H16/0445/93

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by
Date

Site Notice posted by TM
Date
Expiry 21/6

Individual Resident Notices required:

Addresses to be sent to –

Addresses delivered to –

Case Officer Conclusions

RECOMMENDATION

COMMITTEE

Departure from Policy .....

Ward Member request .....

Recommend approval against material objection .....

Other circumstances viz: .....

Change to Committee recorded:

Decision confirmed as agenda:

DELEGATED/Non-Det

Case Officer Recommendation

Approve (or equiv)

Refuse (or equiv)

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

Notes:

- [ ] Disabled
- [ ] Prev conditions
- [ ] Amended plans –
  Dwg no:
  Received:

Conditions/Reasons (cont overleaf)

DC INSTRUCTION SHEET

APPLICATION REF: H16/0448/93

Directions

Art 7 (Outlines)

☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

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

☐ Non Std

Precise details:

Direction authorised by Senior Officer..... Date.....

Revalidation after Direction

Information satisfactory Signed..... Date.....

Valid date:

Amended description

Reconsultations:

All.....
Specified:

Unsatisfactory –
Further direction:
Signed.....
Senior Off.....

Precise details:

Consultation/Publicity Required

DZ 18/5

	Publicity:	Consultations:	
Departure	.....	County	.....
Setting of LB	.....	E Heritage	.....
Public Right of Way	.....	Societies	.....
Discretionary	.....		

Extra Consultations:

Transport	D/Transp A15	✓ *	
	D/Transp A18	.....	
	B Rail	.....	
Environment	Env Services	✓	
	NRA	.....	
	Env Assess	~~G~~ *	Specify:
Conservation	LB Demolish	..... G *	Standard
	Eng Heritage	.....	
	Archaeology	..... G	Specify:
	Consultant	.....	
	Other	.....	Specify:
Hazards	HSC Group	..... G *	Standard
	Specific	..... G	Specify:
Other		.....	Specify:

Note
* Longer expiry
G Group available

Case Officer

Senior Officer Confirmed DZ Date..... Recorded DC....

ADMIN RECORD SHEET

Initial

Submitted Fee £ NIL

Receipt No

Date first Rec'd 13 MAY 1993

Registration

Reference H.16 | 0448 | 93

Cross-Ref

Date 14 | 5 | 93

Validation

TYPE 106.

Site area
No of dwellings
Floorspace

Earlier permission – Ref:
New/Redevelop/Use/Ext/Alt/Works

Description to be recorded: Amendment of Agreement to remove obligation to implement road works.

Invalid
- Site plans ☐
- Certificate ☐
- Fee ☐
- Fee (not free) ☐
- Inaccurate ☐
- Incomplete ☐
- Unclear ☐

Fees
- Correct fee £ NIL.
- Nil fee ☐
- Discounted ☐
- Previous app – ref:
- Type of app
- Reason:
- Additional £
- Refund £
- Receipt No
- Voucher No
- Date
- Date

Information

Index sheet 33F1 OS Plots
Grid ref 524300 180800

Ward S Parish SPALDING

Inside IBD NO Inside LP area YES

Constraints:

- CA Cons Area ☐
- LB Listed – Grade: ☐
- ARC Archaeology ☐
- AM Ancient Mon ☐
- SSI Special Int ☐
- TR Rural ☐
- BP TR proposed 67m ☐
- LC Level Cross ☐
- FP Footpath ☐
- TPO Tree Pres ☐

Hazards –
- HAZ Site ☐
- AIR Safeguard ☐
- LIN Elect ☐
- PIP Pipe ☐
- CON Waste/contamin ☐

Linked to site Ref 1335 ☐ Dist Bound

Linked to property Ref ☐ Other:

Planning Records:
Earlier apps

346/91
S 51/91
1222/90
690/92
661/92
448/93

B Reg Records:
Already submitted – Ref:
Request needed
Requested

BIRCHWOOD ESTATES

12 Birchwood Dell, Bessacarr, Doncaster. DN4 6SY

Telephone and Facsimile: (0302) 866667

27 July 1993

Lincolnshire County Council
4 th floor
City Hall
Beaumont Fee
Lincoln
LN1 1DN

FAO Mr C Briggs

Dear Sirs,

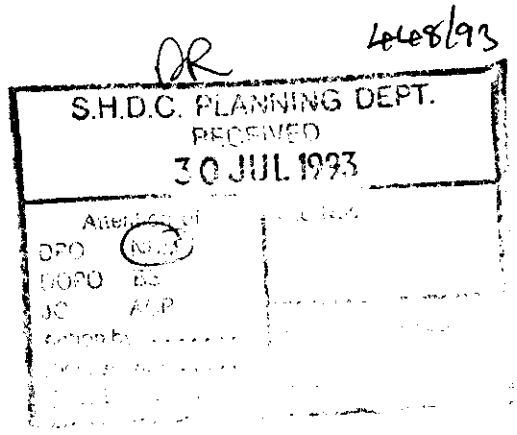
Re : Barrier Bank, Section 278 Agreement for Mr R Turner

I refer to out telephone conversation of today in connection with the 106 Agreement entered into by my client, Mr Turner, and the refusal of the Planning Authority to vary that agreement.

