SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H16/0069/93 Received:29-JAN-93 Type:FULL

Name: Parigo Horticultural Co Ltd
Millfield Nursery
Spalding Common
Spalding
Lincs

Agent: William H Brown
18/19 Sheep Market
Spalding
Lincs
PE11 1BG

Description: Continuation of occupation with removal of agricultural occupation clause
Location : Millfield House Spalding Common
Spalding

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

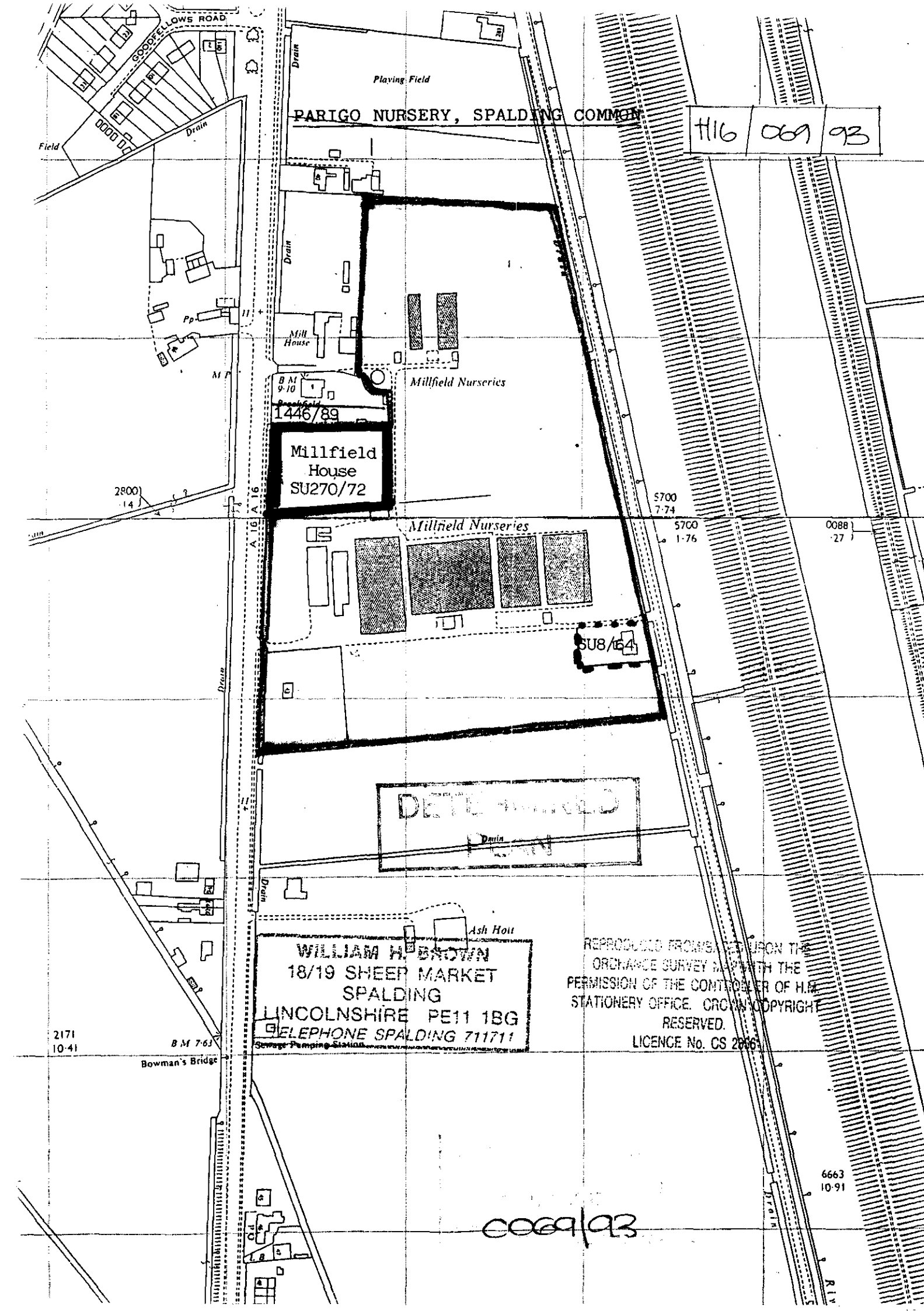
Your attention is drawn to the existence of a Section 106 Planning Obligation regulating the development hereby permitted.

Director of Planning and Building Control Services
12-NOV-93 H16/0069/93

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

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

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


PARIGO NURSERY, SPALDING COMMON
H16/069/93
GOODFELLOWS ROAD
Playing Field
Drain
Field
Mill House
Millfield Nurseries
1446/89
Millfield House SU270/72
A16
SU8/64
Ash Holt
WILLIAM H. BROWN
18/19 SHEEP MARKET
SPALDING
LINCOLNSHIRE PE11 1BG
TELEPHONE SPALDING 711711
Bowman's Bridge
REPRODUCED FROM/PART OF THE ORDNANCE SURVEY MAP WITH THE PERMISSION OF THE CONTROLLER OF H.M. STATIONERY OFFICE. CROWN COPYRIGHT RESERVED.
LICENCE No. CS 28961
C069/93

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H16|0069|93

Date Registered 29 JAN 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

PARIGO HORTICULTURAL CO. LTD.,
MILLFIELD NURSERY,
SPALDING COMMON,
SPALDING, LINCS.

Tel. No.

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

WILLIAM H. BROWN,
13/19 SHEEP MARKET,
SPALDING,
LINCS. PE11 1BG
Tel. No. (0775) 722321
(Personal contact name) S.G.P. KINGSTON

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

MILLFIELD HOUSE, SPALDING COMMON, SPALDING, LINCS.

OFFICE COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT CONTINUATION OF OCCUPATION WITH REMOVAL OF OCCUPATION CLAUSE UNDER SECTION 290(1) OF THE TOWN & COUNTRY PLANNING ACT 1971, BEING CONDITION 4 OF PLANNING CONSENT DATED 17TH NOVEMBER 1972 REFERENCE SU270/72

Please complete

I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £60 If you consider no fee is payable include a written explanation instead.

Signed.. [signature] Date 27-1-93 Previous application No.

