SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H16/0112/92 Received:27-JAN-92 Type:S73A CONTINUATION

Name: B P Nutrition (UK) Limited
Victoria Works
Whitwell Green Lane
Elland
West Yorkshire HX5 9BJ

Agent: Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)
Location : Woolram Wygate Spalding
Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED to retain buildings/continue use of land in accordance with the application submitted, subject to any condition(s) below:

1 Plant and power driven machinery used in the 24 hour 7 day operation shall only be used within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12 and 13 on the submitted plan GEA, dated 21 January 1992, and received by the Local Planning Authority on 27 January 1992.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

2 Loading or unloading of goods shall only occur between 6.00 am and 10.00 pm Monday to Friday and between 6.00 am and 2.00 pm on Saturday.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

3 There shall be no shift change between the hours of 11.00 pm and 6.00 am.

Reason: The proposal is to extend the hours of operation from 16 hours, 6 day week to 24 hour 7 day week. It is therefore considered that shift changes must be precluded from unsociable hours.

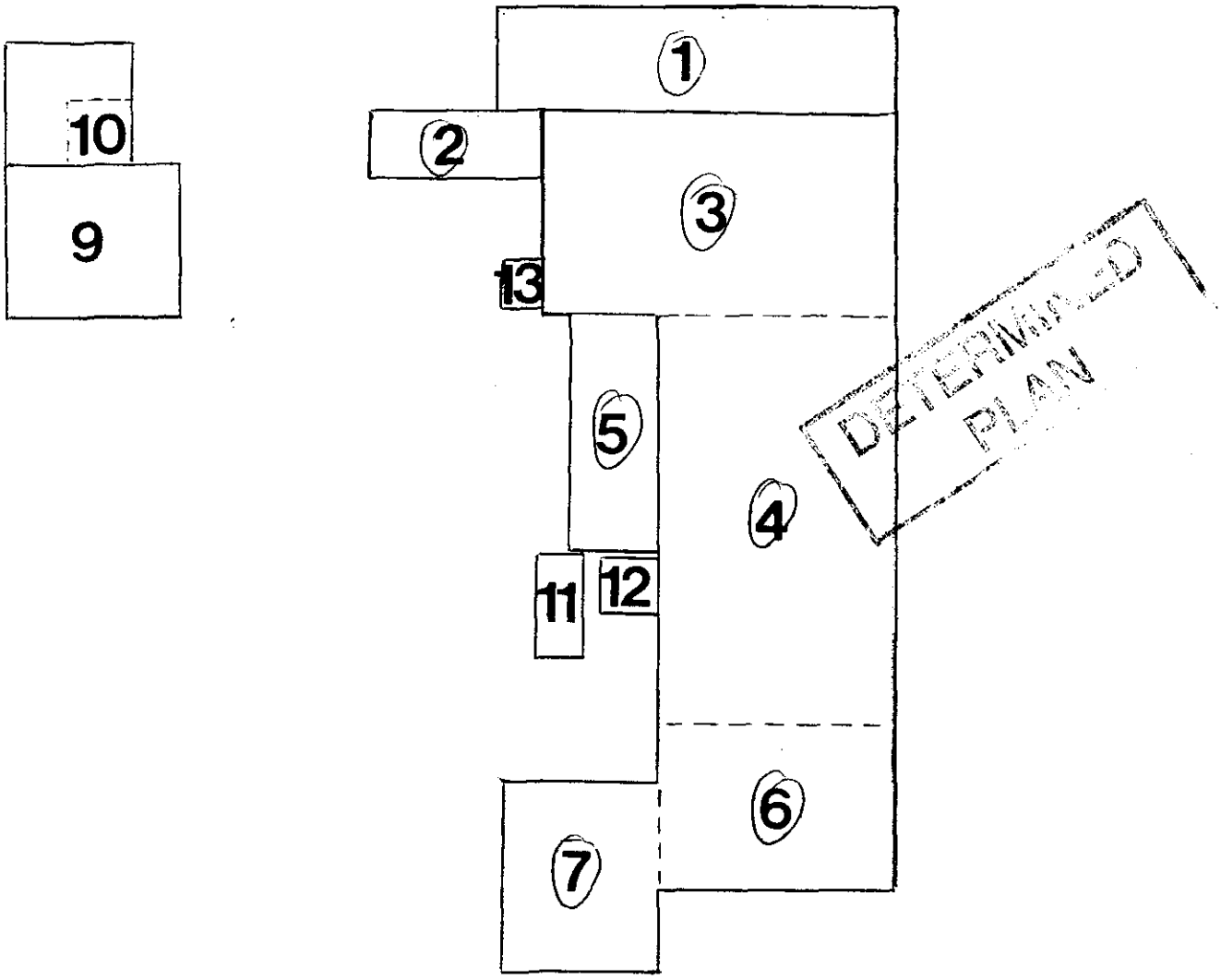
BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

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

B P. NUTRITION U.K. LIMITED

WOOLRAM WYGATE SPALDING LINCOLNSHIR.

GE A



DETERMINED PLAN

SOUTH HOLLAND D.C.
PLAN DEPT.
27 JAN 1992
REF ...Q112/92...

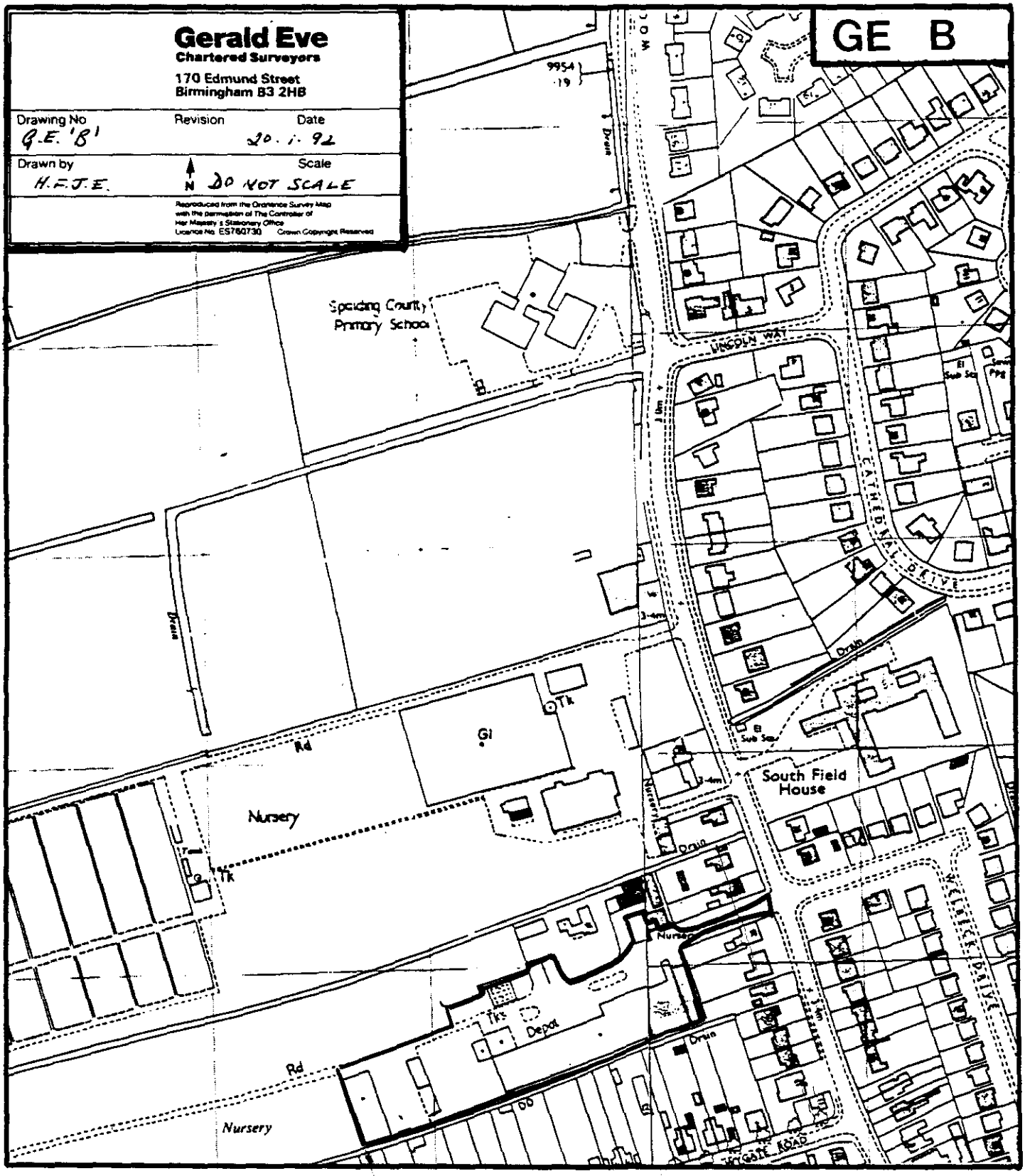
Gerald Eve
Chartered Surveyors
170 Edmund Street
Birmingham B3 2HB

Drawing No	Revision	Date
G.E.'A'		21.1.92
Drawn by		Scale
H.F.J.E.	N	DO NOT SCALE

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B P. NUTRITION U.K. LIMITED

WOOLRAM WYGATE SPALDING LINCOLNSHIRE



SOUTH HOLLAND D.C.
PLAN DEPT.
27 JAN 1992
REF 0112/92

PLANNING APPLICATION

For office use only

Application No. H16/0112/92

Date Registered 27 JAN 1992

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

BP NUTRITION (UK) LIMITED
VICTORIA WORKS
WHITWELL GREEN LANE
ELLAND
WEST YORKSHIRE HX5 9BJ
Tel. No. (0422) 372262

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

GERALD EVE
170 EDMUND STREET
BIRMINGHAM
B3 2HB
Tel. No. 021 233 9191
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

WOOLRAM WYGATE SPALDING LINCOLNSHIRE PE11 1PE

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

THE RENEWAL OF THE PERMISSION FOR THE 24-HOUR, SIX DAYS A WEEK OPERATION AND THE FURTHER EXTENSION OF THE WORKING WEEK TO ALLOW BP NUTRITION TO WORK 24 HOURS EACH DAY INCLUDING SUNDAY

Please complete

I attach * Four copies of all plans
*an ownership certificate (see back page)
*a fee of £110.00 If you consider no fee is payable include a written explanation instead.

Signed. Gerald Eve Date. 24 January 1992

Previous application No:

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

2. **TYPE OF APPLICATION**

(✓)

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

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

Please state Site Area (Hectares)

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

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

A. Please state Reference Number of outline permission.
B. Please state which reserved matters are dealt with in this application.

Now complete Part 4 only

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

A. Please state Reference Number of previous permission
B. Please state Condition Number referred to

Now complete an Ownership Certificate

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

A. Please state Reference Number of previous 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 building(s) [ ]

(ii) Alterations or extension [ ]

(iii) Change of use [✓]

B. If new dwellings are proposed, please state how many: [ ]

4. A. If building works are proposed, other than residential, please state extra floorspace to be created:	N/A sq. metres
B. Please state size of any new structure:- (a) max. height:	metres
(b) max. length:	metres
(c) max. width:	N/A metres
C. Please state type and colour of materials for facing external walls:	N/A
D. Please state type and colour of roofing materials.	N/A
E. Has a survey of the site been undertaken? State Yes or No	YES

5. GENERAL INFORMATION Please complete each section

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

BISCUIT MANUFACTURING FACTORY

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 of 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:

NO CHANGE/ALTERATION TO DRAINAGE

Mains sewer [ ] Cesspool [ ] Septic tank [ ]

OTHER MATTERS Please complete

	State Yes or No	
The proposal is in connection with agriculture	NO	→ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public footpath	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices or shopping purposes	YES	→ 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.	NO	→ Date: Consultee(s):
Is this application related to a previous submission	YES	→ Application No.: H16/0508/84

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

Continue on separate sheet if necessary. PLEASE SEE STATEMENT ATTACHED

Copy of BMF letter dated [illegible] H16/0463/84

7. INDUSTRIAL, WAREHOUSING, OFFICES OR SHOPS Please complete

Please tick **one** box and complete B if necessary

A. The proposal does not involve any alteration in existing floorspace ✓

B. The proposal involves the creation of or an alteration in total **gross** floorspace

Proposed total gross floorspace ____ sq. m. Previous total gross floorspace ____ sq. m.

This new total includes the following net floorspace:

Retail ____ sq. m. Office ____ sq. m. Industrial ____ sq. m. Warehousing ____ sq. m.

Other ____ sq. m. ➡ If so, please state use:

	Office staff	Industrial staff	Other staff
How many office, industrial and other staff will be employed on the site as a result of the development proposed? If you have existing premises on the site, how many of the employees will be new staff?		10 (APPROXIMATELY)	
If you propose to transfer staff from other premises please give details of the numbers involved and of the premises affected.	N/A		
In the case of industrial development, give a description of the processess to be carried out and of the end products, and the type of plant or machinery to be installed	NO NEW PROCESSES SEE STATEMENT ATTACHED		
If the proposal forms a stage of a larger scheme for which planning permission is not at present sought, please give what information you can about the ultimate development	N/A		
Is the proposal related to an existing use on or near the site?	State Yes or No: NO		
If so, please explain the relationship			
Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory?	State Yes or No: NO		
If so, please give details including gross floor area of such premises and state your intentions in respect of those premises			
What provisions have been made for the parking, loading and unloading of vehicles within the curtilage of the site? (Please show the location of such provision on the plans and distinguish between parking for operational needs and other purposes)	PLEASE SEE STATEMENT ATTACHED CONCERNING VEHICLE MOVEMENTS		
What is the estimated vehicular traffic flow to the site during a normal working day? (Please include all vehicles except those used by individual employees driving to work)	6-10 LORRIES DELIVERING RAW MATERIALS PER WEEK AND 20 LORRIES DISTRIBUTING THE END PRODUCT EACH WEEK. AFTER 2PM ON SATURDAY AND ALL DAY SUNDAY THERE WILL BE NO GOODS VEHICLES COMING ONTO THE SI		
What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?	--- WASTE PAPER ONLY REMOVED BY WASTE PAPER SKIP		
Will the proposed use involve the use of storage of any hazardous materials?	State Yes or No: NO		
What provision is being made for access to the premises for the disabled?	ACCESS TO MOST PARTS STRAIGHTFORWARD AND ALL ON ONE LEVEL		

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 in site (e.g. owner, prosp. purchaser) *(Please remember to indicate on the location plan any other land under your control).*	TENANT

2. OWNERSHIP OF THE SITE

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

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

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

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

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 Gerald Eve (Applicant/Agent) Date 24 January 1992

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 Gerald Eve Applicant/Agent) Date 24 January 1992

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

State Name and address of tenant: State Date notice served:

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

NOTICE UNDER SECTION 27 OF TOWN AND COUNTRY PLANNING ACT 1971

TO BE COMPLETED BY APPLICANT OR HIS AGENT

Proposed development at WOOLRAM WYGATE
Take notice that application is being made to South Holland District Council by GERALD EVE
for planning permission for RENEWAL OF 24-HOUR SIX DAYS A WEEK OPERATION AND EXTENSION TO INCLUDE SUNDAYS
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 .....

Councillor R West
94 Spalding Common
Spalding
Lincolnshire
PE11 3AU

P J Udy

PJU/SJS
H16/0112/92

22 December 1993

Dear Councillor West

Complaint at BP Nutrition - Woolram Wygate, Spalding

I refer to your telephone message of the 6 December 1993 regarding vehicles visiting the BP Nutrition premises between 2 am and 4 am, and am sorry for the delay in responding.

Could you ask your informant(s) to provide me with written information on these activities, giving times, day and date? There is a condition on the outline planning permission for the biscuit manufacturing plant, restricting the use of plant and machinery at night

It is possible that this condition is being breached. However, for the Authority to look into the matter with a view to taking any action, we do need firm evidence.

Yours sincerely

N R Midlen
Principal Planning Officer
(Development Control)

Slaughter and May
35 Basinghall Street
London
EC2V 5DB

Mr P J Udy

PJU/LAC
H16/0112/92

20 December 1993

F.A.O. Mr S Pitchford.

Dear Sir

BP Nutrition (UK) Ltd/Paragon Pet Care, Woolram Wygate, Spalding, Lincolnshire.

I have been advised by the Director of Administration of this Council that Dalgety have acquired an interest in this site.

I have written to the agents for BP Nutrition (UK) Ltd who are Gerald Eve of Birmingham asking whether they are still acting for the site.

I would be grateful if you could advise me on the ownership situation for this site and whether the current application which requires a Section 106 Obligation completing is still required. It will not be possible for Dalgety to take over the application as applicants, but they could sign it as owners so long as BP Nutrition (UK) Ltd are willing for the application to be determined.

I intend to take a Committee Report to the Planning Committee to be held on the 25 January 1994 with the aim of up-dating the Planning Committee on the current situation on this site. I would therefore be grateful to receive your comments before the 10 January 1994.

I thank you for your help in this matter.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

letter to come in, why 106, could not we have cond^n. Purpose of the report to update the of Site.
PM 4-1-94

S. HOLLAND DISTRICT COUNCIL PLANNING DEPARTMENT
RECEIVED
13 DEC 1993
PL 668
JMB.

FRESHFIELDS

65 FLEET STREET LONDON EC4Y 1HS
TELEPHONE 071 936 4000 FAX 071 832 7001 TELEX 889292 LDE NO. 23
ISDN G4 FAX 071 936 3960

DIRECT DIAL 071 832 7463

OUR REFERENCE IMF 103223-0001

YOUR REFERENCE JMB/MJP/PL.668

DOC ID FY933440.170/-1+

The Director of Administration
South Holland District Council
Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

10 December 1993

Dear Sir

Planning Application No.H16/0112/92
Continuation of Use of Biscuit Factory
Without Complying with Hours of Use Limitation

We thank you for your letter of 30 November. The interests of BP Nutrition have now been transferred to Dalgety whose Solicitors are Slaughter and May of 35 Basinghall Street, London EC2V 5DB and, in this respect, Mr. Steven Pitchford is dealing with the property matters. A copy of your letter has been passed to him with the request that he deals with you directly.

Yours faithfully

S.H.D.C. PLANNING DEPT.
RECEIVED
15 DEC 1993

PL 668

(1)

Ms H Loose
Freshfields
Solicitors
65 Fleet Street
LONDON
EC4Y 1HF

Miss J Berridge

JMB/MJP/PL.668

30th November 1993

Dear Madam,

PLANNING APPLICATION NO.H16/0112/92
CONTINUATION OF USE OF BISCUIT FACTORY WITHOUT COMPLYING WITH HOURS OF USE LIMITATION

Further to the above, you will be aware that the Council as local planning authority has recently agreed to grant the above planning permission subject to a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to prohibit shift changes between the hours of 11.00 p.m. and 6.00 a.m., and to ensure that no more than 10 employees change at each shift.

Although I have been advised that Paragon Petcare UK Limited are the Company who should be entering into the planning obligation, I am not sure of their interest in the land. I should be grateful if you would confirm whether your clients are, in fact, leaseholders and if so let me know when the present lease expires. Pending receipt of the above information, you will see that I have also included the owner of the land within the planning obligation.

I have also been advised by Mr Martin West of BP Nutrition that the lease may shortly be assigned to another company. If so, no doubt you will advise me if the planning obligation requires further amendment.

In the meantime, I should be pleased to receive your confirmation that the obligation meets with your approval. When replying please also inform me:-

1) If there are any persons having an interest as mortgagee in the land the subject of the planning obligation;

2) If there are, they will have to be party to the obligation to ensure that the covenants can be enforced against subsequent purchasers and I will therefore need:

   a) The name and address of all mortgagees and the date of any mortgage;
   b) Written confirmation that they are prepared to be party to the obligation.

Upon receipt of the above information and confirmation that the terms of the obligation are acceptable to you, I will arrange for an engrossment to be prepared and forwarded for sealing.

Yours faithfully,

Director of Administration

THIS DEED is made the day of One thousand nine hundred and ninety-three BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincolnshire (hereinafter called "the Council") of the first part and FRANCIS HANSON of 39 Woolram Wygate Spalding in the County of Lincoln (hereinafter called "the Owner") of the second part and PARAGON PETCARE UK LIMITED whose registered office is situate at (hereinafter called "the Developers") 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 Owner is the owner in fee simple in possession (free from incumbrances) of the Land

(3) The Developers are lessees of the land by a lease dated the day of one thousand nine hundred and

(4) BP NUTRITION (UK) LIMITED whose registered office is situate at Victoria Works Whitwell Green Lane Elland in the County of West Yorkshire have by application by their agents dated the twenty-fourth day of January One thousand nine hundred and ninety-two applied to the Council for planning permission for the continuation of the use of the biscuit factory on the Land without complying with hours of use limitation (condition 6 of planning permission H16/0663/75) in accordance with the plans and particulars supplied therewith under planning reference H16/0112/92 ("the Development")

(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 conditional planning permission for the Development subject to the creation of this obligation without which planning permission for the Development would not have been granted

(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 Owner and the Developers hereby jointly and severally agree to enter into the planning obligation specified in the Third Schedule hereto

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

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

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

FIRST SCHEDULE

(Details of "the Land")

The land situate at Woolram Wygate Spalding shown edged red on the plan annexed hereto

SECOND SCHEDULE

(The Planning Obligation)

The Owner and the Developers hereby covenant that in implementing the Development there shall be no shift changes between the hours of 11 p.m. and 6 a.m. and that the number of employees changing at each shift shall not exceed 10 provided that nothing in this Obligation shall prevent the Developers from operating under planning permission H16/0663/75

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

Chairman of the Council

Director of Administration

SIGNED AS A DEED by the said
FRANCIS HANSON
in the presence of:-

Witness

Address

Occupation

THE COMMON SEAL of PARAGON)
PETCARE UK LIMITED was)
hereunto affixed in the presence)
of:-)

F U R T H E R I N F O R M A T I O N / C O N S U L T A T I O N S

APPLICATION REF:

DIRECTIONS

Art 7 (Outlines) RM :	Siting	Design	Ext App	Access	Lands
Previous					
Current					
Required					

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

Precise details, for non-standard requirement:

CONSULTATION/PUBLICITY REQUIRED PSD 3-2-92 description not same as form?

Publicity : General n/a
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 :

R E V A L I D A T I O N

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 £ ..NIL..

Receipt Issued ..... No. 9566

Date First Received 27 JAN 1992

REGISTRATION

REFERENCE ....H16/0112/92.....

Cross-Ref N/A.....

Date 28/1/92

VALIDATION Sec 63 Date 29/1/92

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

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

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

Earlier permission ref .....

HM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

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

S65 Advert required ☐ Expiry date .....

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

Correct fee £ ~~110~~ 55 Additional £ ..... Receipt no. .....

Refund £ 55 Issued Jan 92

CONSTRAINTS Date 30.1.

Index Sheets 182 OS Nos ..... Grid Ref 533790 183090

Ward ..1.... Parish ...SPALDING... TR Rural ☐ CA ☐
TR Bypass ☐ LB ☐ Grade
Inside IBD ..NO.. Inside LP Area..YES.. Level crossing ☐ TPO ☐
Footpath ☐ Other:

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

Planning Records:
Earlier apps S07/74 S09/74 S63/75 S134/91 S14/91 S243/77 S207/80 S263/83

B Reg Records:
Already submitted Ref.....
Requested S206/74 S63/75 S263/75 S4/76 S207/80

Inputs completed.....

Not advertised as Bmw 7.1 Controlled as per sheet

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes:- Accuracy Neighbours Other

Boundaries Site Features

Inspected by: PJM
date: 18-2-12

Residents notified on site visit

Case Officer Conclusions (Issues)

Factory complex off Woolram Wygate which runs to rear of dwellings on Wygate road boundary fence 1.8, trees building about 3m from boundary three blank walls

Case Officer Recommendations (summary) Broadgates working to N.
(details overleaf)

Delegation
Recommended approvals

Departure from policy

Ward member request

Recommended approvals material objections

Other circumstances needing Committee decision

Recommended refusals

Refusal on adopted policy grounds on these applications

CONSULTS

1) General Advert.

2) E. Health

3) 11, 13, 15, 17, 19, 21, 23, 25
29, 31, 30
Woolram Wygate
Spalding.

2, 4, 6, 8, 10, 12, 14, 16, 18
20, 22, 24, 26, 28, 30, 32,
34, 36, 38, 40.
Wygate Road.

Confirmed by Case Officer

No

No

No

No

No

Any of above

Yes

HAND

Report
Sub-Committee
SP recommended
Ward Cllr recommended

Delegation
confirmed by
Senior Officer

Recommendation/draft report prepared ..... Amended/confirmed .....

FROM: Coun. Robert West

ORGANISATION:

TEL NO: [redacted] EXT NO:

DATE: 6.12. TIME: 2.40pm

TELEPHONE		VISITS		
Telephoned		Visit Required	Date:	
Returned your call			Time:	
Please call		Will Visit You	Date:	
Will call again			Time:	
Needs to see you		Visited your office		

(Please tick where applicable)

MESSAGE: Has been advised by Duncan Woodman Lloyds Home had vehicles broken into from cars over the weekend between 2.00 a.m. on the morning

Taken By: Keeler Dept./Section:

B. P. Mutikiny / Ravagan Petrae.

dte Report 27-10-92.

