SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H16/0353/92 Received:26-MAR-92 Type:OUTLINE

Name: Executors of W R P Farrow
Deceased
c/o 23 New Road
Spalding
Lincs PE11 1DH

Agent: Messrs Maples & Son
Solicitors
23 New Road
Spalding
Lincs PE11 1DH

Description: Residential development one plot

Location : Land - frontage to Horseshoe Road & adjoining Castle Horseshoe Road, Spalding

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

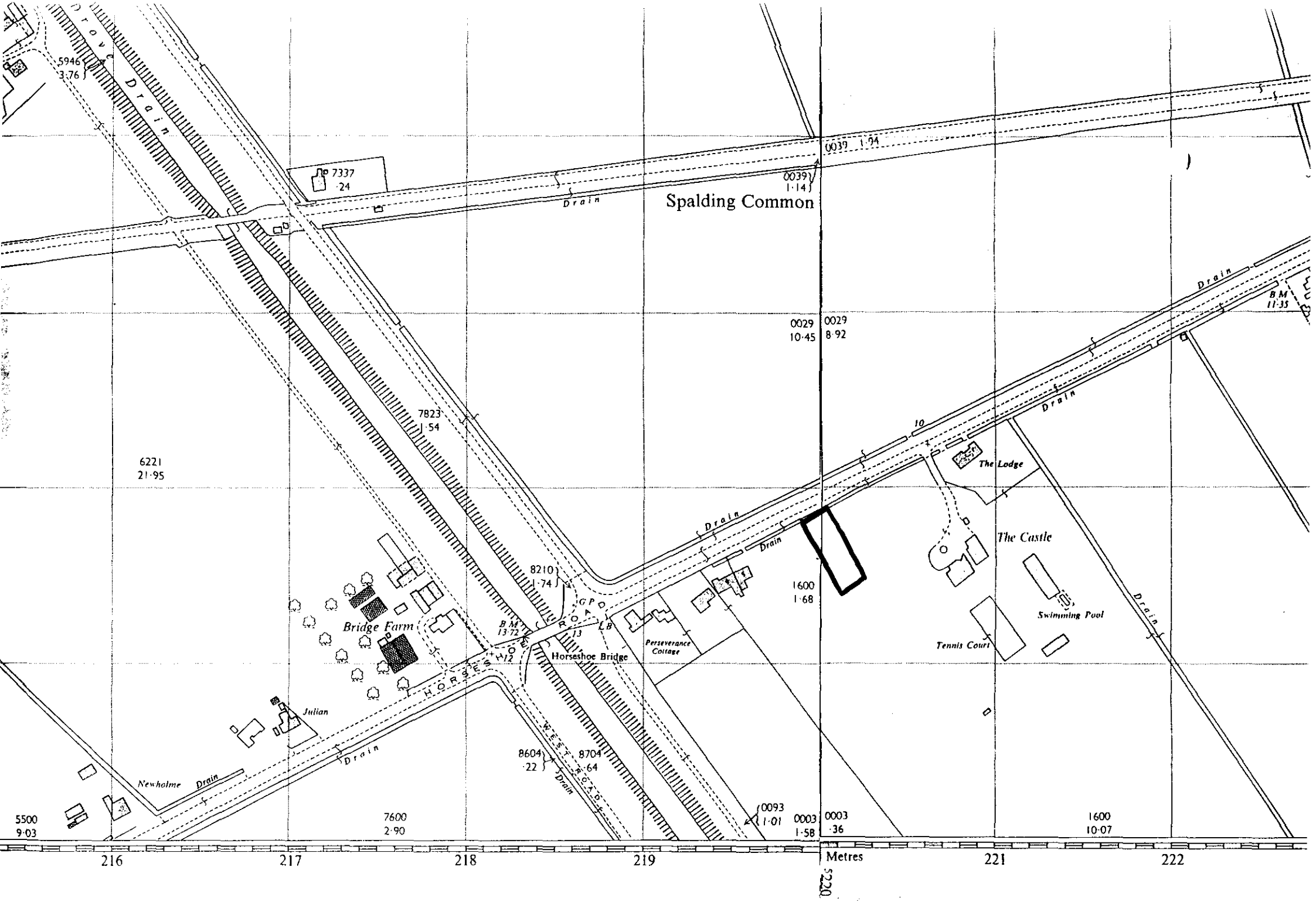
1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the Lincolnshire Structure Plan and Policy R3 of the Spalding and Pinchbeck Local Plan in accordance with national planning policies as set out in Planning Policy Guidance Note No 7, 1992 (The Countryside and the Rural Economy) and is aimed at the conservation of agricultural land, the preservation of the character of the countryside, and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual effect on these issues, it would form a precedent for further similar proposals which would be difficult to resist.

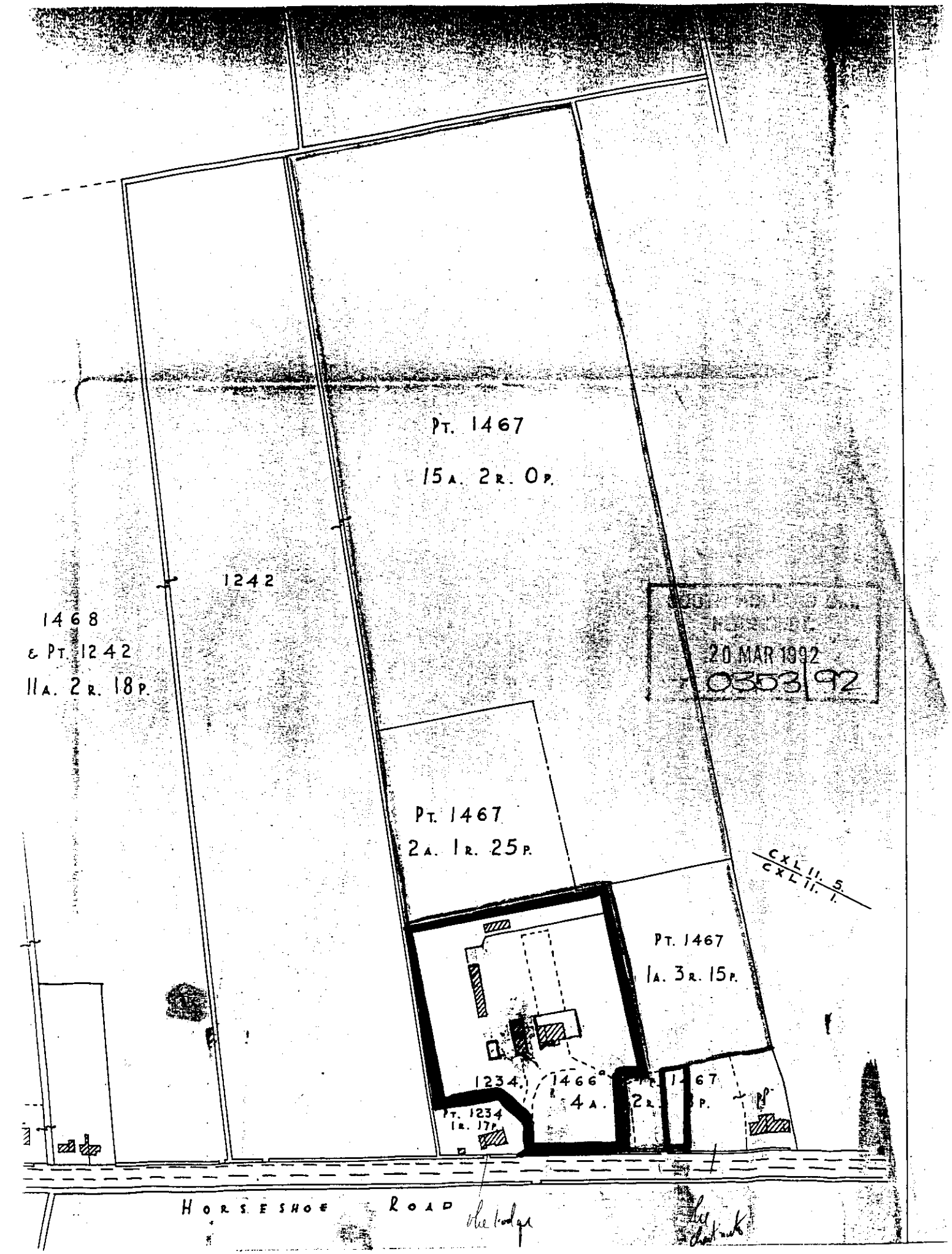
Director of Planning and Building Control Services
08-JUN-92 H16/0353/92

