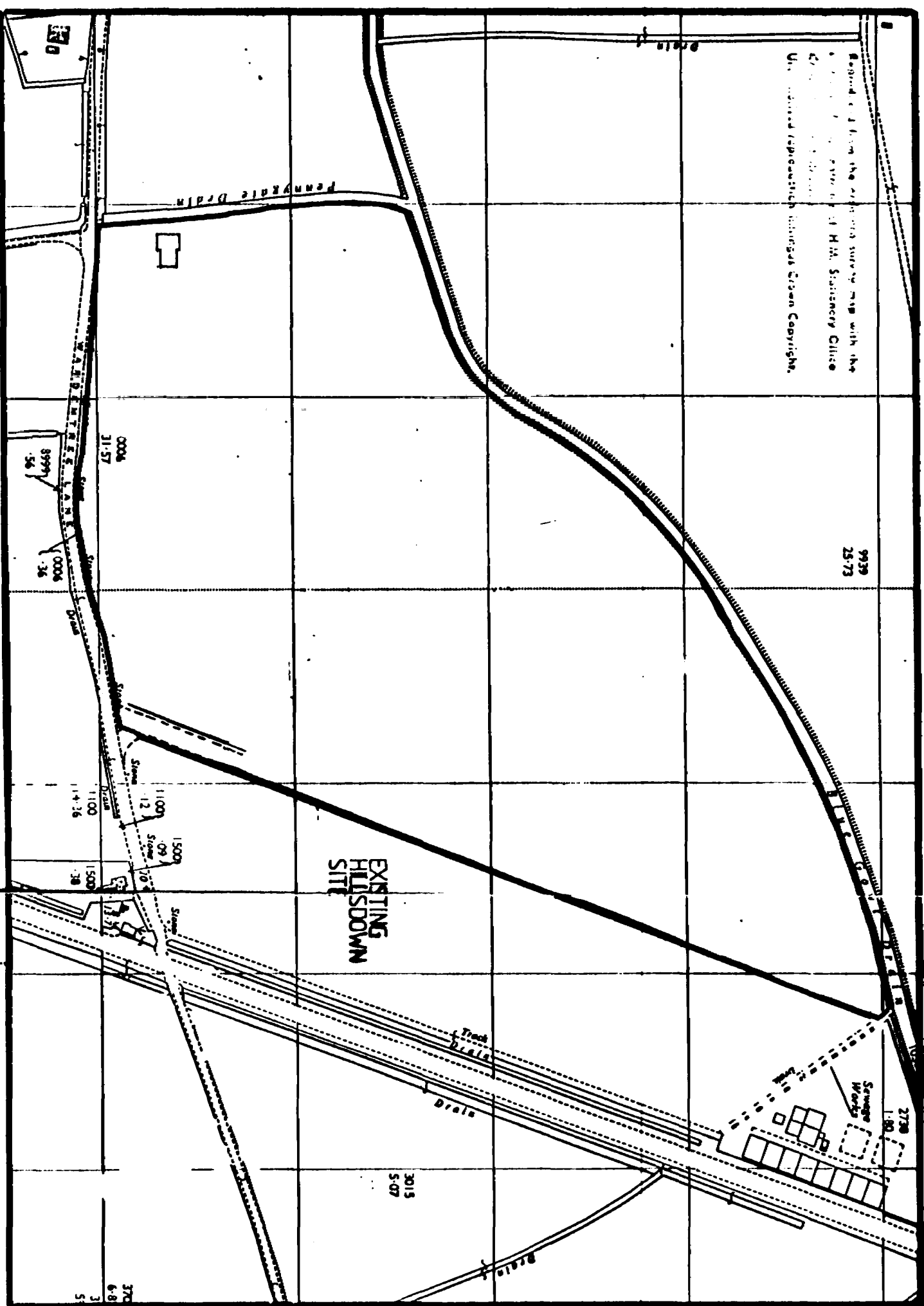
POSSIBLE EXTENSION
TO PINCHBECK ROAD

NATURAL EXTENSION