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

2. **TYPE OF APPLICATION**

(✓)

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

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

Please state Site Area (Hectares)

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

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

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

A. Please state reference Number of previous permission — SU 270/72
B. Please state Condition Number referred to — 4
Now complete an Ownership Certificate

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

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

TYPE OF DEVELOPMENT

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

(i) New Dwellings	☐	If so, how many:
(ii) Other new building(s)	☐	
(iii) Alterations or extension	☐	
(iv) Change of use	☐	

4. A. If building works are proposed, please state extra floor space to be created: sq. metres

B. Please state size of any new structure:- (a) max. height: metres
(b) max. length: metres
(c) max. width: metres

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

D. Please state type and colour of roofing materials.

E. Has a survey of the site been undertaken? State Yes or No ☐

5. GENERAL INFORMATION Please complete each section

EXISTING USES
Please state existing or, if vacant, the last use(s) of site.

ACCESS TO ROADS (VEHICULAR AND PEDESTRIAN) Please tick **one** box

A. There will be **no** new access to a public road and **no** alteration to any existing access to a public road ☐

or

B. There will be a new or altered access to a public road ☐ ➡ If so, name of road:
Will there be—
Individual access(es) ☐
New estate road ☐

C. What provision will be made for garages or parking within the site?

TREES Please tick **one** box

A. The proposal does **not** involve the felling of any trees ☐

B. The proposal does involve the felling of one or more trees ☐ ➡ If so, please show details on plans.

DRAINAGE Please complete

A. Please state how surface water will be disposed of

B. For estate developments, please state how highway surface water will be disposed of

C. Please state whether a land drain will be affected

D. Foul sewerage will be disposed of to:
Mains sewer ☐ Cesspool ☐ Septic tank ☐

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal is in connection with agriculture	☐	➡ If so, **please give details in Part 6**
The proposal affects a listed building	☐	
The proposal affects a public right of way	☐	
The proposal is known to affect contaminated or filled land	☐	
The proposal is for industrial, warehousing, offices, shopping or similar commercial purposes.	☐	➡ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent.	☐	➡ Date: Consultee(s)
Is this application related to a previous submission?	☐	➡ Application No.

6. ANY OTHER INFORMATION Please add any details you wish in support of your application.

Continue on separate sheet if necessary. SEE ATTACHED LETTER

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

1. **APPLICANT'S INTEREST** Please state interest in site (e.g. owner, prosp. purchaser) (Please remember to indicate on the location plan any other land under your control).	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.** (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

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

Signed ..... (Applicant / Agent) Date 27.1.93

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

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

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

Signed ..... (Applicant / Agent) Date 27.1.93

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

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

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection | Accuracy | Neighbours | Boundaries

Site features | Other

Inspected by DR
Date 12/2

Notice posted by
Date 9/2/93

Substantial neo georgian Home - well screened
Smaller Bungalow - onto cradge Bank
Proposal may be acceptable
Subject to agreement
to swap condition.

Resident Notices required

Sent | Delivered

Case Officer Conclusions

RECOMMENDATION

COMMITTEE

Departure from Policy .....

Ward Member request .....

Recommend approval against material objection .....

Other circumstance .....
viz:

Change to Committee recorded

DELEGATED

Case Officer .....

Senior Officer .....

Case Officer Recommendation

Approve ✓ | Refuse

Signed DSR 27/2/93

DPO Auth 12/5/93.

Grant permission

Conditions/Reasons
(continue overleaf)

SN Attention drawn to Sec 106 obligation.

Notes to applicant

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

DC RECORD SHEET

APPLICATION REF:

Directions

Art 7 (Outlines)
RM checklist

	Siting	Design	Ext app	Access	Landscape
Previous					
Current					
Required					

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

Other ....

Precise details, for non-standard direction:

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

Revalidation after Direction

Information satisfactory/unsatisfactory Signed: .....

Further direction: Precise details:

Amended description:

New valid date: .....

Consultation/Publicity Required

R 2/2. P.I. Pu.

	Requested	Sent
Extra Publicity:		
Departure	✓ 2/2.	09-FEB-93
Setting of LB	.....	.....
Public Right of Way	.....	.....
Discretionary	.....	.....
Extra Consultations:		
Dept of Transport	.....	.....
Environmental Serv.	.....	.....
LB/Cons. Area – Local	.....	.....
– Local & National	.....	.....
– English Heritage	.....	.....
Consultant: Name.....		..... Order No .....
Other:	.....	.....

Case Officer DL.

Recorded on board:

ADMIN RECORD SHEET

Initial

Submitted Fee £ 60

Receipt Issued P2188

Date first Rec'd 29 JAN 1993

Registration

Reference H16/0069/93

Cross-Ref N/A

Date 01-FEB-93

Validation

TYPE Sec 73A

Earliest permission

Site area

No of dwellings

Floorspace

Description

Tech

Certificate
Site plans
Description

Accuracy
Incomplete form

Fees

Nil fee

Previous app
Type

Discounted fee

Correct fee 60

Additional
Refund

Receipt
Issued

Information

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

Earlier permission Ref

RM

	Siting	Design	Ext app	Access	Landscaping
Previous					
Current					

Index sheets 238

OS No's

Grid ref 5 23350 3 20050

Ward S

Parish SPALDING

TR Rural
TR Bypass
Level Cross
Footpath

CA
LB
TPO

Inside IBD NO

Inside LP area YES

Linked to site

Ref

Linked to property 0179055 Ref

Planning Records:
Earlier apps

708/90

434/80

B Reg Records:
Already submitted - Ref
Request
Requested

APPLICATION REFERENCE: H16/0069/93 DATE RECEIVED: 29-JAN-93

TYPE: Full

DESCRIPTION: Continuation of occupation with removal of agricultural occupation clause

LOCATION: Millfield House, Spalding Common, Spalding

APPLICANT: Parigo Horticultural Co Ltd AGENT: William H Brown

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REASON FOR COMMITTEE CONSIDERATION

Site in open countryside.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 12 MAY 1993

RECOMMENDATION

That subject to the applicant first entering into a Planning Obligation under Section 106, to transfer the agricultural occupancy restrictions to the bungalow to the south east, the Director of Planning and Building Control Services be authorised to grant permission.