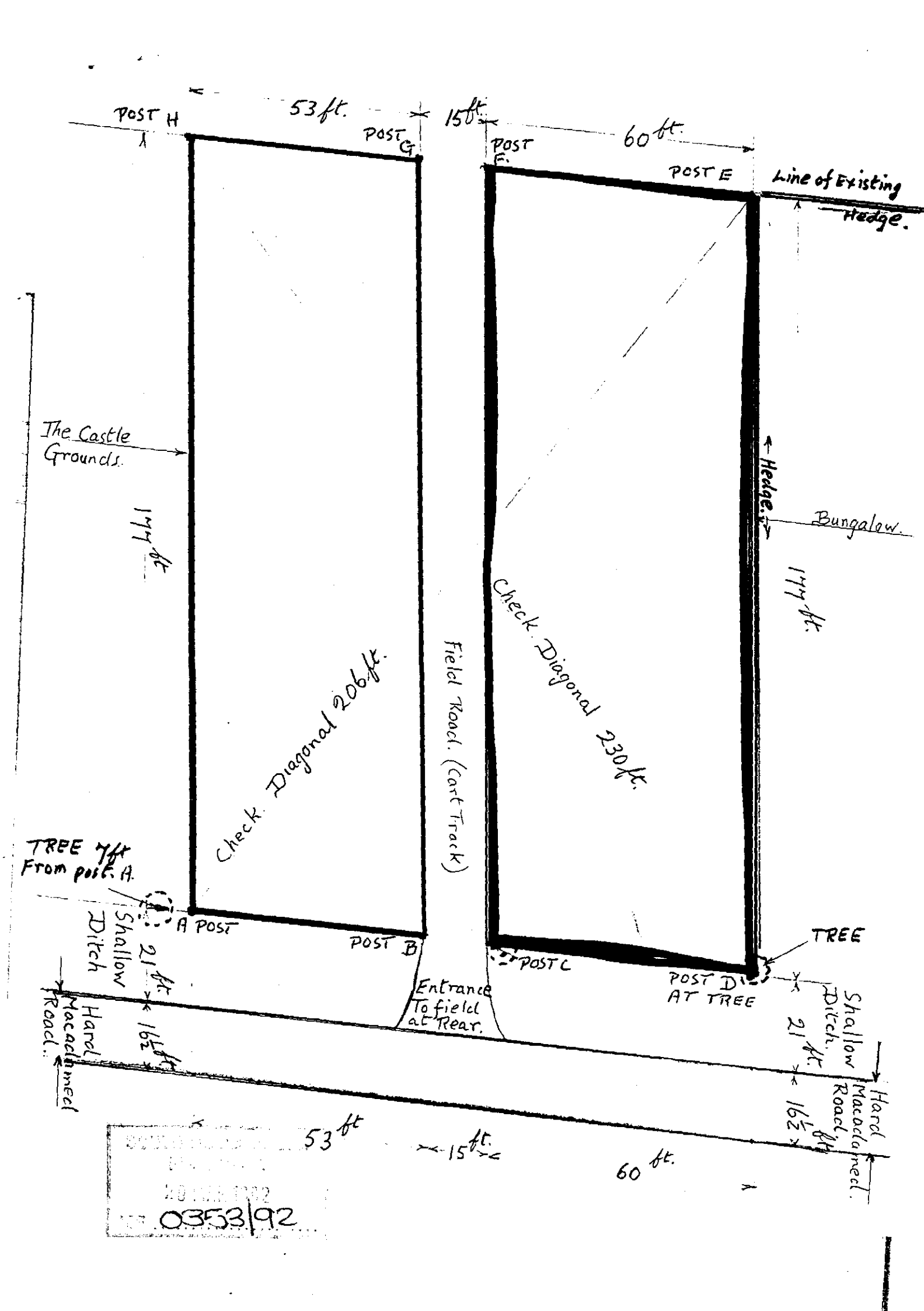
This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

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

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


Drain
5946
3·76
7337
·24
0039
1·14
Spalding Common
0029
10·45
0029
8·92
BM
11·35
7823
1·54
6221
21·95
The Lodge
The Castle
Swimming Pool
Tennis Court
Perseverance Cottage
Bridge Farm
BM
13·72
8210
1·74
GPO
Horseshoe Bridge
1600
1·68
Julian
Newholme Drain
8604
·22
8704
·64
0093
1·01
0003
1·58
0003
·36
5500
9·03
7600
2·90
1600
10·07
216
217
218
219
Metres
221
222


PT. 1467
15A. 2R. 0P.
1242
1468
& PT. 1242
11A. 2R. 18P.
20 MAR 1992
0353 92
PT. 1467
2A. 1R. 25P.
CXL 11. 5.
CXL 11. 1.
PT. 1467
1A. 3R. 15P.
1234.
1466
4A.
2R.
PT. 1234
1R. 17P.
HORSESHOE ROAD


POST H
53 ft.
POST G
15 ft.
POST F.
60 ft.
POST E
Line of Existing Hedge.
The Castle Grounds.
177 ft.
Hedge.
Bungalow.
177 ft.
Check. Diagonal 206 ft.
Field Road. (Cart Track)
Check. Diagonal 230 ft.
TREE 7 ft From post A.
A POST
POST B
POST C
TREE
POST D AT TREE
Shallow Ditch
21 ft.
16½ ft.
Hard Macadamed Road.
Entrance To field at Rear.
Shallow Ditch.
21 ft.
16½ ft.
Hard Macadamed Road.
53 ft
15 ft.
60 ft.

0353/92

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H16/0353/92

Date Registered 20 MAR 1992

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

Executors of W.R.P. Farrow Dec'd
c/o 23 New Road
Spalding
Lincolnshire
PE11 1DH

Tel. No. 0775 722261

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

MESSRS. MAPLES & SON
SOLICITORS
23 NEW ROAD
SPALDING

Tel. No. 0775 722261
(Personal contact name)

OFFICE COPY

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

Plot of land with a frontage to Horseshoe Road Spalding and adjoining the Castle Horseshoe Road aforesaid

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

Residential frontage development - one plot

Please complete

I attach * Four copies of all plans
*an ownership certificate (see back page)
*a fee of £92 If you consider no fee is payable include a written explanation instead.

Signed... Date. 20.03.1992 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: one

4. A. If building works are proposed, other than residential, please state extra floorspace to be created: sq. metres

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

(b) max. length: metres

(c) max. width: metres

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

D. Please state type and colour of roofing materials.

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

5. GENERAL INFORMATION *Please complete each section*

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

bare land/garden ground

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 Horseshoe Rd
Will there be –
Individual access(es) Yes
New estate road

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

garage and turning area

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: Soakaway

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

C. Please state whether a land drain will be affected: Not so far as we are aware

D. Foul sewerage will be disposed of to: Septic Tank

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	No	→ 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.	N/A	→ Date: Consultee(s):
Is this application related to a previous submission	No	→ Application No.:

6. ANY OTHER INFORMATION

Please add any details you wish in support of your application. Continue on separate sheet if necessary.

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).

owners

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 20.3.92

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

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

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

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

If the land is not in agricultural use, complete Certificate 1.
If the land is agricultural, but there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to any tenant, and complete Certificate 2. (You can use the notice at the bottom of the form to send to the tenant). If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

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

Signed ..... ~~Applicant~~/Agent) Date 20.3.92

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

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

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

for planning permission for

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

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

ADMIN RECORD SHEET

INITIAL

Submitted Fee £ 97...

Receipt Issued ..... No. 8880

Date First Received 20 MAR 1992

REGISTRATION

REFERENCE H16/0353/92.....

Cross-Ref N/A.....

Date 23/3/92

VALIDATION Date 23/3/92

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

Site area 0.095 No. of dwellings 1 Floorspace .....

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

Earlier permission ref .....

EM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

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

S64 advert required ☐ Expiry date .....

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

Correct fee £ 110 Additional £ 18 Receipt no. 8917

Refund £ ..... Issued .....

CONSTRAINTS Date 30.3

Index Sheets 519 OS Nos ..... Grid Ref E 330300 N 212000

Part 1 Parish ...SPALDING TR Bund ☐ C1 ☐
TR Bypass ☐ C3 ☐ Grade ☐
Inside TPO ..NO Inside CP area..YES Level crossing ☐ CP ☐
Footpath ☐ Other:

Linked to site.....Ref..429 Linked to property.....Ref.....

Planning Records:
Earlier apps

S 106 Records:
Already submitted Ref.....
Required .....

Inputs completed.....

APPLICATION REFERENCE: H16/0353/92 DATE RECEIVED: 20 03 92

APPLICANT: Executors of W R P Farrow Deceased
c/o 23 New Road
Spalding
Lincs
PE11 1DH

AGENT: Messrs Maples & Son
Solicitors
23 New Road
Spalding
Lincs
PE11 1DH

TYPE: Outline

DESCRIPTION: Residential development one plot

LOCATION: Land - frontage to Horseshoe Road and adjoining Castle Horseshoe Road, Spalding

County Highways: Request conditions.

PLANNING ISSUES

1 The site is outside the Development Boundary for Spalding, and is contrary to Policy R3 of the Local Plan. The site is within a loose ribbon of development, but is not considered to be acceptable infilling.

2 The proposal is only for one plot but it is clear that a second plot could be applied for.

3 An application on a nearby site was granted permission as an infill but this was between two existing dwellings and contained a former dwelling. This application is in a far wider gap and would set a precedent for further infill plots. No agricultural or other justification has been put forward.

RECOMMENDATION - Refuse Permission.

The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the Lincolnshire Structure Plan and Policy R3 of the Spalding and Pinchbeck Local Plan in accordance with national planning policies as set out in Planning Policy Guidance Note No 7, 1992 (The Countryside and the Rural Economy) and is aimed at the conservation of agricultural land, the preservation of the character of the countryside, and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual effect on these issues, it would form a precedent for further similar proposals which would be difficult to resist.

BRI. 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: H16/0353/92 Type: OUTLINE

Applicant: Executors of W R P Farrow
Tel: 0775 722261

Agent: Messrs Maples & Son
0775 722261

Description: Residential development
one plot

Location: Land - frontage to Horseshoe
Road & adjoining Castle
Horseshoe Road, Spalding

Valid date: 26-MAR-92 Terminal date: 21-MAY-92
Target dates: Target Committee: 13-MAY-92
To case officer 31-MAR-92 Report deadline: 29-APR-92
Inspected by 05-APR-92
Extra contacts 10-APR-92 Case Officer:
Report if not clear by 30-APR-92 P J UDY

DEVELOPMENT/CONSTRAINTS

Size: .1 HA
Category: Newbuild
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Cllr C F Fisher	0775 725983	31-MAR-92	14-APR-92
Cllr Mrs A M Newton	0775 762210	31-MAR-92	14-APR-92
Owner/Occupier The Chestnuts, Horseshoe Road		15-APR-92	29-APR-92
Cllr R C West	0775 760231 (Of	31-MAR-92	14-APR-92

L C C - Obs Attached JC 08 8/4/92.

SITE DETAILS

Grid ref: 522030 321200
OS Sheets: 219 Parcel:

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: H16/0353/92 Type: OUTLINE

Applicant: Executors of W R P Farrow
Tel: 0775 722261

Agent: Messrs Maples & Son
0775 722261

Description: Residential development
one plot

Location: Land - frontage to Horseshoe
Road & adjoining Castle
Horseshoe Road, Spalding

Valid date:	26-MAR-92	Terminal date:	21-MAY-92
Target dates:		Target Committee:	13-MAY-92
To case officer	31-MAR-92	Report deadline:	29-APR-92
Inspected by	05-APR-92		
Extra contacts	10-APR-92	Case Officer:	
Report if not clear by	30-APR-92	P J UDY	

DEVELOPMENT/CONSTRAINTS

Size: .1 HA
Category: Newbuild
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Cllr C F Fisher	0775 725983	31-MAR-92	14-APR-92
Cllr Mrs A M Newton	0775 762210	31-MAR-92	14-APR-92
Cllr R C West	0775 760231 (Of	31-MAR-92	14-APR-92

L.C.C - ~~plan letter~~ CDRS Attached / Jr CS 2/4/92 Jr CS 8/4/92.