Deferred meeting 1.1 applicants, Chair, V. Chair + officers

meeting took Place on 24-1-93

106 Sect + draft decision notice.

- letters re contents of 106 agreement.

∴ another report must go to dte advising on changes to 106.

Re 106 Says " The owner hereby covenants that there will be no changes - time of shift periods or - the number of employees working each shift without ~~prior~~ written consent of LPA provided that nothing in this obligation will prevent the Co from operating under P.P. 116/86/92

Comments by G Eve Too restrictive. Should specify a blanket period of ~~none~~ little activity / no shift changes. + max no employees changing at shift no more than 10.

Nrm Comments core time 11pm - 6am max of 10 ok.

G Eve Comments draft agreement as nrm's suggestions

26th OCTOBER 1993 PLANNING COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Page No	Application Number	Case Offr	Instructions/ Decision
1	H16/0112/92 B P Nutrition	PJU	DPBCS Auth subject to sect 106 agreement as recommended. Reference to H16/0663/75 to be included in agreement. Amend condition 4, line 3. by inserting "nearby" after "any".
3	H05/0209/93 D Brown Ltd	JB	Deferred. Letter to agent, copy to applicant, offering scheme of suggested alternative style of development. Letter to highlight differences between suggested scheme and application as submitted and fully explain matters. Nigel Midlen to see letter.
5	H15/0291/93 H Grantham	PJU	DPBCS Auth as recommended.
7	H09/0384/93 Longhurst Housing	JB	DPBCS Auth subject to revised sect 106 agreement. Check conditions 14 & 17 (very similar)
10	H11/0535/93 Mr & Mrs Watkin	JB	Deferred. Admin department to request that applicants clarify their intentions with regards to the determination of application.
12	H11/0605/93 Wilson & Sons	DMG	Deferred for sub committee as requested.
14	H14/0607/93 Mr Wong	DJR	Grant as recommended. Paragraph 1 of comments should read 500 millimetres not metres.
16	H13/0628/93 Ashwood Homes	JB	Deferred for site visit. Check if any permission on land to North.
13	H14/0641/93 H14/0642/93 Rose Cottage Nursery & Aquatic Centre	DJR	Grant as recommended. DPBCS Auth subject to sect 106 agreement as recommended.
20	H09/0658/93 Mr McEwan	DMG	DPBCS Auth subject to revocation of outline planning permission as recommended.
22	H09/0752/93 Mr McEwan	JB	Grant as recommended.
24	H09/0753/93 Mr McEwan	JB	Grant as recommended. Roger Smith requested confirmation that we are covered if they want to develop each application one at a time.
26	H02/0663/93 Mr Harvey	PJU	Refuse as recommended.

APPLICATION REFERENCE: H16/0112/92 DATE RECEIVED: 27 Jan 1992

APPLICANT: B P Nutrition Ltd
Thames Street
Louth
Lincolnshire

AGENT: Gerald Eve
170 Edmund Street
Birmingham

TYPE: Section 73A

DESCRIPTION: Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75)

LOCATION: Woolram Wygate, Spalding

SOUTH HOLLAND DISTRICT COUNCIL
PLANNING COMMITTEE
Date 26 OCT 1993

REPORT

1 At previous meetings to consider this application, it was clear Members wished to grant, subject to satisfactory safeguards and at the Planning meeting of 27 October, 1992, it was resolved to defer this application to enable a meeting to take place between the applicants, the Chairman and Vice-Chairman of the Planning Committee and officers of the Department. This meeting took place on 4 January, 1993.

2 A planning obligation and a copy of draft decision notice was been sent to the applicants agent and subsequently they have commented upon its contents. They consider that the draft planning obligation was too restrictive and they have suggested an alternative framework.

3 The current suggested wording of the planning obligation stated:-

"The owner hereby covenants that there will be no changes in time of shift periods or in the number of employees working each shift without prior written consent of the Local Planning Authority, provided that nothing in this obligation will prevent the company from operating under planning permission H16/0663/75."

4 It is considered that this wording could be changed to stipulate a "core time" where no shift change will take place and the suggested time is 11 p.m. - 6 a.m. It is also suggested that no more than 10 employees change per shift. The applicants appear to accept this.

RECOMMENDATION

Authorise the Director of Planning & Building Control Services to grant planning permission, subject to the conditions outlined below, subsequent to the applicants entering into a Section 106 planning obligation preventing shift changes between the hours of 11 p.m. and 6.00 a.m. and that the maximum number of employees changing at each shift is no more than 10.

SCHEDULE OF CONDITIONS

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA dated 21 January, 1992 and received by the Local Planning Authority on 27 January, 1992. Loading or unloading of goods outside these buildings or movement to other buildings shall only occur between 6 a.m. and 10 p.m. Monday to Friday and between 6 a.m. and 2 p.m. on Saturday.
Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

2 Commercial vehicles shall only enter or leave the site between 6 a.m. and 10 p.m. Monday to Friday and between 6 a.m. and 2 p.m. on Saturday.
Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

3 The tannoy system shall only be used between 8 a.m. and 8 p.m. Monday to Friday and between 8 a.m. and 2 p.m. on Saturday.
Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqT between 10 p.m. and 6 a.m. as measured at any nearby residential facade.
Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

5 SC21 (Landscaping scheme).

6 SC27 (Implementation of planting).

PLANNING COMMITTEE - 26th OCTOBER, 1993

ACTION SHEET

File Ref	Min No.	Subject	Action Required	Responsible Officer	Action Taken
-	-	Minutes	a) Update Minute Index b) Update outstanding items sheet.	DA (PBP) DA (PBP)	
	702	Minutes	None	-	
	703	Planning Applications (a) (b) (d) (e) (g) (h) (i)	Issue decision notices plus other action as detailed in minutes.	DPBCS NRA	S.H.D.C. PLANNING DEPT. RECEIVED - 5 NOV 1993
		(c) Applications Deferred	Include Applications on Plans Sub agenda	DA (PBP) NRA	
		(f) Applications Approved	a) Site off Arthurs Avenue, Holbeach (H09/0384/93) - Prepare Planning Obligation and release planning permission.	DA (PBP) DPBCS JB	
			b) Woolram Wygate, Spalding (H16/0112/92) - Prepare planning Obligation and release planning permission.	DA (PBP) DPBCS PJB. Joyce	
			c) Glenside North, Pinchbeck (H14/0642/93) - Prepare Planning Obligation and release planning permission.	DA (PBP) DPBCS DJR	
			d) Land off Bells Drove and Drawdike, Sutton St James (H20/0695/93) - Prepare Planning Obligation and release planning permission.	DA (PBP) DPBCS JB	
		(i) Applications approved subject to Revocation Order	Fishpond Lane, Holbeach (H09/0658/93) - Prepare Revocation Order.	DA (PBP) DG.	

703. PLANNING APPLICATIONS (Continued)

(f) Applications Approved Subject to Planning Obligations (Continued)

Plan No. and Applicant	Proposal
H16/0112/92 B P Nutrition Ltd	Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75) at Woolram Wygate, Spalding.

(To prohibit shift changes between the hours of 11.00 p.m. and 6 a.m. and to ensure that the maximum number of employees changing at each shift is no more than 10, provided that nothing in the Obligation will prevent the Company from operating under planning permission H16/0663/75.)

H14/0642/93 Rose Cottage Nursery and Aquatic Centre	Change of use of glasshouse from horticultural to display and retail and area of land for display and retail of plants at Glenside North, Pinchbeck.

(To restrict the range of items sold to those incidental to the use of the premises as a nursery and aquatic centre.)

H20/0695/93 Messrs A & D W Gent	Residential development, including provision of sewage treatment works (Renewal of H20/0785/89) on land off Bells Drove and Draw Dike, Sutton St James.

(To ensure that the off site land drainage works required by the Internal Drainage Board are undertaken.)

(g) Advertisement Approval

Consent be granted for the display of the undermentioned advertisement in accordance with the recommendation of the Director of Planning and Building Control Services and subject to standard advertising conditions:-

Plan No. and Applicant	Proposal
H14/0607/93 Mr Peter Wong	Replacement larger fascia sign at 44 Knight Street, Pinchbeck.

(h) County Matter

The objection of the Director of Planning and Building Control Services to the undermentioned development as detailed in his recommendation be supported:-

Plan No. and Applicant	Proposal
H02/0898/93 Mr G M Riddington	Extension of waste tipping area to Decoy Farm, Postland, Crowland.

(O.A. denotes outline application)

J D B. Bayliss MA FRICS
R.N. Stratnon MA FRICS
P.W. Laddock BSc FRICS
P es FRICS
R nes FRICS
M.L. Barclay FRICS
D.B. Lyons FRICS
P.R. Needham FRICS
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R.G. Ovenden MA FRICS
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Gerald Eve

Chartered Surveyors

Incorporating Sidney & Graham Motion

170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/JPS/B254

22 September 1993

M Midlen Esq
Principal Planning Officer (DC)
South Holland District Council
Planning & Building Control Departments
Council Offices
Priory Road
SPALDING
PE11 2XE

Dear Sir

B P NUTRITION (UK) LIMITED/PARAGON PETCARE
WOOLRAM WYEGATE SPALDING LINCOLNSHIRE

Further to our letter dated 16 September 1993, we should be grateful if you could now draw up a draft agreement along the lines suggested in your letter dated 10 September 1993, a copy of which should be sent to B P Nutrition's Solicitors in accordance with our letter to you of the 2 August 1993. A copy of the draft agreement should also be sent to us.

Yours faithfully

CHARTERED SURVEYORS

cc Ms Helen Loose - Frehsfields Solicitors

S.H.D.C. PLANNING DEPT.
RECEIVED
- 8 OCT 1993
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Your reference

Our reference DRD/HFJE/JPS/B254

22 September 1993

M Midlen Esq
Principal Planning Officer (DC)
South Holland District Council
Planning & Building Control Departments
Council Offices
Priory Road
SPALDING
PE11 2XE

Dear Sir

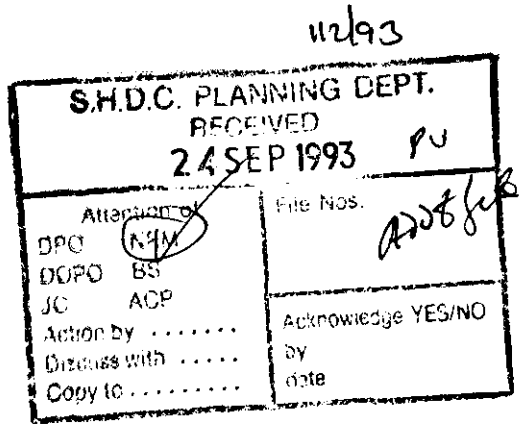
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WOOLRAM WYEGATE SPALDING LINCOLNSHIRE

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Yours faithfully

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cc Ms Helen Loose - Frehsfields Solicitors



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Facsimile 021 233 9182

Your reference NRM/JJ H16/0112/92

Our reference DRD/HFJE/KL/B254

16 September 1993

N Midlen Esq
Principal Planning Officer (DC)
South Holland District Council
Planning & Building Control Department
Council Offices
Priory Road
SPALDING
Lincs
PE11 2XE

Dear Sir

BP NUTRITION (UK) LIMITED/PARAGON PETCARE
WOOLRAM WYGATE SPALDING

Thank you for your letter dated 10 September 1993. We have sent a copy to our clients for their comments on the points you make. We will write to you again as soon as possible, and then a draft agreement can be prepared to send to our clients' solicitors in accordance with our letter to you dated 2 August 1993. A copy of the draft of the agreement should also be sent to us.

Yours faithfully

Gerald Eve

CHARTERED SURVEYORS

S.H.D.C. PLANNING DEPT.
RECEIVED
17 SEP 1993
File Nos.
Acknowledge YES/NO

cc Helen Loose - Freshfields, Solicitors

JMB phone 4-10

Eves chancing a peek 106

I advised that awaiting response from them before sending

new 106 Boy

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170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/KL/B254

WITHOUT PREJUDICE

2 August 1993

N R Midlen Esq
Principal Planning Officer
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs
PE11 2XE

S.H.D.C. PLANNING DEPT.
RECEIVED
- 3 AUG 1993 P.O.

Dear Sir

BP NUTRITION (UK) LIMITED/PARAGON PETCARE WOOLRAM WYEGATE SPALDING

With reference to your letter dated 1 July 1993, BP Nutrition (UK) Ltd have now instructed their solicitors, 'Freshfields' to deal with the legal matters relating to the S106 Agreement in respect of the above property. We should therefore be grateful if you would forward to them a full and proper draft of the S.106 Agreement for their approval. Our comments on the draft S.106 Agreement are as follows:

1. The terms of the Agreement are unrealistically restrictive in prohibiting any change in the number of employees changing shift and the times of the shift. It is impossible for a commercial organisation to:

   i) Operate within a prohibition or any change in the number of employees at any time as there clearly may be occasions where, despite all reasonable endeavours being made it is practically impossible to prevent an occurrence where more or less employees are required to operate the processes; and

   ii) On the same basis it may be impossible in emergency situations to obtain your consent prior to carrying out such changes, for example at weekends.

2. We understand that the parties can agree between themselves at any time to vary the provisions of the Agreement and in addition S.106 Agreements can be reviewed every 5 years. In any event, by virtue of S.106 A (4) **we feel that the Agreement should clearly state that the parties can agree between themselves at any time to vary the provisions of the Agreement.**

3. We do of course envisage that the full draft which you send to Freshfields will specify the shift times and the number of employees changing shift. We do however, consider that this part of the Agreement should be altered to give BP Nutrition/Paragon Petcare the flexibility they require to run a commercial operation. For example, as the property is located in a residential area, we could ascertain those periods when you do not wish to have large amounts of activity, say between 12.00 am and 4.00 am, and just put a blanket prohibition on shift changes between these times to enable them some flexibility.

4. We also consider that to allow some flexibility in the number of employees the agreement should be worded to the effect that 'the maximum number of employees changing shift shall at no time exceed 10' (final number to be agreed).

We should therefore be grateful if you would send a copy of the revised draft agreement to Freshfields at the following address for their approval:

Freshfields
65 Fleet Street
LONDON
EC4Y 1HS

FAO: Helen Loose

Please could you also note that Paragon Petcare (UK) Limited should be the contracting party to the Agreement.

Yours faithfully



CHARTERED SURVEYORS

PS. Could you also please send us a copy of the draft Agreement.

cc J McLannahan - BP Nutrition

Gerald Eve
170 Edmund Street
Birmingham B3 2HB

Mr P J Udy

PJU/JP/H16/0112/92

DRD/HFJE/JPS/B254

1 July, 1993

Dear Sir

B P Nutrition/Paragon Petcare, Woolram Wygate, Spalding

I refer to your letter of 29 April, 1993 and write to enquire whether you have reached any decisions yet on the draft decision notice and Section 106 Agreement which have been forwarded to you.

I look forward to your response within the next 14 days.

Yours faithfully

N R MIDLEN
Principal Planning Officer (Development Control)

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: N R Midlen
Principal Planning Officer
Development Control

TO: Director of Administration

REF: PJU/LAB/H16/0112/92

REF: JMB/PK/PL.668

DATE: 2 June 1993

SUBJECT: Continuation of Use of Biscuit Factory At Woolram Wygate, Spalding.

I refer to your memorandum dated the 21 May 1993 and advise that the agents for this application have written to me and I enclose a copy for your information.

N R Midlen
Principal Planning Officer
Development Control

Enc

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning & Building Control Services

REF: JMB/PK/PL.668

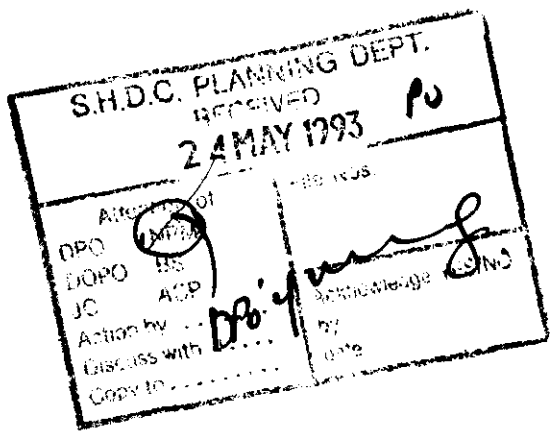
REF: PU/H16/0112/92

DATE: 21st May, 1993

SUBJECT: PLANNING APPLICATION NO: H16/0112/92
CONTINUATION OF USE OF BISCUIT FACTORY AT WOOLRAM WYGATE, SPALDING WITHOUT COMPLYING WITH HOURS OF USE LIMITATION.

I refer to my assistant's telephone conversation with your Mr Udy on 22nd April, 1993 when it was advised that there was now some query relating to the ownership/leasehold of the site. I should be pleased if you would let me know whether this matter has now been clarified, and whether the planning obligation should be pursued.

Director of Administration.



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M. Beaman FRICS

Finance & Administration
P.R. Haigh-Lumby FCA

Gerald Eve
Chartered Surveyors
Incorporating Sidney & Graham Motion

170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/JPS/B254

29 April 1993

N R Midlen Esq
Principal Planning Officer
South Holland District Council
Planning & Building Control Department
Council Offices
Priory Road
SPALDING
Lincolnshire

Dear Sir

B P NUTRITION
WOOLRAM WYEGATE SPALDING

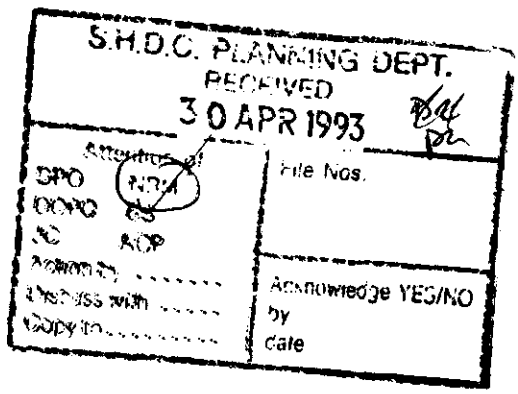
With reference to your letter dated 22 April 1993, we are still in discussions with our Planning Department in our London office concerning the S.106 Agreement and Draft Decision Notice and will let you know the outcome in due course.

B P Nutrition have not sold this side, they have however, changed the name of Nutrition Petfood to 'Paragon Petcare.'

Yours faithfully

Gerald Eve

CHARTERED SURVEYORS



London Telephone 071 493 3338 Facsimile 071 491 1825
Cardiff Telephone 0222 464670 Facsimile 0222 482669
Liverpool Telephone 051 236 3009 Facsimile 051 236 5041
Glasgow Telephone 041 221 6397 Facsimile 041 204 2226
Leeds Telephone 0532 440708 Facsimile 0532 440722

Paragon Petcare
Woolram Wygate
Spalding
Lincs

Mr P J Udy

PJU/LAB
H16/0112/92

22 April 1993

Dear Sir/Madam

Erection of Sign At Access To Paragon Petcare, Woolram Wygate, Spalding.

It has been brought to my attention that a sign has been erected at the access to your site and I write to advise that advertisement consent is required for it to be displayed.

I enclose the necessary advertisement application forms and would be grateful for you to complete and return these with the necessary plans and fees so that this advertisement may be considered.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

Enc

c.c. Enforcement Officer, South Holland District Council.

~~Note~~

John Chapman + P.J.U. visited mrs Barrett on 21-4-93. Sign to part of site has been changed to "Parador Pebane". Address mrs Barrett, and her husband, who I had to speak to on the telephone whilst I was there, that an application for the sign would be requested.

Was some odour ~~when we were~~ at time of visit.

They were both annoyed that signs etc are put up without applying for Permission, explained that not an offence + that I was as fed up as they because it causes more work than is necessary

Brian has this copy sent
Cond 5 as previous draft notice sent
been removed, Proceed at meeting draft to be
attached. PM 18-3

Town and Country Planning Act etc

DRAFT DECISION extra copy sent to Newsplan + Mag 18-2-92

Reference: H16/0112/92 Received:27-JAN-92 Type:S73A CONTINUATION

Name: B P Nutrition (UK) Limited
Victoria Works
Whitwell Green Lane
Elland
West Yorkshire HX5 9BJ

Agent: Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)
Location : Woolram Wygate Spalding
Lincs

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

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA dated 21 January 1992 and received by the Local Planning Authority on the 27 January 1992. Loading or unloading of goods outside these buildings or movement to other buildings shall only occur between 6 am and 10 pm Monday to Friday and between 6 am and 2 pm on Saturday.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

2 Commercial vehicles shall only enter or leave the site between 6 am and 10 pm on Monday to Friday and between 6 am and 2 pm on Saturday.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

3 The tannoy system shall only be used between 8 am and 8 pm Monday to Friday and between 8 am and 2 pm on Saturday.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqt between 10 pm and 6 am as measured at any residential facade.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

5 Before any development is commenced, a scheme of landscaping and tree planting for the site, including details of positions, heights on planting and species of trees and shrubs, shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of visual amenity.

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

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

10-MAR-93 AD check.....

Authorised to issue (inc Delegation).....

Send ltrs as a Draft Only with letter a tape.
Pm 10-3

Town and Country Planning Act etc

DRAFT DECISION

Reference: H16/0112/92 Received:27-JAN-92 Type:S73A CONTINUATION

Name: B P Nutrition (UK) Limited
Victoria Works
Whitwell Green Lane
Elland
West Yorkshire HX5 9BJ

Agent: Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)
Location : Woolram Wygate Spalding
Lincs

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

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA dated 21 January 1992 and received by the Local Planning Authority on the 27 January 1992. Loading or unloading of goods outside these buildings or movement to other buildings shall only occur between 6 am and 10 pm Monday to Friday and between 6 am and 2 pm on Saturday.

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Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqt between 10 pm and 6 am as measured at any residential facade.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

5 This use shall enure only for B.P. Nutrition Ltd who shall inform South Holland District Council of any proposed change in ownership of the company or working conditions.

Reason: The site is enclosed by residential development and land zoned for housing in the Spalding and Pinchbeck Local Plan Review Document. The sale of the site and its use for a different permitted use could materially harm the amenities of the neighbourhood.

6 Before any development is commenced, a scheme of landscaping and tree planting for the site, including details of positions, heights on planting and species of trees and shrubs, shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of visual amenity.

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

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

03-MAR-93 AD check...N.9/3.....

Authorised to issue (inc Delegation)...9/3.....

Gerald Eve
170 Edmund Street
Birmingham B3 2HB

Mr P J Udy

PJU/JP/H16/0112/92

10 March, 1993

Dear Sir

Continuation of Biscuit Factory without complying with hours of use limitation (Condition 6 of H16/0663/75)

I enclose a copy of a draft decision notice as requested.

I will be grateful for your comments upon the proposed decision notice and the Section 106 Agreement at your earliest convenience.

Yours faithfully

pp.

N R MIDDLEN
Principal Planning Officer (Development Control)

Encl.

J.D.B. Bayliss MA FRICS
R.N. Strathon MA FRICS
P.W. Haddock BSc FRICS
M. Beaman FRICS
P.S. Jones FRICS
R.T.M. Innes FRICS
M.D. Barclay FRICS
D.B. Lyons FRICS
P.R. Needham FRICS
P.R. Jones TD BSc FRICS
D.J.P. Adams FRICS
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D.E. Butters BSc FRICS
R.N. Goodchild MA PhD FRICS
R.D. Sawyers BSc FRICS FIQ
R.G. Ovenden MA FRICS

D.R. Dudley FRICS
C.P.M. Champness BSc FRICS
M.R. Sharp FRICS
J.Q. Upton-Prowse BA FRICS
M.J. Barden BSc ARICS
J.S. Smith ARICS
J.P. Hamilton BSc ARICS
A.M. Chase FRICS
S.W.B. Chalwin BSc FRICS
M.J.Y. Roberts BSc ARICS
J.S. Schurder BSc FRICS
H.J.W. Bullock BSc FRICS
I.A. Tingle FRICS
S. Tutcher FRICS
N. Young BSc ARICS
A.P.S. Crawford ARICS AMIQ
M.V. Roskelly BLE MBA ARICS

Associates
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K.D. Gibbs ARICS
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J.N. Strickland FRICS
A.J. Norman ARICS
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M.J. Howard ARICS
S.E.L. Milner MA ARICS
Sonja L. Howell BA ARICS
B. Jones BSc ARICS
B.D. Scott ARICS
P.R. King BSc ARICS
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A.E. Hamilton BSc ARICS
M. Llewelyn Jones BA MPhil ARICS

S.D.H. Rees BSc ARICS
Alexandra P.M. Cathcart BA BSc MRTPI ARICS
Kate J. Stacey MA ARICS
M. H. Davis FRICS

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Incorporating Sidney & Graham Motion
170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191
Facsimile 021 233 9182

Your reference

Our reference

DRD/HFJE/JPS/B254

1 March 1993

B Smith Esq
Director of Planning & Building Control Services
Planning & Building Control Department
Council Offices
Priory Road
SPALDING
Lincolnshire
PE11 2XE

Dear Sir

BP NUTRITION (UK) LIMITED
WOOLRAM WYEGATE SPALDING
PLANNING APPLICATION NO: H16/0112/92

Further to our telephone conversation with Peter Udy today, we would be grateful to receive a draft copy of the Planning Consent, including all relevant conditions in order to consider the interaction between the planning obligation and proposed condition.