TO INDUSTRIAL AREA

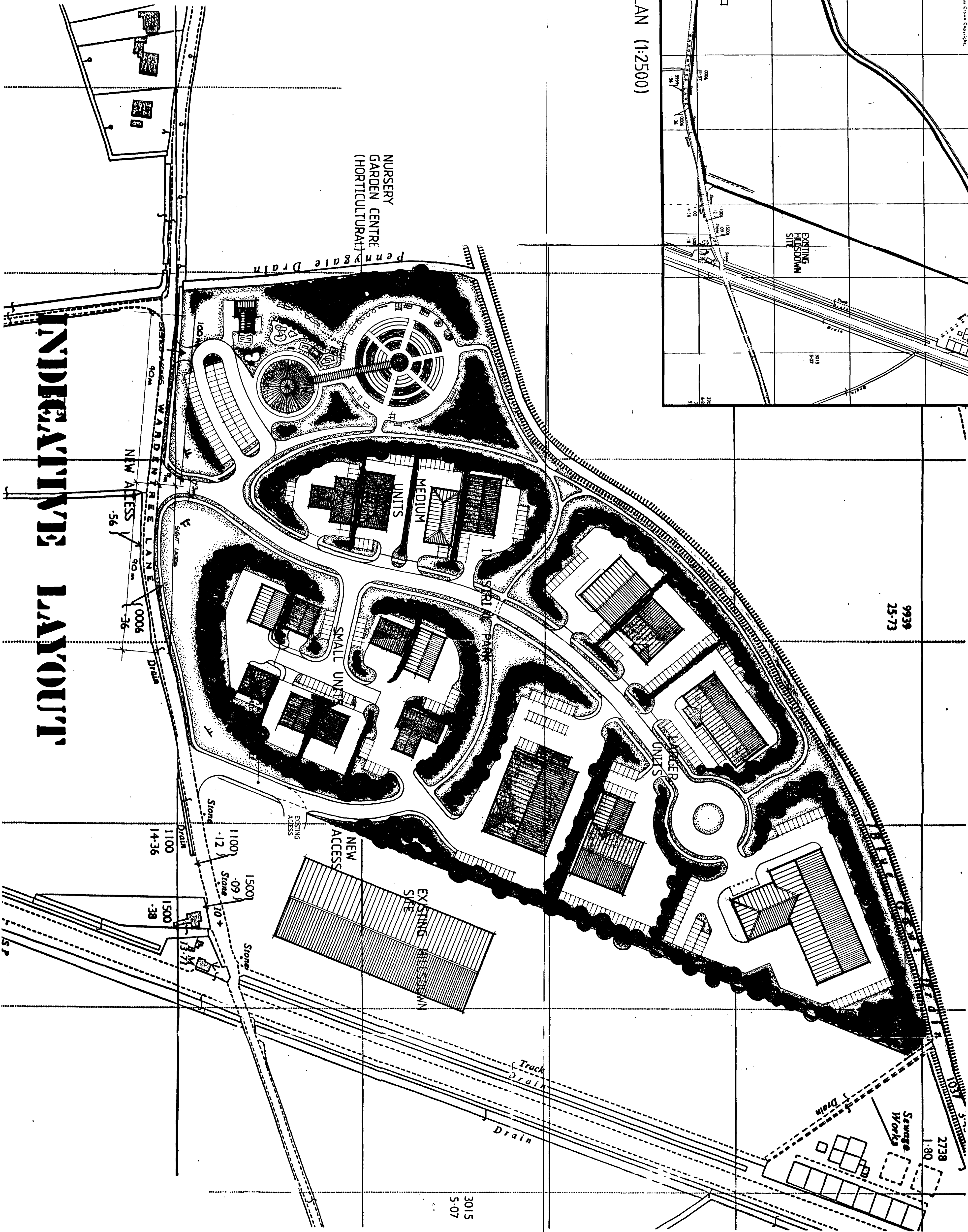
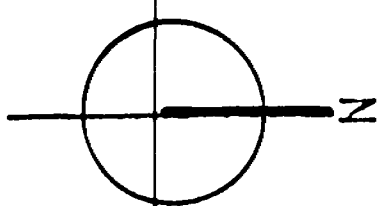
KEY