PLANNING ISSUES

1 Site is a relatively large dwelling permitted in 1972 subject to Agricultural occupancy condition. Situated in small ribbon of development. Permission recently granted for infill plot without restriction to north.

2 Dwelling has not been marketed in accordance with the Council's normal requirements, but applicants propose that the agricultural condition be transferred to a smaller bungalow to the south east, fronting Cradge Bank. The bungalow was permitted without restriction in 1964, and would, if the need ever arose, be more affordable to persons connected with agriculture.

3 Permission on this basis would not prejudice Council's future ability to uphold Policy 7A of Structure Plan.

REPRESENTATIONS

Environmental Services: Suggest before this is considered the proposed future use of the Parigo site should be established.

Public: Publicity period expires 2 March 1993; any response to be reported.

Applicant: Applicant would consent to a similar agricultural occupancy condition being attached to the bungalow fronting Cradge Bank.

ADDENDUM

1 The above report was considered at the 9 March 1993 Committee

Meeting; the minuted resolution was as follows:

"Subject to the applicants first entering into a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to ensure that occupation of the bungalow to the south east of the site is restricted to the owner manager or an employee of the horticultural business, the Director of Planning and Building Control Services be authorised to grant planning permission for the undermentioned development in accordance with his recommendation."

2 The Agents have written stating that the terms of the Agreement are unacceptable and request that the standard agricultural restriction be imposed on the bungalow on a "like for like" basis. The occupant of the bungalow would qualify under this condition but would not be eligible to remain in occupation under the presently proposed agreement. The occupant has expressed an interest in acquiring freehold of the bungalow. The applicants consider that the presently proposed terms are too onerous under the circumstances.

3 There are no objections to the applicants preferred approach which is in accordance with the original recommendation.

RECOMMENDATION

That the wording of the 106 Agreement be revised to substitute the words "person solely or mainly employed, locally in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or a dependent of such a person residing with him, or a widow or widower of such a person"...in lieu of "the owner manager or an employee of the horticultural business..."

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165. PLANNING APPLICATIONS (Continued)

(c) **Applications Deferred** (Continued)

Plan No. and Applicant		Proposal
H09/0049/93 Mr & Mrs L E Taylor	O.A.	Residential development including details of means of access at Wignal's Gate, Holbeach.

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

H06/0104/93 Mr & Mrs Edgley	Bungalow with vehicular access and installation of septic tank at Watkins Lane, Gedney Drove End.

(Pending a site inspection to assess the suitability of the site for the proposed development.)
(It was reported that the parish council had now indicated that it raised no objections to the proposed development subject to the access arrangements and the design of the bungalow being found satisfactory.)

H02/0032/93 Miss C Wright	Hobby workshop and store for private use at 35 Postland Road, Crowland.

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

(d) **Application Approved Subject to Planning Obligation**

Subject to the applicants first entering into a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to ensure that occupation of the bungalow to the south east of the site is restricted to the owner manager or an employee of the horticultural business, the Director of Planning and Building Control Services be authorised to grant planning permission for the undermentioned development in accordance with his recommendation:-

Plan No. and Applicant	Proposal
H16/0069/93 Parigo Horticultural Co Ltd	Continuation of occupation with removal of agricultural occupation clause at Millfield House, Spalding Common, Spalding.

(e) **Application Director of Planning and Building Control Services Authorised to Approve**

The Director of Planning and Building Control Services be authorised to grant the relevant planning permission, in accordance with his recommendation, in respect of the following proposal:-

Plan No. and Applicant	Proposal
H11/0102/93 S Goodband	Conservation Area Consent for replacement windows and new shop front and demolition of existing shop front at 31 High Street, Long Sutton.

(f) **Development by Lincolnshire County Council**

The Lincolnshire County Council be advised that this authority raises no objections to the undermentioned development in accordance with the recommendation of the Director of Planning and Building Control Services:-

APPLICATION REFERENCE: H16/0069/93 DATE RECEIVED: 29-JAN-93

TYPE: Full

DESCRIPTION: Continuation of occupation with removal of agricultural occupation clause

LOCATION: Millfield House, Spalding Common, Spalding

APPLICANT: Parigo Horticultural Co Ltd AGENT: William H Brown

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REASON FOR COMMITTEE CONSIDERATION

Site in open countryside.

COUNCIL
COMMITTEE
Date - 9 MAR 1993

RECOMMENDATION

That subject to the applicant first entering into a Planning Obligation under Section 106, to transfer the agricultural occupancy restrictions to the bungalow to the south east, the Director of Planning and Building Control Services be authorised to grant permission.

PLANNING ISSUES

1 Site is a relatively large dwelling permitted in 1972 subject to Agricultural occupancy condition. Situated in small ribbon of development. Permission recently granted for infill plot without restriction to north.

2 Dwelling has not been marketed in accordance with the Council's normal requirements, but applicants propose that the agricultural condition be transferred to a smaller bungalow to the south east, fronting Cradge Bank. The bungalow was permitted without restriction in 1964, and would, if the need ever arose, be more affordable to persons connected with agriculture.

3 Permission on this basis would not prejudice Council's future ability to uphold Policy 7A of Structure Plan.

REPRESENTATIONS

Environmental Services: Suggest before this is considered the proposed future use of the Parigo site should be established.

Public: Publicity period expires 2 March 1993; any response to be reported.

Applicant: Applicant would consent to a similar agricultural occupancy condition being attached to the bungalow fronting Cradge Bank.