Yours faithfully

CHARTERED SURVEYORS

S.H.D.C. PLANNING DEPT.
RECEIVED
- 3 MAR 1993

Already on hand. Pass with AEP 26 NRM
PDU4-3

London Facsimile 071 491 1825 Telephone 071 493 3338
Cardiff Facsimile 0222 482669 Telephone 0222 464670
Liverpool Facsimile 051 236 5041 Telephone 051 236 3009
Glasgow Facsimile 041 204 2226 Telephone 041 221 6397
Leeds Facsimile 0532 440722 Telephone 0532 440708
Continental European Service Facsimile 071 491 1825 Telephone 071 491 7607

Mr & Mrs R. J. Marriott
Quo Vadis
30 Woolram Wygate
Spalding
Lincs
PE11 1PB

Dear Sir, 21/2/95

A few weeks ago I phoned your office about B.P was WYGATE FOOD Now since I have I dont know if you are aware that more CHIMNEYS have been put up and the SMELL is worse now then ever before,
This Sum is getting out of hand the TARRED SYSTEM is still opening there Two item continue to break the RULES that was issued to WYGATE FOODS,
It now appears that B.P. can, and does ride rough shod over the COUNCIL and also the RESIDIENTS,
My drive way is continule obstructed by vehicles are parked whilst the drivel visits B.P on FOOT also workers,

Yours Faithfully
MR MRS R. Marriott

THIS DEED is made the day of

One thousand nine hundred and ninety-two BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincolnshire (hereinafter called "the Council") of the one part and B P NUTRITION (UK) LTD whose registered office is situate at in the County of Lincoln (hereinafter called "the Owner") of the second 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

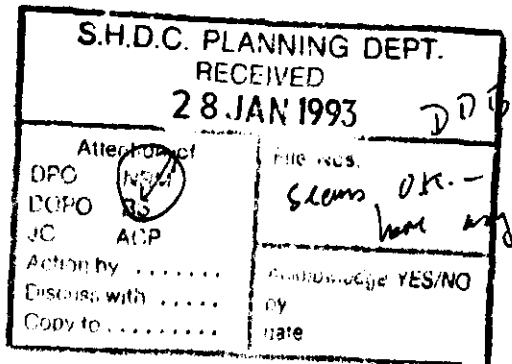
(2) The Owner is the owner in fee simple in possession (free from incumbrances) of the Land

(3) The Owner has by application (by its agents) dated twenty fourth day of January One thousand nine hundred and ninety two ("the Planning Application") applied to the Council for planning permission for the continuation of the use of the biscuit factory on the land without complying with hours of use limitation (condition 6 of planning permission H16/0663/75) in accordance with the plans and particulars supplied therewith under planning reference H16/0112/92 ("the Development")

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

(5) The Council has decided to grant conditional planning permission for the Development subject to the creation of this obligation without which planning permission for the Development would not have been granted.

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



B.P. Nutrition DPBCS, N.R.M, R.A. PJC. 13-1-93

3 year 106 – reviewable. may not be necessary because can be reviewed at any time.

106 w.r.t. 7 day 24 hr but if intensified but go back to 6 day can do so.

6t3/75 Stapled x 2

3 copies of ↑ given to B.A. on 13-1-93.

B.A. will prepare draft + see NRM before sending it to Gerald Bye

C

Mr Padgett
2 Wygate Road
Spalding
Lincs

Mr P J Udy

PJU/LAB
H16/0112/92

25 November 1992

Dear Sir

B P Nutrition (UK) Limited, Woolram Wygate, Spalding.

I write further to your meeting with Mr Chapman of the Environmental Services Department.

I understand that you raised the issue of light intrusion to your property through the roof lights within this building. This problem is not one which can normally be controlled by the Planning Act and I suggest that you contact the company direct on this issue. However, if the roof lights have been recently installed, there may be some action the Council can take, but you should provide further information so this can be assessed.

Yours faithfully

Peter Udy

PP. N R Midlen
Principal Planning Officer
Development Control

J.D.B. Bayliss MA FRICS
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170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/JPS/B254

23 November 1992

B Smith Esq
Director of Planning & Building Control Services
Planning & Building Control Department
Council Offices
Priory Road
SPALDING
Lincolnshire
PE11 2XE

Dear Sir

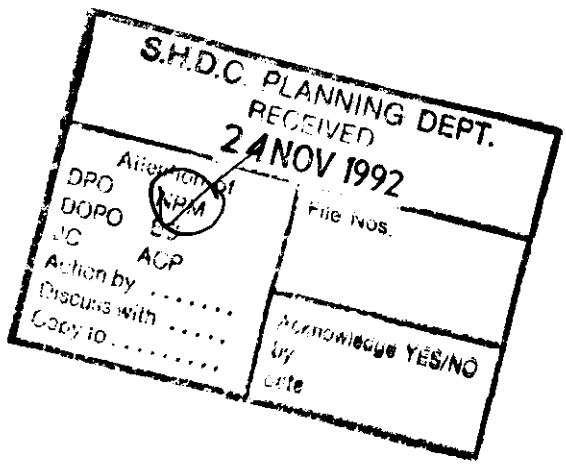
BP NUTRITION (UK) LIMITED
WOOLRAM WYEGATE SPALDING
PLANNING APPLICATION NO: H16/0112/92

Further to your memorandum concerning the above, we can confirm that we will attend the meeting at 11.30am on Monday 4 January 1992 at your offices. It is possible however, that there could be problems with the weather and if this is the case, we will contact you closer to the date of the meeting.

As you are no doubt aware, Gerald Eve are a firm of Chartered Surveyors and not solicitors as stated in your Memorandum.

Yours faithfully

CHARTERED SURVEYORS



London Facsimile 071 491 1825 Telephone 071 493 3338
Cardiff Facsimile 0222 482669 Telephone 0222 464670
Liverpool Facsimile 051 236 5041 Telephone 051 236 3009
Glasgow Facsimile 041 204 2226 Telephone 041 221 6397
Leeds Facsimile 0532 440722 Telephone 0532 440708
Continental European Service Facsimile 071 491 1825 Telephone 071 491 7607

SOUTH HOLLAND DISTRICT COUNCIL

PLANNING AND BUILDING CONTROL SERVICES

CONFIRMATION OF MEETING

TO: COUNCILLOR BRYAN ALCOCK
Chairman, Planning & Building Control Services

SUBJECT: B P NUTRITION LTD, BISCUIT FACTORY AT WOOLRAM WYGATE

DATE/TIME MEETING: Monday 4th January 1993 at 1130 am.

VENUE: Meeting Room, Planning & Building Control Department, Council Offices, Priory Road, Spalding.

PARTIES: Councillor T. Bray, Vice Chairman of Planning and Building Control Services, Brian Smith, Director of Planning & Building Control Services, Nigel Midlen, Principal Planning Officer, Mr Hugh Eastwood & Mr David Dudley of Gerald Eve Solicitors.

Copy to all parties

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

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

SOUTH HOLLAND DISTRICT COUNCIL

To: Director of Planning & Building Control Services

B P NUTRITION LTD

BISCUIT FACTORY AT WOOLRAM WYGATE, SPALDING

On the Planning Committee held on 27th October the above mentioned planning application was deferred to enable a meeting to be arranged between the applicants, the Chairman and Vice-Chairman of the Committee and appropriate officers i.e. yourself, Niglen Midlen & David Roberts in order to discuss the proposal in greater detail.

Could you please discuss with the chairman possibly dates for the meeting.

X Mon 4th 1130 ~~1000~~ db Alcock OK ✓

Wed 6th 1030 - 230

Fri 8th 1030 - 215

David Mallory
Hugh Eastwood /
Gerald Eve 6 Mar
back 18/11

- 10AM.

Meeting 1st Dec
at 10AM

Cllr Brian Alcock - avail
Cllr Tom Bray
Mr Brian Smith - avail
Mr Nigel Midlen - avail
Gerald Eve - Not avail

792. PLANNING APPLICATIONS (Continued)

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

Plan No. and Applicant		Proposal
H14/0576/92 David Parker Homes		19 houses and 16 flats with access road on land off Rose Lane, Pinchbeck.

(It was also agreed that a report and analysis on the amended plans now submitted be considered by the Plans Sub-Committee as an informal submission and the applicants thereafter be advised of the Sub-Committee's views.)

(Councillor T. Bray declared an indirect interest in this application and left the Council Chamber during consideration thereof.)

(Councillor A.J. Biggadike left the meeting following consideration of this application.)

H15/0960/92 Messrs L & G Crosby	O.A.	Two residential dwellings with accesses and provision for passing area along frontage at Buildings & Yard, Barehams Lane, Quadring.
H15/0961/92 Messrs L & G Crosby		Access to agricultural land at Buildings & Yard, Barehams Lane, Quadring.

(c) **Applications Deferred**

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

Plan No. and Applicant		Proposal
H09/0870/92 P Cunnington	O.A.	Extension to factory at Cranmore Lane, Holbeach.

(Pending a site inspection to assess the impact of the proposal on the surrounding area.)

H07/0776/92 Mr M G Thompson		Three-bedroomed bungalow with garage front of "Ersanmine", Hillgate Road, Gedney Hill.

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

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

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

(The Director of Planning and Building Control Services reported the receipt of a late letter of objection.)

H16/0112/92 B P Nutrition Ltd	Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75) at Woolram Wygate, Spalding.

(To enable a meeting to take place between the applicants, the Chairman and Vice-Chairman of the Committee and appropriate officers in order to discuss the proposal in greater detail.)

APPLICATION REFERENCE: H16/0112/92 DATE RECEIVED: 27 January 1992

APPLICANT: B P Nutrition Ltd
Thames Street
Louth
Lincolnshire

AGENT: Gerald Eve
170 Edmund Street
Birmingham

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 27 OCT 1992

TYPE: Section 63

DESCRIPTION: Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75)

LOCATION: Woolram Wygate, Spalding

County Highways: No objections.

Public Objections: Letters received from 2, 6, 10 and 20 Wygate Road and 21, 23, 25, 30 and 34 Woolram Wygate, summarised:

- Noise from machinery, fans, PA System, radios and vehicles.
- Continuous smell.
- Light from yard and windows in roof.
- Inconvenience, people entering and leaving at all hours.
- Do not want factory working on Saturday afternoons, Sundays or Bank Holidays.
- Have cut down screening trees.
- Already working outside present hours. Should not extend hours until Company comply with present conditions.
- Only a matter of time before serious accident, lorries and school. Should be on Wardentree Lane.
- No objection, create alot of jobs.
- Do Council allow Company to break rules whilst plans are submitted, already working on a Sunday.
- Residential area, factory should not have been built in first place.
- Unacceptable to have lorries entering and leaving site during night.

Fourteen signature petition also received adding a further four addresses to those who sent letters.

Information from Applicant: Summarised:

- BP Nutrition operate throughout Europe, Scandinavia and Chile.
- Spalding one of four sites in the UK.
- Manufacture dry pet food. Flour, wheat and vitamins mixed mechanically with water. Dough cut into biscuits and cooked for 25 minutes. Stored for 24 hours to allow biscuits to dry. Packed, stored and distributed.
- Produce 120 tons per week.

- Local Haulier takes significant amount to the Northwich (Cheshire) distribution centre. Remainder to ports except for small amount for local Supermarkets.
- 6-10 lorries delivering raw materials per week. 20 distributing end product per week.
- Employ 41 full time, 4 casual staff. Possibly employ further ten.
- No goods vehicles will visit/leave the site after 2 pm Saturday or all day Sunday.
- Shifts 6.00 am - 2.00 pm, 2.00 pm - 10.00 pm, 10.00 pm - 6.00 am.
- Extra day used only for manufacture, no activity outside factory.
- Cannot produce enough biscuits, have considered larger factory elsewhere or increasing working hours to 24 hour, 7 days per week.

Environmental Services: Summarised:
- Surrounded by residential development.
- Installation of larger chimney appears to have resolved dust and odour problems, have not received complaints recently.
- Company will have to be authorised under Environmental Protection Act 1990 but this excludes noise.
- If grant permission should apply existing restrictions and suggest two further conditions,
  (1) Restriction from 1400 hours Saturday to 0600 hours Monday.
  (2) The site should not exceed 40 dB between 2200 to 0600 hours as measured at any residential facade.

PLANNING POLICIES/DOE ADVICE

The land to the north and west is zoned for residential development in the Spalding and Pinchbeck Local Plan Review Consultation Draft.

PREVIOUS DECISIONS

Up to 1975 a number of planning permissions relating to a nursery.
H16/0663/75 - Outline - Biscuit manufacturing plant - Granted.
H16/0024/76 - RM - Biscuit manufacturing plant - Granted.
H16/0653/77 - Full - Storage Building - Granted.
H16/1048/77 - Full - Loading Bay - Granted.
H16/0496/79 - Full - Portacabin - (Temporary) - Granted.
H16/1007/80 - Full - Fume Disposal System - Granted.
H16/0526/81 - Full - Extension - Granted.
H16/0200/82 - Full - Portacabin (Temporary) - Granted.
H16/0507/84 - Full - Portacabin (Temporary) - Granted.
H16/0508/84 - Full - Extend Clause 5 to allow working hours to be 24 hours each day except Sunday. (3 years and personal to Wygate Foods) - Granted.
H16/0594/91 - Two portable building units (temporary) - Granted.

PLANNING ISSUES

1 The site received outline planning permission for the factory in 1975 and the Reserved Matters were granted in 1976. In 1984 the working hours were changed to allow 24 hour working each day except Sunday.

2 The Company has been working 6 days per week for the last 5 years without permission and I am not aware, and neither are the Environmental Services Department of any sustained complaints. Letters have been received pointing out that the Company were working on Sunday.

3 The existing planning permission restricts the use to biscuit manufacturing and restricts the operation to be carried out within the criteria for light industrial use, that is that it shall not interfere with the amenities of nearby residential properties by reason of noise, vibration, smell, fumes, smoke, soot, ash dust or grit. All plant and machinery shall also be sound proofed. No loading or unloading of goods shall take place anywhere on the site between 10 pm and 6.00 am except within the building.

4 The night shift begins at 10.00 pm and finishes at 6.00 am. These times could cause some disturbance. Indeed, the shift hours are a crucial consideration, some dwellings are very close to the access and potentially it could be unreasonable to have staff vehicles coming in and out from say 5.45 am to 6.15 am, and even 9.45 to 10.15 could be objectionable on Sunday. However, subject to further negotiations on the shift hours of working and if the site noise is restricted during this period together with no lorries visiting or leaving the site on Saturday afternoon and all day Sunday the proposal may not then materially alter the impact on the neighbouring properties.

RECOMMENDATION - That subject to satisfactory discussions with the Company regarding the shift pattern, the Director of Planning and Building Control Services be authorised to Grant Permission with the following conditions amended where necessary.

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA, dated 21 January 1992, and received by the Local Planning Authority on the 27 January 1992. There shall be no loading or unloading of goods outside these buildings or movement to the other buildings between the hours of 10.00 pm and 6.00 am Monday to Saturday and from 2.00 pm Saturday to 6.00 am the following Monday.

2 No commercial vehicles shall enter or leave the site between 10.00 pm and 6.00 am Monday to Saturday or between 2.00 pm on a Saturday and 6.00 am on the following Monday.

3 The tannoy system shall not be used between the hours of 8.00 pm and 8.00 am Monday to Saturday, nor between 2.00 pm Saturday and 8.00 am the following Monday.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqT between 2200 - 0600 hours as measured at any residential facade.

Reason

1-4 To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

ADDENDUM I

1 This application was deferred at the Committee Meeting held on 14 April 1992 for discussions on the shift work arrangements.

2 The applicants have advised that it would be very difficult to make any significant changes to shift patterns as these would cause inconvenience to employees. They have also provided the following information.

At 10.00 pm five employees leave the site and five arrive. There are between 4 and 6 car movements at this time. At 6.00 am the same pattern is repeated. They also state that whilst working 24 hours, 6 days per week no complaints were received.

3 Following these discussions it is considered that little benefit would be gained by moving the shift change since an earlier evening change at 9.00 pm will result in an earlier morning change at 5.00 am which could be more disruptive than 6.00 am. To move the pattern so that the morning change was at 8.00 am would result in the evening change being at midnight.

4 There is no guarantee that the numbers changing at each shift will not increase but it is considered that a significant increase would most probably require extra building work to be undertaken which would require planning permission.

CONCLUSIONS

1 On the assumption that the company continues their activities in their present form little detriment will be caused, but there is no certainty as to the future should either the company or the product change, and the recent history suggests that the Local Planning Authority should at least be informed when that occurs.

2 Whilst recognising the need for a business to respond to the needs of the market place, particularly in the circumstances which currently prevail, nevertheless the end result of this proposal will be to permit a 24 hour industrial use in what is primarily a residential area. Consequently it remains pertinent to the Council acting as Local Planning Authority to be made aware of any future significant impending changes affecting either changes in ownership/working arrangements on site which may have repercussions off site. It is considered, therefore, that the scale of change as proposed to the present arrangements should be the subject of an appropriate Section 106 Agreement with the present company.

3 Notwithstanding the objections received including the volume of traffic generated and the impact of that upon the local highway network the Council have sought to control the issues of noise and smell within their remit acting as both an Environmental Health and Local Planning Authority.

RECOMMENDATION - That subject to the applicants agreeing to enter into a Section 106 Agreement linking the present proposals to the applicant company and requiring notification of any future significant changes in the ownership of the company or working practices, permission be granted subject to the following conditions:

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA, dated 21 January 1992, and received by the Local Planning Authority on the 27 January 1992. There shall be no loading or unloading of goods outside these buildings or movement to the other buildings between the hours of 10.00 pm and 6.00 am Monday to Saturday and from 2.00 pm Saturday to 6.00 am the following Monday.

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3 The tannoy system shall not be used between the hours of 8.00 pm and 8.00 am Monday to Saturday, nor between 2.00 pm Saturday and 8.00 am on the following Monday.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqT between 10.00 pm and 6.00 am as measured at any residential facade.

5 SC21 - (Landscaping Scheme).

6 SC27 - (Implementation of Planting).

Reasons

1-4 To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

5 Standard.

6 Standard.

ADDENDUM II

1 The agents for the applicants are not agreeable to entering into a Section 106 Agreement and have asked for the application to be returned to the Planning Committee with the suggestion that the requirement is conditioned instead.

2 The imposition of the condition will permit the applicants to appeal the condition whereas a Section 106 Planning Obligation cannot be modified until five years after the agreement was made. It is therefore essential that the condition will comply with the advice outlined in Circular 1/85 which relates to the use of conditions.

3 As Members will know the permission for this factory is a light industrial permission, and enables the premises to be used for any use within the light industrial definition. This is to reduce the bureaucratic burden of having to apply for a new planning permission for every change in process, and consequently gives industrialists a degree of flexibility. It does, however, pose problems particularly where an established pattern of traffic is environmentally acceptable, but future change in labour intensity and shift patterns, could detrimentally harm the surrounding area. The existing light industrial condition is not going to be of assistance to solve any problems created by traffic on the residential roads late at night, nor could Environmental Services act, whilst Government advice has always been against loading businesses with excessive conditions, preferring clear cut refusals where sites are unsuitable for the use proposed. Government specifically advises against conditions linking premises to particular companies. It is considered, therefore, that it would be unsafe to rely on conditions to ensure that the proposed 24 hour working did not cause detriment to residents.

RECOMMENDATION -

Either:

That the application be approved in accordance with the conditions set out below, but without the legal agreements restricting changes in operation.

In accordance with the Minute the conditions relating to times when activities can be carried out on the site have been amended to remove potential ambiguity.

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1,2,3,4,5,6,7, 11,12,13 on the submitted plan GEA dated 21 January 1992 and received by the Local Planning Authority on the 27 January 1992. Loading or unloading of goods outside these buildings or movement to other buildings shall only occur between 6 am and 10 pm Monday to Friday and between 6 am and 2 pm on Saturday.

2 Commercial vehicles shall only enter or leave the site between 6 am and 10 pm on Monday to Friday and between 6 am and 2 pm on Saturday.

3 The tannoy system shall only be used between 8 am and 8 pm Monday to Friday and between 8 am and 2 pm on Saturday.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqT between 10 pm and 6 am as measured at any residential facade.

5 This use shall enure only for B.P. Nutrition Ltd who shall inform South Holland District Council of any proposed change in ownership of the company or working conditions.

6 SC21 - (Landscaping Scheme).

7 SC27 - (Implementation of Planting).

Reasons

1-4 To ensure the extended hours of operation do not adversely effect the amenities of the surrounding residential area by reason of excessive noise.

5 The site is enclosed by residential development and land zoned for housing in the Spalding and Pinchbeck Local Plan Review Document. The sale of the site and its use for a different permitted use could materially harm the amenities of the neighbourhood.

6 Standard.

7 Standard.

or

That the application be refused on the following grounds:

The site is closely surrounded by residential properties with access only via predominantly residential roads. In the opinion of the Local Planning Authority the granting of permission for unrestricted working hours is likely to result in detriment to the amenities of residents of properties in the area, due to increased late night vehicle activity on the residential on the residential approach roads.

J.D.B. Bayliss MA FRICS
R.N. Strathon MA FRICS
P.W. Haddock BSc FRICS
M. Beaman FRICS
P.S. Jon[illegible] FRICS
R.T.M. [illegible]
M.D. Barc[illegible]
D.B. Lyons [illegible]
P.R. Needham FRICS
P.R. Jones TD BSc FRICS
D.J.P. Adams FRICS
I. Macpherson MA FRICS
A.D. Taylor FRICS
G.W. Bates BSc FRICS
D.E. Butters BSc FRICS
R.N. Goodchild MA PhD FRICS
R.D. Sawyers BSc FRICS FIQ
R.G. Ovenden MA FRICS

D.R. Dudley FRICS
C.P.M. Champness BSc FRICS
M.R. Sharp FRICS
J.Q. Upton-Prowse BA FRICS
M.J. Barden BSc ARICS
J.S. Smith ARICS
J.P. Hamilton BSc ARICS
A.M. Chase FRICS
S.W.B. Chalwin BSc FRICS
M.J.Y. Roberts BSc ARICS
J.S. Schurder BSc FRICS
H.J.W. Bullock BSc ARICS
I.A. Tingle FRICS
S. Tutcher FRICS
N. Young BSc ARICS
A.P.S. Crawford ARICS AMIQ
M.V. Roskelly BLE MBA ARICS

Associates
A.A. Mortimer BSc FRICS
K.D. Gibbs ARICS
I.L. Aitken ARICS
J.N. Strickland FRICS
A.J. Norman ARICS
Jane E. Asquith BSc ARICS
M.J. Howard ARICS
S.E.L. Milner MA ARICS
Sonja L. Howell BA ARICS
B. Jones BSc ARICS
B.D. Scott AR CS
P.R. King BSc ARICS
N.S. Booton MA ARICS
A.E. Hamilton BSc ARICS
M. Llewelyn Jones
BA MPhil ARICS
R.S. Boom[illegible]

S.D.H. Rees BSc ARICS
Alexandra Cathcart
BA BSc MRTPI ARICS
Kate J. Stacey MA ARICS
M. Davis FRICS

Consultants
A.J. Duncan FRICS
F.G. Bowerman BSc FRICS
M.E. Barker BSc FRICS

Estates & Administration
P.R. Hall[illegible]

LATE OBS: Offr. PW Date. 16.10
Salient points highlighted

Gerald Eve

Chartered Surveyors

Incorporating Sidney & Graham Motion

170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Our reference DRD/HFJE/JPS/B254

13 October 1992

N R Midlen Esq
Principal Planning Officer
(Development Control)
Planning & Building Control Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire
PE11 2XE

PJ

Dear Sir

BP NUTRITION (UK) LIMITED
WOOLRAM WYGATE - PLANNING APPLICATION NUMBER: H16/0112/92

Further to your letter dated 2 October 1992 and our telephone conversation with Mr P Udy on the 13 October 1992, we have requested that this matter be reconsidered by the Planning Committee as soon as possible. We stated in our letter dated 9 September 1992 that we felt that there should be no personal restriction on the planing consent in respect of the above property. However, if the Committee feels that it is really necessary because these are exceptional circumstances, then we have suggested that it should be by way of a planning condition rather than a planning obligation. (We should be grateful to receive a draft of a planning condition which would be inserted in the planning consent).

Mr P Udy informed us that the next Planning Committee would meet on the 27 October 1992 and we should be grateful if this matter could be dealt with on this date.

Yours faithfully

CHARTERED SURVEYORS

cc M West Esq - BP Nutrition
J McLannahan Esq - BP Nutrition

J.D.B. Bayliss MA FRICS
R.N. Strathon MA FRICS
P.W. Haddock BSc FRICS
M. Beaman FRICS
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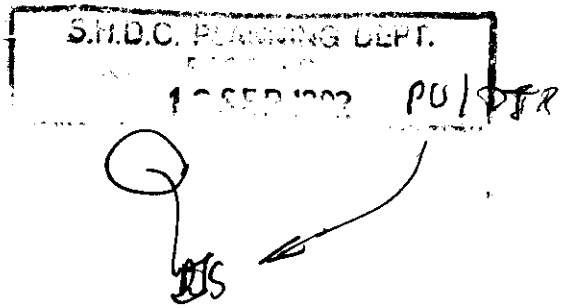
Facsimile 021 233 9182

Your reference PJU/SJS/ H16/012/92

Our reference DRD/KL/B254

9 September 1992

N R Midlen Esq
Principal Planning Officer
(Development Control)
Planning & Building Control Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire PE11 2XE



Dear Sir

BP NUTRITION (UK) LIMITED WOOLRAM WYEGATE
PLANNING APPLICATION NUMBER H16/0112/92

Thank you for your letter dated 8 September 1992. As you are aware, Government guidelines provide that only in exceptional circumstances should planning permissions be granted subject to personal use. Despite your concern over noise caused by cars during the night shift, we doubt if there is justification for imposing a personal planning condition.