-  Existing zoned residential areas
-  New zoned residential areas
-  Existing zoned industrial areas
-  New zoned industrial areas
-  Main recreational areas and major footpaths
-  Zoned residential areas in addition to 1985 local plan
-  Zoned industrial areas in addition to 1985 local plan





LOCATION PLAN (1:2500)



INDICATIVE LAYOUT

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NOTE: NOT SURVEYED

REV 1/8/90

SOUTH HOLLAND D.C.
PLAN DEPT.
17 JAN 1992
REF. 00671/92

JOHN D LYNCH
partnership
CHARTERED
ARCHITECTS

Project/drawing
PROPOSED SITE AT WARDEN TREE
LANE, PINCHBECK, SPALDING
FOR MR. J. NICKOLS.

Scale Date Drawn
1:1000 11/91 AMW
Drawing no.

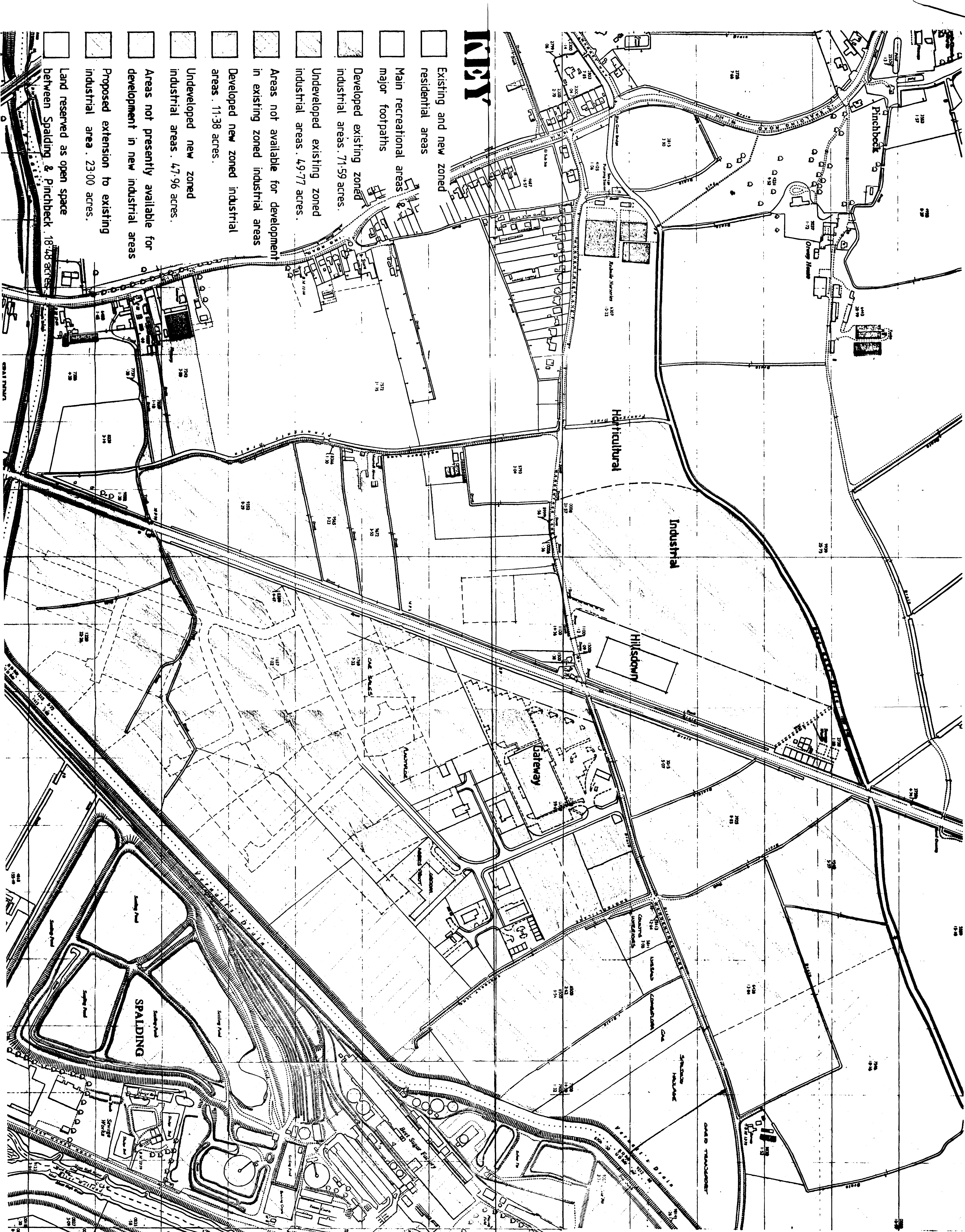
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The Client's responsibility is to check all dimensions on site or against the approved plans.
All areas shown on this drawing including foundations are based upon typical site conditions indicated by the arch. No responsibility can be accepted for abnormal conditions which may be encountered during construction unless reported to it in writing or those design assumptions may be considered. It is recommended that the Client obtain a report of findings with the drawings and that the Client obtain a report of findings with the drawings.