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/69/93 Type: FULL

Applicant: Parigo Horticultural Co Ltd Agent: William H Brown
Tel: 0775 722321

Description: Continuation of occupation with removal of occupation clause under Section 290 (1) Town & Country Planning Act
Location: Millfield House
Spalding Common
Spalding

Valid date:	29-JAN-93	Terminal date:	26-MAR-93
Target dates:		Target Committee:	09-MAR-93
To case officer	05-FEB-93	Report deadline:	23-FEB-93
Inspected by	08-FEB-93		
Extra contacts	12-FEB-93	Case Officer:	
Report if not clear by	05-MAR-93	D J ROBERTS	

DEVELOPMENT/CONSTRAINTS

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

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Cllr B J Davies	04-FEB-93	18-FEB-93
Cllr C Evans	04-FEB-93	18-FEB-93
Cllr M C White	04-FEB-93	18-FEB-93
Site/Press Advert DEP	09-FEB-93	02-MAR-93

L C C - No Objections JA 05 11/2/93

MEMORANDUM

FROM: The Director of Administration

TO: Director of Planning & Building Control Services

OUR REF: JMB/JPF/KS/PL.684

YOUR REF:

DATE: 25th October 1993

SUBJECT: PLANNING APPLICATION NO. H11/0069/93
MILLFIELD HOUSE, SPALDING COMMON
(PARIGO HORTICULTURAL CO. LIMITED)

Would you please note that the Planning Obligation relating to the above has now been completed and a copy is enclosed for your records. Would you please arrange to release the planning permission as soon as possible.

Director of Administration

DR

SOUTH HOLLAND DISTRICT COUNCIL

DEED

Creating Planning Obligation

under Section 106 of the

Town and Country Planning Act 1990

between

SOUTH HOLLAND DISTRICT COUNCIL

and

PARIGO HORTICULTURAL COMPANY LIMITED

and

BARCLAYS BANK PLC

the removal of the agricultural occupation clause imposed by condition 4 of the planning consent SU 270/72 at Millfield House Spalding Common Spalding

I hereby certify that this is a true copy of the Planning Obligation relating to the removal of the agricultural occupation clause imposed by condition 4 of the planning consent SU 270/72 at Millfield House Spalding Common Spalding.

.....

Director of Administration

THIS DEED is made the 22nd day of October One thousand nine hundred and ninety-three BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincoln (hereinafter called "the Council") of the one part and PARIGO HORTICULTURAL COMPANY LIMITED whose registered office is situate at Spalding Common Spalding in the County of Lincoln (hereinafter called "the Owners") of the second part and BARCLAYS BANK PLC whose registered office is situate at 54 Lombard Street London EC3P 3AH (hereinafter called "the Bank") of the third part

RECITALS

(1) The Council is the local planning authority for the area within which the land described in the First Schedule ("the Land") is situated

(2) The Owners are the owners in fee simple in possession (free from incumbrances) of the Land subject to a mortgage dated the first day of July one thousand nine hundred and eight five and a Debenture dated the twenty second day of December one thousand nine hundred and eighty in favour of the Bank

(3) The Owners have by application by their agents dated the twenty-seventh day of January one thousand nine hundred and ninety three applied to the Council for planning permission for the continuation of occupation of the property known as Millfield House, Spalding Common Spalding situated on the land edged green on the plan annexed hereto subject to the removal of the agricultural occupation clause imposed by condition 4 of planning consent SU 270/72 dated the seventeenth day of November one thousand nine hundred and seventy two in accordance with the plans and particulars supplied therewith under planning reference H16/0069/93 ("the Development")

(4) To ensure that a property is retained on the Land to satisfy local agricultural need the Owners have agreed to restrict occupation of the existing bungalow shown edged red on the plan annexed hereto in the manner hereinafter appearing

(5) The obligation created by this Deed is a planning obligation for the purposes of section 106 of the Town and Country Planning Act 1990

(6) The Council has decided to grant planning permission for the Development subject to the creati this obligation without which planning permission for the Development would not have been grante

(7) The Council is the local planning authority by whom the planning obligation is enforceable.

NOW THIS DEED made in pursuance of section 106 of the Town and Country Planning Act 1990 WITNESSETH as follows

1. The Owners hereby agree to enter into the planning obligation specified in the Second Schedule hereto

2. This planning obligation is a local land charge and shall be registered as such ————————

3. The expressions "the Council" "the Owners" and "the Bank" shall include their successors in title

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before writte

FIRST SCHEDULE

(Details of "the Land")

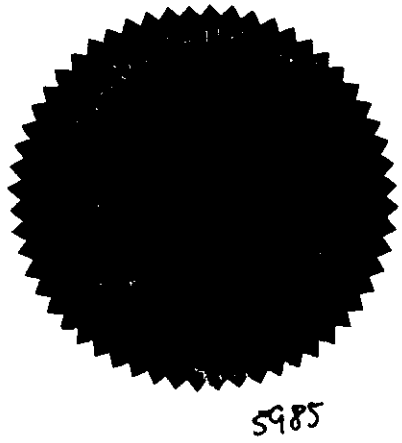
The land situate at Millfield Nurseries, Spalding Common, Spalding shown edged blue on the plan attached hereto ————————————————————————————

SECOND SCHEDULE

(The Planning Obligation)

The Owners with the consent of the Bank evidenced by its execution hereof hereby convenant with tl Council that the existing bungalow situated on the land shown edged red on the plan annexed hereto shall not be occupied except by a person solely or mainly employed or last employed locally in agriculture as defined in section 336 of the Town and Country Planning Act 1990 or a dependent of s a person residing with him or a widow or widower of such a person

THE COMMON SEAL of THE SOUTH)
HOLLAND DISTRICT COUNCIL was)
hereunto affixed in the presence of)

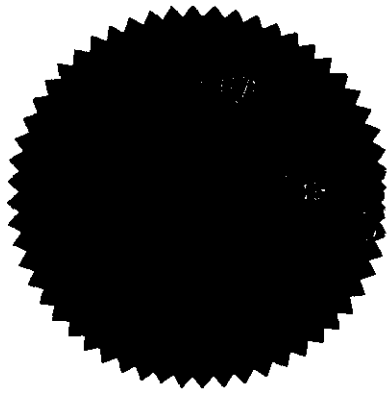


5985

Chairman of the Council

Director of Administration

THE COMMON SEAL of
PARIGO HORTICULTURAL LTD
was hereunto affixed in the
presence of