SITE DETAILS

Grid ref: 522030 321200
OS Sheets: 219 Parcel:

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

S.H.D.C. PLANNING DEPT.
RECEIVED
14 APR 1992
Pu

NRA

National Rivers Authority
Anglian Region

10 April 1992

Our ref.GT/92/1/SH/0111

Dear Sir

PLANNING APPLICATION NO. H16/0353/92
PROPOSED ERECTION OF A DWELLING AT HORSESHOE ROAD/CASTLE HORSESHOE ROAD, SPALDING, BY THE EXECUTORS OF W.R.P. FARROW.

With regard to the above-mentioned application received on 2 April 1992, I would inform you that the NRA Anglian Region has the following observations to make on the proposal:

If there is no sewer available in the area to serve the proposed development it is likely that the Developer would install a septic tank to dispose of the foul sewage from the proposal.

The NRA would not approve the discharge of septic tank effluent direct to a watercourse.

We have no objection to the use of a septic tank(s) at this location provided that:

a) The area of land required for the soakaway has been established by means of a percolation test carried out in accordance with B.S.6297.

b) The plot size is adequate to provide the area of land required for the soakaway system as identified by the percolation test.

c) The soakaway system is not constructed within 10m of a watercourse or within 50m of a borehole or well.

d) The soakaway system is constructed as shallow as possible and will not be affected by general groundwater in the area.

If tests indicate the percolation value is greater than that identified in B.S.6297 (ie >140s) then other means of disposal of foul sewage will need to be considered. Details of alternative proposals should be submitted to the NRA.

/contd

ROGER HYDE
Regional General Manager

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

NRA

Our ref.GT/92/1/SH/0111

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, any oil storage tank shall be sited on an impervious base and surrounded by oil-tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes.

Yours faithfully

R F Morgan
Planning Engineer

cc Messrs Maples & Son
23 New Road,
Spalding PE11 1DH

VJC

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: SOUTH HOLLAND District Council

Application Reference H16/0353/92

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

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

1. National Grid Reference of a central point on site

	horizontal			vertical		
	2	2	0	2	1	2

2. Address or location

HORSESHOE ROAD, SPALDING

3. Name, classification and number of road

U

4. Date application referred 2 - 4 - 92

5. State whether outline, detailed application etc.

OL

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

RESIDENTIAL - 1 PLOT

7. Delete as appropriate

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

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

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

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

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

Date: 8-4-92 Signed: [signature]

Director of Highways and Planning

BRIAN SMITH Dip TP MRTPI
D ir 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

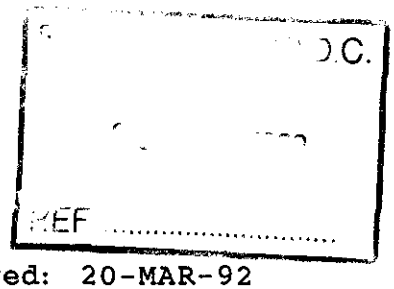
Application no: H16/0353/92

Applicant: Executors of W R P Farrow
Deceased
c/o 23 New Road
Spalding
Lincs PE11 1DH

Agent: Messrs Maples & Son
Solicitors
23 New Road
Spalding
Lincs PE11 1DH

Description: Residential development
one plot

Location: Land - frontage to Horseshoe Road & adjoining Castle
Horseshoe Road, Spalding



Type: OUTLINE

Date received: 20-MAR-92

24-MAR-92

Dear Sir/Madam

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

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

A further fee of £18 is required since the fee rates increased on January 2nd 1992.

Please return the copy of this letter with your reply.

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

Yours faithfully

pp Principal Administrative Officer

Maples & Son

SOLICITORS

COMMISSIONERS FOR OATHS

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

23 NEW ROAD
SPALDING
LINCS. PE11 1DH

DX 26706 - Spalding
Telephone (0775) 722261
Fax (0775) 767525

Our Ref: PC.JLN

Your Ref:

Date: 25th March, 1992.

Dear Sirs,

Re: W.R.P. Farrow Deceased

Thank you for your letter of the 24th March (copy enclosed). We enclose you herewith £18.00 being the further fee required by you and look forward to hearing from you in due course.

Yours faithfully,

South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs

Enc.

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

Maples & Son

SOLICITORS

COMMISSIONERS FOR OATHS

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

23 NEW ROAD
SPALDING
LINCS. PE11 1DH

DX 26706 - Spalding
Telephone (0775) 722261
Fax (0775) 767525

Our Ref: PC/LAK *Your Ref:* *Date* 19th March 1992

Dear Sirs,

Re. Building Plot adjoining the Castle,
Horseshoe Road, Spalding
Executor of W.R.P. Farrow Deceased

On behalf of the Executor of the late Mr. Farrow we enclose you Planning Application for Outline Planning Permission for a dwelling on the plot enclosing four copies of the application, four copies of the plan and our cheque in the Council's favour for the fee of £92.

Yours faithfully,

Planning Officer,
S.H.D.C.,
Priory Road,
Spalding.

Enc.

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

Cllr Fisher with a gentleman re
Alt: Site.

Advised on Meeting.

Gentleman wants to retire from car sales
repair business at Cuckoo Bridge and
of Horsecroft Rd + wants to live in
Horsecroft Rd

- Advised outside UBD + ∴ access
dev is if Bg need or an infill
too big for an infill also policy to prevent
cessation of vision dwelling. He has had
career - car repairs, difficult to
recognise career change to any thought
field to rear. Would be enough to
perhaps any dwelling?

- Local need: make like a live in house
not but discuss need to

Fr wants to apply up to his retirement bracket
may be a waste of money

PM 4-4

The Planning Inspectorate

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

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

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

Maples & Son Solicitors
23 New Road
SPALDING
Lincs
PE11 1DH

S.H.D.C. PLANNING DEPT.
RECEIVED
15 JAN 1993
Attention of
DPO NHM
DOPO BS
ACP
Action by .....
Discuss with .....
Copy to .....
File Nos.

Your Reference:
PC
Our Reference:
T/APP/A2525/A/92/214574/P2

Date: 14 JAN 93

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY THE EXECUTOPS OF W R P FARROW DECEASED
APPLICATION NO: H16/0353/92

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal against the decision of the South Holland District Council to refuse outline planning permission for residential frontage development, one plot, on land adjoining 'The Castle' Horsehoe Road, Spalding. I have considered the written representations made by you and by the Council. I inspected the site on 8 January 1993.

2. From my consideration of the written representations made, and my inspection of the site and its surroundings, I consider that the principal issue in this appeal is the effect of the proposal on the character and appearance of the nearby countryside.

2. Policy 7a of the approved Lincolnshire Structure Plan provides that new residential development will not be permitted in the open countryside unless it is to meet particular needs in connection with agriculture or forestry. Policy R3 of the Spalding and Pinchbeck Local Plan has a similar objective. This policy also provides that, where there is a particular social, economic, or land use need, individual dwellings will be permitted within significant groups of dwellings in the open countryside. These policies accord with national policy for development in the countryside as set out in Planning Policy Guidance Note 7.

3. The appeal site is about 0.6km from the development boundary defined in the Local Plan. An area of unused land with a frontage of some 39m to Horshoe Road, a straight fenland road, runs back to the edge of an arable field. Agricultural vehicles use a track through the centre of that land to gain access to the field. The appeal site is situated between that track and a modern bungalow known as 'The Chestnuts'. To the west of that is a plot with planning permission for a dwelling and then two modern houses. The houses are separated from scattered development further west by a gap of about 80m. To the east of the unused land are two houses, one of which is set well back from the road. Beyond them the road is fronted by farmland, as is the opposite side of the road.

100%
CYCLED PAPER

LPA Ref: H16/0353/92

DOE Ref: APP/A2525/A/92/214574

TOWN AND COUNTRY PLANNING (APPEALS)
(WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY EXECUTORS OF W R P FARROW DECEASED

Questionnaire and Supporting Documentation from
Local Planning Authority

: Questionnaire
: Case for the Local Planning Authority

PART ONE: PLANNING OFFICER'S REPORT

: Copy of Report to Planning Committee dated 2nd June 1992
: Extract of Minute of Planning Committee meeting 2nd June 1992
: Copy of Decision Notice

PART TWO: BACKGROUND PAPERS

: Copy of Lincolnshire County Council Highway observations
: Copy letter from interested parties

PART THREE: MISCELLANEOUS

: Details of an appeal relating to a nearby site
: Copies of Policies
: List of Conditions if the Appeal were to be allowed

PLAN `A' Appeal Site

PLAN 'B' 1:50,000 showing Spalding and Pode Hole Interim Boundary of Development

B Smith
Director of Planning and
Building Control Services
Council Offices
Priory Road
Spalding
Lincs

APPEAL QUESTIONNAIRE
(revised July 1992)

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT APPEAL

DOE APPEAL REF: APP/A2525/A/92/214574

522030

APPEAL BY: Executors of W R P Farrow Deceased GRID REF: 321200

SITE: Land - frontage to Horseshoe Road + adjoining Castle, Horseshoe Road, Spalding.

PLEASE SEND THE COMPLETED QUESTIONNAIRE (TOGETHER WITH ANY ENCLOSURES) TO THE INSPECTORATE AND TO THE APPELLANT OR AGENT WITHIN 14 DAYS OF THE DATE YOU RECEIVED THE APPEAL FORM.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to the Inspectorate within 28 days of the date you received the appeal form.

1.	Do the Council agree to the written representations procedure? OR Do the Council wish to appear before and be heard by an Inspector? (a local inquiry or hearing)	YES / ~~NO~~ YES / NO
2.	If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / ~~NO~~
3.	Does the appeal relate to an application for approval of reserved matters?	YES / ~~NO~~
4.	Was an Article 12 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	~~YES~~ / NO / ~~NA~~
5.	Was it necessary for the Council to advertise the proposals under Section 67 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	~~YES~~ / NO
6.	Is the appeal site within an approved Green Belt?	~~YES~~ / NO
7.	Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, attach details).	~~YES~~ / NO
.	Are there any other appeals or matters relating to the same site or neighbourhood still before the Secretary of State for consideration; or does the development directly affect the line of a footpath, bridleway or highway? (If YES, attach details and, where necessary, give the Department's reference numbers.)	YES / ~~NO~~
9.	Is the site within a Conservation Area/ If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10.	Does the appeal relate to an application for conservation area consent?	YES / NO
11a.	Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building/ (Delete as appropriate)	~~YES~~ / NO
b.	Would the proposed development affect the setting of a listed building?	~~YES~~ / NO
	If the answer to questions 11a or b is YES, please attach a copy of the relevant listing description from the list of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13)	
12.	Has a grant been made under sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	~~YES~~ / NO
13.	Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO

STATEMENT

1. It is considered that the Local Planning Authority Committee report adequately outlines the planning case.

2. The plot referred to in paragraph 3 of that report has also an appeal upon it and details of this are outlined in Part 3: Miscellaneous of this document.