PROVISIONAL

Project/Drawings			
SITE AT WARDENTREE LANE PINCHBECK SPALDING FOR MR. J. NICKOLS.			
Scale	1:2500	11:91	MAC
Project no.	1143		AK/2
Drawn by			
Checked by			
Project no.	1143		AK/2

SOUTH HOLLAND B.C.
PLAN DEPT.
17 JAN 1992
REF. 0087/92

JOHN D. LYNCH
Partnership
CHARTERED
ARCHITECTS



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The General Contractor is to check all dimensions on site and report discrepancies to the architect.
All details shown on this drawing including foundations are to be constructed in accordance with the specifications and any amendments thereto. The architect shall not be responsible for any conditions which may be discovered during construction unless reported to the Architects so that design amendments may be considered. Site soil surveys are recommended in respect of foundations to establish specific site conditions before foundation work is undertaken.

revision

date



PERSPECTIVE VIEW WITHIN INDICATIVE EXISTING

SOUTH HOLLAND D.C.
PLAN DEPT.
17 JAN 1992
REF 0067/92

JOHN D LYNCH
partnership
CHARTERED
ARCHITECTS

Project/drawing
PROPOSED SITE AT WARENTREE
LANE PINCHBECK SPALDING
FOR MR.J.J.NICKOLS.