In any event we consider that it would have to be by way of a planning condition, rather than a planning obligation which we consider wholly inappropriate in this particular case. Could we suggest at this stage that you reconsider if it is necessary to impose any personal restriction on this planning consent, but if you and the Committee feel it is really necessary to do so because there are exceptional circumstances would you please let us have a draft of a planning condition which would be inserted in the planning consent.

If you would like to discuss the matter please do not hesitate to contact Mr Dudley.

Yours faithfully

CHARTERED SURVEYORS

Phone J. Bembridge to inform her that B.P. Nutrition not at present agreeing to enter agreement BJM 11-10-92

PLANNING APPLICATIONS (Continued)

(d) **Applications Approved Subject to Planning Obligations** (Continued)

Plan No. and Applicant	Proposal
H16/0112/92 B P Nutrition Ltd	Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75) at Woolram Wygate, Spalding.

(To restrict the permission to the applicant company only and to require approval of any future changes in the ownership of the company or working practices.)

(It was also agreed that the times recorded in the conditions would be suitably amended so as to remove any potential ambiguity.)

(e) **Applications 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 permissions in accordance with his recommendations as amended where indicated in respect of the following proposals:-

Plan No. and Applicant	Proposal
H16/0596/92 Spalding Grammar School	Proposed four classroom extension at Priory Road, Spalding.

(Councillor T. Bray declared an indirect interest in this application and left the Council Chamber during consideration thereof.)

H14/0660/92 Mr K. Robertson	Erection of steel framed MOT workshop at Flemming Road, Pinchbeck.

(f) **Application for Resubmission**

The applicants be invited to withdraw the undermentioned application and resubmit a new application for the negotiated amended scheme, following which the Director Planning and Building Control Services be authorised to determine the new application:-

Plan No. and Applicant	Proposal
H16/0548/92 Boston and South Holland ITEC	Advertisement consent for two wall signs, 27/29 The Crescent, Spalding.

(O.A. denotes outline application)

605. DEVELOPMENT BY DISTRICT AND COUNTY COUNCILS

The Director of Planning and Building Control Services advised the Committee of the revised procedure to be followed when local authorities required planning permission for their own development, following the introduction of the Town and Country Planning General Regulations 1992 on the 17th July 1992. In particular, whilst each Council would still determine their own applications for development to be carried out for them, the District Council would now determine most other applications by both the District and County Councils. The County Council would only determine applications for a limited range of proposals primarily relating to waste and minerals. However responses to consultations on these would be likely to be required within a fourteen day period.

APPLICATION REFERENCE: H16/0112/92 DATE RECEIVED: 27 January 1992

APPLICANT: B P Nutrition Ltd
Thames Street
Louth
Lincolnshire

AGENT: Gerald Eve
170 Edmund Street
Birmingham

TYPE: Section 63

DESCRIPTION: Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75)

LOCATION: Woolram Wygate, Spalding

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 26 AUG 1992

County Highways: No objections.

Public Objections: Letters received from 2, 6, 10 and 20 Wygate Road and 21, 23, 25, 30 and 34 Woolram Wygate, summarised:
- Noise from machinery, fans, PA System, radios and vehicles.
- Continuous smell.
- Light from yard and windows in roof.
- Inconvenience, people entering and leaving at all hours.
- Do not want factory working on Saturday afternoons, Sundays or Bank Holidays.
- Have cut down screening trees.
- Already working outside present hours. Should not extend hours until Company comply with present conditions.
- Only a matter of time before serious accident, lorries and school. Should be on Wardentree Lane.
- No objection, create alot of jobs.
- Do Council allow Company to break rules whilst plans are submitted, already working on a Sunday.
- Residential area, factory should not have been built in first place.
- Unacceptable to have lorries entering and leaving site during night.

Fourteen signature petition also received adding a further four addresses to those who sent letters.

Information from Applicant: Summarised:
- BP Nutrition operate throughout Europe, Scandinavia and Chile.
- Spalding one of four sites in the UK.
- Manufacture dry pet food. Flour, wheat and vitamins mixed mechanically with water. Dough cut into biscuits and cooked for 25 minutes. Stored for 24 hours to allow biscuits to dry. Packed, stored and distributed.
- Produce 120 tons per week.

- Local Haulier takes significant amount to the Northwich (Cheshire) distribution centre. Remainder to ports except for small amount for local Supermarkets.
- 6-10 lorries delivering raw materials per week. 20 distributing end product per week.
- Employ 41 full time, 4 casual staff. Possibly employ further ten.
- No goods vehicles will visit/leave the site after 2 pm Saturday or all day Sunday.
- Shifts 6.00 am - 2.00 pm, 2.00 pm - 10.00 pm, 10.00 pm - 6.00 am.
- Extra day used only for manufacture, no activity outside factory.
- Cannot produce enough biscuits, have considered larger factory elsewhere or increasing working hours to 24 hour, 7 days per week.

Environmental Services: Summarised:

- Surrounded by residential development.
- Installation of larger chimney appears to have resolved dust and odour problems, have not received complaints recently.
- Company will have to be authorised under Environmental Protection Act 1990 but this excludes noise.
- If grant permission should apply existing restrictions and suggest two further conditions,
  (1) Restriction from 1400 hours Saturday to 0600 hours Monday.
  (2) The site should not exceed 40 dB between 2200 to 0600 hours as measured at any residential facade.

PLANNING POLICIES/DOE ADVICE

The land to the north and west is zoned for residential development in the Spalding and Pinchbeck Local Plan Review Consultation Draft.

PREVIOUS DECISIONS

Up to 1975 a number of planning permissions relating to a nursery.
H16/0663/75 - Outline - Biscuit manufacturing plant - Granted.
H16/0024/76 - RM - Biscuit manufacturing plant - Granted.
H16/0653/77 - Full - Storage Building - Granted.
H16/1048/77 - Full - Loading Bay - Granted.
H16/0496/79 - Full - Portacabin - (Temporary) - Granted.
H16/1007/80 - Full - Fume Disposal System - Granted.
H16/0526/81 - Full - Extension - Granted.
H16/0200/82 - Full - Portacabin (Temporary) - Granted.
H16/0507/84 - Full - Portacabin (Temporary) - Granted.
H16/0508/84 - Full - Extend Clause 5 to allow working hours to be 24 hours each day except Sunday. (3 years and personal to Wygate Foods) - Granted.
H16/0594/91 - Two portable building units (temporary) - Granted.

PLANNING ISSUES

1 The site received outline planning permission for the factory in 1975 and the Reserved Matters were granted in 1976. In 1984 the working hours were changed to allow 24 hour working each day except Sunday.

2 The Company has been working 6 days per week for the last 5 years without permission and I am not aware, and neither are the Environmental Services Department of any sustained complaints. Letters have been received pointing out that the Company were working on Sunday.

3 The existing planning permission restricts the use to biscuit manufacturing and restricts the operation to be carried out within the criteria for light industrial use, that is that it shall not interfere with the amenities of nearby residential properties by reason of noise, vibration, smell, fumes, smoke, soot, ash dust or grit. All plant and machinery shall also be sound proofed. No loading or unloading of goods shall take place anywhere on the site between 10 pm and 6.00 am except within the building.

4 The night shift begins at 10.00 pm and finishes at 6.00 am. These times could cause some disturbance. Indeed, the shift hours are a crucial consideration, some dwellings are very close to the access and potentially it could be unreasonable to have staff vehicles coming in and out from say 5.45 am to 6.15 am, and even 9.45 to 10.15 could be objectionable on Sunday. However, subject to further negotiations on the shift hours of working and if the site noise is restricted during this period together with no lorries visiting or leaving the site on Saturday afternoon and all day Sunday the proposal may not then materially alter the impact on the neighbouring properties.

RECOMMENDATION - That subject to satisfactory discussions with the Company regarding the shift pattern, the Director of Planning and Building Control Services be authorised to Grant Permission with the following conditions amended where necessary.

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Reason

1-4 To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

ADDENDUM

1 This application was deferred at the Committee Meeting held on 14 April 1992 for discussions on the shift work arrangements.

2 The applicants have advised that it would be very difficult to make any significant changes to shift patterns as these would cause inconvenience to employees. They have also provided the following information.

At 10.00 pm five employees leave the site and five arrive. There are between 4 and 6 car movements at this time. At 6.00 am the same pattern is repeated. They also state that whilst working 24 hours, 6 days per week no complaints were received.

3 Following these discussions it is considered that little benefit would be gained by moving the shift change since an earlier evening change at 9.00 pm will result in an earlier morning change at 5.00 am which could be more disruptive than 6.00 am. To move the pattern so that the morning change was at 8.00 am would result in the evening change being at midnight.

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CONCLUSIONS

1 On the assumption that the company continues their activities in their present form little detriment will be caused, but there is no certainty as to the future should either the company or the product change, and the recent history suggests that the Local Planning Authority should at least be informed when that occurs.

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3 Notwithstanding the objections received including the volume of traffic generated and the impact of that upon the local highway network the Council have sought to control the issues of noise and smell within their remit acting as both an Environmental Health and Local Planning Authority.

RECOMMENDATION - That subject to the applicants agreeing to enter into a Section 106 Agreement linking the present proposals to the applicant company and requiring ~~notification~~ of any future

~~significant~~ changes in the ownership of the company or working practices, permission be granted subject to the following conditions:

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5 SC21 - (Landscaping Scheme).
6 SC27 - (Implementation of Planting).

Reasons

1-4 To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.
5 Standard.
6 Standard.

Add & File. - DPO aware

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC)

To: Director of Planning and Building Control Services/ Deputy Director of Planning and Building Control Services

Our Ref: NRM/JJ H16/112/92

Your Ref:

Date: 18 Aug 1992

PROPOSED 24 HOUR WORKING, BP NUTRITION, WOOLRAM WYGATE.

I am uneasy about this application and report, since we will be agreeing to a 24 hour industrial use in a residential area.

Whilst it seems fairly clear that as long as the Company continues their activities in their present form, little detriment will be caused to residents, there is no guarantee that the situation will not change markedly in the future. There could be a different Company, different shift patters, greater number of workers per shift and possible even a different product. In fact, given that the Company apparently has 41 full time workers, a shift change of apparently only 5 seems very strange.

My feeling is that at the very least we should warn the Committee of the potential for change in the future with consequent problems, but that we should really consider whether we can somehow limit the size of shift change to the 5 or so that the applicants appear to propose. Perhaps a 106 Agreement is the way to do it.

N Midlen
Principal Planning Officer
Development Control

RBGS

11/7/82

Brian / Roger

I remain uneasy about this, since we will be operating to a 24 hr. industrial use in a residential area.

Whilst it seems fairly clear that so long as the company continues their activities in their present form, little detriment will be caused, there is no guarantee that the situation will not change markedly in the future, with a different company, greater numbers of workers per shift & possibly a different product. In fact, going to full time working, a shift of only 5 hours strange.

My feeling is that at the very least we should keep in the potential for change & probably that we should consider some how limiting the size of shift changes 5 5 or so. Perhaps a letter agreement is the way to do it.

14/8

J.D.B. Bayliss MA FRICS
R.N. Strathon MA FRICS
P.W. Haddock BSc FRICS
M. Beaman FRICS
P.S. Jones FRICS
R.T.M. Innes FRICS
M.D. Barclay FRICS
D.B. Lyons FRICS
P.R. Needham FRICS
P.R. Jones TD BSc FRICS
D.J.P. Adams FRICS
I. Macpherson MA FRICS
A.D. Taylor FRICS
G.W. Bates BSc FRICS
D.E. Butters BSc FRICS
R.N. Goodchild MA PhD FRICS
R.D. Sawyers BSc FRICS FIQ
R.G. Ovenden MA FRICS

D.R. Dudley FRICS
C.P.M. Champness BSc FRICS
M.R. Sharp FRICS
J.Q. Upton-Prowse BA FRICS
M.J. Barden BSc ARICS
J.S. Smith ARICS
J.P. Hamilton BSc ARICS
A.M. Chase FRICS
S.W.B. Chalwin BSc FRICS
M.J.Y. Roberts BSc ARICS
J.S. Schurder BSc FRICS
H.J.W. Bullock BSc ARICS
I.A. Tingle FRICS
S. Tutcher FRICS
N. Young BSc ARICS
A.P.S. Crawford ARICS AMIQ
M.V. Roskelly BLE MBA ARICS

Associates
A.A. Mortimer BSc FRICS
K.D. Gibbs ARICS
I.L. Aitken ARICS
J.N. Strickland FRICS
A.J. Norman ARICS
Jane E. Asquith BSc ARICS
M.J. Howard ARICS
S.E.L. Milner MA ARICS
Sonja L. Howell BA ARICS
B. Jones BSc ARICS
B.D. Scott ARICS
P.R. King BSc ARICS
N.S. Booton MA ARICS
A.E. Hamilton BSc ARICS
M. Llewelyn Jones BA MPhil ARICS
P.S. Boothroyd ARICS

S.D.H. Rees BSc ARICS
Alexandra Cathcart BA BSc MRTPI ARICS
Kate J. Stacey MA ARICS
M. Davis FRICS

Consultants
A.J. Duncan FRICS
F.G. Bowerman BSc FRICS
M.E. Barker BSc FRICS

Finance & Administration
P.R. Haigh-Lumby FCA

Gerald Eve
Chartered Surveyors
Incorporating Sidney & Graham Motion

170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

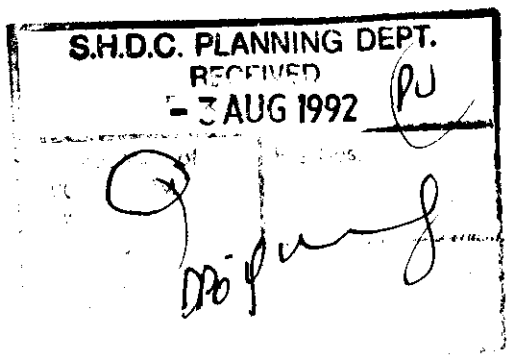
Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/JPD/B254

31 July 1992

The Planning Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire



For the attention of Mr Udy

Dear Sir

BP NUTRITION (UK) LIMITED
WOOLRAM WYGATE SPALDING
PLANNING APPLICATION NUMBER H16/0112/92

Further to our telephone conversation with Mr Peter Udy on the 27 July 1992, we understand that the above Application will go back to the Committee on the 26 August 1992.

We have discussed in some length with both our client, B P Nutrition (UK) Limited and Mr Udy, the merits of changing the suggested shift pattern of 10.00p.m. and 6.00p.m. and have come to the conclusion that it would be of little benefit to change it to say 11.00p.m. and 7.00a.m.

We have been assured by our client that there **would be minimal disturbance at these shift changes** as only five employees will leave the site with the same number arriving, these arrivals and departures will occur at more or less the same time and only two to three cars will leave the site with the same number entering the site. We are confident that there will be minimal disturbance at these times **as our client did not receive any complaints from the local residents** whilst working twenty-four hours per day except on Sundays. It is also important to note that the car park area is towards the rear of the site and is reasonably secluded, we feel that this will also help to reduce any possibility of disturbance at the change of shift.

Planning Department/B254 31 July 1992

B P Nutrition (UK) Limited are very keen to see this matter resolved as soon as possible, and are willing to provide further information if so required before the 26 August 1992. As stated in our written statement submitted with the Planning Application, there is a huge demand from our clients product and they have had to consider either a larger factory elsewhere or increasing the working week to twenty-four hours a day, seven days a week.

Would you please put this letter before the Planning Committee when it next meets on the 26 August 1992.

Yours faithfully

CHARTERED SURVEYORS

cc Martin West Esq, BP International (UK) Limited, Woolram Wygate, Spalding, Lincolnshire, PE11 1PE

J.D.B. Bayliss MA FRICS
R.N. Strathon MA FRICS
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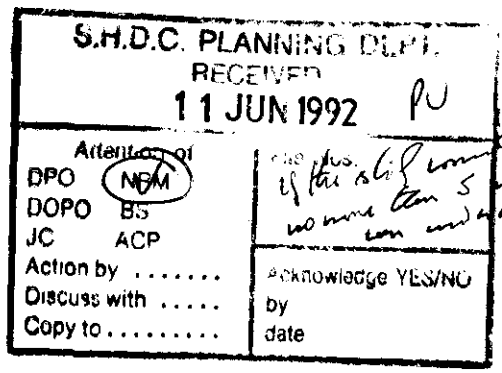
Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/JPD/B254

9 June 1992

The Planning Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire



FAO: Mr P Udy

Dear Sir

BP NUTRITION (UK) LIMITED
WOOLRAM WYEGATE SPALDING
PLANNING APPLICATION NUMBER: H16/0112/92

With reference to your letter dated 20 May 1992 and our subsequent telephone conversation today, we note that there is some concern about the shift changes, in respect of the above application ,at 10.00p.m. and 6.00a.m.

As stated, we have spoken to BP Nutrition (UK) Limited on this matter and they have told us that although it would not be impossible to alter the shift times, it would be very difficult to make any significant changes to the shift patterns as these would cause inconvenience to their employees.

BP Nutrition (UK) Limited are however, keen to be of assistance and are looking into this matter in more detail. In the meantime, they have given us the following information in respect of the shift patterns originally suggested:-

10.00p.m. - At the change of shift, five employees will leave the site and the same number will arrive. Two to three cars will enter the site and two to three cars will leave the site, those employees not arriving by car use a pushbike.

6.00a.m. - As above.

BP Nutrition have also asked us to emphasise that whilst working twenty-four hours per day except on Sunday, they received no complaints from the local residents.

We hope that the above information is of help to you and should you have any further queries, please contact either Mr David Dudley or Mr Hugh Eastwood.

Yours faithfully

Gerald Eve

CHARTERED SURVEYORS

Hugh Eastwood phoned 27-7-92.

take to dict 28-8-92

Gerald Eve
170 Edmund Street
Birmingham

Mr P J Udy

PJU/LAB
H16/0112/92
DRD/HFJE/KL/B254

20 May 1992

For The Attention Of Hugh Eastwood.

Dear Sir

Continuation Of Use Of Biscuit Factory Without Complying With Hours Of Use Limitation (Condition 6 Of H16/0663/75).

The application was considered by the Planning Committee on 14 April 1992. They resolved to defer the application to allow negotiations on the shift work arrangements.

There is some concern about the shift change at 10.00 pm and 6.00 am owing to the disturbance to neighbours traffic movements at this time can cause.

I would therefore be grateful for any comments on how the shift pattern could be changed to overcome this problem.

Yours faithfully

Peter Midlen

P.P.

N R Midlen
Principal Planning Officer
Development Control

82. PLANNING APPLICATIONS (Continued)

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

Plan No. and Applicant	Proposal
H16/1137/91 Mr N L Steadman	Alterations to form two flats at 53 Love Lane, Spalding.

(To enable the Director of Planning and Building Control Services to seek clarification regarding the proposed parking and access arrangements.)

(The Director of Planning and Building Control Services declared an indirect interest in the above application, and left the Council Chamber during consideration thereof.)

(Councillor Mrs P J Buffham left the meeting during consideration of the above application.)

PJ

H16/0112/92 B P Nutrition Ltd	Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75) at Woolram Wygate, Spalding.

(To enable the Director of Planning and Building Control Services to negotiate with the applicant regarding the shift work arrangements.)

(d) **Applications 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 permissions in accordance with his recommendations as amended where indicated in respect of the following proposals:-

Plan No. and Applicant		Proposal
H18/1140/91 Roffes Transport Ltd		Details of screening in respect of condition 2 of application H18/1780/88 at West Bank, Sutton Bridge.
H14/0062/92 Mr J G Sneath	O.A.	Country Park including two wardens dwellings and visitor centre at River Glen/A151 Guthram Gowt, West Pinchbeck.

(It was agreed that, in the event that the applicant was not prepared to amend the development description, the Director of Planning and Building Control Services be authorised to refuse planning permission for the abovementioned development in accordance with his recommendation.)

H06/0197/92 Mrs F M Rowe	Double car port and garage/implement store and kennels (breeding) at Green Lane Lodge, Green Lane, Holbeach St Johns.

(It was noted that the part of the application relating to boarding kennels, had been withdrawn.)

APPLICATION REFERENCE: H16/0112/92 DATE RECEIVED: 27 January 1992

APPLICANT: B P Nutrition Ltd
Thames Street
Louth
Lincolnshire

AGENT: Gerald Eve
170 Edmund Street
Birmingham

TYPE: Section 63

DESCRIPTION: Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75)

LOCATION: Woolram Wygate, Spalding

County Highways: No objections.

Public Objections: Letters received from 2, 6, 10 and 20 Wygate Road and 21, 23, 25, 30 and 34 Woolram Wygate, summarised:
- Noise from machinery, fans, PA System, radios and vehicles.
- Continuous smell.
- Light from yard and windows in roof.
- Inconvenience, people entering and leaving at all hours.
- Do not want factory working on Saturday afternoons, Sundays or Bank Holidays.
- Have cut down screening trees.
- Already working outside present hours. Should not extend hours until Company comply with present conditions.
- Only a matter of time before serious accident, lorries and school. Should be on Wardentree Lane.
- No objection, create alot of jobs.
- Do Council allow Company to break rules whilst plans are submitted, already working on a Sunday.
- Residential area, factory should not have been built in first place.
- Unacceptable to have lorries entering and leaving site during night.

Fourteen signature petition also received adding a further four addresses to those who sent letters.

Information from Applicant: Summarised:
- BP Nutrition operate throughout Europe, Scandinavia and Chile.
- Spalding one of four sites in the UK.
- Manufacture dry pet food. Flour, wheat and vitamins mixed mechanically with water. Dough cut into biscuits and cooked for 25 minutes. Stored for 24 hours to allow biscuits to dry. Packed, stored and distributed.
- Produce 120 tons per week.
- Local Haulier takes significant amount to the Northwich (Cheshire) distribution centre. Remainder to

ports except for small amount for local Supermarkets.
- 6-10 lorries delivering raw materials per week. 20 distributing end product per week.
- Employ 41 full time, 4 casual staff. Possibly employ further ten.
- No goods vehicles will visit/leave the site after 2 pm Saturday or all day Sunday.
- Shifts 6.00 am - 2.00 pm, 2.00 pm - 10.00 pm, 10.00 pm - 6.00 am.
- Extra day used only for manufacture, no activity outside factory.
- Cannot produce enough biscuits, have considered larger factory elsewhere or increasing working hours to 24 hour, 7 days per week.

Environmental Services: Summarised:
- Surrounded by residential development.
- Installation of larger chimney appears to have resolved dust and odour problems, have not received complaints recently.
- Company will have to be authorised under Environmental Protection Act 1990 but this excludes noise.
- If grant permission should apply existing restrictions and suggest two further conditions.

PLANNING POLICIES/DOE ADVICE
The land to the north and west is zoned for residential development in the Spalding and Pinchbeck Local Plan Review Consultation Draft.

PREVIOUS DECISIONS
Up to 1975 a number of planning permissions relating to a nursery.
H16/0663/75 - Outline - Biscuit manufacturing plant - Granted.
H16/0024/76 - RM - Biscuit manufacturing plant - Granted.
H16/0653/77 - Full - Storage Building - Granted.
H16/1048/77 - Full - Loading Bay - Granted.
H16/0496/79 - Full - Portacabin - (Temporary) - Granted.
H16/1007/80 - Full - Fume Disposal System - Granted.
H16/0526/81 - Full - Extension - Granted.
H16/0200/82 - Full - Portacabin (Temporary) - Granted.
H16/0507/84 - Full - Portacabin (Temporary) - Granted.
H16/0508/84 - Full - Extend Clause 5 to allow working hours to be 24 hours each day except Sunday. (3 years and personal to Wygate Foods) - Granted.
H16/0594/91 - Two portable building units (temporary) - Granted.

PLANNING ISSUES
1 The site received outline planning permission for the factory in 1975 and the Reserved Matters were granted in 1976. In 1984 the working hours were changed to allow 24 hour working each day except Sunday.
2 The Company has been working 6 days per week for the last 5 years without permission and I am not aware, and neither are the Environmental Services Department of any sustained complaints. Letters have been received pointing out that the Company were working on Sunday.
3 The existing planning permission restricts the use to biscuit manufacturing and restricts the operation to be carried out

within the criteria for light industrial use, that is that it shall not interfere with the amenities of nearby residential properties by reason of noise, vibration, smell, fumes, smoke, soot, ash dust or grit. All plant and machinery shall also be sound proofed. No loading or unloading of goods shall take place anywhere on the site between 10 pm and 6.00 am except within the building.

4 The night shift begins at 10.00 pm and finishes at 6.00 am. These times could cause some disturbance. Indeed, the shift hours are a crucial consideration, some dwellings are very close to the access and potentially it could be unreasonable to have staff vehicles coming in and our from say 5.45 am to 6.15 am, and even 9.45 to 10.15 could be objectionable on Sunday. However, subject to further negotiations on the shift hours of working and if the site noise is restricted during this period together with no lorries visiting or leaving the site on Saturday afternoon and all day Sunday the proposal may not then materially alter the impact on the neighbouring properties.