LPA Ref: H16/0353/92

DOE Ref: APP/A2525/A/92/214574

TOWN AND COUNTRY PLANNING (APPEALS)
(WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY EXECUTORS OF W R P FARROW DECEASED

PART ONE: PLANNING OFFICER'S REPORT

B Smith
Director of Planning and
Building Control Services
Council Offices
Priory Road
Spalding
Lincs

APPLICATION REFERENCE: H16/0353/92 DATE RECEIVED: 20 03 92

APPLICANT: Executors of W R P Farrow Deceased
c/o 23 New Road
Spalding
Lincs
PE11 1DH

AGENT: Messrs Maples & Son
Solicitors
23 New Road
Spalding
Lincs
PE11 1DH

REPORT TO PLANNING COMMITTEE
- 2 JUN 92

TYPE: Outline

DESCRIPTION: Residential development one plot

LOCATION: Land - frontage to Horseshoe Road and adjoining Castle Horseshoe Road, Spalding

County Highways: Request conditions.

PLANNING ISSUES

1 The site is outside the Development Boundary for Spalding, and is contrary to Policy R3 of the Local Plan. The site is within a loose ribbon of development, but is not considered to be acceptable infilling.

2 The proposal is only for one plot but it is clear that a second plot could be applied for.

3 An application on a nearby site was granted permission as an infill but this was between two existing dwellings and contained a former dwelling. This application is in a far wider gap and would set a precedent for further infill plots. No agricultural or other justification has been put forward.

RECOMMENDATION - Refuse Permission.

The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the Lincolnshire Structure Plan and Policy R3 of the Spalding and Pinchbeck Local Plan in accordance with national planning policies as set out in Planning Policy Guidance Note No 7, 1992 (The Countryside and the Rural Economy) and is aimed at the conservation of agricultural land, the preservation of the character of the countryside, and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual effect on these issues, it would form a precedent for further similar proposals which would be difficult to resist.

PLANNING COMMITTEE - 2nd June, 1992

416. PLANNING APPLICATIONS (Continued)

(a) **Applications Granted** (Continued)

Plan No. and Applicant	Proposal
H02/0327/92 Mrs G M Thistlewaite	Demolish existing subsidence damaged rear extension and rebuild at Bank House, North Street, Crowland.
H13/0334/92 DGM Properties Ltd	4 bedroomed house and garage, Plot 4, Off Station Yard, Moulton.
H08/0363/92 Mr & Mrs R Smith	Dwelling, land adjacent 191 Westhorpe Road, Gosberton.
H16/0390/92 Mrs Halgarth	Georgian sun room at 8 Halmergate, Spalding.
H17/0392/92 Mr G A Squires	Change of use to nursing home at 73 Seas End Road, Surfleet.
H13/0395/92 Mr C Shardlow	Extension to house at 37 Station Road, Moulton.
H16/0411/92 Mr & Mrs R F Brocklehurst	Extensions and alterations to existing house at Cattolica, Manor Close, Little London, Spalding.
H14/0374/92 Mr & Mrs M L & R Bottom	Bungalow extension and garage at Bungalow, Red Mile Lane, Pinchbeck.

(b) **Applications Refused**

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

Plan No. and Applicant		Proposal
H17/0202/92 Mr & Mrs K Napper	OA	3 bedroom house and garage (Renewal of H17/1761/88) at Wedgewood, 1 Seas End Road, Surfleet.

(Councillor E J Clarey entered the meeting during consideration of this application.)

H16/0353/92 Executors of W R P Farrow Deceased	OA	Residential development (one plot) on land fronting Horseshoe Road and adjoining The Castle, Horseshoe Road, Spalding.
H21/0147/92 Endersby Development Ltd	OA	Replacement dwelling including turning area and siting at (Former White Lion), Station Road, Tydd Gote.
H18/0490/92 Mr & Mrs A J & Mrs M Judd		Bungalow at The Bungalow, Off East Bank, Sutton Bridge.

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H16/0353/92 Received:26-MAR-92 Type:OUTLINE

Name: Executors of W R P Farrow
Deceased
c/o 23 New Road
Spalding
Lincs PE11 1DH

Agent: Messrs Maples & Son
Solicitors
23 New Road
Spalding
Lincs PE11 1DH

Description: Residential development one plot

Location : Land - frontage to Horseshoe Road & adjoining Castle Horseshoe Road, Spalding

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

1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which would be contrary to Policy 7a of the Lincolnshire Structure Plan and Policy R3 of the Spalding and Pinchbeck Local Plan in accordance with national planning policies as set out in Planning Policy Guidance Note No 7, 1992 (The Countryside and the Rural Economy) and is aimed at the conservation of agricultural land, the preservation of the character of the countryside, and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of this policy, because as well as its individual effect on these issues, it would form a precedent for further similar proposals which would be difficult to resist.

Director of Planning and Building Control Services
08-JUN-92 H16/0353/92

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

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

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

LPA Ref: H16/0353/92

DOE Ref: APP/A2525/A/92/214574

TOWN AND COUNTRY PLANNING (APPEALS)
(WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY EXECUTORS OF W R P FARROW DECEASED

PART TWO: BACKGROUND PAPERS

B Smith
Director of Planning and
Building Control Services
Council Offices
Priory Road
Spalding
Lincs

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: SOUTH HOLLAND District Council

Application Reference H16/0353/92.

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

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

1. National Grid Reference of a central point on site

	horizontal			vertical		
	2	2	0	2	1	2

2. Address or location

HORSESHOE ROAD, SPALDING

3. Name, classification and number of road

III

4. Date application referred 2-4-92.

5. State whether outline, detailed application etc.

OL.

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

RESIDENTIAL — 1 PLOT.

7. Delete as appropriate

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

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

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

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

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

Date: 8-4-92 Signed: [signature]
Director of Highways and Planning

CONDITIONS:—

Delete as appropriate

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

(ii) For other applications

(1) B21

Delete as appropriate

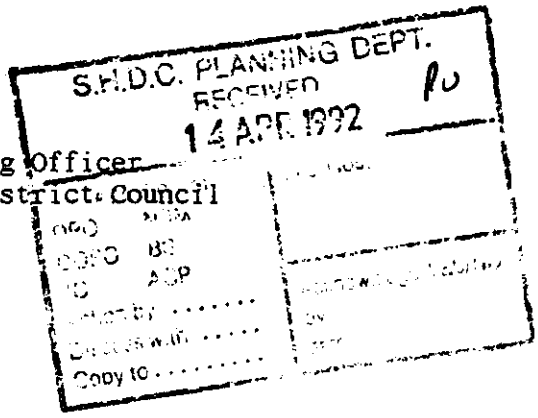
(i) REASONS FOR a, b, or c overleaf

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

(1) B21

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

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



NRA

National Rivers Authority
Anglian Region

10 April 1992

Our ref.GT/92/1/SH/0111

Dear Sir

PLANNING APPLICATION NO. H16/0353/92
PROPOSED ERECTION OF A DWELLING AT HORSESHOE ROAD/CASTLE HORSESHOE ROAD, SPALDING, BY THE EXECUTORS OF W.R.P. FARROW.

With regard to the above-mentioned application received on 2 April 1992, I would inform you that the NRA Anglian Region has the following observations to make on the proposal:

If there is no sewer available in the area to serve the proposed development it is likely that the Developer would install a septic tank to dispose of the foul sewage from the proposal.

The NRA would not approve the discharge of septic tank effluent direct to a watercourse.

We have no objection to the use of a septic tank(s) at this location provided that:

a) The area of land required for the soakaway has been established by means of a percolation test carried out in accordance with B.S.6297.

b) The plot size is adequate to provide the area of land required for the soakaway system as identified by the percolation test.

c) The soakaway system is not constructed within 10m of a watercourse or within 50m of a borehole or well.

d) The soakaway system is constructed as shallow as possible and will not be affected by general groundwater in the area.

If tests indicate the percolation value is greater than that identified in B.S.6297 (ie >140s) then other means of disposal of foul sewage will need to be considered. Details of alternative proposals should be submitted to the NRA.

ROGER HYDE
Regional General Manager

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

/contd

NRA

Our ref.GT/92/1/SH/0111

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, any oil storage tank shall be sited on an impervious base and surrounded by oil-tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes.

Yours faithfully

R F Morgan
Planning Engineer

cc Messrs Maples & Son
23 New Road,
Spalding PE11 1DH

VJC

LPA Ref: H16/0353/92

DOE Ref: APP/A2525/A/92/214574

TOWN AND COUNTRY PLANNING (APPEALS)
(WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY EXECUTORS OF W R P FARROW DECEASED

PART THREE: MISCELLANEOUS

B Smith
Director of Planning and
Building Control Services
Council Offices
Priory Road
Spalding
Lincs

DETAILS OF OTHER APPEAL

The Local Planning Authority have received an appeal from Mr E Andrew against the refusal of planning permission for a pair of dwellings. The DoE reference is APP/A2525/A/92/213345. The site is approximately 50 metres to the south west.

APPROVED STRUCTURE PLAN

ALTERATION No. 1

POPULATION - HOUSING - SETTLEMENT

WRITTEN STATEMENT AND EXPLANATORY MEMORANDUM

Lincolnshire County Council

NOVEMBER 1991

development in villages, it is important that appropriate areas of open space are retained in order to protect the environmental quality of these settlements.

5A.3 New development in villages on the scale and distribution envisaged should help to ensure that services and facilities are retained, improved and in certain cases provided for the first time. There are, however, existing deficiencies, and other needs may well arise in the future as a consequence of the development proposed by this policy. New housing development on a significant scale will generate a need for services and facilities, and it is important that they are properly co-ordinated. The County Council will attempt to ensure that deficiencies are removed or needs met not only by positive actions in relation to their own services and functions, but also by effective liaison with the numerous bodies and organisations, statutory or otherwise, that operate in the rural areas.