DIRECTOR

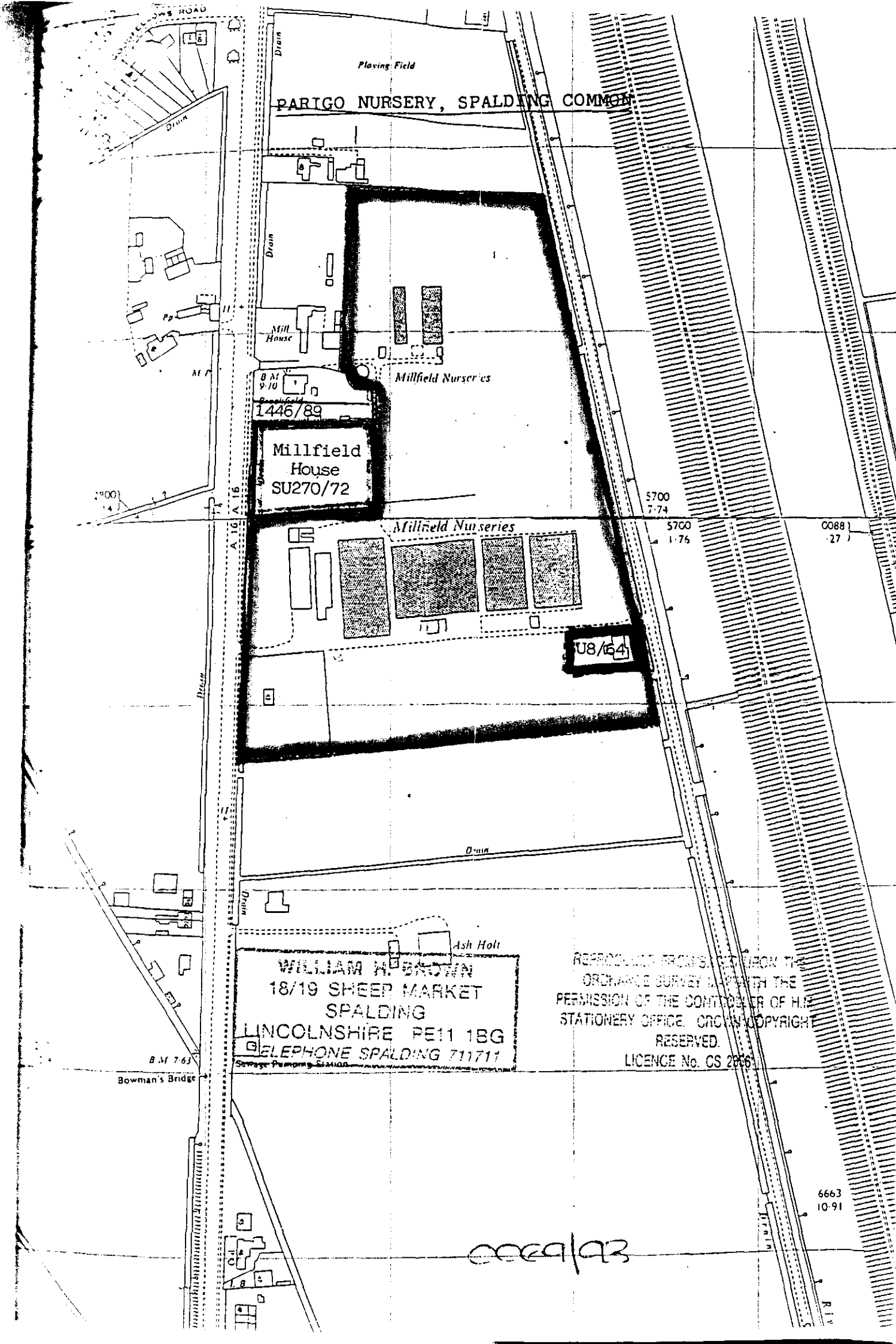
Company Secretary.

SIGNED AS A DEED AND DELIVERED
by PETER ELLIOTT ROOKE
as ATTORNEY and on behalf of
BARCLAYS BANK PLC in the
presence of

PETER ELLIOTT ROOKE

ASSISTANT RISK MANAGEMENT DIRECTOR

BARCLAYS BANK PLC
EAST MIDLANDS REGIONAL OFFICE
PARK ROW
NOTTINGHAM



REPRODUCED FROM OS MAP WITH THE PERMISSION OF THE CONTROLLER OF H.M. STATIONERY OFFICE. CROWN COPYRIGHT RESERVED. LICENCE No. CS 2861

BY THIS POWER OF ATTORNEY given on the 13th day of

January Nineteen Ninety Three BARCLAYS BANK PLC of 54 Lombard Street

in the City of London (Hereinafter called "the Bank") hereby appoints

PETER ELLIOTT ROOKE ESQ
ASSISTANT RISK MANAGEMENT DIRECTOR BARCLAYS BANK PLC
P.O. BOX NO 67 BARCLAYS HOUSE
14 PARK ROW NOTTINGHAM NG1 6GS

its true and lawful attorney for and in the name and on behalf of the Bank (but without prejudice to or in any way limiting the actual authority or ostensible authority of the said attorney) to do and execute the following acts and deeds that is to say :-

1. To sign all forms of written documents except acceptances of bills of Exchange.
2. To accept bills of exchange jointly with some other person duly authorised by the Bank for that purpose.
3. To sign execute and deliver deeds regulating the priority of mortgages releases discharges transfers of mortgages reconveyances and re-assignments of real or personal property mortgaged charged or assigned by way of security to the Bank.
4. To make any declaration affidavit or proof of any debt due or claimed to be due to the Bank in any proceedings taken or hereafter to be taken by or against any person firm or Company under any Act for the time being in force in relation to the bankruptcy of insolvent debtor or firms or to the winding up of companies.

In witness whereof the Common Seal of the Bank has been hereunto affixed the day and year first above written.

The Common Seal of Barclays Bank PLC was hereunto affixed in execution of this deed in the presence of)

.....
ASSISTANT SECRETARY

I certify that this copy is a true and complete copy of the original.

FOR BARCLAYS BANK PLC

ADVANCES MANAGER'S ASSISTANT

Authorised Sealing Officer. Seal No. SEC 93 117

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC) To: Director of Administration
Planning and Building
Control Services

Our Ref: DMR/IJ 616/0069/93 Your Ref: JH

Date: 18 May 1993

PARIGO HORTICULTURAL CO. LTD, MILLFIELD HOUSE, SPALDING COMMON.
PLANNING OBLIGATION.

As you will be aware the above application was reported to the Planning Committee meeting on 12th May 1993, where the recommendation relating to amending the wording of the agreement was accepted. I would request that you take the necessary action regarding the agreement and let me know when this has been entered into.