RECOMMENDATION - That subject to satisfactory discussions with the Company regarding the shift pattern, the Director of Planning and Building Control Services be authorised to Grant Permission with the following conditions amended where necessary.

1 This permission shall only be applicable to those processes which take place within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA, dated 21 January 1992, and received by the Local Planning Authority on the 27 January 1992. There shall be no loading or unloading of goods outside these buildings or movement to the other buildings between the hours of 10.00 pm and 6.00 am Monday to Saturday and from 2.00 pm Saturday to 6.00 am the following Monday.

2 No commercial vehicles shall enter or leave the site between 10.00 pm and 6.00 am Monday to Saturday or between 2.00 pm on a Saturday and 6.00 am on the following Monday.

3 The tannoy system shall not be used between the hours of 8.00 pm and 8.00 am Monday to Saturday, nor between 2.00 pm Saturday and 8.00 am the following Monday.

4 Noise emitted from the site shall not exceed 40 dB expressed as a 5 minute LAeqT between 2200 - 0600 hours as measured at any residential facade.

Reason

1-4 To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 25.3.92

OUR REF: SWL/JMC/PC

TO: DIRECTOR OF PLANNING YOUR REF:

H16-0112-92
BP Nutrition, Woolram Wygate, Spalding

This established industrial factory is surrounded by residential development which will in future further encroach upon its boundaries.

Whilst in previous years the factory did give rise to complaints from dust and odour, the installation of a larger chimney appears to have resolved the problems and recently we have received no complaints about the operation.

The company will require an authorisation for their prescribed process in accordance with Part 1 of the Environmental Protection Act 1990, but this specifically excludes noise, which could have the greatest impact on residential amenities during these extended hours unless strict controls are applied.

Any external activity during the nighttime has the potential to give rise to disturbance and it is essential therefore if this permission is to be granted that the existing restrictions are applied to the extended period together with the following conditions :-

1. Condition 1 of H16/0508/84 to include a restriction from 1400 hours Saturday to 0600 hours Monday.

2. Noise emitted from ~~fixed plant and machinery operated on~~ the site shall not exceed 40 dB expressed as a 5 minute LAeq,T between 2200 - 0600 hours as measured at any residential facade.

pp Director of Environmental Services

S.H.D.C. PLANNING DEPT.
RECEIVED
25 MAR 1992

Attention of
DPO NBM
DOPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....

File Nos.

Acknowledge YES/NO
by
date

NOTICE IS HEREBY GIVEN that the Audit of Accounts of the Welland and ...ngs Internal Drain... ...oard for the year end...g the 31st March 1991 has been completed.

Mrs M. L. ROBINSON
Finance Officer

< WVN 9e6989

Y PLANNING ACT 1990

ER SECTION 65(2)

OPMENT AT REAR OF EDNEY HILL

iedney Hill Parish Council is Holland District Council for change use of land from und.

may inspect copies of the plans and other documents Council Offices, Priory Road, onable hours until March 12,

make representations about rite to the District Planning d District Council, Priory ıshire.

Signed
N. HUMPHRIES,
Gedney Hill Parish Council.
2.

187/507FP25-2

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CTION

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LNSHIRE

7dE WVN 6790

NOTICE IS HEREBY GIVEN that an application is being made to the National Rivers Authority Anglian Region by The Hon R. F. J. Carington, c/o Carter Jonas Farms Department, 43 Priestgate, Peterborough, PE1 1LX for a licence to abstract 40,000 cubic metres per year between April 1 and October 31 in any year between National Grid References TF236182 and TF234189, TF224192 and TF236182 in the Parish of Deeping St Nicholas in the District of South Kesteven in the County of South Lincolnshire from South Drove Drain and associated internal drains. The water is required for spray irrigation.

A copy of the application and of any map, plan or other document submitted with it may be inspected free of charge at The Farm Office, Willow Tree Farm, Deeping St Nicholas, Spalding, Lincs at all reasonable hours during the period beginning on February 25, 1992 and ending on March 24, 1992.

Any person who wishes to make representations about the application should do so in writing to the Regional Manager, Environment & Fisheries, National Rivers Authority, Anglian Region, Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough PE2 1ZR before the end of the said period.

Signed: C. D. HAYNES *for Carter Jonas.*
Agents for and on behalf of
The Hon R. F. J. Carington.
Dated February 18, 1992.

PLANNING APPLICATION

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

PLanning Applications

Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H/16/0663/75)
Woolram Wygate, Spalding
(Application No H16/0112/92)

Proposals in Conservation Areas

The proposal may affect the character or apperance of the Conservation Area —

Replacement shop front —
23 Hall Place, Spalding
(Application No H16/0072/92)
(Amended Plans Received)

Listed Buildings

The proposal affects a building which is listed by the Secretary of State for the Environment as a building of special architectural or historic interest.

Rebuilding of south gable and part front to match existing Minerva Farm House, Lowgate Road, Tydd St Mary.
(Application No H21/0187/92)
Demolition and rebuilding of south gable and part front to match existing Minerva Farm House, Lowgate Road, Tydd St Mary
(Application No H21/0188/92)

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 within 21 days of the date of this notice.

B. SMITH
Director of
Planning & Building
Control Services
Council Offices
Priory Road
Spalding
25th February 1992.

SOUTH HOLLAND DISTRICT COUNCIL

© WVN 9e6968

P.U

LFP
25/2/92

PLANNING APPLICATION

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

PLANNING APPLICATION

Reference No: H16/0112/92
Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)
Location: Woolram Wygate
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 17-MAR-92 quoting the above reference number.

B Smith
District Planning Officer

25-FEB-92

SOUTH HOLLAND DISTRICT COUNCIL

BRIAN SMITH Dip TP MRTPI District Planning Officer

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0031/92

Applicant: B P Nutrition (UK) Ltd.
Woolram Wygate
Spalding
Lincs

Agent: B P Nutrition (UK) Ltd.
Woolram Wygate
Spalding
Lincs

Description: Fascia sign erected on two metal legs

Location: Woolram Wygate
Spalding
Lincs

Type: ADVERTISEMENT

Date received: 17-FEB-92

Terminal date: 13-APR-92

PLANNING APPLICATION - SUMMARY RECORD (PART I REGISTER)

BRIAN SMITH Dip TP MRTPI District Planning Officer

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0112/92

Applicant: B P Nutrition (UK) Limited
Victoria Works
Whitwell Green Lane
Elland
West Yorkshire HX5 9BJ

Agent: Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)

Location: Woolram Wygate
Spalding
Lincs

Type: SECTION 63

Date received: 27-JAN-92

Terminal date: 23-MAR-92

PLANNING APPLICATION - SUMMARY RECORD (PART I REGISTER)

SOUTH HOLLAND D.C.
PLAN DEPT.
27 JAN 1992
REF 0112/192

Gerald Eve

BP NUTRITION LTD WOOLRAM WYGATE SPALDING LINCS

THE COMPANY

The petfood side of BP Nutrition operates throughout Europe. There are four main factories within the UK at Elland, Bardney, Northwich and Spalding. BP Nutrition (Petfoods) produce branded petfoods for specialist shops and private label petfoods for supermarkets. The above sites produce either wet or dry petfoods and there is also similar production in Germany, Belgium, France, Spain, Italy and Chile. BP Nutrition (Petfoods) employ 850 staff throughout Europe, Scandinavia and Chile.

THE SPALDING FACTORY

This site at Woolram Wyegate, Spalding became a biscuit manufacturing factory in 1976, and was taken over by BP Nutrition for the manufacture of dog biscuits in April 1991. Dry petfood is manufactured at Spalding and this involves the use of several raw materials, flour, wheat and vitamins, which are then mixed mechanically with water which results in a dough being produced. This is then cut into dog biscuit shapes and fed via conveyors into ovens. The biscuits are cooked for up to 25 minutes and then stored for 24 hours to allow the biscuits to dry. The biscuits are then packed and put into storage to await loading and distribution.

BUILDINGS AND LAND

(See Plan GE A attached)

REF	BUILDING USE	AREA (SQ.M)
1	Drying Room	227.34
2	Quality Control and Records Offices	34.93
3	Production/Packaging	392.97
4	Production Area	427.44
5	Offices/Reception	80.49
6	Flour Room	312.61
7	Flour Bin Store	159.73
8	Packaging Store	382.99
9	Workshop	143.93
10	Part of Stores	31.64
11	Canteen (Portakabin)	26.04

12	WC's (Portakabin)	6.56
13	Compressor House	5.18
	TOTAL SITE AREA:	Approximately 2 Acres
	(See Plan GE B attached)	

PRODUCTION

120 tons of biscuits are produced every week. A significant amount of this is taken by a local haulier to the distribution centre at Northwich in Cheshire. The remainder, except for a small amount which goes to local supermarkets, is taken to the ports for export.

COMMERCIAL VEHICLE MOVEMENTS

There are approximately 6-10 lorries delivering the raw materials per week and 20 lorries distributing the end product each week.

EMPLOYMENT

BP Nutrition, Spalding employ 41 full time staff and 4 casual staff at this site, of which approximately 30 live in Spalding. The remainder live in the outlying villages. Three-quarters of these employed travel to work by car.

PLANNING POSITION

The site was granted planning permission for a change in use from a nursery to a biscuit manufacturing factory in 1976.

In 1984 this site was granted permission to extend the working hours at the premises to allow for working hours to be 24 hours each day except Sunday.

THIS PLANNING APPLICATION

Is made on behalf of BP Nutrition, and is for the renewal of the permission for the 24-hour, six days a week operation and the further extension of the working week to allow B P Nutrition to work 24 hours each day including Sunday. **It should be noted that after about 2.00 pm on Saturday and all day Sunday there will be no goods vehicles coming on to or leaving the site.** And furthermore, the shifts are from 6.00 am to 2.00 pm, 2.00 pm to 10.00 pm and 10.00 pm to 6.00 am, which means that the nightshift is such that no-one will be coming to or leaving the site in the early hours. From an Environmental Health point of view, working Sundays will involve no extra noise, and the warm air from the ovens is dispensed through a tall chimney stack, planning permission for which was granted in 1980. As previously stated, there will be no loading of lorries or deliveries of raw materials taking place on Sundays or Saturday afternoons. This extra day will only be used for the manufacture of dog biscuits. There will therefore be no activity outside the factory.

THIS PLANNING APPLICATION (cont'd...)

It is possible that BP Nutrition will need to employ an extra 10 staff to handle the extra production created by working on Sundays and Saturday afternoon. At present, BP Nutrition cannot produce enough biscuits at this site, due to the increase in demand for their product both at home or abroad, and have considered either a larger factory elsewhere or increasing the working week to 24 hours a day, 7 days a week.

GENERAL

It is stressed that the Applicant or Gerald Eve as Agents are willing to provide other information if required.

Gerald Eve
24 January 1992

J.D. ayliss MA FRICS
R.N. Strathon MA FRICS
P.W. Haddock BSc FRICS
M. Beaman FRICS
P.S. Jones FRICS
R.T.M. Innes FRICS
M.D. Barclay FRICS
D.B. Lyons FRICS
P.R. Needham FRICS
P.R. Jones TD BSc FRICS
D.J.P. Adams FRICS
I. Macpherson MA FRICS
A.D. Taylor FRICS
G.W. Bates BSc FRICS
D.E. Butters BSc FRICS
R.N. Goodchild MA PhD FRICS
R.D. Sawyers BSc FRICS FIQ
R.G. Ovenden MA FRICS

D.R. Dudley FRICS
C.P.M. Champness BSc FRICS
M.R. Sharp FRICS
I.A. Smith FRICS
J.Q. Upton-Prowse BA FRICS
N.P. Cunis BSc FRICS
M.J. Barden BSc ARICS
J.S. Smith ARICS
J.P. Hamilton BSc ARICS
A.M. Chase FRICS
S.W.B. Chalwin BSc FRICS
M.J.Y. Roberts BSc ARICS
J.S. Schurder BSc FRICS
H.J.W. Bullock BSc ARICS
I.A. Tingle FRICS
S. Tutcher FRICS
N. Young BSc ARICS

Associates
A.A. Mortimer BSc FRICS
K.D. Gibbs ARICS
I.L. Aitken ARICS
J.N. Strickland FRICS
A.P.S. Crawford ARICS
A.J. Norman ARICS
Jane E. Asquith BSc ARICS
M.J. Howard ARICS
S.E.L. Milner MA ARICS
Sonja L. Howell BA ARICS
B. Jones BSc ARICS
B.D. Scott ARICS
P.R. King BSc ARICS
N.S. Boston MA ARICS
A.E. Hamilton BSc ARICS
M. Llewelyn Jones BA MPhil ARICS

M.V. Roskelly BLE MBA ARICS
P.S. Boothroyd ARICS

Consultants
M.St.J. Hopper FRICS
A.J. Duncan FRICS
F.G. Bowerman BSc FRICS
M.E. Barker BSc FRICS

Finance & Administration
P.R. Haigh-Lumby FCA

Gerald Eve
Chartered Surveyors
Incorporating Sidney & Graham Motion

170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/KL/B254

24 January 1992

Planning Department
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire

SOUTH HOLLAND D.C.
PLAN DEPT.
27 JAN 1992
REF 0112/92

Dear Sir

BP NUTRITION UK LIMITED
WOOLRAM WYEGATE SPALDING

With reference to the above, please find enclosed four Planning Application forms, together with cheque for £110.00, as discussed with Peter Udy. Also enclosed are four copies of all plans and four copies of the written statement.

We stress that either BP Nutrition or ourselves will be happy to answer any queries you may have before this application goes to committee. Should you wish, we would also be happy to meet you to discuss this application in more detail.

Yours faithfully

CHARTERED SURVEYORS

BRIAN SMITH Dip TP MRTPI District Planning Officer

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/1349/91

Applicant: B P Nutrition Limited
Thames Street
Louth
Lincs
LN11 7AE

Agent: M E Cresswell
Horseshoe Bridge
Spalding
Lincs
PE11 3JA

Description: 2 grain storage bins

Location: Formerly Wygate Foods Ltd
Woolram Wygate
Spalding

Type: FULL

Date received: 18-DEC-91

Terminal date: 12-FEB-92

PLANNING APPLICATION - SUMMARY RECORD (PART I REGISTER)

SU.84

COUNTY OF LINCOLN (PARTS OF HOLLAND).
THE HOLLAND JOINT PLANNING COMMITTEE.

To Mr. F. B. Hanson
47 Pennygate,
Spalding.

Town and Country Planning Acts, 1932 and 1943.
Town and Country Planning (General Interim Development) Order, 1945.
The Holland Town and Country Planning (Special Interim Development) Order, 1945.

HOLLAND PLANNING SCHEME.

In pursuance of their powers under the above-mentioned Acts and Orders, the Holland Joint Planning Committee as Interim Development Authority hereby permit [~~Retention of Use~~] [buildings for the purpose of Hot House at Nurseries,

to be erected] on land situate Woolram Wygate, Spalding,

Lincolnshire,

in the [~~Borough~~/Urban District] of SPALDING in accordance with the accompanying plans and subject to due compliance with the byelaws and general statutory provisions in force in the said ~~Borough~~/District and with the conditions specified hereunder :—

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

DATED 4th day of February 19 46

46

T.C.P. 1.

COUNTY OF LI[redacted]LN (PARTS OF HOLLAND).

THE HOLLAND [redacted]NT PLANNING COMMITTEE.

SU.112

Mr. F. Hanson,
Fennygate,
Spalding.

Town and Country [redacted]lanning Acts, 1932 and 1943.
Town and Country Planning [redacted]eneral Interim Development) Order, 1946.
The Holland Town and Country Pl[redacted]ing (Special Interim Development) Order, 1945.

HOLLA[redacted] PLANNING SCHEME.

In pursuance of their powe[redacted]under the above-mentioned Acts and Orders, the Holland Joint Planning [redacted]mittee as Interim Development Authority hereby permit [~~streets to be lai[redacted]~~] [buildings for the purpose of

Dutch Ligh[redacted]

to be erected] on land situate[redacted] Woolram Wygate, Spalding, Lincs.

in the [~~Borough~~] [Urban/[redacted]istrict] of SPALDING in accordance with the depo[redacted]ed plans and subject to due compliance with the byelaws and general st[redacted]utory provisions in force in the said Borough/District and with the conditi[redacted]s specified hereunder :—

The reasons for the Committe[redacted]s decision to grant permission for the development, subject to compliance wit[redacted] the conditions hereinbefore specified, are :—

DATED 6th day of May 19 46

Clerk of the Committee.

T.C.P. 1.

Permission for development involving the laying out of streets or erection of buildings

NOTES

COUNTY OF LINCOLN (PARTS OF HOLLAND)

THE HOLLAND JOINT PLANNING COMMITTEE.

Mr. F. Hanson,
Fenny[illegible]
Spalding.

Town and Country Planning Acts, 1932 and 1943.
Town and Country Planning (General Interim Development) Order, 1946.
The Holland Town and Country Planning (Special Interim Development) Order, 1945.

HOLLAND PLANNING SCHEME.

In pursuance of their powers under the above-mentioned Acts and Orders, the Holland Joint Planning Committee as Interim Development Authority hereby permit [illegible] buildings for the purpose of

Dutch Lights at Moulton,

to be erected on land situate at Holbeach Wygate, Spalding, Lincolnshire,

in the [Borough] [Urban/Rural District] of SPALDING
in accordance with the deposited plans and subject to due compliance with the byelaws and general statutory provisions in force in the said Borough/District and with the conditions specified hereunder:—

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

DATED 3rd day of February 19 47

[illegible]
Clerk of the [illegible]

T.C.P. 1.

Permission for development involving the laying out of streets or erection

THIS DOCUMENT IMPORTANT AND SHOULD BE EITHER PLACED [illegible] OF THE PROPERTY OR CAREFULLY [illegible] sions under section 10 of the Committee's decision. [illegible] statutory enactment not

Application No. SU 55/48.

HOLLAND COUNTY COUNCIL.

Town and Country Planning Act, 1947.
Town and Country Planning (General Development) Order, 1948.

To: Mr. P. Hanson,

(per A.E. Palmer, Architect, Station Street, Spalding.)

In pursuance of its powers under the above-mentioned Act and Order, the County Council as Local Planning Authority hereby permits :—

the erection of Dutch Lights at Woolram Sygate, Spalding.

In accordance with the plan and application submitted to the County Council on 23rd November, 1948 †~~subject to the conditions specified hereunder~~) :—

~~The reasons for the County Council's decision to grant permission for the development (subject to compliance with the conditions hereinbefore specified) are:—~~

DATED 22nd day of December, 1948.

Signed H. C. MARRIS
Clerk of the County Council.

COUNTY HALL,
BOSTON.

† Cross out words inapplicable.

Application No. SO 27/49.

HOLLAND COUNTY COUNCIL.

Town and Country Planning Act, 1947.
Town and Country Planning (General Development) Order, 1948.

To: Mr. F. Hanson,

(per A. T. Palmer, Architect, Station Street, Spalding.)

In pursuance of its powers under the above-mentioned Act and Order, the County Council as Local Planning Authority hereby permits :—

the erection of a Boiler House at Weston Sygate, Spalding.

In accordance with the plan and application submitted to the County Council on 19th July, 1949 [redacted] :—

[redacted]

DATED 8th day of September, 1949.

Signed [redacted]

Clerk of the County Council.

COUNTY HALL,
BOSTON.

† Cross out words inapplicable.

Application No. 151/49.

HOLLAND COUNTY COUNCIL.

Town and Country Planning Act, 1947.
Town and Country Planning (General Development) Order, 1948.

To: Mr. F. Hansen,
(per A.E. Palmer, Architect, Station Street,
Spalding.)

In pursuance of its powers under the above-mentioned Act and Order, the County Council as Local Planning Authority hereby permits :—

the erection of an Office and box store at the Nurseries, Wolfrun Lygate, Spalding.

In accordance with the plan and application submitted to the County Council on 26th November, 1949 ~~(subject to the conditions specified hereunder)~~ :—

~~The reasons for the County Council's decision to grant permission for the development (subject to compliance with the conditions hereinbefore specified) are:~~

DATED 19th day of December, 1949.

Signed H. C. MARRIS
Clerk of the County Council.

COUNTY HALL,
BOSTON.

† Cross out words inapplicable.

Application No. SU 151/50.

HOLLAND COUNTY COUNCIL.

Town and Country Planning Act, 1947.

Town and Country Planning (General Development) Order, 1948.

To: Mr. F. Hancock,

(per A.E. Skinner, Architect, Station Street,

Spalding.)

In pursuance of its powers under the above-mentioned Act and Order, the County Council as Local Planning Authority hereby permits:—

the carrying out of a revised plan for the erection of an agricultural store, originally proposed under SU 151/49, at Woolram Wygate, Spalding.

In accordance with the plan and application submitted to the County Council on 20th March, 1950 †(subject to the conditions specified hereinafter).

The reasons for the County Council's decision to grant permission for the development †subject to compliance with the conditions hereinbefore specified are:—

DATED 31st day of March, 1950.

Signed H. C. MARRIS

Clerk of the County Council.

County Hall,

Boston.

† Cross out words inapplicable.

Town and Country Planning Act 1971 Form P2

. lanning permission

Name and address of applicant

Mr. F. B. Hanson,
Woolram Wygate,
SPALDING,
Lincs.

Name and address of agent (if any)

D. A. Green & Sons Ltd.,
High Road,
Whaplode,
SPALDING,
Lincs.

Part I – Particulars of application

Date of application:

13.12.74

Application no.

H 16/0806/74

Particulars and location of development:

Storage building at Woolram Wygate, SPALDING.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.

B Smith,

DISTRICT PLANNING OFFICER

Date 29th January, 1975

Council Offices
Priory Road,
SPALDING.

Clerk of the Council

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of any works described in the permission for the alteration or extension of a listed building.

Town and Country Planning Act 1971

Form P2

Planning permission

Name and address of applicant

[illegible] Hanson,
[illegible] Gate,
[illegible],
[illegible].

Name and address of agent (if any)

L. [illegible] Green and Sons Limited,
High Road,
Whaplode,
[illegible],
Lincs.

Part I – Particulars of application

Date of application:
11.06.75

Application no.
H 16/0537/75

Particulars and location of development:

Agricultural store at Woolram Gate[illegible]ING.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.

B. Smith,

DISTRICT PLANNING OFFICER

~~xxxxx~~ Council

Date 9th July, 1975

Council Offices
Priory Road,
SPALDING.

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of any works described in the particulars for the alteration or extension of [illegible]

Town and Country Planning Act 1971

Form P2A

Outline planning permission

Name and address of applicant

Mr. F. B. Hanson,
Floral Court,
Woolram Wygate,
SPALDING,
Lincs.

Name and address of agent (if any)

Mrs. K. L. Cresswell,
Horseshoe Bridge,
SPALDING,
Lincs.

Part I—Particulars of application

Date of application: 30.07.75

Application no. H 16/0663/75

Particulars and location of development:

Biscuit manufacturing plant at Woolram Wygate, SPALDING.

Part II—Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **outline planning permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

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

See attached schedule of conditions & reasons

The reasons for the conditions are:

1. Required to be imposed pursuant to section 42 of the Town and Country Planning Act 1971.

Date 3rd December, 1975

Council Offices
Priory Road,
SPALDING,
Lincs.

Council

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

SCHEDULE REFERRED TO IN APPLICATION REFERENCE NO. H 16/0663/75

2. Subject to the submission and approval of detailed plans showing the means of access, siting and elevations of the proposed buildings.

3. The premises shall be used for a biscuit manufacturing plant and no other purpose (including any other purpose in Class III of the Schedule to the Town and Country Planning (Use Classes) Order 1972).

4. No process shall be carried on nor machinery installed which might interfere with the amenities of nearby residential properties by reason of noise, vibrations, smell, fumes, smoke, soot, ash, dust or grit.

5. All plant and machinery shall be enclosed with sound proofing material in accordance with a scheme to be agreed with the Local Planning Authority.

6. No plant or power driven machinery shall be operated or the loading and unloading of vehicles shall take place between the hours of 10 p.m. and 6 a.m. on weekdays or at any time on Sundays without the prior written consent of the Local Planning Authority.

7. (i) Space shall be provided within the site (as shown on the applicant's plan) for the loading, unloading and turning of vehicles within the curtilage of the site.

(ii) Provision shall be made for the parking of employees and visitors vehicles within the curtilage of the site (as shown on the applicant's plan).

8. None of the existing trees and shrubs on the northern and southern boundaries of the site and surrounding the entrance to the site shall be removed without the prior written consent of the Local Planning Authority.

9. The manufacturing process shall not be carried out until the building is completed in accordance with the requirements of Condition No. 5 and any other material requirements that may be agreed with the Local Planning Authority.

REASONS:

2. Required to be imposed pursuant to section 42 of the Town and Country Planning Act 1971.

3, 4, 5 & 6. To safeguard the amenities of the area.

7. In the interests of road safety.

8. In the interests of visual amenity.

9. To safeguard the amenities of the area.

Town and Country Planning Act 1971

Form P4

Approval of reserved matters

Name and address of applicant

Mr. F. B. Hanson,
Floral Court,
Woolram Wygate,
SPALDING,
Lincs.