scale	date	drawn by
—	11 91	MAC

project no.	drawing no.
1143	AK/4

revisions

NOTES

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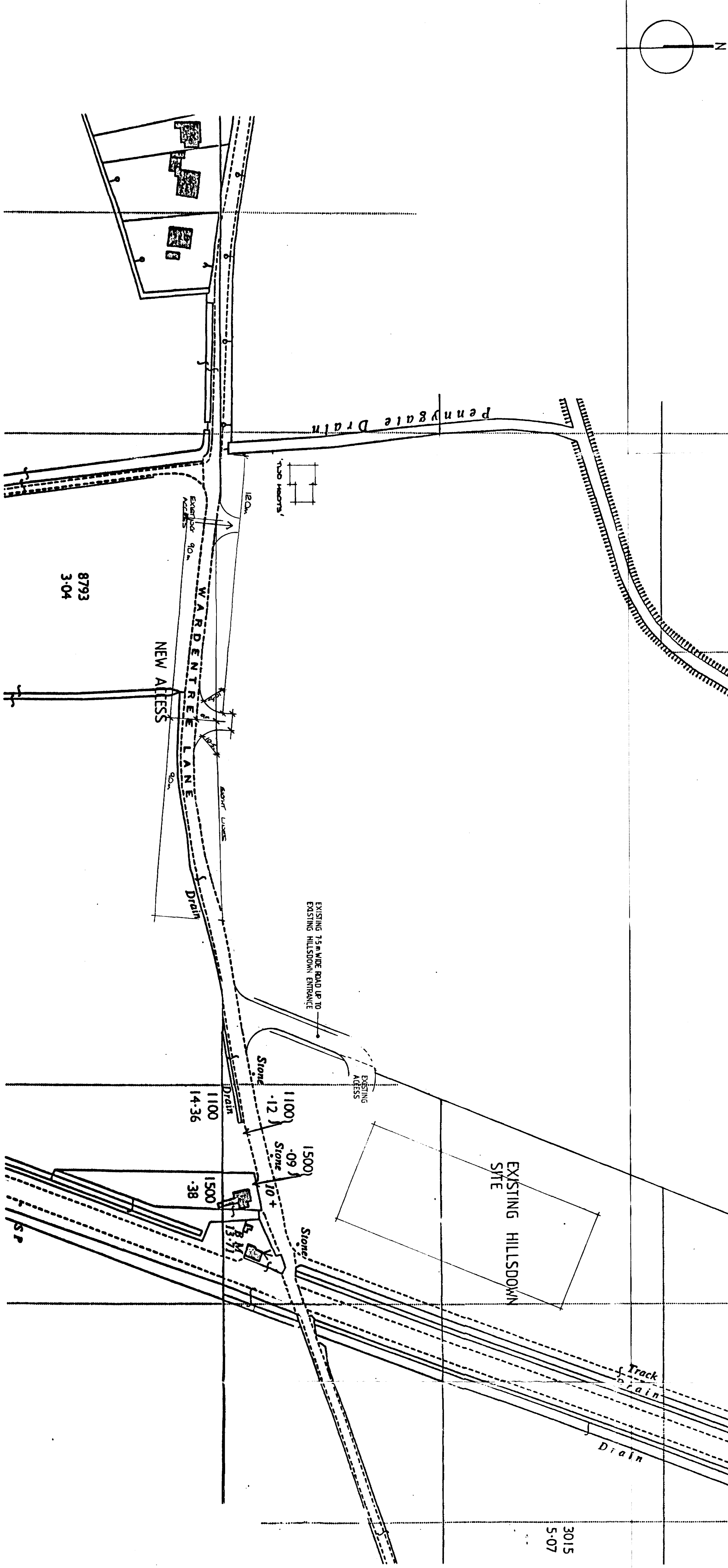