N Midion
Principal Planning Officer
Development Control

William H Brown,
18/19 Sheep Market
Spalding,
Lincs.
PE11 1BG.

Mr D Roberts

DJR/JJ H16/0069/93

SGDK/1b/1874

21 Apr 1993

Dear Sir,

CONTINUATION OF OCCUPATION WITH REMOVAL OF AGRICULTURAL RESTRICTION, MILLFIELD HOUSE, SPALDING COMMON.

In reply to your letter of 15th April 1993. The matters raised will require further consideration by the Council's Planning Committee. Accordingly therefore I shall be preparing a further report, possibly to the 12th May 1993 meeting, and let you know whether or not the Committee is in agreement with your request

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

William H. Brown
AGRICULTURAL
Land Agents, Valuers & Auctioneers

18/19 Sheep Market, Spalding, PE11 1BG
Tel: (0775) 722321 Fax: (0775) 711222
DX: 26711 Spalding 1.

Chartered Surveyors: T.H. White, MA, FRICS, FAAV;
S.G.P. Kingston, FRICS, FAAV; J. O'Brien BSc (Agric), FRICS, FAAV;
J.R. Major, BSc, ARICS, FAAV.
Farm Management: Roy Whatton, ARAgS; Charles Whitaker BSc;
Simon G. Mountjoy Dip. FM.

Our Ref: SGPK/lh/1872
Your Ref: DJR/JJ H16/69/93

15th April, 1993

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

For the attention of Mr. D. Roberts

Dear Sir,

CONTINUATION OF OCCUPATION WITH REMOVAL OF AGRICULTURAL RESTRICTION CLAUSE
MILLFIELD HOUSE, SPALDING COMMON

Further to your letter of the 23rd March I have now spoken with my clients and taken their instructions.

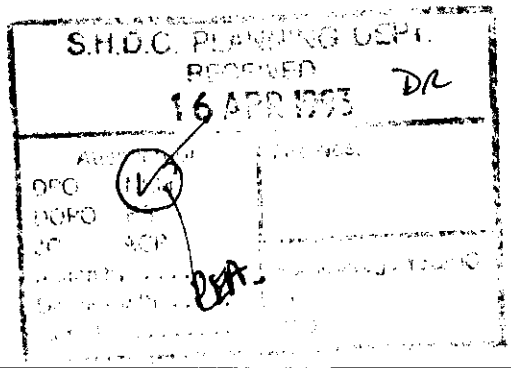
We are not prepared to accept an obligation to ensure that occupation of the bungalow to the south east of the site is restricted to the owner, Manager or an employee of the Horticultural Business. We are prepared to accept the restriction that the occupation be restricted to a person engaged or recently engaged in agriculture i.e. as per the existing restriction on Millfield House.

Thus the existing restriction on Millfield House would be removed and immediately placed upon the bungalow i.e. like for like.

The existing sitting tenant of the bungalow has shown an interest in acquiring the freehold and as he has been engaged in agriculture all his life would qualify under the common Agricultural Occupation Clause, but would not be eligible to remain in the bungalow under the term of the clause proposed in your letter. The imposition of the clause stated by yourself would be too onerous under the circumstances.

Yours faithfully,

S.G.P. Kingston
William H. Brown



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Ref. No. SU 8/64.

HOLLAND COUNTY COUNCIL

Permission for Development of Land.

Town and Country Planning Act, 1962

MESSRS. J.A. RICHARDSON (MILLFIELD NURSERIES) Ltd.

To Messrs. J.A. Richardson (Millfield Nurseries) Ltd.,

Arigo,

Bourne Road, Spalding. (per Messrs. Palmer & Whittaker).

The Holland County Council HEREBY PERMIT the development proposed by you in your application dated the 17th day of January, 1964 namely :— the erection of a bungalow at Cradge Bank Road, Spalding.

and shown on the plan(s) accompanying the application, subject to due compliance with the byelaws and general statutory provisions in force in the district.

Dated the 6th day of February, 1964.

Signed Signed H. A. H. WALTER

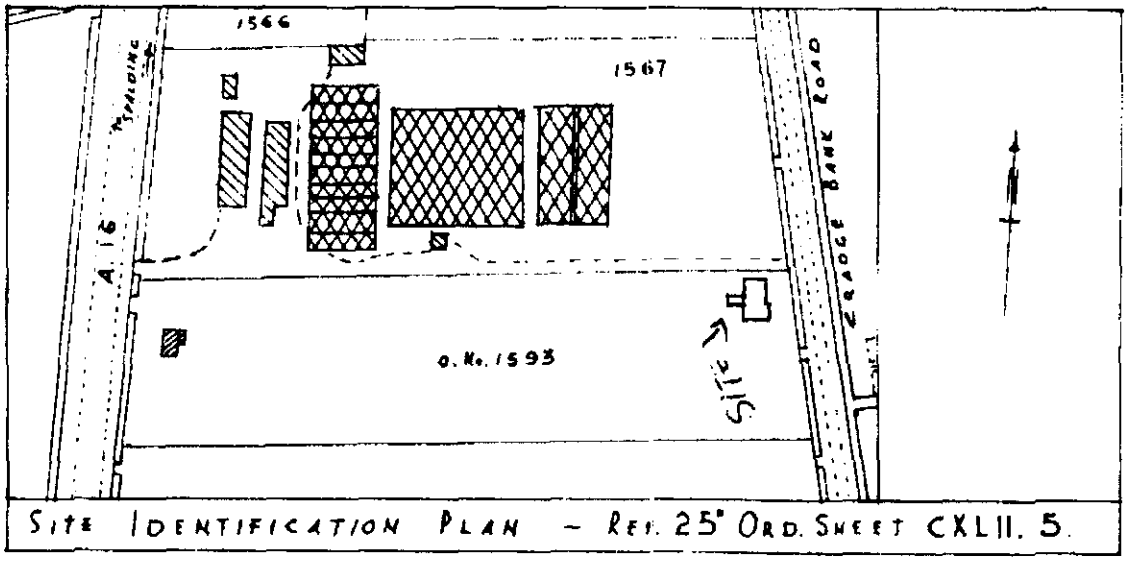
Clerk of the County Council.