Name and address of agent (if any)

Mrs. M. E. Cresswell,
Horseshoe Bridge,
SPALDING,
Lincs.

Part I – Particulars of application

Date of application: 12.01.76

Application no. H 16/0024/76

Particulars of planning permission reserving details for approval: Biscuit manufacturing plant at Woolram Wygate, SPALDING.

Application no. H 16/0663/75

Particulars of details submitted for approval:

Biscuit manufacturing plant at Woolram Wygate, SPALDING.

Part II – Particulars of decision

The South Holland District Council

hereby give notice that **approval has been granted** in respect of the details referred to in Part I hereof for the purpose of the conditions imposed on the grant of planning permission referred to above

See attached schedule of conditions and reasons

Date 3rd March, 1976

Council Offices
Priory Road,
SPALDING, Lincs.

DISTRICT PLANNING OFFICER

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

SCHEDULE REFERRED TO IN APPLICATION REFERENCE NO. H 16/0024/76

1. The development shall be commenced not later than 3rd December, 1980.

2. The premises shall be used for a biscuit manufacturing plant and no other purpose (including any other purpose in Class III of the Schedule to the Town and Country Planning (Use Classes) Order 1972).

3. No process shall be carried on nor machinery installed which would interfere with the amenities of nearby residential properties by reasons of noise, vibrations, smell, fumes, smoke, soot, ash, dust or grit.

4. All plant and machinery shall be enclosed with sound proofing material in accordance with a scheme to be agreed with the Local Planning Authority.

5. No plant or power driven machinery shall be operated or the loading and unloading of vehicles shall take place between the hours of 10 p.m. and 6 a.m. on weekdays or at any time on Sundays without the prior written consent of the Local Planning Authority.

6. (i) Space shall be provided within the site (as shown on the applicant's plan) for the loading, unloading and turning of vehicles within the curtilage of the site.

   (ii) Provision shall be made for the parking of employees and visitors vehicles within the curtilage of the site (as shown on the applicant's plan).

7. None of the existing trees and shrubs on the northern and southern boundaries of the site and surrounding the entrance to the site shall be removed without the prior written consent of the Local Planning Authority.

8. The manufacturing process shall not be carried out until the building is completed in accordance with the requirements of Condition No. 4 and any other material requirements that may be agreed with the Local Planning Authority.

REASONS:

1. Required to be imposed pursuant to section 42 of the Town and Country Planning Act 1971.

2, 3, 4, & 5. To safeguard the amenities of the area.

6. In the interests of road safety.

7. In the interests of visual amenity.

8. To safeguard the amenities of the area.

DISTRICT PLANNING
OFFICER

Town and Country Planning Act 1971 — Form P2

Planning permission

Name and address of applicant

Mr J B Hanson
Woolram Wygate
SPALDING
Lincs

Name and address of agent (if any)

D A Green and Sons Limited
High Road
Whaplode
SPALDING
Lincs

Part I – Particulars of application

Date of application: 13.07.77

Application no. H 16/653/77

Particulars and location of development:

Erection of storage building at Woolram Wygate, SPALDING.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.
2. The use of the building shall be limited to storage and no industrial process shall be carried out or machinery installed in the building without the prior written consent of the Local Planning Authority.
3. An equivalent area of parking to that which will be displaced shall be provided elsewhere within the curtilage of the site.

NOTE TO APPLICANT:
Your attention is drawn to the following advice from the Anglian Water Authority: Waste materials should be disposed of in a manner which will not give rise to pollution of surface or underground water or of surface water severa.

This permission is granted in accordance with the application submitted as revised by the drawing indicating the curtilage of the site, received by the Local Planning Authority on the 5th September 1977.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.
2. To safeguard the amenities of the locality.
3. So that adequate on-site motor vehicle parking facilities are provided, in the interests of the safety and convenience of traffic using Woolram Wygate.

Date 14th September 1977

Council Offices
Priory Road
SPALDING Lincs

DISTRICT PLANNING OFFICER
for Council

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of any works described in the application for this permission.

Town and Country Planning Act 1971 — Form P2

Planning permission

Name and address of applicant

Mr F B Hanson
Woolram Sygate
SPALDING
Lincs

Name and address of agent (if any)

A Green and Sons Limited
[illegible] Road
[illegible]aplode
[illegible]LDING
[illegible]ncs

Part I – Particulars of application

Date of application:	Application no.
17.11.77	H 16/1048/77

Particulars and location of development:

Erection of loading bay cover at Woolr[illegible]ate, SPALDING.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the To[illegible]nd Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part [illegible] of in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expir[illegible] of five years beginning with the date of this permission.
2. **The development hereby permitted s[illegible]l be used for loading and unloading only and no storage of materials shall [illegible]e place without the prior written consent of the local Planning Authority.**

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Tow[illegible]nd Country Planning Act 1971.
2. **In the interests of the amenity of [illegible]e locality.**

Date 18th January 1978

B Smith,
DISTRICT PLANNING OFFICER

Council Offices, Priory Road
SPALDING Lincs

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it enures for the benefit of the land and of all persons for the time being interested therein, and the conditions are binding accordingly, unless otherwise stated in the permission. Any person carrying out development described in the permission for the alteration [illegible]

Town and Country Planning Act 1971

Planning permission

Name and address of applicant

Wygate Foods Limited
Woolram Wygate
SPALDING
Lincs

Name and address of agent (if any)

Mr A Roffe
1 Green Lane
SPALDING
Lincs

Part I – Particulars of application

Date of application: 08.05.79

Application no. H 16/496/79/6437

Particulars and location of development:

Use of land for siting of temporary portakabin for use as staff mess room at Biscuit Factory, Woolram Wygate, SPALDING.

Part II – Particulars of decision

The South Holland District Council

hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:X

1 [redacted] five years beginning with the date of this permission.

At the expiration of a period of two years from the date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the satisfaction of the Local Planning Authority unless their prior written consent has been obtained for its continuance.

The reason for the condition is:
The building is of a temporary nature and by reason of its materials (and design) it may become dilapidated and cause injury to the amenities of the locality, and this condition is imposed to enable the Local Planning Authority to review the situation.

The [redacted]

1. [redacted] Town and Country Planning Act 1971.

Date 19 June 1979

DISTRICT PLANNING OFFICER

Council Offices, 12 Market Place SPALDING Lincs

[redacted] Council

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of any works described in the permission for the alteration or extension of a listed building.

DC/N/1

South Holland District Council

B Smith MRTPI. District Planning Officer

Planning Department
12 Market Place
Spalding
Lincolnshire PE11 1SL
Telephone: Spalding 3272

My Reference H 10/700/80 Your Reference PR/SMP

Calthrops
Solicitors
11 Market Place
SPALDING
Lincs.
PE11 1SP

Dear Sir ~~or Madam~~:

TOWN AND COUNTRY PLANNING ACT 1971
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) ORDER 1977

~~APPLICATION~~ ACKNOWLEDGEMENT OF WITHDRAWAL

Application Ref H 10/700/80

Applicant Wygate Foods Ltd.

Proposal Erection of flue to burning-off plant to factory

Location Biscuit Factory, Woolram Wygate, Spalding.

With reference to previous correspondence, I confirm that no further action will be taken on your application for planning permission.

NOTE: Copy of withdrawal notice sent to A. Roffe.

B Smith

DISTRICT PLANNING OFFICER

Date 17th October, 1980

Signed .....
District Planning Officer

Town and Country Planning Act 1971 Form P2

Planning permission

Name and address of applicant

Wygate Foods Limited
Woolram Wygate
SPALDING
Lincs

Name and address of agent (if any)

Calthrops
Market Place
SPALDING
Lincs

Part I – Particulars of application

Date of application: 22.08.80

Application no. H 16/1007/80

Particulars and location of development:

Fume dispersal system at Woolram Wygate, SPALDING.

Part II – Particulars of decision

The South Holland District Council

hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.
2. Details of the finished colour of the works hereby permitted shall be submitted to and approved by the local planning authority before the works are commenced.
3. No power driven plant or machinery which could be heard in nearby residential property shall be used at any time on Sundays nor between the hours of 10 pm and 6 am on other days without the prior written consent of the local planning authority.

NOTE TO APPLICANTS:
This permission is granted in accordance with the application as submitted as revised by the amended drawings received by the local planning authority on 1 September 1980.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971. 2. No such details have been submitted. 3. To protect the amenities of this residential area.

Date 29 October 1980

B Smith,
DISTRICT PLANNING OFFICER

Council Offices, 12 Market Place
SPALDING Lincs

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of any works described in the permission for the alteration or extension of a listed building.

wn and Country Planning Act 1971 Form P2

Planning permission

Name and address of applicant

Mr F B Hanson
Wygate Foods
Woolram Wygate
SPALDING
Lincs

Name and address of agent (if any)

D A Green and Sons Limited
High Road
Whaplode
SPALDING
Lincs

Part I – Particulars of application

Date of application: 31.03.81

Application no. H 16/526/81

Particulars and location of development:

Extension to existing covered area at Wygate Foods, Woolram Wygate, SPALDING.

Part II – Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.

NOTE TO APPLICANT:
You are reminded that the introduction of any machinery into this extension would require further planning permission.

The reasons for the conditions are:

1. Required to be imposed pursuant to section 41 of the Town and Country Planning Act 1971.

Date 3 June 1981

B Smith

DISTRICT PLANNING OFFICER

Council Offices, 12 Market Place
SPALDING Lincs

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation, but under section 56(2) of the Town and Country Planning Act 1971 it will operate as listed building consent in respect of any works described in the permission for the alteration or extension of a listed building.

Town and Country Planning Act 1971

Section 32

DC /N /14

Planning permission

to retain buildings or works or continue use of land

Name and address of applicant

Name and address of agent (if any)

Wygate Foods (Held) Ltd.
Woolram Wygate
SPALDING
Lincs.

Part 1 - Particulars of application

Date of application: **09 03 82**

Application no. **S 16/200/82**

Particulars and location of development:

Continuation of use of land for siting of temporary portakabin for use as staff rest room at Woolram Wygate, SPALDING.

Part 11 - Particulars of decision

The South Holland District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1971 that permission has been granted for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted. **subject to the following condition:**

At the expiration of a period of two years from the date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the satisfaction of the local planning authority unless their prior written consent has been obtained for its continuance.

The reason for the condition is:

The building is of a temporary nature and by reason of its materials (and design) it may become dilapidated and cause injury to the amenities of the locality, and this condition is imposed to enable the local planning authority to review the situation.

Date **1st April, 1982**

Council Offices,
12 Market Place,
Spalding, Lincs.

B Smith,

District Planning Officer

N2

TOWN AND COUNTRY PLANNING ACT 1971

PLANNING PERMISSION

TO RETAIN BUILDINGS OR CONTINUE USE OF LAND

APPLICATION NO: H16/0507/84 7 T DATE RECEIVED: 14/05/84

APPLICANT: Wygate Foods Ltd
Woolram Wygate
SPALDING
Lincs

AGENT:

TYPE: Temp GRID REF: 523920 323070

DESCRIPTION: Continuation for use of land for portacabin for staff room

LOCATION: Woolram Wygate, Spalding

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

1 At the expiration of a period of two years fromthe date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the satisfaction of the Local Planning Authority unless their prior written consent has been obtained for its continuance.

Reason: The building is of a temporary nature and by reason of its materials (and design) it may become dilapidated and cause injury to the amenities of the locality, and this condition is imposed to enable the Local Planning Authority to review the situation.

District Planning Officer
20th June, 1984

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

SOUTH HOLLAND DISTRICT COUNCIL

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

N2

TOWN AND COUNTRY PLANNING ACT 1971

PLANNING PERMISSION

TO RETAIN BUILDINGS OR CONTINUE USE OF LAND

APPLICATION NO: H16/0507/84 7 T DATE RECEIVED: 14/05/84

APPLICANT: Wygate Foods Ltd
Woolram Wygate
SPALDING
Lincs

AGENT:

TYPE: Temp GRID REF: 523920 323070

DESCRIPTION: Continuation for use of land for portacabin for staff room

LOCATION: Woolram Wygate, Spalding

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

1 At the expiration of a period of two years fromthe date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the satisfaction of the Local Planning Authority unless their prior written consent has been obtained for its continuance.

Reason: The building is of a temporary nature and by reason of its materials (and design) it may become dilapidated and cause injury to the amenities of the locality, and this condition is imposed to enable the Local Planning Authority to review the situation.

District Planning Officer
20th June, 1984

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

SOUTH HOLLAND DISTRICT COUNCIL

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

TOWN AND COUNTRY PLANNING ACT 1971

PLANNING PERMISSION

TO RETAIN BUILDINGS OR CONTINUE USE OF LAND

APPLICATION NO: H16/0508/84 7 T DATE RECEIVED: 14/05/84

APPLICANT: Wygate Foods
Woolram Wygate
SPALDING
Lincs

AGENT:

TYPE: Temp GRID REF: 523920 323070

DESCRIPTION: To extend Clause 5 to allow working hours to be 24 hours each day except Sundays.

LOCATION: Woolram Wygate, Spalding

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

1 This permission shall only be applicable to those processes which take place within the building housing the mixing, baking, drying and packing operations, and the loading, unloading or the movement of goods shall not take place anywhere on the site between the hours of 10pm and 6am except within that building.

Reason: To ensure that the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

Cont/

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

SOUTH HOLLAND DISTRICT COUNCIL

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

H16/0508/84

2 This permission shall be additional to the existing permission to use the premises for the manufacture of biscuits and shall not be exercised by any person, company, body or authority other than Wygate Foods acting as a Subsidiary of Sterling Wygate Ltd.

Reason: Permission has been granted only having regard to the special circumstances of this case, namely the current difficulties of expanding operations on an alternative site located outside the District and owned by the parent company Sterling Wygate Ltd. The Local Planning Authority also wish to be in a position to monitor and review from time to time the effects which the use of the site as approved is having on the residential amenities of the adjoining area.

3 This permission shall be for a limited period only, expiring three years from the date of this permission unless the prior written consent of the Local Planning Authority has been obtained for its continuation.

Reason: Permission has been granted only having regard to the special circumstances of this case, namely the current difficulties of expanding operations on an alternative site located outside the District and owned by the parent company Sterling Wygate Ltd. The Local Planning Authority also wish to be in a position to monitor and review from time to time the effects which the use of the site as approved is having on the residential amenities of the adjoining area.

DISTRICT PLANNING
OFFICER

5 July 1984

N1

TOWN AND COUNTRY PLANNING ACT 1971

PLANNING PERMISSION

REFERENCE : H16/0594/91

DATE RECEIVED : 1 7 91

APPLICANT : BP Nutrition (UK)Ltd
Thames Street
Louth
Lincolnshire
LN11 7AE

AGENT : M E Cresswell
Horseshoe Bridge
Spalding
Lincolnshire
PE11 3JA

TYPE : Full GRID REF : 523980 323070

DESCRIPTION : Two portable building units for locker room and toilets

LOCATION : (formerly Wygate Foods), Woolram Wygate, Spalding

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

1 At the expiration of a period of 2 years from the date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the reasonable satisfaction of the Local Planning Authority.

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

B. Smith

District Planning Officer
9 August 199[illegible]

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

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 761161

R. & Y. M. ACHURCH

10 WYGATE ROAD . SPALDING . LINCS. . PE11 1NT

Tel. SPALDING 3558

OBJECTION

February 26th 1992

P.J.Udy,
Planning Dept;
Council Offices,
Priory Rd;
SPALDING,
Lincs.
PEII 2XE

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

Ref; HI6/OII2/92

Dear Sir,

In reply to your letter of 2Ist Feb I992.I must point out that the company (BP Nutrition UK Ltd;) have been working outside the present permitted hours. Insomuch that we have been subjected to a barrage of noise on weekends,namely operatives have been working on the roof installing extra chimneys (for which we have not seen a planning application) with the associated noise and foul language.Also maintenance work is frequently in progress inside the factory at all hours of the weekend,accompanied by the continuous racket from the infernal radio.

The original planning permission contained requirements that the building be screened by a row of trees.Over recent years the company have continued a policy of butchering the established trees to a point that they are now about to give up the struggle for life -- this is apart from four trees behind nos: I6 &I8 which for some unknown reason have never even been trimmed.

Does the planning application include all Bank Holidays? If not what about the days between bank holidays ie: Easter Saturday and the days between Christmas and New Year?

Are we going to be subjected to even more noise from the loud speaker system?

Are we also going to be subjected to more noise from the fork lift trucks espacially in warm weather when the doors are left open?

I therefore put it to you that because the company since its conception have continually flaunted the council requirements,no further permission be granted

until the company can prove that they are able to comply with the original planning permission.

Yours faithfully,

R.ACHURCH (MR)

Y.M.ACHURCH(MRS)

R. & Y. M. ACHURCH

10 WYGATE ROAD . SPALDING . LINCS. . PE11 1NT

Tel. SPALDING 3558

OBJECTION

April 13th 1992

1414

Mr.B.Smith,

Planning Dept;
Council Offices,
Priory Rd;
SPALDING,
Lincs.
PEII 2XE

Dear Sir,

I am informed by Mr.Udy that the decision on the Wygate foods application for extended hours of operation is due to come before the planning committee on April 14th.If this is correct then why is the factory already working late on Saturdays and all day Sundays?

Awaiting your reply.

Yours faithfully,

R Achurch

R & M. Achurch

R.& Y.M.ACHURCH

11/2/92

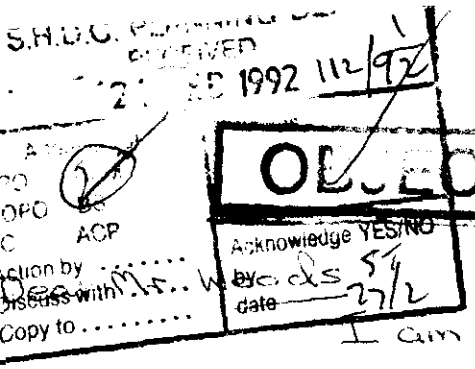
S.H.D.C. PLANNING DEPT.

RECEIVED

14 APR 1992 P.J

✓ → 14/B Ctte

5T 14/4



QUO VADIS
36, WOOLRAM WYGATE
SPALDING LINCS
PE11-1PB

25/2/92

I am writing to you once again re WYGATE FOOD I see in the local paper where they have requested to work unlimited hours,
When you called to see me you say that the law was going to be change in June July now we cannot afford to wait for that because before we know where we are they will be having LORRYS visiting site on SUNDAY on no account should permission be granted for this COMPANY to change or ask to,
Ask for any change what soever in the conditions as currently laid down.
Alot of the neighbourhood do not know

condition in clause (6) as a number of properties have change ownership.
I place on record my objection of any change at all.

Yours faithfully
Mrs J. Marriott

Application No.
H16/0112/92

Mr + Mrs Seraphine-Dunford
20 Wygate Road
Spalding
LINCS
PE11 1NT

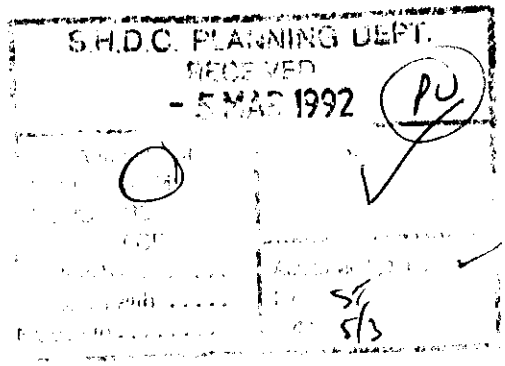
3/3/92

OBJECTION

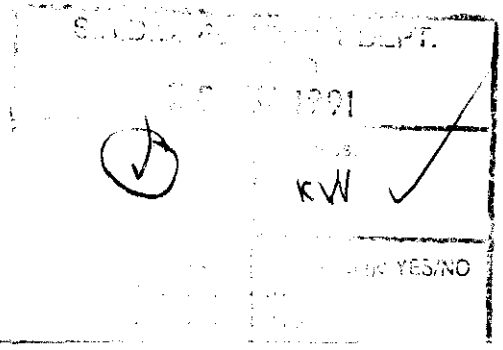
Dear Sir/Madam,

I am writing to voice my objection for permission to be given to B P Nutrition of Woolram Wygate - to the use of the factory working hours without complying with the limitation of hours stipulation.

Yours faithfully
H. Seraphine-Dunford



Mrs. Marriott
Seen 12/9/91.
No Sunday work
of late.



1 QUO VADIS
30, WOODRAM WYGATE
SPALDING

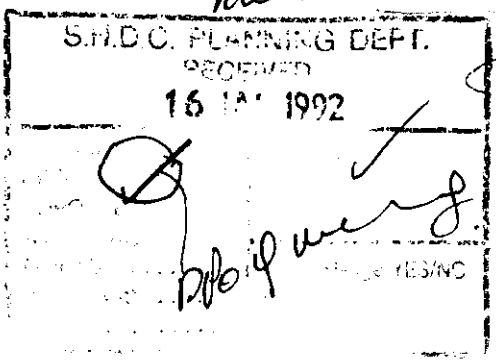
15/1/92

Dear Sir

I wrote to you well before Xmas I haven't heard anythink from you and the gentleman as'nt been to see me so what as happen,
WYGATE Foods are working every Sunday and all night too is this going to carry also have you change the rules for this Factory if so why haven't we been informed,
So I will await for you reply,

Mrs R. Merrett

KW?



Complains of Sunday working.
See App H16/0112/92.

1

QUO VADIS
30, WOOLRAM WYGATE
SPALDING
PE11 - 1PB

OBJECTION

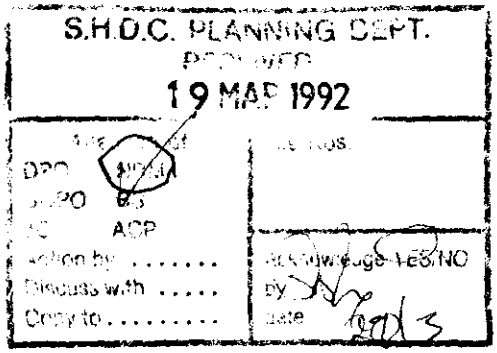
17/3/92.

Dear Sir

Last night MONDAY 16/3/92 at 10.39 a lorry stop just by how house he had to reversed because he was going to B.P NUTRITION I was not the only one that saw this lorry because of the noise it made, it left this morning at 10-20 am, Do think the working on a Sunday they could wait until the plans had been pass but no they cannot wait.
Also how interst is about fire risk because if you look there is a house and bungalow and we are not far away could you please check on that for us please,
You say that it is nation wide company so before we know where we are they will be expanding we say why dont they get

down WARDTREE ROAD because don't let get there as been one killed out side there and now there is more heavy lorries going to B.R and think about ~~that~~ SCHOOL down there too,

Yours faithfully
MR. MRS R. Marriott



24/2/92

P.J.

E.O. & J. JOHNSON
23 INGOLRAM. INGATE
SPALDING
LINCS

Your Ref: H16/0112/92/OBJECTION

Dear Sir,

We have no objection to BP Nutrition working 7 nights per week, they do create alot of jobs for people here

We would like it put into their planning permission that there are no lorries in or out Sundays or at nights (10 to 6) (as there has been in the past).

There will be no wireless blaring in all night long (as there has been in the past).

I have had to go round about this 5 or 6 times in the last five years, all they say is they have no wireless but mostly

S.H.D.C. PLANNING DEPT.
RECEIVED
26 FEB 1992
Action
RPO
HOPO
JC PCP
Passed by .....
Discussed with .....
Copy to .....
Acknowledge YES/NO
By ST
Date 27/2

OBJECTION

Ref no HIL/0113/92

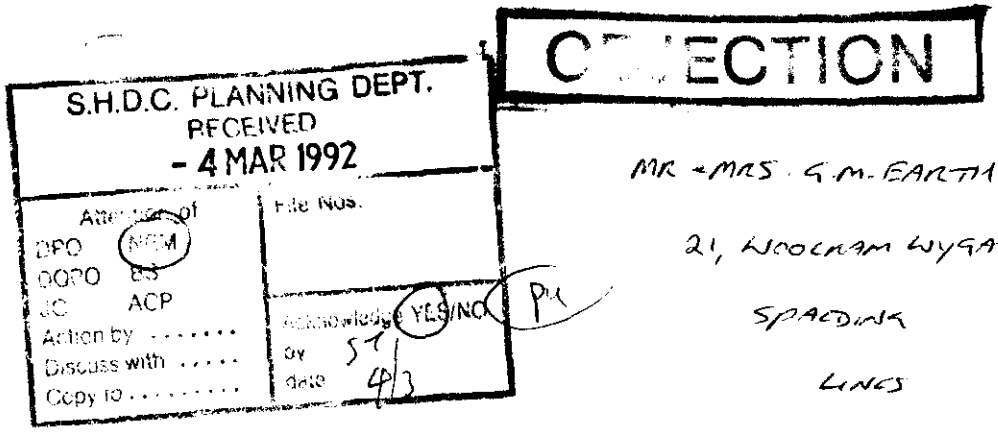
S.H.D.C. PLANNING DEPT.
RECEIVED
- 4 MAR 1992

Dear Sir,

I wish to object to the [illegible]
Notification application for extended working
hours providing there is adequate there
will be no access allowed to Hall's
between 22:00 and 07:00 We would
also object to any [illegible]
[illegible] on the grounds of noise
[illegible] on the part.