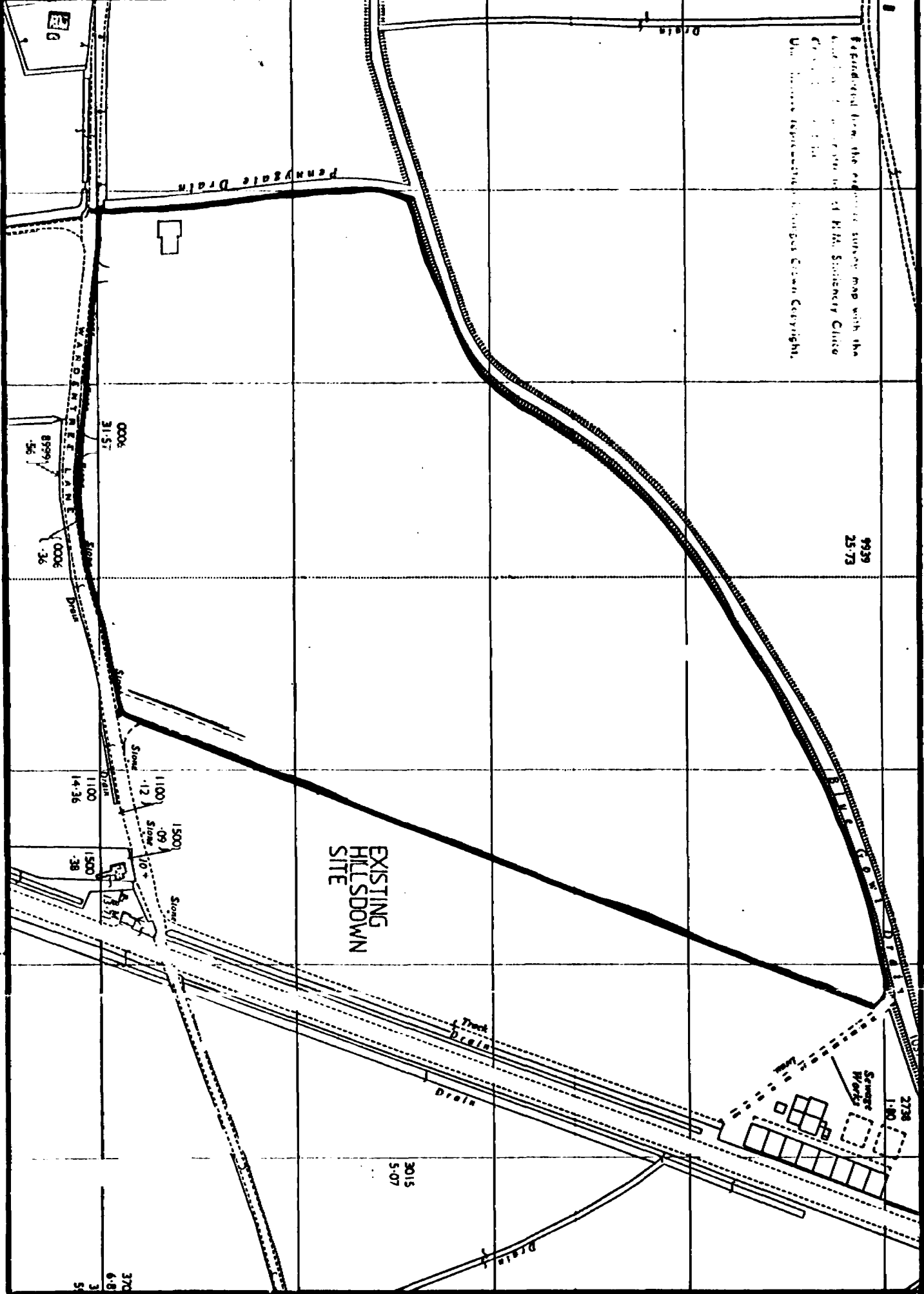
The General Contractor is to check all dimensions, on site and report discrepancies to the architect.