County Hall,
Boston.

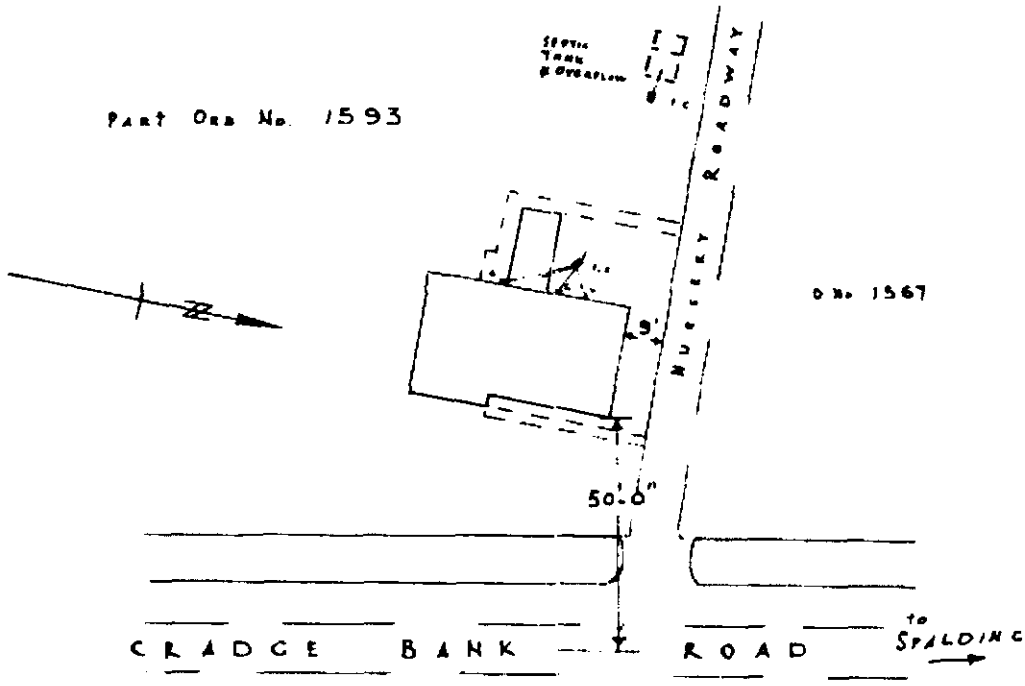
NOTES.

This notice relates to Planning permission only. Approval under byelaws is also necessary

In any further correspondence please quote the reference number in the top right-hand corner of this form.



SITE IDENTIFICATION PLAN – REF. 25" ORD. SHEET CXLII. 5.



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IF YOU don't miss it —*Sell it! Let us help find* someone who needs your *unwanted items — fast.* An advertisement like this *costs only £8.69 for one* week (2 papers) (up to 20 *words).* Telephone *Tina,* 0775 725484.

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PIANOS, good selection, all overhauled and delivered, tuning repairs all areas. White and Sentance. Established 1867. Tel (0529) 302037.

(1) Spalding - The 44 car parking spaces at the northern end of Winfrey Avenue (site of current lorry prk)

(b) designate the following area as a long term car and lorry park:
(1) Spalding - The 111 parking spaces within the Cattle Market area at Swan Street.

(c) introduce parking charges within the car/lorry parks mentioned in (a) and (b) above in accordance with the current charging *policy until March 31, 1993.*

(d) revise car and lorry parking charges at all car/lorry parks with effect from April 1, 1993 as follows:

Location	Hours of Charging	Permitted Time	Existing Charge	New Charge
Broad Street Vine Street	Mondays-Saturdays 8 am to 6 pm	Up to 2 hours 3 hours maximum	30p 50p	35p 55p
Victoria Street Winfrey Avenue Holland Road The Vista Chestnut Avenue Cattle Market (cars)	Mondays-Saturdays 8 am to 6 pm	Up to 2 hours All day	30p 50p	35p 55p
Sheep Market	Mondays-Saturdays 8 am to 6 pm	Up to ½ hour 1 hour maximum	10p 20p	15p 25p
Cattle Market (lorries and buses)	Mondays-Saturdays 24 hours	Up to 5 hours 5-12 hours	50p £1	60p £1.10
Priory Road	Saturdays only 8 am to 6 pm	Up to 2 hours All day	30p 50p	35p 55p

(e) increase the current charge from £25.00 to £30.00 with effect from April 1, 1993.

A copy of the Order may be examined at the Council Offices, Priory Road, Spalding, between the hours of 9 am to 4.45 pm Mondays to Fridays.

The order will come into operation on Thursday, February 11, 1993 so far as it relates to Articles 1 (a)-(c) of this Notice and Thursday April 1, 1993 so far as it relates to Articles 1 (d) and (e).

SOUTH HOLLAND DISTRICT COUNCIL

R. ROLE
Director of Administration
February 9, 1993

Council Offices, Priory Road,
Spalding, Lincs PE11 2XE

5o2441

WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD

LAND DRAINAGE ACT 1991

DRAINAGE RATES AND SPECIAL LEVIES FOR THE FINANCIAL YEAR ENDING 31st MARCH, 1994

As required by Section 48 of the Act the Board give notice as follows:

1. On the 4th February 1993 the Board made a rate of 6p in the £1 in respect of agricultural land *and agricultural buildings in their district* to raise £305,961 of their expenditure for the year ending on the 31st March 1994.
2. The Board also made the following Special Levies to raise the balance of their expenditure for the same year:
   Boston Borough Council £24,571
   Peterborough City Council £81,019
   South Holland District Council £395,243
   South Kesteven District Council £228,762

Dated the 5th day of February, 1993
M. L. ROBINSON (MRS)
Finance Officer
Deeping House,
Welland Terrace,
Spalding, Lincs PE11 2TD

5o£WVN 2441 187/507 LP9-2

PLANNING APPLICATION

NOTICE IS HEREBY GIVEN tha application has been made to the Council *in respect of the following proposals.* The following proposals do not accord with the provisions of the relevant Development Plan

H16/69/93 Parigo Horticultural Co Ltd
SEC 73 MODIFICATION
Continuation of occupation with removal of occupation clause under Section 290 (1) Town & Country *Planning Act*
Millfield House, Spalding Common, Spalding.