POLICY 6A

PERMISSION WILL NOT NORMALLY BE GRANTED FOR HOUSING WHICH WOULD CREATE OR EXTEND RIBBON OR SCATTERED DEVELOPMENT.

EXPLANATION

6A.1 The presumption against ribbon and scattered development is carried forward from the existing Structure Plan. It remains Government policy, and is particularly important in an extensive rural county like Lincolnshire. PPG3 'Land for Housing' states that the . . ."expansion of villages into the surrounding countryside is objectionable if it creates ribbons or isolated pockets of development". Such development is environmentally damaging, a waste of agricultural land, costly in terms of servicing and infrastructure, and an unacceptable and unnecessary intrusion into the countryside.

POLICY 7A

NEW RESIDENTIAL DEVELOPMENT WILL NORMALLY ONLY BE PERMITTED IN THE OPEN COUNTRYSIDE WHERE THERE IS AN ESSENTIAL NEED TO HOUSE FARM OR FORESTRY WORKERS NEAR TO THEIR PLACE OF WORK.

EXPLANATION

7A.1 Central Government advice states that . . . "in the interests of preserving the countryside and protecting the best agricultural land, new housebuilding in open countryside continues to need careful control" (PPG 7 'Rural Enterprise and Development'). This Policy is intended to implement this guidance. There are also higher than average costs in servicing new development in the open countryside, and this should be avoided wherever possible. Normally, rural workers in agriculture, horticulture and forestry will be housed within existing settlements, however on occasions there may be an essential and proven need for such a worker to be housed close to his or her place of employment. In such circumstances, permission may be granted for residential development in the open countryside, but with an appropriate occupancy

condition designed to ensure that any dwelling erected to serve such a defined need continues to do so.

7A.2 Recent changes in agricultural policy encouraging farm diversification have led to an increasing number of recreational type proposals in the open countryside. This is likely to continue in the future. Exceptionally, in relation to these proposals, it may be necessary for a worker to live on site. In such circumstances, provided that the local planning authority is satisfied that the need is essential and proven, permission may be granted for residential development in the open countryside. The occupancy of such a dwelling will be restricted to a person directly connected with the establishment, either by means of a condition of planning permission or Section 106 Agreement.

7A.3 This Policy applies only to the building of **new** residential development as opposed to the **conversion** of suitable farm buildings into dwellings. There are opportunities for the re-use and conversion of farm buildings into residential use and this can help meet the demand for housing in the rural areas. It will be for the local planning authorities to decide on the suitability of particular proposals, but PPG 7 'Rural Enterprise and Development' states that . . . "there should generally be no reason for preventing the adaptation or restoration of existing or derelict dwellings in the countryside for new uses, provided that their form, bulk and general design are in keeping with their surroundings. Proposals for the re-use of redundant buildings should not be rejected unless there are specific and convincing planning reasons that cannot be overcome by attaching reasonable conditions to the planning permission".

POLICY 8A

PLANNING PERMISSION MAY EXCEPTIONALLY BE GRANTED FOR LOW COST HOUSING ON LAND THAT WOULD NOT NORMALLY BE RELEASED FOR DEVELOPMENT, PROVIDED THAT:

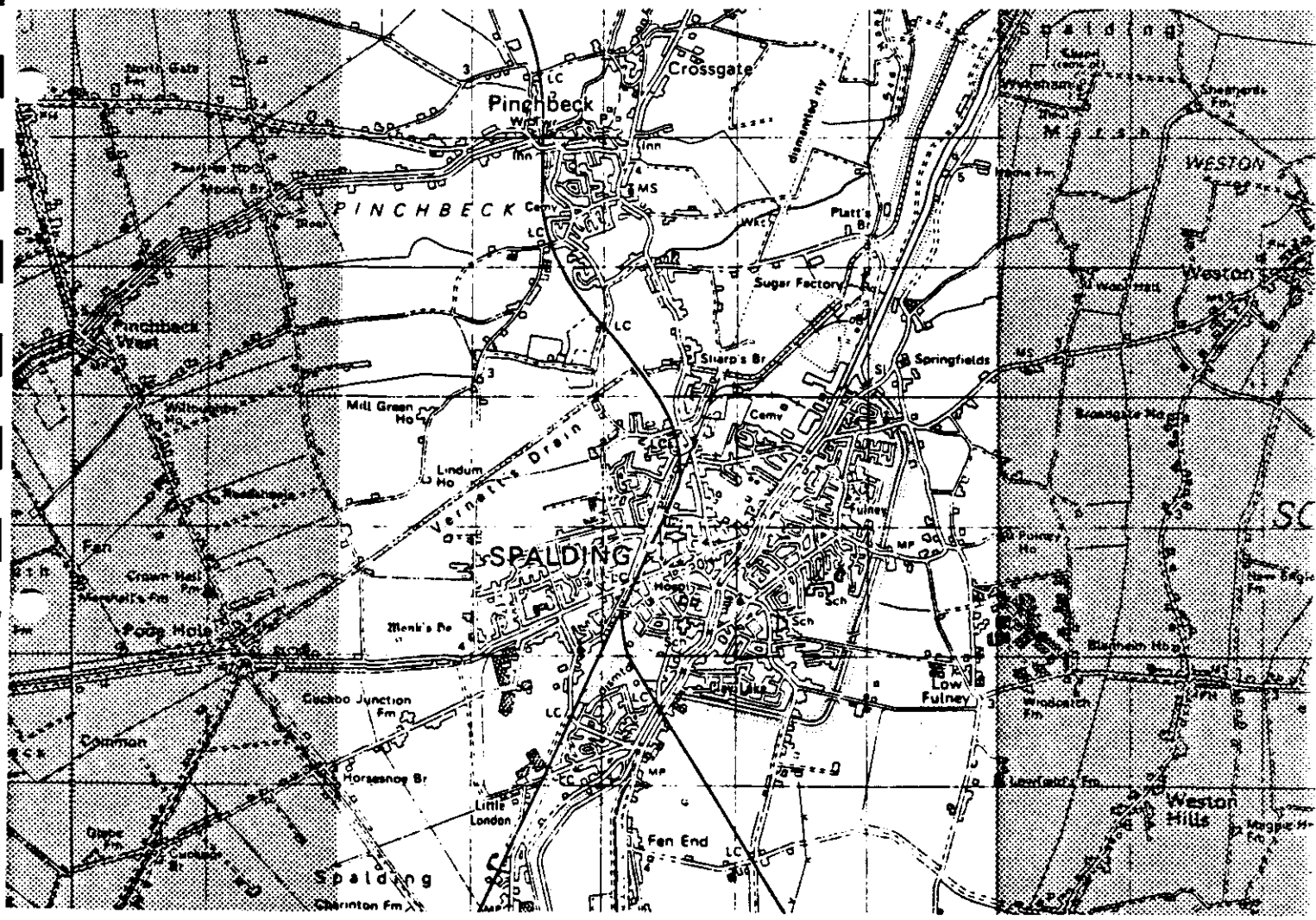
- **THE SCHEME WOULD MEET A GENUINE LOCAL NEED THAT WOULD NOT OTHERWISE BE MET,**
- **THERE ARE ARRANGEMENTS TO ENSURE THAT THE BENEFITS WILL BE ENJOYED BY ALL THE SUBSEQUENT OCCUPANTS AS WELL AS THE INITIAL OCCUPIERS.**
- **SITES ARE WELL RELATED TO EXISTING SETTLEMENTS AND ARE ADDITIONAL TO THE GENERAL PROVISION OF LAND FOR HOUSING.**

EXPLANATION

8A.1 The problem of how to meet local need for low cost housing particularly in the rural areas is an issue of national concern, and Central Government are determined that every effort is made to alleviate the situation. In many parts of the country, the combined effects of house prices, a limited supply of Council houses, and the decline of the rural rented sector have all helped to deny low paid local people the chance of living and working in their local rural area. Over the past few years, the problem has become particularly apparent in Lincolnshire primarily because house prices have

SPALDING AND PINCHBECK

[illegible]



SOUTH [illegible]

OCTOBER [illegible]

Implemention

2.20 As in Spalding most new homes in Pinchbeck will be built by private developers. The Council will grant planning permission for residential development on suitable sites within the Boundary of Development; this development will tend to be of single and small groups of dwellings.

2.21 The identification of land for development and the granting of planning permission is no guarantee that development will take place: this is a matter governed by the owners of land, the building industry and the house-buying public. In order to ensure that this policy continues to provide a realistic development plan for Pinchbeck through the plan period, the Council will check periodically how much land has planning permission and the rate of its development, to see whether or not there is reasonable provision for development for at least the following five years. This information will be important to assist consideration of possible revisions of the boundary of development, renewals of unimplemented planning permissions, and applications which are departures from the plan.

POLICY R3

IN THE OPEN COUNTRYSIDE, OUTSIDE THE BOUNDARIES OF DEVELOPMENT SHOWN ON THE PROPOSALS MAP, PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT WILL BE GRANTED NORMALLY ONLY IN EXCEPTIONAL CIRCUMSTANCES WHERE THERE IS SPECIAL NEED PARTICULARLY IN THE INTERESTS OF AGRICULTURE OR WHERE, IN THE OPINION OF THE LOCAL PLANNING AUTHORITY, THERE ARE EXCEPTIONAL CIRCUMSTANCES SPECIFICALLY RELATING TO THE USE OF THE LAND. ADDITIONALLY, WHERE SIGNIFICANT GROUPS OF DWELLINGS ALREADY EXIST IN THE OPEN COUNTRYSIDE, INDIVIDUAL DWELLINGS WILL BE PERMITTED ON SUITABLE SITES WHERE IN THE OPINION OF THE LOCAL PLANNING AUTHORITY THERE IS PARTICULAR NEED IN RELATION TO THE SOCIAL, ECONOMIC, OR LAND USE DEVELOPMENT OF THE LOCALITY.