Yours faithfully,

[illegible]



OBJECTION

MR + MRS G.M. EARTH

21, WOODHAM WYGATE

SPALDING

LINCS

PE11 1PB.

DEAR SIR/MADAM,

I MUST OBJECT TO THE PLANNING APPLICATION OF BP NUTRITION NO H16/0112/92 AND AM IN NO DOUBT WITH THE MAJORITY OF PEOPLE WHO DOES SO, WHOM LIVE IN THE AREA. I DO NOT LIKE THE IDEA OF LORRIES USING WOODHAM WYGATE AT THE BEST OF TIMES, AND THINK IT ONLY A MATTER OF TIME BEFORE A SERIOUS ACCIDENT OCCURS. BEING THE MOTHER OF TWO VERY SMALL CHILDREN I MUST ALSO STRONGLY OBJECT TO LOUD MUSIC BEING PLAYED AT ALL TIMES OF THE DAY AND NIGHT BY THE ABOVE MENTIONED.

YOURS FAITHFULLY

G.M. Earth

S.H.D.C. PLANNING DEPT.
RECEIVED
17 MAR 1992
Action by:
DPO
PO BS
C AOP
Letter out
Passed with
Copy to
P.C
Acknowledge YES/NO
By
Date 17/3

OBJECTION

OBJECTION
2 FEB 1992
Action by
DPO NKM
DOPQ BS
JC/S. SMITH
Action by .....
Discuss with .....
Copy to .....
File Ref P.U. 112/92
Acknowledge YES/NO
by
Date 2/2

Mary Kate Building

Dear Sir,

I note with interest that Wygate Foods now have a 51% holding have plans for the Council.

Again I ask the question do the Council allow them to break the rules whilst plans are submitted, for the last three months machinery has been worked on Sundays starting at 0530hrs & finishing at 2200hr

This Sunday Feb 16th work started 0530 hrs and continued through the night

Mr. Davis
Wockham Wygate
Spalding
Lincs. PE11 1PB

Feb 15th 1992

During the years that this processing factory has operated they have got foods and BP shares richer rough shod over the Council and its neighbours.

It's about time the Council got to work on this company and made them conform with the rules as laid down, furthermore made them remove the name board from the side entrance, that I expect was erected without planning consent.

Yours faithfully

L. Marriott.

1

Mr & Mrs R. Marriott
Quo Vadis
30 Woolram Wygate
Spalding
Lincs
PE11 1PB

Dear Sir

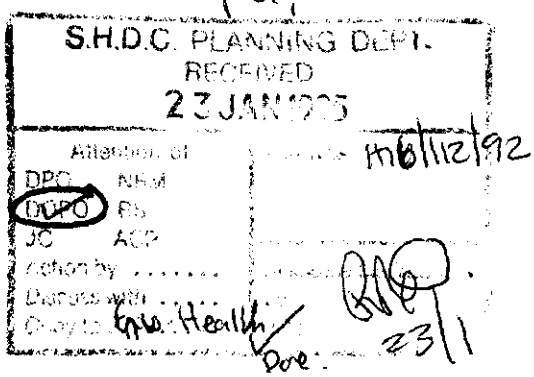
Yes I received your letter about the DOG BISCUIT FACTORY.
For your information they do not trade under the APPLICANT B.P. NUTRITION LIMITED.
But if you take a ride down WOOLRAM WYGATE you will see for yourself because I did phone your office when they put up the NEW BOARD ~~thats~~ if your memory serve you right.
The complaints previobesly made in writing by myself and others still stand good to day,
Also I have usk this question about that HOOTER they are sounding and you have never answer my question,
I have also phone about the SMELL put the same old story we are looking into it
WHEN

The gentleman who I speak to was quite Rude to me ~~that~~ day when I phoned,

Yours Faithfully
Mrs J.M. Marriott

Sean admitted this?

PU,



Mr.B.Smith,
Planning & Building Control Dept;
Council Offices,
Priory Rd;
SPALDING,
Lincs.

OBJECTION

PETITION OBJECTING TO:-
APPLICATION NO.H16/0112/92 FOR BP NUTRITION(UK)LTD;

WE ARE OPPOSED TO THE ABOVE FACTORY WORKING ON SATURDAY AFTERNOON AND ALL DAY SUNDAY,AND OBJECT TO BP NUTRIRION (UK)LTD;BEING ALLOWED TO EXTEND THEIR WORKING HOURS DUE TO THE FOLLOWING REASONS :-

1 NOISE - TANNOY,RADIO,MACHINERY,VENT FANS,VEHICLES,FORK LIFT TRUCKS ETC:
2 SMELL -MORE BEING DISPERSED OVER A LARGER AREA
3 LIGHTS - THE GLARE OF ELECTRIC LIGHTS FROM THE YARD AND THROUGH THE FACTORY ROOF WINDOWS.
4 INTRUSION OF PRIVACY - DUE TO PEOPLE ENTERING AND LEAVING THE FACTORY DURING UNSOCIABLE HOURS.

IN SUPPORT OF OBJECTIONS TO THE ABOVE WE ATTACH HEREWITH A PETITION SIGNED BY LOCAL RESIDENTS WHO ARE OPPOSED TO ANY EXTENSION OF WORKING HOURS BY BP NUTRITION (UK)LTD.

PM

S.H.D.C. PLANNING DEPT.
RECEIVED
- 5 MAR 1992

Attention of
DPO NHM
DOPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....

File Nos. ✓

Acknowledge YES/NO
by
date 5/3

Petition Leader only each

NAMES	ADDRESSES
F. G. PAGET	2. WYGATE ROAD ✓
N. PAGET	2 WYGATE ROAD ✓
B R Richmond	6 WYGATE ROAD. ✓
S A. Richmond	6. Wygate Road. ✓
C M + S C. Howell	8 Wygate Road. x
R. Wilkinson	14 Wygate Rd. x
J. Wilkinson	
R Reid	10 Wygate Rd ✓
R E. Noon	13 Woodrow Wygate. x
P. Noon	13 Woodrow Wygate x
G M Cam	21 Woodrow Wygate ✓
J Biggadike	29. Woodrow Wygate x
S Aldwick	10 Wygate Rd. ✓
P M. Aldwick	10. Wygate Rd. ✓

Mr & Mrs Marriott
Quo Vardis
30 Woolram Wygate
Spalding
Lincs
PE11 1PB

Mr P J Udy

PJU/LAC
H16/0112/92

20 February 1995

Dear Sir and Madam

Dog Biscuit Factory, Woolram Wygate, Spalding.

Thank you for your letter which was received on the 23 January 1995.

I am aware that the factory is no longer run by BP Nutrition Ltd but the application was submitted by them and had to be determined as such. From the most recent information I have, the site is now tenanted by Dalgety Foods Ltd who applied for a new sign next to the access way which states "Spillers Foods" upon it.

A copy of your letter has been forwarded to the Environmental Services Department.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0112/92

Applicant: B P Nutrition (UK) Limited
Victoria Works
Whitwell Green Lane
Elland
West Yorkshire HX5 9BJ

Agent: Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)
Location: Woolram Wygate Spalding
Lincs

Type: S73A CONTINUATION

17-JAN-95

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 granted in this case.

The full details, including any conditions which may have been imposed, can be seen by inspecting the register of applications which is available in this Department during normal office hours.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Copy Sent to:-

F G Paget - Petition Leader
2 Wygate Road
Spalding
Lincs

R J Bull
34 Woolram Wygate
Spalding
PE11 1PB

Mr+Mrs G M Earth
21 Woolram Wygate
Spalding PE11 1PB

E+J Johnson
23 Woolram Wygate
Spalding PE11 1PB

J H Goddard
25 Woolram Wygate
Spalding PE11 1PB

Mr+Mrs Seraphine-Dunford
20 Wygate Road
Spalding PE11 1NT

R Marriott
Quo-Vadis
30 Woolram Wygate
Spalding PE11 1PB

M.R. B. Smith Dip TP MRTPI,
Planning & Building Control Dept,
Council Offices
Priory Road
Spalding
For the attention of Mr. P. J. UDY

OBJECTION

4th March 1992.

Dear Sirs
Re: Application No. H16/0112/92 - B.P. Nutrition (U.K) Ltd.,

We object most strongly to the above factory working for longer hours than specified in Condition 6 of H16/0663/75.

The reasons for our objection are:-

a. NOISE - from machinery, fans, public address system, radios and vehicles
b. SMELL - a continuous and very unpleasant smell
c. LIGHT - the glare of lighting from the windows in the factory roof and from the yard
d. INCONVENIENCE - people and vehicles entering and leaving the factory at all hours day and night.

We would reiterate that we object most strongly to the factory working longer hours and trust you will take note of this letter together with other correspondence and the petition to reject the above application

Yours faithfully

Mr & Mrs F. G. Paget.
2. Wygate Road
Spalding

PM

S.H.D.C. PLANNING DEPT.
RECEIVED
- 5 MAR 1992

Attention of
DPO NRM
DOPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....

File Nos.

Acknowledge YES/NO
by
date 5/3

OBJECTION

B. R. RICHMOND
6 WIGATE ROAD
SPALDING
LINCS
PE11 1NT

P.U.

REF.
APPLICATION No. H16/0112/92

Dear Sir,

I have a few observations and objections concerning the biscuit factory application. I do not want the factory operating on Saturday afternoons or anytime on Sundays or Bank Holidays.

The noise is getting to be a nuisance now with the tannoy, radio, fans, vents, machinery and fork lift trucks.

They have also cut down the tree's at the back of the factory which were put there to cut down some of the noise and screen the factory.

Yours faithfully

B R Richmond

B A. Richmond

Minutes of a Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Council Offices, Priory Road, Spalding on Wednesday, 4th January 1995.

PRESENT

Councillors:

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

Mr. J.R. Pearl	Mr. E.N. Davies	Mr. N.H. Pepper
Mr. T. Barker	Mr. J.T. Davis	Mr. M.S.L. Rollinson
Mr. C.J.T.H. Brewis	Mr. J.A. Dobney	Mr. W.D. Skells
Mrs. P.J. Buffham	Mr. C.F. Fisher	Mr. D.A. Tennant
Mr. N.I. Capes	Mr. J. Goodley	Mr. T.G.M. Tyler
Mr. J. Clark	Mrs. E.O. Hall-Patch	Mr. R.C. West
Mrs. D.F. Davies	Mr. B.A. Paul	Mr. M.C. White

Councillor Mrs. A.M. Newton attended the meeting as an ex officio non-voting member.

The Deputy 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 N P Judge, MBE, and A E Naylor.

1. MINUTES

The minutes of the meeting held on 6th December 1994 were signed by the Chairman as a correct record.

2. PLANNING APPLICATIONS

Consideration was given to the report of the Director of Planning and Building Control Services upon applications to be determined, including his recommendations, copies of which had previously been circulated to all members.

RESOLVED:

(a) Applications Granted

Planning permission be granted in respect of the following proposals in accordance with the recommendations of the Director of Planning and Building Control Services, as amended, where indicated:-

Plan No. and Applicant	Proposal
H16/0112/92 B P Nutrition (UK) Ltd	Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75).

Mr & Mrs Marriot
Woolram Wygate
Spalding
Lincs

Mr P J Udy

PJU/JK/H16/0112/92

1 March, 1995

Dear Sir & Madam

Heavy Goods Vehicle Parking on Woolram Wygate

I refer to your recent telephone conversation with my Planning Assistant, Mr Udy.

I write to confirm as you were advised during that conversation that the Local Planning Authority have no powers to prevent Heavy Goods Vehicles from parking on the highway. This is an obstruction to the highway and is therefore a Police matter. As he promised when he spoke to you, he contacted the Police Station, who confirmed that a Police Officer had been requested to inspect the situation.

Yours faithfully

N R MIDLEN
Principal Planning Officer (Development Control)

J.D.B. Bayliss MA FRICS
R.N. Strathon MA FRICS
Haddock BSc FRICS
Jones FRICS
I.M. Innes FRICS
M.D. Barclay FRICS
D.B. Lyons FRICS
P.R. Needham FRICS
P.R. Jones TD BSc FRICS
D.J.P. Adams FRICS
I. Macpherson MA FRICS
A.D. Taylor FRICS
G.W. Bates BSc FRICS
D.E. Butters BSc FRICS
R.N. Goodchild MA PhD FRICS
R.D. Sawyers BSc FRICS FIQ
R.G. Ovenden MA FRICS
D.R. Dudley FRICS

C.P.M. Champness BSc FRICS
M.R. Sharp FRICS
J.Q. Upton-Prowse BA FRICS
M.J. Barden BSc ARICS
J.S. Smith ARICS
J.P. Hamilton BSc ARICS
A.M. Chase FRICS
S.W.B. Chalwin BSc FRICS
M.J.Y. Roberts BSc ARICS
J.S. Schurder BSc FRICS
H.J.W. Bullock BSc FRICS
I.A. Tingle FRICS
S. Tutcher FRICS
N. Young BSc ARICS
A.P.S. Crawford ARICS AMIQ
M.V. Roskelly BLE MBA ARICS
C.A. Kershaw ARICS
S.D.H. Rees BSc ARICS

Associates
A.A. Mortimer BSc FRICS
K.D. Gibbs ARICS
I.L. Aitken FRICS
J.N. Strickland FRICS
A.J. Norman ARICS
Jane E. Asquith BSc ARICS
M.J. Howard ARICS
S.E.L. Milner MA ARICS
Sonja L. Howell BA ARICS
B. Jones BSc ARICS
B.D. Scott ARICS
P.R. King BSc ARICS
N.S. Booton MA ARICS
A.E. Hamilton BSc ARICS
M. Llewelyn Jones BA MPhil ARICS

Alexandra P.M. Cathcart BA BSc MRTPI ARICS
Kate J. Stacey MA ARICS
M.H. Davis FRICS
G.I. Foster BSc ARICS
N.J. Rose BSc ARICS
C.W. Marsden BSc ARICS
M.E. Mercer ARICS
S.G. Newland BSc ARICS
A.C. Hawkeswood BSc ARICS

Consultants
A.J. Duncan FRICS
M. Beaman FRICS

Finance & Administration
P.R. Haigh-Lumby FCA

Gerald Eve

Chartered Surveyors

Incorporating Sidney & Graham Motion

170 Edmund Street Birmingham B3 2HB
Telephone 021 233 9191

Facsimile 021 233 9182

Your reference

Our reference DRD/HFJE/KL/B254

5 January 1994

N R Midlen Esq
Principal Planning Officer
Development Control
South Holland District Council
Priory Road
SPALDING
Lincolnshire
PE11 2XE

S.H.D.C. PLANNING DEPT.
RECEIVED
- 6 JAN 1994

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

Dear Sir

PARAGON PETCARE WOOLRAM WYEGATE SPALDING LINCOLNSHIRE

With reference to your letter dated 20 December 1993, I confirm that we are still acting as agents for this site and that we shall be touch with you to arrange another meeting to discuss the outstanding planning matters.

We also understand from our clients that they will be signing the Section 106 Obligation. The solicitor now dealing with this matter is Mr S Pitchford of Slaughter & May who can be contacted on 071-600-1200.

Yours faithfully

Gerald Eve

CHARTERED SURVEYORS

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

SLAUGHTER AND MAY

Fax Transmission

35 Basinghall Street, London EC2V 5DB
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Fax: 071-726 0038
071-600 0289

Telex: 883486 and 888926
Cables: Truoldator London EC2
LDE and CDE Box No. 11

Date: 12th January 1994

Total pages (including this one): 2

Fax No: 0775 710772

If you do not receive all the pages, please telephone our Fax Room direct on 071-710 4002

From: ANDREW THOMAS

In reply please quote:

To: P.J. UDY ESQ
SOUTH HOLLAND DISTRICT COUNCIL
REF: PJU/LAC H16/0112/92

25070 Writer's telephone: JAN 12 17:12

WOODRAM WYGATE, SPALDING

Please see attached.

S.H.D.C. PLANNING DEPT.
RECEIVED
13 JAN 1994 PSU

Attention of	File Nos.
DPO (NRM)	
DDPO BS	
JC ACP	
Action by	Acknowledge YES/NO
Discuss with PSU	by
Copy to ...	date

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The principal place of business of the Partnership is at 35 Basinghall Street, London EC2V 5DB; the list of the Partners' names is open to inspection there.

SLAUGHTER AND MAY

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G I Henderson, T G M Buckley, C F Renwick, M Read, F W Neate, T J B Palmer, G P Balfour, C J V Robson, M S E Carpenter, R A S Beaumont, P J Langley, R D B Cooper, M J D Roberts, T G Freshwater, H M Nowlan, G D Child, C F FitzGerald, G P J Finn, J S Haw, M Peacod, J D B Rowe, P J Robson, C Hall, G M Ridley, P A S Grindrod, P T Jennings, J H Macaskill, R Slater, P J L Kelt, T A Kinnersley, R A M Welsford, D J Beales, J E F Rushworth, M C C Nicholson, S M Edge, N P G Boardman, J Hine, T N Clark, I W Goldie, M Hughes, G W James, E A Codrington, R M G Goulding, A R F Hall, C J Hickson, A J R Newhouse, G E S Seligman, J H Savory, P F J Bennett, St J A Flaherty, R M Fox, D T Frank, H R Jacobs, P M Mitchell, C F I Saul, C J Saunders, R J Thornhill, G J Airs, R N S Grandison, C R Smith, G P White, N J Archer, A G Balfour, C M Horton, E A Barrett, P P Chapotte, R J N Chipps, P Jolliffe, C D Randell, W S M Robinson, R V Carson, J S Edge, S L Edwards, J M Featherby, F Murphy, P M Olney, P H Stacey, C W Y Underhill, O A Wareham, R J Clark, B J Cooke, P L R Deckers, F Ferguson, D L Finkler, C W Harvey-Kelly, A-A Maggiar, S J Phillips, J D Rice, M A Whelton, M D Bennett, R D de Carle, S P Hall, W J Bibbee, R C Stern, J R Triggs, E G L Wylde

All the partners in the firm except A-A Maggiar are solicitors P J L Kelt, P L R Deckers and A-A Maggiar are Avocats au Barreau de Paris

Your reference | In reply please quote: GPW/AYYT | Writer's direct line

P. J. Udy Esq
South Holland District Council
Planning & Building Control Department
Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

BY POST AND FAX

12th January 1994

Dear Mr Udy

WOOLRAM WYGATE, SPALDING

I confirm that my clients, Dalgety Spillers Foods Limited, a subsidiary of Dalgety Plc have acquired the companies and businesses of BP Nutrition including Paragon Pet Care UK Limited and the business carried on at the Woolram Wygate, Spalding site.

I am seeking instructions on the terms of the draft planning obligation and I shall come back to you as soon as possible.

Yours sincerely

Andrew Thomas

Andrew Thomas

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OBS: Offprint Date 14-1

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M. Read	R. Slater	D. T. Frank	P. M. Olney
F. W. Neate	P. J. L. Kett	H. R. Jacobs	P. H. Stacey
T. J. B. Pallister	T. A. Kinnersley	F. M. Mitchell	C. W. Y. Underhill
G. P. Balfour	R. A. M. Welsford	C. F. I. Saul	O. A. Wareham
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M. S. E. Carpenter	J. E. F. Rushworth	R. J. Thornhill	S. J. Cooke
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P. J. Langley	S. M. Edge	R. N. S. Grandison	F. Ferguson
R. D. B. Cooper	N. P. G. Boardman	C. R. Smith	D. L. Finkler
M. J. D. Roberts	J. Hine	G. P. White	C. W. Harvey-Kelly
T. G. Freshwater	T. N. Clark	N. J. Archer	A.-A. Maggiar
H. M. Nowlan	I. W. Goldie	A. G. Balfour	S. J. Phillips
G. D. Child	M. Hughes	C. M. Horton	J. D. Rice
C. F. FitzGerald	G. W. James	E. A. Barrett	M. A. Whelton
G. P. J. Finn	E. A. Codrington	P. P. Chappatte	M. D. Bennett
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M. Pescod	A. R. F. Hall	P. Jolliffe	S. P. Hall
J. D. B. Rowe	C. J. Hickson	C. D. Randell	W. J. Sibree
P. J. Robson	A. J. R. Newhouse	W. S. M. Robinson	R. C. Stern
C. Hall	G. E. S. Seligman	R. V. Carson	J. R. Triggs
G. M. Ridley	J. H. Savory	J. S. Edge	E. G. L. Wylde

All the partners in the firm except A.-A. Maggiar are solicitors. P. J. L. Kett, P. L. R. Deckers and A.-A. Maggiar are Avocats au Barreau de Paris.

Your reference

In reply please quote

GPW/AYYT

Writer's direct line

P. J. Udy Esq
South Holland District Council
Planning & Building Control Department
Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

BY POST AND FAX

12th January 1994

Dear Mr Udy

WOOLRAM WYGATE, SPALDING

I confirm that my clients, Dalgety Spillers Foods Limited, a subsidiary of Dalgety Plc have acquired the companies and businesses of BP Nutrition including Paragon Pet Care UK Limited and the business carried on at the Woolram Wygate, Spalding site.

I am seeking instructions on the terms of the draft planning obligation and I shall come back to you as soon as possible.

Yours sincerely

Andrew Thomas

Andrew Thomas

Re Report 5

S.H.D.C. PLANNING DEPT.
RECEIVED
13 JAN 1994 PSU

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and (212) 832-2021

42. PLANNING APPLICATIONS (Continued)

(h) Enforcement Action - 39 Beaufort Drive, Spalding

Arising from the refusal of application reference H16/1010/93 relating to the change of use of 39 Beaufort Drive, Spalding to use as a guest house, the Director of Administration be authorised to take enforcement action under the provisions of sections 172/173 of the Town and Country Planning Act 1990 to secure the cessation of the unauthorised use within a period of three months from the date the enforcement notice takes effect, it being considered expedient to issue such a notice in the interests of safeguarding the amenities of nearby dwellings.

(O.A. denotes outline application.)

43. WOOLRAM WYGATE, SPALDING - CONTINUATION OF USE OF BISCUIT FACTORY WITHOUT COMPLYING WITH HOURS OF USE LIMITATION (APPLICATION REFERENCE H16/0112/92)

Further to minute 703(f)/93, the Director of Planning and Building Control Services reported that the Planning Obligation relating to the application by B P Nutrition Ltd had been drafted and forwarded to the applicants, but it now transpired that the shares of the applicant Company had been acquired by Dalgety Foods. A response from the new owners was awaited.

RESOLVED: The report be noted.

44. CAMBRIDGESHIRE STRUCTURE PLAN REVIEW - DEPOSIT DRAFT 1993 (103/93)

Further to the above minute the Director of Planning and Building Control Services reported receipt of the Cambridgeshire Structure Plan Review deposit draft, which did not differ markedly from the consultation draft.

In considering the consultation draft, this Committee had expressed concern that insufficient priority had been given to carrying out improvements to the A1073 Eye to County boundary section. These representations had been considered by the Cambridgeshire County Council's Select Panel on Structure Plan Review, but no changes had been made on the grounds that resources were unlikely to become available for such improvements before 2001.

Although the situation was disappointing, it was unlikely that the situation would alter before the Cambridgeshire Structure Plan was next reviewed. The Lincolnshire County Council, however, had not yet considered this matter, and it was felt that if the County Council as both strategic planning authority and the highways authority for the part of the A1073 in Lincolnshire decided to object to the omission of reference to the A1073 Eye to county boundary this authority would be in a better position to object and to sustain such an objection.

RESOLVED If the Lincolnshire County Council raises an objection to the omission of reference to the A1073, Eye to County boundary the objection be supported by this authority, otherwise no formal objection be raised.

AGENDA ITEM NO.

5

SOUTH HOLLAND DISTRICT COUNCIL

REPORT TO: THE PLANNING COMMITTEE 25TH JANUARY 1994

BY: THE DIRECTOR OF PLANNING AND BUILDING CONTROL SERVICES

1.0 SUBJECT: BP NUTRITION (U.K.) LIMITED/PARAGON PET CARE, WOOLRAM WYGATE, SPALDING.

PURPOSE: **To advise Members of the current situation.**

1.1 This planning application was last considered by the Planning Committee on the 26th October 1993. At that meeting it was resolved to grant planning permission subject to a Section 106 Obligation being entered into to prohibit shift changes between the hours of 11 p.m and 6 a.m. and to ensure that the maximum number of employees changing at each shift is no more than ten, providing that nothing in the Obligation will prevent the Company from operating under planning permission H16/0663/75.

1.2 The Obligation has been drafted and has been sent to the Company's Solicitors.

1.3 Recently the shares of Paragon Pet Care have been acquired by Dalgety Foods, but the agents for the planning application, who are Gerald Eve of Birmingham, remain unchanged.

1.4 I am now awaiting a written response from the new Solicitors who are Slaughter & May of London.

2.0 RECOMMENDATION

That this report be noted. ✓

Background papers: H16/0112/92

Local Government (Access to Information) Act 1985

The Officer to whom reference should be made concerning inspection of the background papers is the Director of Planning and Building Control Services, Council Offices, Priory Road, Spalding, Lincs. Tel: (0775) 761161

AGENDA ITEM NO. 5

SOUTH HOLLAND DISTRICT COUNCIL

REPORT TO: THE PLANNING COMMITTEE 25TH JANUARY 1994

BY: THE DIRECTOR OF PLANNING AND BUILDING CONTROL SERVICES

1.0 SUBJECT: BP NUTRITION (U.K.) LIMITED/PARAGON PET CARE, WOOLRAM WYGATE, SPALDING.

PURPOSE: **To advise Members of the current situation.**

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2.0 RECOMMENDATION

That this report be noted.