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

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH
Director of Planning and Building Control *Services*
February 9, 1993.

5o£WVN 2441 11 87/507LP9-2

D2

LAP 9/2/93

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 15.2.93

OUR REF: JC/SS/PC

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

Planning Application H16/0069/93
Removal of occupational clause, Millfield House

I write in response to the above and would suggest that before this is considered the proposed future use of the Parigo site should be established with the Company.

Director of Environmental Services

S.H.D.C. PLANNING DEPT.
RECEIVED
16 FEB 1993
DR

Attention of	File Nos.
DEO	
DDPO	
PC	

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

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

FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P2188
Date received : 29-JAN-93

Received from

Parigo Horticultural Co Ltd

Address

Millfield Nursery
Spalding Common
Spalding

Fee paid	£	60.00
VAT	£	0.00
Total received	£	60.00

Cash/Cheque : Cheque

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

PLANNING APPLICATION

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

DEPARTURE FROM DEVELOPMENT PLAN

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

Reference No: H16/69/93
Description: Continuation of occupation with removal of occupation clause under Section 290 (1) Town & Country Planning Act
Location: Millfield House
Spalding Common
Spalding

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 02-MAR-93 quoting the above reference number.

B Smith
Director of Planning and Building Control Services

09-FEB-93

SOUTH HOLLAND DISTRICT COUNCIL

HOLLAND COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACTS.

This permission REF. No. SU 270/72 will lapse if not exercised by 9.11.77...

To J. A. Richardson (Millfield Engineering) Ltd

(per F Parker & Sons (Builders) Ltd

St John's Road, Spalding)

The Holland County Council HEREBY PERMIT the development proposed by you in your application dated the 17 day of November 1972 namely:-

House and garage, with provision of vehicular access, at Spalding Common, Spalding.

and shown on the plan(s) accompanying the application, subject to the compliance with the byelaws and general statutory provisions in force in the district, and subject to the conditions specified hereunder:-

1. The development shall be commenced not later than 9.11.77

See schedule of attached conditions.

The reasons for the Council's decision to grant permission for that development, subject to compliance with the conditions hereinbefore specified are:-

1. In order to comply with the requirements of Section 41/Section 42 of the Town and Country Planning Act 1971

See schedule of attached reasons.

Dated the 7 day of December 19 72

County Hall,
BOSTON.

Signed G. E. EDMONDSON JONES

Clerk of the County Council.

PLEASE READ NOTES ON THE REVERSE SIDE OF THIS FORM

This Document is IMPORTANT and should be either placed with the Deeds of the property or carefully preserved.

SCHEDULE OF CONDITIONS REFERRED TO:

Ref. No. SU 270/72

2. Sufficient manoeuvering space shall be provided within the site to enable a vehicle to be turned round.

3. Any gates to be erected at the access shall be sited not less than fifteen feet back from the highway boundary and shall be hung so as to open away from the highway.

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

5. The applicants shall at their own expense and to the satisfaction of the local planning authority construct a proper crossing over the highway margin from the development to the carriageway of the county road.

6. The developers, shall not in connection with the development hereby permitted, fill in, culvert or in any way obstruct any dyke or watercourse unless they shall first obtain the written consent of the local planning authority to the work; and the developers shall comply with such requirements or conditions as the local planning authority may impose in consenting to works affecting dykes or watercourses.

REASONS

2 & 3. So that vehicles can enter and leave the site in a forward direction and can stand clear of the trunk road carriageway while gates are opened or shut.

4. This building is sited in an area in which buildings other than those connected with an agricultural need, would not be permitted.

5. To prevent damage to the highway margin.

6. To prevent damage to the land drainage system or interference with the rights of surface water drainage from the highway.

William H. Brown
PROFESSIONAL
Surveyors and Valuers

18/19 Sheep Market, Spalding, PE11 1BG
Tel: (0775) 722321 Fax: (0775) 711222

Chartered Surveyors: S.G.P. Kingston, FRICS, I.H. White, MA, FRICS, R.A. Stinson, FRICS, A.W. Reeves, FRICS

Our Ref: SGPK/lh/1872
Your Ref: PJU/LAB SU270/72

0069/93

27th January, 1993

The District Planning Officer,
South Holland District Council,
Priory Road,
Spalding,
Lincs.
PE11 2XE

Dear Sir,

Millfield House, Millfield Nurseries, Spalding Common
Parigo Horticultural Company Limited

Further to your letter of the 3rd December last I have taken instructions from our client who would now wish to submit a planning application for continuation of occupation of the property known as Millfield House, Spalding Common Road, Spalding with the removal of the occupation clause, being Condition 4 of the original planning consent dated the 17th November 1972 reference SU270/72.

I enclose herewith 4 copies of our planning application, together with accompanying plans and a cheque in the sum of £60.00 to cover the planning fee.

Our application is to continue in occupation of Millfield House which was erected after granting of planning application number SU270/72 dated the 17th November 1972, subject to the removal of clause 4 contained within the conditions, namely: "The occupation of the dwelling shall be limited to a person employed or last employed locally in agriculture as defined in Section 290(1) of the Town & Country Planning Act 1971, or Forestry, or a dependant of such a person residing with him".

We would support the application with the fact that in May 1990 South Holland District Council Planning Department granted consent for the erection of a detached bungalow on the site immediately to the north of the subject site reference 1446/89.

Contd/.....

William H. Brown Registered in England No. 2013470. Registered Office: The Maltings, Wharf Road, Grantham, Lincs. NG31 6BH. William H. Brown Ltd is an Appointed Representative of the Royal Life Group. Royal Life Insurance Ltd is a member of LAUTRO.

Contd/.....

We would also state that as a condition of the agricultural clause being removed that our client would consent to a similar agricultural occupation clause being attached to the bungalow fronting Cradge Bank, Spalding to the south east of the site occupied by Millfield Nurseries which was erected in 1964/65 without an agricultural restriction clause having been attached reference SU8/64.

Please let us know if you require any additional information prior to considering this application or if it is felt that an early meeting is required to clear any ambiguities.

Yours faithfully,

S.G.P. KINGSTON
WILLIAM H. BROWN

Enc.