Explanation

2.22 The basic strategy of the Lincolnshire Structure Plan is to concentrate development within existing towns and villages, for social, economic and land use reasons as summarised in paragraph 2.01. The high quality and productivity of the agricultural land in South Holland is of national and local importance. Any development outside the recognised settlements which would adversely effect agricultural interests will not be favoured generally by the Council. There will be circumstances occasionally in which new dwellings should be permitted in the open countryside outside Spalding and Pinchbeck, when they are intended to serve the needs of local agriculture, and these occasional new dwellings will not prejudice the overall strategy.

2.23 Policy 5 of the Structure Plan responds to the needs of agriculture and the District Council has published a statement of planning policy setting out the criteria for considering applications for planning permission such as these throughout the District. Policy R3 is consistent with Structure Plan Policy 5 and with the Council's District-wide policy.

2.24 It is however a feature of this area that there are rarely clear-cut dividing lines between the built-up areas of towns and villages and the open countryside. Stretches of ribbon development extend along roads leading from the main built-up areas into the countryside, and groups of houses may be found which are not villages in their own right. Examples of these areas include the Crossgate area of Pinchbeck, Bourne Road, Spalding (outside the Boundary of Development) and parts of Spalding Common outside the Boundary of Development.

2.25 Although the Boundaries of Development contain the main built up areas and the land needed for the majority of future development, there are these other developed areas where applications for residential planning permission will not be considered strictly in accordance with Structure Plan Policy 5 because the immediate surroundings are not truly "open countryside". This policy allows the development of suitable individual sites to be permitted in certain other circumstances in keeping with the surroundings, and without prejudicing the general strategy to which Policies R1 and R2 refer. As an example, planning permission might be granted for the development of a gap in a row of dwellings to provide a dwelling for a key member of staff of a nearby business.

Implementation

2.26 The Council will consider applications for planning permission in areas covered by this policy in the same way that it considers similar applications elsewhere in the District. Applications for planning permission will be examined to assess the necessity for the development proposed, the suitability of the site, the implications and precedents which may result from granting permission, and the need to impose planning conditions concerning who may occupy the dwelling. For this reason it will be necessary to ask applicants to supply extra information in addition to the standard application form.

2.27 In those cases which fall to be considered under this policy but which are not in "open countryside" to which Structure Plan Policy 5 applies, the factors to be taken into account will include the following:-

(a) the suitability of the site for the development proposed;

(b) the effect of the development on the character of the locality;

(c) the rate of growth of the locality;

(d) the availability and adequacy of services;

(e) the present use of the land, particularly whether or not it is agricultural land.

2.28 In assessing the local circumstances which might justify granting planning permission in areas which are not truly "open country side" contrary to the overall strategy, other matters as well as agricultural necessity will be taken into account. Such circumstances as people working in the immediate locality and nearby residents wishing to retire to a smaller dwelling may be considered appropriate. No precise, all-embracing criteria can be set down, as each individual set of circumstances and the suitability of each site will be considered on its merits within the terms of the policy and the strategy of the Plan. The annual check on planning permissions and development which is referred to under Policy R1 will enable the effects of this policy to be reviewed, to ensure that a high proportion of development takes place within the Boundaries of Development, and that the basic strategy of the Plan is being maintained.

POLICY R4

A VARIETY OF TYPES AND SIZES OF DWELLINGS SHOULD BE PROVIDED IN NEW RESIDENTIAL DEVELOPMENTS IN ORDER TO PROVIDE FOR A WIDER RANGE OF THE HOUSING NEEDS OF THE DISTRICT.

Explanation

2.29 People who are hoping to obtain new homes will be looking for various types and sizes of dwellings because of their family needs and their financial resources. The Council has been concerned about the limited variety of sizes and types of dwellings in new developments in the District in recent years; this has been particularly noticeable in the " owner - occupier" sector of the housing market, which has accounted for most of the new development which has taken place. The low proportion of smaller dwellings, suitable for two or three people and particularly for first-time buyers has been of particular concern. In addition to the need to provide a wider range of dwellings on new estates there are also sites close to the town centre suitable for flats, or maisonettes, or small houses.

2.30 A significant amount of new property has proved popular for purchase by people from outside the District who have no local employment connections, despite the fact that the strategy of the Lincolnshire Structure Plan and the assessment of future housing land need is based on a close relationship between housing needs and employment development. These features may currently be acting to the disadvantage of potential house buyers within the District.

LIST OF CONDITIONS IF APPEAL WERE TO BE ALLOWED

1. The following matters are reserved for subsequent approval by the Local Planning Authority, and no development to which they relate shall be carried out until these matters have been approved, viz:

   i) Detailed drawings to a scale of not less than 1:100 showing the siting, design and external appearance of the buildings, including particulars of the materials to be used for external walls and roofs;

   ii) The siting and design of any vehicular access to a road;

   iii) Landscaping of the site, including details of positions, heights on planting and species of trees and shrubs.

   Reason: The application was submitted in outline only.

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

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

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

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

LPA Ref: H16/0353/92

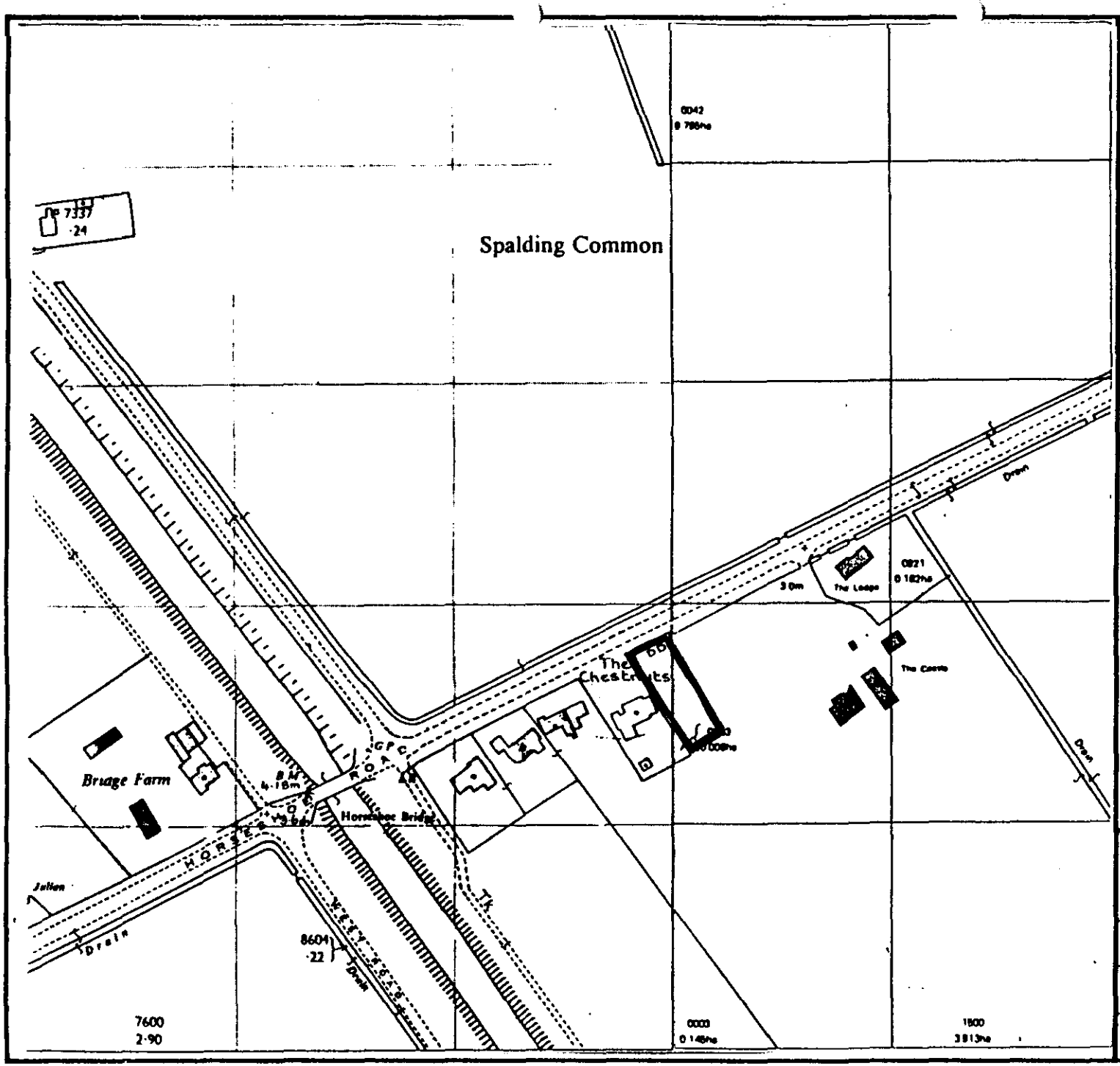
DOE Ref: APP/A2525/A/92/214574

TOWN AND COUNTRY PLANNING (APPEALS)
(WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY EXECUTORS OF W R P FARROW DECEASED

PLAN 'A'

B Smith
Director of Planning and
Building Control Services
Council Offices
Priory Road
Spalding
Lincs



SOUTH HOLLAND DISTRICT COUNCIL

PLANNING DEPARTMENT

APPEAL BY EXECUTORS OF W. R. P. FARROW DECEASED

Appeal Site

B. SMITH M.R.T.P.I.
DISTRICT PLANNING OFFICER
PRIORY ROAD, SPALDING.

SCALE 1:2500

DATE NOV. '92

PLAN 'A'