All details shown on this drawing including foundations are based upon typical site conditions related to the area. No responsibility can be accepted for abnormal conditions which may be encountered. The architect's responsibility is to conduct site surveys so that design recommendations may be provided. Site soil surveys are recommended in respect of foundations to establish specific site conditions before foundation work is undertaken.

NOTE: NOT SURVEYED

revision	description	date
1	ACCESS REDESIGNED	13.3.92

LOCATION PLAN (1:2500)



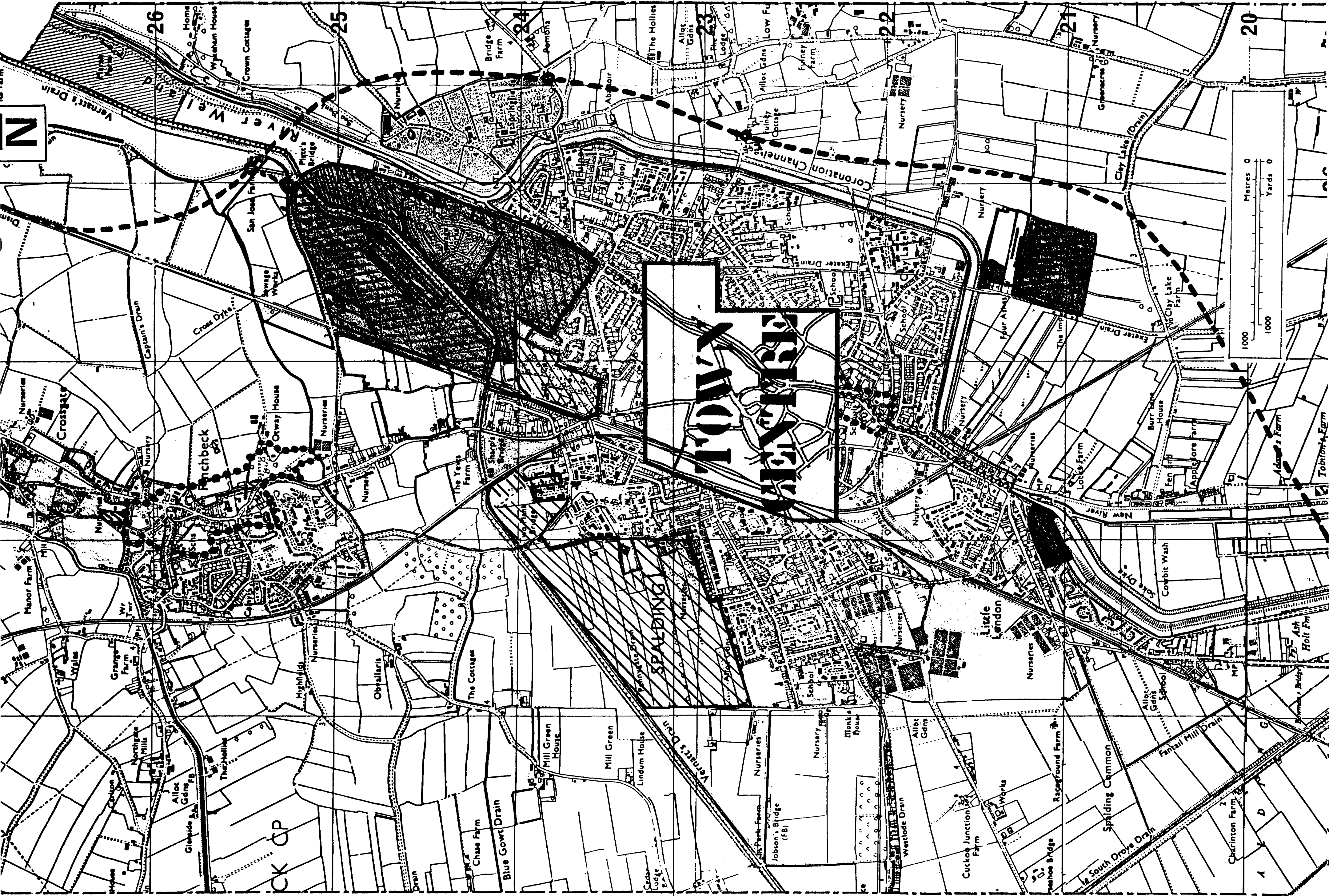
JOHN D LYNCH
Partnership
CHARTERED
ARCHITECTS

Project/drawing
PROPOSED SITE ACCESS AT
WARDENTREE LN, PINCHBECK
FOR MR. J. NICKOLS.

scale	date	drawn
1:1000	1/192	AMW
project no.	drawing no.	
1143	AK/5	

KEY

- Existing zoned residential areas
- New zoned residential areas
- Existing zoned industrial areas
- New zoned industrial areas
- Main recreational areas and major footpaths
- Zoned residential areas in addition to 1985 local plan
- Zoned industrial areas in addition to 1985 local plan



SOUTH HOLLAND D.C.
PLAN DEPT.
17 JAN 1992
REF. 0067/92

JOHN D LYNCH
partnership
CHARTERED
ARCHITECTS

Project/drawing
SITE AT WARDENTREE
LANE, PINCHBECK, SPALDING,
FOR MR. J. NICKOLS.
scale 1:25000 approx
date 11.91
drawing no. 1143
MAC
AK/1
PERMISSIONS

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report discrepancies to the architect.
All details shown on the drawing including foundations are
based upon typical site conditions related to the area. No
responsibility can be accepted for abnormal conditions which
may be discovered during construction unless reported to the
architects so that design amendments may be considered. Site
conditions are to be checked and reported to the architects to
establish special site conditions before foundation work is
undertaken.