Background papers: H16/0112/92

Local Government (Access to Information) Act 1985

The Officer to whom reference should be made concerning inspection of the background papers is the Director of Planning and Building Control Services, Council Offices, Priory Road, Spalding, Lincs. Tel: (0775) 761161

POST CTTEE - AS RECOMMENDED. PJJ

SLAUGHTER AND MAY

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Telephone: 071-600 1200

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Cables: Trucidator London EC2
LDE and CDE Box No. 11

G. I. Henderson, T. G. M. Buckley, G. F. Renwick, M. Read, F. W. Neate, T. J. B. Pallister, G. P. Balfour, C. J. V. Robson, M. S. E. Carpenter, R. R. S. Beaumont, P. J. Langley, R. D. B. Cooper, M. J. D. Roberts, T. G. Freshwater, H. M. Nowlan, G. D. Child, C. F. FitzGerald, G. P. J. Finn, J. S. Haw, M. Pescod, J. D. B. Rowe, P. J. Robson, C. Hall, G. M. Ridley, P. A. S. Grindrod, P. T. Jennings, J. H. Macaskill, R. Slater, P. J. L. Kett, T. A. Kinnersley, R. A. M. Welsford, D. J. Beales, J. E. F. Rushworth, M. G. C. Nicholson, S. M. Edge, N. P. G. Boardman, J. Hine, T. N. Clark, I. W. Goldie, M. Hughes, G. W. James, E. A. Codrington, R. M. G. Goulding, A. R. F. Hall, C. J. Hickson, A. J. R. Newhouse, G. E. S. Seligman, J. H. Savory, P. F. J. Bennett, St. J. A. Flaherty, R. M. Fox, D. T. Frank, H. R. Jacobs, F. M. Mitchell, C. F. I. Saul, C. J. Saunders, R. J. Thornhill, G. J. Airs, R. N. S. Grandison, C. R. Smith, G. P. White, N. J. Archer, A. G. Balfour, C. M. Horton, E. A. Barrett, P. P. Chappatte, R. J. N. Cripps, P. Jolliffe, C. D. Randell, W. S. M. Robinson, R. V. Carson, J. S. Edge, S. L. Edwards, J. M. Featherby, F. Murphy, P. M. Olney, P. H. Stacey, C. W. Y. Underhill, O. A. Wareham, R. J. Clark, S. J. Cooke, P. L. R. Deckers, F. Ferguson, D. L. Finkler, C. W. Harvey-Kelly, A.-A. Maggiar, S. J. Phillips, J. D. Rice, M. A. Whelton, M. D. Bennett, R. D. de Carle, S. P. Hall, W. J. Sibree, R. C. Stern, J. R. Triggs, E. G. L. Wylde

All the partners in the firm except A.-A. Maggiar are solicitors. P. J. L. Kett, P. L. R. Deckers and A.-A. Maggiar are Avocats au Barreau de Paris.

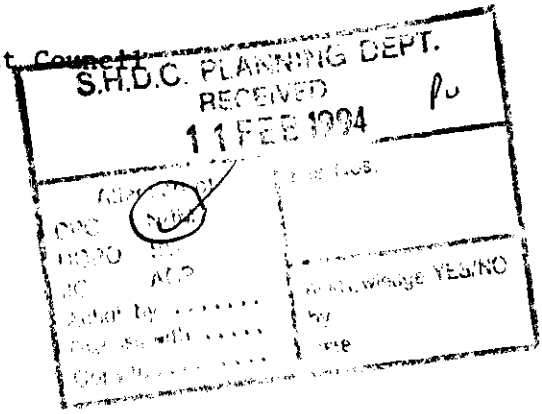
Your reference

In reply please quote

GPW/AYYT

Writer's direct line

Miss J. Berridge
South Holland District Council
Legal Department
Council Offices
Priory Road
Spalding
Lincolnshire



9th February 1994

Dear Miss Berridge

WOOLRAM WYGATE, SPALDING

I refer to your letter dated 30th November 1993 to Ms Loose of Freshfields.

My clients, Dalgety Foods Limited, a subsidiary of Dalgety Plc have acquired the companies and business of B.P. Nutrition including Paragon Petcare UK Limited and the business carried on at the Woolram Wygate, Spalding site.

The terms of the draft planning obligation are, subject to contract, acceptable to my clients. My clients' lease is for a term of 13 years from the 22nd October 1982. I have written to the freeholder, Mr Hanson asking whether he is prepared to enter into the planning obligation and whether its terms are acceptable. I shall come back to you when I have heard from him.

Cannes 22 Oct 1995

Paris:
P J L Kett,
P. L. R. Deckers, P. J. W. Boys,
A.-A. Maggiar
112 Avenue Kléber,
75116 Paris
Telephone: (1) 44 05 60 00
Telex: 642514
Fax: (1) 44 05 60 60
and (1) 44 05 60 99

Brussels:
P. P. Chappatte,
W. J. Sibree
Rue d'Arlon 69/71,
1040 Brussels
Telephone: (2) 230 56 31
Fax: (2) 230 76 99

Frankfurt:
G. D. Child
Westend-Carree,
Grueneburgweg 16,
D-60322 Frankfurt am Main
Telephone: (069) 9551370
Fax: (069) 5964126

Hong Kong:
R. J. Thornhill, St. J. A. Flaherty,
C. M. Horton, T. Chao,
P. M. Olney, C. W. Harvey-Kelly,
N. G. Brown, W. Chow
27th Floor, Two Exchange Square,
Hong Kong
Telephone: (852) 521 0551
Telex: HX 86230
Fax: 845 2125 and 845 9079

Tokyo:
P. A. S. Grindrod,
M. S. Keeler
Mitsui Kyowa Building,
1-1 Kanda Sudacho,
Chiyoda-ku, Tokyo 101
Telephone: (03) 3258-5700
Telex: 2227208
Fax: (03) 3258-5708

New York:
C. F. I. Saul
126 East 56th Street,
New York,
NY 10022-3613
Telephone: (212) 888-1112
Fax: (212) 888-1170
and (212) 832-2021

I would be grateful to see, as soon as possible, a copy of the draft planning permission which will need to be granted simultaneously with completion of the planning obligation.

Please do not hesitate to contact me if you have any further queries.

Yours sincerely

Andrew Thomas

Andrew Thomas

cc: P.J. Udy Esq, South Holland District Council, Planning and Building Control Department

D.P. Baxendale Esq, Dalgety

Slaughter & May
35 Basinghall Street
London
EC2V 5DB

P J Udy

PJU/SJS
H16/0112/92
GPW/AYYT

18 February 1994

Dear Sirs

Dalgety Foods Ltd - Woolram Wygate, Spalding, Lincolnshire

I refer to your letter, dated 9 February 1994, and enclose a draft copy of the planning permission.

A copy of this notice has previously been sent to Gerald Eve in Birmingham on the 18 March 1993.

Yours faithfully

P J Udy

N R Midlen
Principal Planning Officer
(Development Control)

Enclosure

Mrs Eastwood meeting arranged 11.30 April 21

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning & Building Control Services

REF: JMB/KS/PL.668

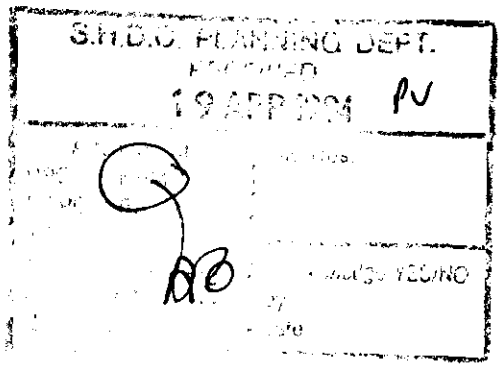
REF: H16/0112/92

DATE: 18th April 1994

SUBJECT: WOOLRAM WYGATE, SPALDING - CONTINUATION OF USE OF BISCUIT FACTORY WITHOUT COMPLYING WITH HOURS OF USE LIMITATION

The Lease now acquired by Dalgety Foods Limited relating to the above land is for a term of 13 years from 22nd October 1982, and therefore has only just over a year to run. In the circumstances, the owner, Mr Hanson has been asked to be party to the Obligation. I now enclose copy of a letter from Calthrops solicitors, expressing concern that Mr Hanson would be rendering himself liable for prosecution for any breach of covenant, and asking if the situation can be reviewed, and I should be most grateful to receive your observations.

Director of Administration



Calthrops
Solicitors
11 Market Place
Spalding
Lincs
PE11 1SP

Miss J M Berridge

JMB/KS/PL.668

GRH/GLF

18th April 1994

Dear Sir

PLANNING APPLICATION NO. H16/0112/92
CONTINUATION OF USE OF BISCUIT FACTORY WITHOUT COMPLYING WITH HOURS OF USE LIMITATION

I write to acknowledge receipt of your letter dated 11th April 1994 relating to the above. The matter is presently being reviewed, and I will be in touch with you again in due course.

Yours faithfully

Director of Administration

Meeting with (Gerald Eve) D. Dudley N. Eastwood.
26-4-94

Trees were old rotten Poplars - stumps
Dyke cleaned out + these removed, some retained.

Not much space between factory + dyke 2m

Be willing to plant but must allow access to pipe exit. Trees may be problematic so close to building
I asked about large stumps instead. I will get back to them re this.

Pipe is stainless steel, not air channel, needs P.P. asked for application within next 14 - 28 days, paint it brick colour.

They assume S106 finalized, nothing outstanding from Abbey side.

Applicants think it entered into.

They will chase Slaughter & May

I will chase D of Ed.

Phone Jackie She will find letter recently received from S + May. & get back to me

PM

SOUTH HOLLAND DISTRICT COUNCIL

DIRECTOR OF ADMINISTRATION

R COLE DMA

RECEIVED
19 APR 1994

Calthrops
Solicitors
11 Market Place
Spalding
Lincs
PE11 1SP

Your Contact: Miss J M Berridge

Our Ref: JMB/KS/PL.668

Your Ref: GRH/GLF

Date: 18th April 1994

Dear Sir

PLANNING APPLICATION NO. H16/0112/92
CONTINUATION OF USE OF BISCUIT FACTORY WITHOUT COMPLYING WITH HOURS OF USE LIMITATION

I write to acknowledge receipt of your letter dated 11th April 1994 relating to the above. The matter is presently being reviewed, and I will be in touch with you again in due course.

Yours faithfully

R. Cole

Director of Administration

S.H.D.C. PLANNING DEPT.
RECEIVED
20 MAY 1994

DPO NPM
DOPO
JC ACP
Action by
Discuss with
Copy to

Director of Administration
Council Offices,
Priory Road,
Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 711253

Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Mr P J Udy

PJU/LAC
H16/0112/92
DRD/HFJE/JPS/
B254
26 May 1994

Dear Sir

Dalgety Foods, Woolram Wygate, Spalding, Lincolnshire.

I write further to your meeting with my Planning Assistant on the 26 April 1994. As promised I have spoken to the Council's Landscape Adviser who was suggested that a fence is erected between the building and dyke to allow a minimum width footpath to provide access to the fire door and then to plant between the fence and the dyke Salix Cinerea.

I look forward to receiving your landscaping details.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

c.c. E16/2564/93

Further correspondence on

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning and Building Control Services

REF: JMB/KS/PL.668

REF: PJU/LAC/H16/0112/92

DATE: 20th June 1994

SUBJECT: WOOLRAM WYGATE, SPALDING - CONTINUATION OF USE OF BISCUIT FACTORY WITHOUT COMPLYING WITH HOURS OF USE LIMITATION

I refer to your memorandum dated 23rd May 1994 relating to the above. The owner of the site is required to be party to the agreement in view of the fact that the present lease expires on 22nd October 1995. As the planning permission attaches to the land, if Mr Hanson was not required to be party to the agreement the present lessees may vacate the site and new lessees take up occupation with the benefit of the present permission but without the need to comply with the terms of the planning obligation. It is unfortunate that legal action would be taken against Mr Hanson in the event that the covenant within the agreement was not complied with, but at the end of the day, it is up to Mr Hanson to decide whether or not he wishes to be party to the agreement.

The only way to link the obligation to any new lease would be for the lessee to enter into the agreement, but this can only be done upon completion of such a new lease.

In conclusion, if the present agreement must be completed then it will be necessary for Mr Hanson to be party to it. No doubt you will advise me if there is an alternative solution, other than a requirement for the planning obligation. If not, then I will advise Mr Hanson accordingly and at that time he will have to decide whether he is prepared to be a party to the agreement.

Director of Administration

Spoke to NMm 7-7
Hanson must sign,
or, negotiate new lease,
or, enter agreement the lessee
to pass liability.
No obligation agreed between Parties. Its requirements can be satisfied

S.H.D.C. PLANNING DEPT.
RECEIVED
21 JUN 1994 PU
Attention of
DPO (NBM)
DOPO BS
JC AJP
Action by .....
Discuss with .....
Copy to .....
File Nos.
Acknowledge YES/NO
by
date
21/6

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: N R Midlen
Principal Planning Officer
Development Control

TO: Director of Planning and Administration

REF: PJU/LAC/H16/0112/92

REF: F.A.O. Mr Atkinson

DATE: 11 November 1994

SUBJECT: B.P. Nutrition, Woolram Wygate, Spalding.

I write further to your meeting with the Director of Planning and Building Control Services, Mr Hastings and Mr Hanson regarding this application and further to your discussions with my Planning Assistant, Mr Udy, in relation to conditions. I suggest that there should be one condition which reads:-

There shall be no shift change between the hours of 11.00 pm and 6.00 am.
Reason: To ensure the extended hours of operation do not adversely affect the amenity of the surrounding residential area by reason of excessive noise.

have given some thought to the second condition relating to tricting the number of employees changing shift and sider that it would be appropriate to restrict the pe he hour prior and after the period when no shif occur. This will give the Company flexibi they wish to change shifts and I fe it does not matter whether the mployees moving on and

osed condit

I shall place the application on the 6 December 1994 Planning Committee and in the meantime I understand that you will be contacting Mr Hastings in relation to these two conditions for his comments.

Peter Midlen

PP

N R Midlen
Principal Planning Officer
Development Control

Norm Okd
Thurs
Pon 11-11

Meeting 1.1 DPBCS, REA, Mr Hartnoss Mr Hansons + PJM.

Following discussions + receipt of further legal advice, condition rather than 106.

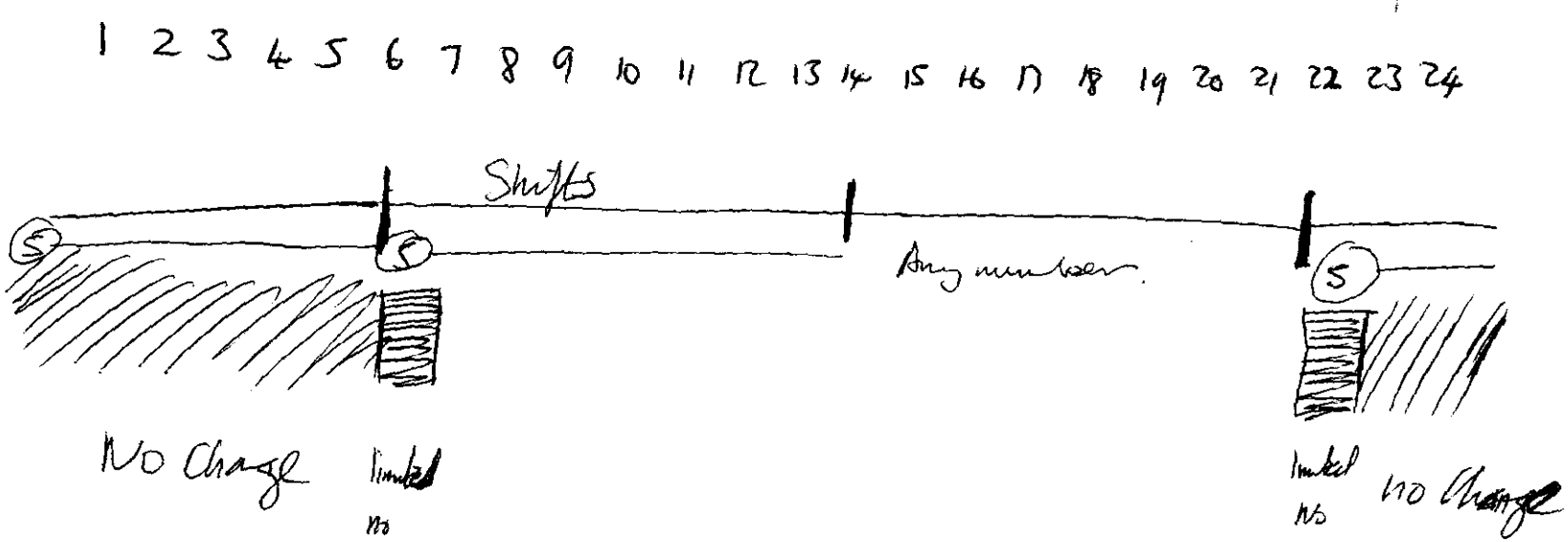
There shall be no shift changes between the hours of 11.00 pm and 6 am

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

The maximum number of employees changing shift at 11 pm and 6 am shall not exceed 10.

Reason: As above

Copy to REA for him to go to Calthorpe



Dark Hut cardka restrictions staff no's for hour either side of period for no staff charge is unreasonable, A use 5 on + 5 off as 9. Eve letter 31-7-92. Means only one shift could have more than 5 staff - 14.00 to 22.00

APPLICATION REFERENCE: H16/0112/92 DATE RECEIVED: 27-JAN-92

TYPE: Section 73A

DESCRIPTION: Continuation of use of biscuit factory without complying with hours of use limitation (Condition 6 of H16/0663/75)

LOCATION: Woolram Wygate, Spalding

APPLICANT: B P Nutrition (UK) Ltd AGENT: Gerald Eve

REPORT

1 This planning application was previously considered by the Planning Committee at their meeting on the 26 October 1993 when it was resolved to grant planning permission, subject to a Planning Obligation (Minute 703 refers).

2 The Planning Obligation has been forwarded to the applicant's company solicitor who have advised that the terms of the draft Planning Obligation are acceptable. However, it seems that owing to the length of time remaining on the lease the freeholder will have to enter into the Planning Obligation as well.

3 The freeholder has been advised by his solicitors that "he would be putting himself in a very difficult position by entering the Section 106 Agreement... since he is personally covenanting that there shall be no shift changes during the hours stated when he has absolutely no control whatsoever over its developer or its employees..." He would, therefore, be rendering himself "liable for prosecution for breach of a covenant which he is entirely incapable of implementing".

4 The Committee have previously been advised to either grant planning permission without the Obligation or to refuse planning permission. At that time it was considered by your Officers that to grant planning permission without the Obligation would be unsafe. In the meantime the further advice from the Council's legal advisors is that a conditional permission as recommended is appropriate to the circumstances of the application.

5 The original suggested conditions have therefore been reviewed to the extent that some of the conditions would be unacceptable because they do not relate to the condition which is to be modified. Consequently, these conditions have therefore been deleted and the others recast.

RECOMMMENDATION

Grant Permission.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
- 4 JAN 1995
Date

SCHEDULE OF CONDITIONS

1 Plant and power driven machinery used in the 24 hour 7 day operation shall only be used within the buildings numbered

1, 2, 3, 4, 5, 6, 7, 11, 12, 13 on the submitted plan GEA, dated 21 January 1992 and received by the Local Planning Authority on 27 January 1992.
Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

2 Loading or unloading of goods shall only occur between 6.00 am and 10.00 pm Monday to Friday and between 6.00 am and 2.00 pm on Saturday.
Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

3 There shall be no shift change between the hours of 11.00 pm and 6.00 am.
Reason: The proposal is to extend the hours of operation from 16 hours, 6 day week to 24 hour 7 day week. It is therefore considered that shift changes must be precluded from unsociable hours.

Town and Country Planning Act etc

DRAFT PERMISSION

Reference: H16/0112/92 Received:27-JAN-92 Type:S73A CONTINUATION

Name: B P Nutrition (UK) Limited
Victoria Works
Whitwell Green Lane
Elland
West Yorkshire HX5 9BJ

Agent: Gerald Eve
170 Edmund Street
Birmingham
B3 2HB

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)
Location : Woolram Wygate Spalding
Lincs

South Holland District Council hereby give notice
that permission has been granted (or equiv)
on the following condition(s):

1 Plant and power driven machinery used in the 24 hour 7 day operation shall only be used within the buildings numbered 1, 2, 3, 4, 5, 6, 7, 11, 12 and 13 on the submitted plan GEA, dated 21 January 1992, and received by the Local Planning Authority on 27 January 1992.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

2 Loading or unloading of goods shall only occur between 6.00 am and 10.00 pm Monday to Friday and between 6.00 am and 2.00 pm on Saturday.

Reason: To ensure the extended hours of operation do not adversely affect the amenities of the surrounding residential area by reason of excessive noise.

3 There shall be no shift change between the hours of 11.00 pm and 6.00 am.

Reason: The proposal is to extend the hours of operation from 16 hours, 6 day week to 24 hour 7 day week. It is therefore considered that shift changes must be precluded from unsociable hours.

06-JAN-95 AD check.....A.J.....

Authorised to issue (inc Delegation).....

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

Com

SOUTH HOLLAND DISTRICT COUNCIL

33A ✓done

Application no: H16/0112/92 Type: SECTION 63

Applicant: B P Nutrition (UK) Limited
Tel: 0422 372262

Agent: Gerald Eve
021 233 9191

Description: Continuation of use of biscuit factory without complying with hours of use limitation. (Cond 6 of H16/0663/75)

Location: Woolram Wygate
Spalding
Lincs

Valid date: 27-JAN-92
Target dates:
To case officer 01-FEB-92
Inspected by 06-FEB-92
Extra contacts 11-FEB-92
Report if not clear by 02-MAR-92

Terminal date: 23-MAR-92
Target Committee: 03-MAR-92
Report deadline: 18-FEB-92

Case Officer:
P J UDY

DEVELOPMENT/CONSTRAINTS

Size:
Category:
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry	
Cllr C F Fisher	0775 725983	03-FEB-92	17-FEB-92	
Cllr Mrs A M Newton	0775 762210	03-FEB-92	17-FEB-92	
Cllr R C West	0775 760231 (Of	03-FEB-92	17-FEB-92	
R Marriott				
The Occupier 11	Woolram Wygate	21 FEB 92	6 MAR 92	
The Occupier 13	" "	"	"	
The Occupier 15	" "	"	"	
The Occupier 17	" "	"	"	
The Occupier 19	" "	"	"	
The Occupier 21 ✗	" "	"	"	letter
The Occupier 23 ✗	" "	"	"	letter
The Occupier 25 ✗	" "	"	"	letter
The Occupier 29	" "	"	"	
The Occupier 30 ✗	" "	"	"	letter
The Occupier 31	" "	"	"	letter
The Occupier 2 ✗	Wygate Road	"	"	
The Occupier 4	" "	"	"	
The Occupier 6 ✗	" "	"	"	letter

LCC N. Objections 13-2-92
Letter also from 34 Woolram Wygate

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0112/92 Type: SECTION 63

Applicant: B P Nutrition (UK) Limited
Tel: 0422 372262

Agent: Gerald Eve
021 233 9191

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Location: Woolram Wygate
Spalding
Lincs

Valid date:	27-JAN-92	Terminal date:	23-MAR-92
Target dates:		Target Committee:	03-MAR-92
To case officer	01-FEB-92	Report deadline:	18-FEB-92
Inspected by	06-FEB-92		
Extra contacts	11-FEB-92	Case Officer:	
Report if not clear by	02-MAR-92	P J UDY	

DEVELOPMENT/CONSTRAINTS

Size:
Category:
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

	Sent	Expiry	
The Occupier 8 Wygate Road	21 FEB 92	6 MAR 92	letter
The Occupier 10 " "	"	"	
The Occupier 12 " "	"	"	
The Occupier 14 " "	"	"	
The Occupier 16 " "	"	"	
The Occupier 18 " "	"	"	
~~The Occupier 20~~ " "	"	"	letter
The Occupier 22 " "	"	"	
The Occupier 24 " "	"	"	
The Occupier 26 " "	"	"	
The Occupier 28 " "	"	"	
The Occupier 30 " "	"	"	
The Occupier 32 " "	"	"	
The Occupier 34 " "	"	"	
The Occupier 36 " "	"	"	
The Occupier 38 " "	"	"	
The Occupier 40	"	"	
Dir of Environmental	20-FEB-92	05-MAR-92	

• BRIAN _.41TH Dip TP MRTPI District Planning Officer

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0112/92 Type: SECTION 63

Applicant: B P Nutrition (UK) Limited Agent: Gerald Eve
Tel: 0422 372262 021 233 9191

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Cllr Mrs A M Newton	0775 762210	03-FEB-92	17-FEB-92
Cllr R C West	0775 760231 (Of	03-FEB-92	17-FEB-92

No objections (L C C) JE 13/2/92