N

ADMEL P/I/504

LPA Ref: H16/0353/92

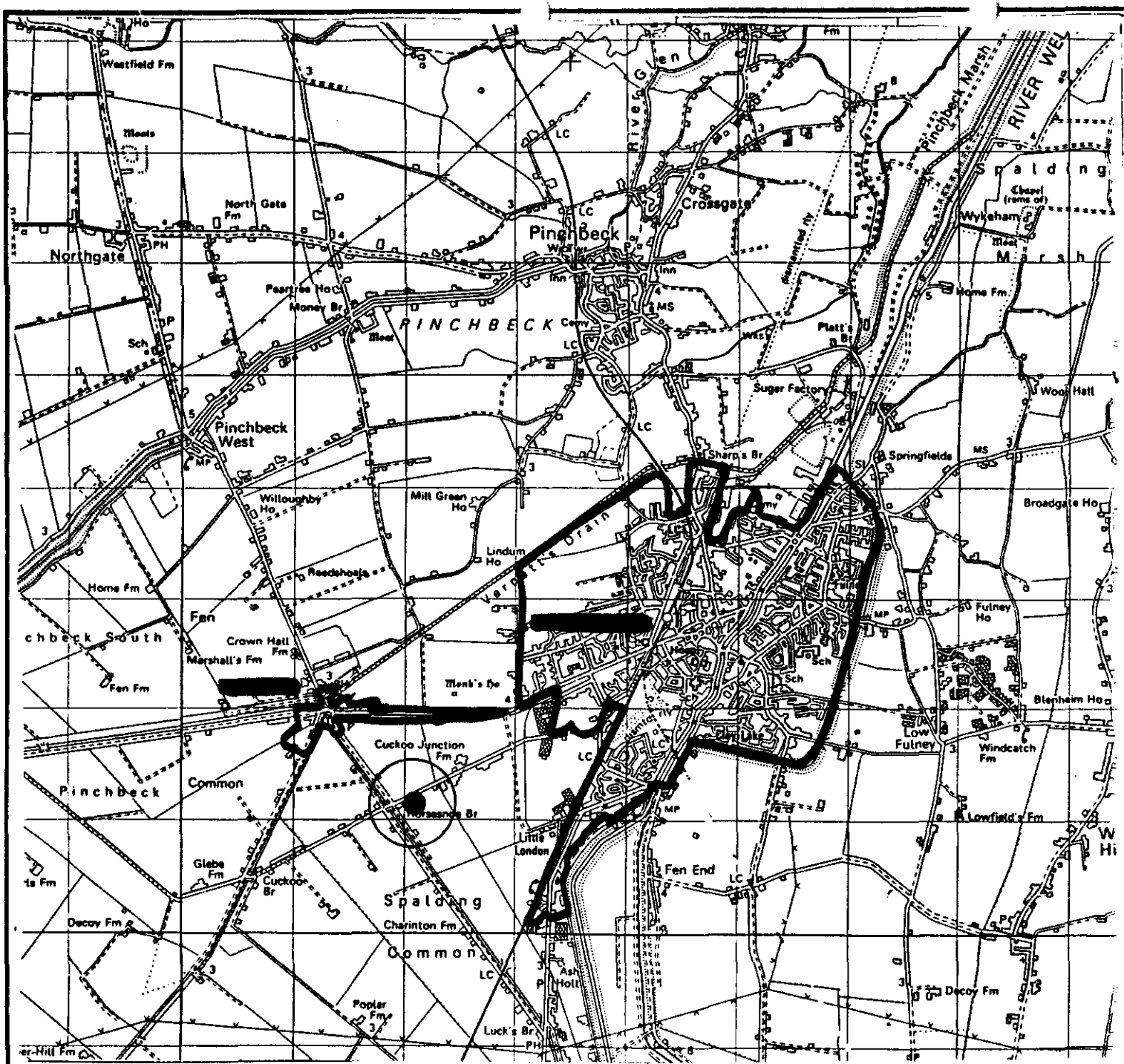
DOE Ref: APP/A2525/A/92/214574

TOWN AND COUNTRY PLANNING (APPEALS)
(WRITTEN REPRESENTATIONS PROCEDURE)
REGULATIONS 1987

APPEAL BY EXECUTORS OF W R P FARROW DECEASED

PLAN 'B'

B Smith
Director of Planning and
Building Control Services
Council Offices
Priory Road
Spalding
Lincs



SOUTH HOLLAND
DISTRICT COUNCIL
PLANNING DEPARTMENT

APPEAL BY EXECUTORS OF W. R. P. FARROW DECEASED

Appeal Site

Development Boundary

B. SMITH M.R.T.P.I.
DISTRICT PLANNING OFFICER
PRIORY ROAD, SPALDING.

SCALE 1:50 000 | DATE NOV. '92

PLAN 'B' | N

ADMEL P/I/504

The Planning Inspectorate

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

Room 1202E
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218764
Switchboard 0272-218811
Fax No 0272-218804
GTN 1374

South Holland District Council
Planning Department
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Your Ref:
H16/0353/92
Our Ref:
APP/A2525/A/92/214574

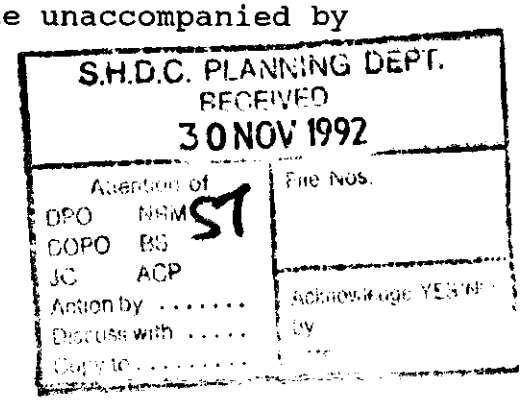
Date: 27 November 1992

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 78
APPEAL BY EXECUTORS OF WRP FARROW
SITE AT HORSESHOE ROAD & ADJ. "BASTLE", HORSESHOE ROAD, SPALDING.

I am writing to inform you that the Inspector appointed by the Secretary of State to determine the above appeal in accordance with the provisions of Schedule 6 of the Act is Mr W J Weeks ARICS

The Inspector will shortly visit the site unaccompanied by either party.



Yours faithfully

MISS C DUNWELL

NB. No correspondence should be sent to the above room unless it concerns the site visit date.

209E/92

The Planning Inspectorate

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

Room 1015
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-218656
Switchboard 0272-218811
Fax No 0272-218406
GTN 1374

South Holland District Council
Planning Department
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Your Ref:
H16/0353/92
Our Ref:
APP/A2525/A/92/214574

Date: 9 November 1992

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY EXECUTORS OF W R P FARROW DECEASED
SITE AT HORSESHOE ROAD, SPALDING

1. I refer to the above appeal. The appeal form and accompanying documents are now being checked to see that all is in order. If further information is needed, or if the appeal is found to be invalid, we will write to you as soon as possible.

2. The date of this letter is the "starting date" for the purposes of the Town and Country Planning (Appeals)(Written Representations Procedure) Regulations 1987.

3. The appellant has chosen the written method. Unless you tell us otherwise, we will assume that the Council do not wish to exercise their right to be heard. As you know, if the Council agree to the written procedure, they are required, in accordance with the Regulations, to:

i.- within 5 working days to notify those interested persons who were required to be consulted on the original planning application, and all those who made representations at application stage, that an appeal has been made. (The letter should include the information and details required by the Regulations to be notified. The Council will wish to decide on the precise form of notification but Annex B to DOE Circular 11/87 gives a suggested format. Interested persons should be advised that if they wish to receive a copy of the appeal decision letter, they must write direct to the Inspectorate asking for one.)

S.H.D.C. PLANNING DEPT.
RECEIVED
11 NOV 1992
Action by .....
Reply with .....
Copy to .....
Plan Nos.
Acknowledge YES/NO
by
date

ii. - within 14 days of the "starting date" to send to the Inspectorate a completed appeal questionnaire in respect of this appeal together with all the necessary enclosures. Also to send a copy of the appeal questionnaire and enclosures direct to the appellant or agent. (Please ensure that the Inspectorate's reference number above is quoted and that all the relevant documents are attached).

4. Representations received by us from interested persons will normally be copied to you and the appellant. Any comments you wish to make on them should be sent to me, and copied to the appellant, within 7 days. Please avoid long exchanges of correspondence which can considerably delay the decision.

5. The Council will wish to decide whether or not to submit a further written statement. In most cases the relevant background documents submitted with the appeal questionnaire, together with a simple index of these documents, will be sufficient to present the Council's case. If it is considered necessary to submit a further statement, the concise format suggested in Appendix 1 to DOE Circular 18/86 should be used. Any such further statement must be sent to the Inspectorate within 28 days of the "starting date". A copy must also be sent direct to the appellant or agent.

6. Arrangements will be made for the Inspector to visit the site as soon as possible after the closing date for representations. You will be sent details.

7. DOE Circular 11/87 sets out the timetable for appeals determined by the written procedure and I am sure that you will do all you can to keep within the timetable. Please note that, having drawn attention to the timetable, the Inspectorate does not send reminders to councils or appellants about the submission of documents.

8. Regulations 9(1) allows the Secretary of State or his Inspector the discretion to proceed to a decision on an appeal taking into account only such representations and supporting documents as have been submitted within the relevant time limits. Where representations are received outside the time limits, they may not be taken into account. Inspectors will not accept representations at the site visit: nor will they undertake to wait for representations. All representations must be sent to me, as indicated in paragraphs 3 and 5 above.

9. I am the case officer dealing with this appeal. Please send any further correspondence to me at the above address, quoting in full the Inspectorate's reference number given above.

Yours faithfully

P James
pp

Mrs A Anglin

102/Sept 92

TOWN AND COUNTRY PLANNING REGULATIONS 1990

APPEAL BY: **Executors of W R P Farrow**
Application No: **H16/0353/92**
DoE Appeal Reference: **APP/A2525/A/92/214574**

An appeal has been made to the Department of the Environment against refusal of planning permission by the South Holland District Council for **residential development one plot at land - frontage to Horseshoe Road and adjoining Castle Horseshoe Road, Spalding, Lincs.**

This decision is the subject of an appeal, which was received on **9th November 1992.**

This notice is to inform you of the appeal as the occupier of property in the proximity of the appeal site, or as a person or body who was notified or consulted about the original application and/or has made representations about that application.

The appeal will be determined by the **Department of the Environment** on the basis of **Written Statements** submitted by the appellant and the Council, and following a site visit by an Inspector. It is open to the Secretary of State to grant planning permission.

Any written comments already made to the authority in connection with the original application will be forwarded to the Inspector who will take them into account when deciding the appeal. Any further representations or elaboration or modification of earlier views should be sent direct to the **The Planning Inspectorate, Department of the Environment at Room 10/15 Tollgate House, Houlton Street, Bristol, BS2 9DJ,** quoting the above appeal reference, within 28 days of the starting date of the appeal.

Any comments received can only be taken into account provided they are made known to all parties and copies will therefore be sent to the appellant. (It would be of assistance to the Department of the Environment if two additional copies of your comments could be sent, in order that they can forward them to both parties).

The Department of the Environment will circulate the decision on the appeal only to those who specifically request a copy.

B SMITH
Director of Planning & Building Control Services
South Holland District Council
Council Offices, Priory Road, Spalding, Lincs. PE11 2XE
Telephone Spalding (0775) 761161

12th November 1992

NOTIFICATION LETTER SENT TO:

Councillor C F Fisher - Ward Member
52 Hannam Boulevard
Spalding
Lincs
PE11 1LB

Councillor Mrs A M Newton - Ward Member
234 Pennygate
Spalding
Lincs
PE11 1LN

Councillor R C West - Ward member
94 Spalding Common
Spalding
Lincs
PE11 3AU

Maples & Son

SOLICITORS

COMMISSIONERS FOR OATHS

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

23 NEW ROAD
SPALDING
LINCS. PE11 1DH

DX 26706 - Spalding
Telephone (0775) 722261
Fax (0775) 767525

Our Ref PC/SLS/24495 Your Ref FH16/0353/92 Date 5th November 1992

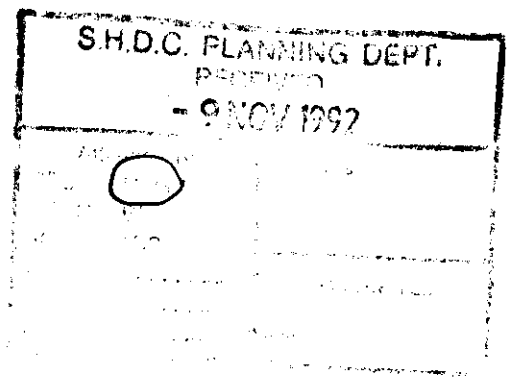
Dear Sirs

RE: Executor of W. Farrow Deceased
Appeal against Refusal Application for
Residential Development 1 Plot Horseshoe Road Spalding

We enclose you a copy of Planning Appeal on behalf of our clients together with copies of the supporting documentation.

Yours faithfully,

Director of Planning and Building
Control Services
Planning Department
S.H.D.C.
priory Road
Spalding
Lincs



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

Planning Inspectorate

Department of the Environment

FOR OFFICIAL USE ONLY
Date received

Planning Appeal to the Secretary of State

Town and Country Planning Act 1990
Town and Country Planning General Development Order

Please complete this form clearly and send one copy to the Inspectorate and one copy to the local planning authority.

A. Information about the appellant(s)

Full Name(s) MARY CATHERINE PICKWORTH DANIELS as personal Representative of W.R.P. Farrow (Deceased)

Address C/O Maples & Son
23 New Road Spalding Lincs Postcode PE11 1DH

Daytime Telephone Number 0775 722261 Reference PC

Agent's name (if any) Maples & Son Solicitors

Agent's address 23 New Road
Spalding, Lincs

Postcode PE11 1DH

Daytime Telephone Number 0775 722261 Reference PC

B. Details of the appeal

Name of local planning authority (LPA)
South Holland District Council

Description of the development Residential Development -one plot

Frontage to Horseshoe Road, adjoining "The Castle" Horseshoe Road Spalding (Outline Application)

Address of the site Plot fronting Horseshoe Road
Spalding Lincs and adjoining "The Castle" as aforesaid

National Grid Reference (see key on Ordnance Survey Map for instructions). Grid letters: Grid Numbers e.g. TQ
TF 2200 2118

Date and reference no. of application against which you are appealing. 8/6/92 H16/0353/92

Date of LPA decision (if any). 08.06.92

(REV AUG 90)

(✓ tick appropriate boxes on this page)

C. Procedure

Do you agree to the written procedure? (i.e. an exchange of written statements with the LPA plus a visit to the site by a Planning Inspector.)

OR

Do you wish to appear before and be heard by an Inspector? (i.e. a local inquiry or hearing.)

If you agree to the written procedure, could the Inspector see the whole site clearly from the road or other public land?

	✓
✓	☑
●	☐

	YES	NO
	☑	☐

D. Supporting Documents

- You must enclose a copy of each of the following with the appeal form sent to the Inspectorate.

✓	
☑	the application made to the LPA;
☐	any section 66 certificate submitted to the LPA;
☑	the appropriate section 66 certificate for this appeal (look at the Notes then tick a box to show which certificate you have enclosed) NB. you should also enclose a copy of the Notice if you have completed Certificate B, C or D;

A ☑ B ☐ C ☐ D ☐ Notice ☐

☑	each of the plans, drawings and documents sent to the LPA as part of the application they considered;
☑	the LPA's decision (if any);
☐	all other relevant correspondence with the LPA;
☑	a plan showing the site, marked in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS Map).

- You should also enclose copies of the following, if appropriate;

☐	any notice and the appropriate certificate provided to the LPA in accordance with section 65 of the Act;
☐	if the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission;
☐	any other plans, drawings and documents sent to the LPA but which did not form part of the application (e.g. drawings for illustrative purposes);
☐	any additional plans or drawings relating to the application but not previously seen by the LPA. Number them clearly and note the numbers here: _____

E. The Appeal

THIS APPEAL IS AGAINST

✓ the decision of the LPA.

☑	1. *refusing / ~~granting subject to conditions~~, planning permission for the development described above;
☐	2. *refusing / granting subject to conditions, approval of the matters reserved under an outline planning permission;
☐	3. refusing to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission

OR

☐	4. the failure of the LPA to give notice of their decision within the appropriate period on an application for permission or approval.

*Strike out the words that do not apply in your case

F. Grounds of Appeal

If you have agreed to the written procedure you **MUST** make your FULL STATEMENT OF CASE here; if you do not your appeal may be invalid. If you have not agreed to the written procedure, you should give a brief outline of your case.

This application was for an "infill" plot adjoining other properties forming a small settlement at this particular point on Horseshoe Road, this settlement extending on both sides of Horseshoe Bridge. It is submitted that the proposed development would consist of exactly the type of "filling of small gaps within small groups of houses or minor extension to such groups" - in accordance with Planning Policy Guidance No 7 "The Countryside and the Rural Economy" para. 2.18 and under the Spalding and Pinchbeck Local Plan 1985.

The S.H.D.C. refer to conservation of agricultural land. The Land in question is believed to be garden land and has notbeen used for agriculture for some years. In addition, Planning Policy Guidance No 7 goes out of its way to stress the reduced need for agricultural land and the increased need for diversification and encouragement of the local economy.

Please also note that outline planning permission for a dwelling on an adjoining plot was given in July 1990 (ref.H16/0628/90)- that plot was the site of a derelict temporary structure which had not been lived in for very many years. Although permission was classed as for redevelopment, we would not have expected the existence of a derelict corrugated iron dwelling to have influenced that decision over much. *

There are other modern dwellings close by on either side of Horseshoe Bridge and we do not think that all of these are connected with agriculture.

* That decision was in our opinion effectively made on an "infill" basis.

On the grounds of fairness and consistency therefore, there should be no objection to this application.

We enclose a letter from the N.R.A. showing that they have no objection to septic tank drainage. Since the other services are already available for adjoining dwellings there is no difficulty whatsoever over provision of services.

In our opinion, the precedent for development in this settlement has already been set and it is most unfair to deny the applicant.

continue overleaf, if necessary

continue on a separate sheet, if necessary

COMPLETE AND SIGN THE DECLARATION BELOW

I confirm that a copy of each of the supporting documents indicated above is enclosed and that the relevant plans have been clearly marked.
I also confirm that a copy of this appeal form and any supporting documents not previously seen by the LPA has been sent to them.

Signed Maples & Son (on behalf of) The Executor

Name (in capitals) MAPLES & SON Date 6.11.92

Now check that you have:

- completed the form;
- enclosed all the supporting documents;
- set out above your grounds of appeal.

Send one copy of the appeal form with all the supporting documents to:

The Planning Inspectorate
Department of the Environment
Tollgate House
Houlton Street
Bristol BS2 9DJ

The second copy of the appeal form must be sent to the LPA at the address from which you received the decision on your application (or any acknowledgements, etc) enclosing only copies of those documents not previously seen by the LPA.

HMSO Bristol DTP 060063

Department of the Environment

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988

Certificate under Section 66

CERTIFICATE A

I certify that:

1. At the beginning of the period of 21 days ending with the date of the accompanying appeal nobody, except the appellant, was the owner (see (i) below) of any part of the land to which the appeal relates.

2. None of the land to which the appeal relates is, or is part of, an agricultural holding.

See (ii) below OR:

~~2. I have / The appellant has* given the required notice to every person other than my / him / her* self who, at the~~ beginning of the period of 21 days ending with the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as follows:

Tenant's Name ~~(see (iii) below)~~	Address at which notice ~~was served~~	Date on which notice ~~was served~~

Signed ..... *On behalf of EXOR. OF W.R.P. FARRELL DEED

Date.....

*Delete where inappropriate

NOTES

(i) 'owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

(ii) ONLY ONE of the paragraphs numbered 2 above must be deleted.

(iii) if you are the sole agricultural tenant enter 'not applicable'.

OFFICER	APPELLANT Executors of WRP FARROW Deceased	WRITTEN REPS / LOCAL INQUIRY / INFORMAL HEARING		APPEAL NO 35/92
DR	SSDC REFERENCE H16/0353/92	1. PLANNING 2. LISTED BUILDING 3. ADVERT 4. ENFORCEMENT 5. OTHER	REFUSAL CONDITION NON-DETERMINATION	RECEIVED Start Date 9 Nov 92 9 Nov 92
	DOE REFERENCE APP/A2525/A/92/214574			

DC CHECKS: PC/Residents to be notified

Other statements required

Plans required

Other special requirements

LOCAL INQUIRIES ONLY:

DISTRICT SECRETARY ADVISED AND ARRANGEMENTS MADE:

FORMAL NOTICE RECEIVED:

DATE OF INQUIRY:

	Dates required	Dates sent
QUESTIONNAIRE TO DOE	23 Nov 92	23 Nov 92
NOTICES	13 Nov 92	12 Nov 92
PLAN PREPARATION		
STATEMENT TO DOE	7 Dec 92	23 Nov 92
STATEMENT TO APPELLANT (Types 1 & 2 only)	7 Dec 92	23 Nov 92

REPORTED TO COMMITTEE:

	DC CHECK	DPO CHECK
PLANS AVAILABLE:	DJ 23/11	✓
DRAFT STATEMENT PREPARED:		

SITE VISIT

DECISION RECEIVED

REPORTED TO COMMITTEE