Without prejudice, my client is now looking to implement these works along with the relocation of the existing access by the DOT contractor, as this would seem the most efficient solution for all parties concerned.

You confirmed that you would have no objection to my client arranging to carry out the works himself, subject to the County Council's agreement to the plans and specification prior to the commencement of works, and the works being carried out in accordance with those plans. Equally, you require a bond in your favour to cover the cost of the works, and I should be pleased if you would advise me of your estimate of the same in due course.

Yours faithfully,



M A Graves

cc R Turner Esq
South Holland DC Fao Mr D J Roberts
T Pridmore Poddingtons

Principal: Mark A. Graves Dip Arch (Hull); RIBA

Peddingtons,
44 Double Street,
Spalding,
Lincs
PE11 1BA.

[illegible]

[illegible]

12 Jul 1993

Dear Sir

AMENDMENT TO AGREEMENT TO REMOVE OBLIGATION TO IMPLEMENT ROAD WORKS AT PEDDERS STORES, BARRIER BANK, SPALDING.

[illegible] was considered by the Highways [illegible] Committee meeting on 12th July 1993. It was resolved that permission be given to the proposal.

Yours faithfully

[illegible]

S Harris
Principal Planning Officer
Development Control

APPLICATION REFERENCE: H16/0448/93 DATE RECEIVED: 13-MAY-93

TYPE: Modified Agreement

DESCRIPTION: Amendment of Agreement to remove obligation to implement road works

LOCATION: Turners Stores, Barrier Bank, Cowbit

APPLICANT: Mr R Turner AGENT: Poddingtons

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 13 JUL 1993

REASON FOR COMMITTEE CONSIDERATION

County Highway objection/Ward member request.

RECOMMENDATION

A. *That the Committee consider the applicants request in light of County Highways objections.*

B. *That in view of the reasons put forward by County Highways, the Committee resolve to refuse the request to vary the agreement.*

Background

1 Permission was granted on 13 September, 1991, under ref: H16/1317/91, to change 3 stores to chilled warehouses; extension, and loading block at Brooks Farm, Barrier Bank. The decision was subject to a number of conditions and a planning obligation under Section 106 requiring the following: -

(i) To apply to the Lincolnshire County Council within one month of the date of this planning permission for a prohibition of driving order in respect of that section of Fen End Lane within the applicant's ownership;

(ii) To enter into an Agreement with Lincolnshire County Council under Section 278 of the Highways Act 1980 to provide a ghost island right turn lane on the A1073 road in accordance with Department of Transport advice note TA 20/84 at the same time as the Department of Transport move the access to the site on the A1073 road northwards as part of the A16 Spalding By-pass proposals;

(iii) As soon as the order mentioned in (i) above has been made to provide a turning head to the Lincolnshire County Council's specification at the southern end of Fen End Lane in a positicn to be agreed with the Council;

(iv) Within 3 months of the date of this planning permission to apply for planning permission for frontage residential development on the remaining open frontage on the eastern side of Fen End Lane;

(v) The development shall be carried out strictly in accordance with the planning permission;

(vi) The site shall be operated strictly in accordance with the details and designated areas shown on a plan to be annexed to the Agreement;

2 The applicant has now requested that item (ii) (i.e. to construct the ghost island junction) be deleted from the agreement.
This follows from a meeting where the County Highways representative was present, and inferred that it might be difficult to justify the right turn lane on traffic figures alone.

3 The applicants request is that the Council agree to amend the planning obligation to remove the particular agreement to implement the roadworks until there is further development, or an intensification of use of the site.

4 The Highway Authority have been consulted over the formal submission and respond as follows:-

- Did agree that it would be difficult to justify the right turn lane on traffic figures alone. However, did point out that I considered that a right turn lane should be provided for the following reasons:-

  (1) The nature of the A1073 and the effect the By-pass will have on traffic conditions. It would be reasonable to assume that once it is in use, vehicles visiting this site would use the By-pass and therefore need to turn right into the access. Such turning traffic would disrupt the freeflow of vehicles on this road, particularly those leaving the By-pass heading towards Spalding.
  (2) We have not insisted that the works take place at the existing access point but they will only be required when the new access is provided by the D.O.T. It would make sense to carry out all the works at the same time rather than come along at a later date and put in extra roadworks when the costs would be higher.
  (3) Notwithstanding the traffic figures put forward, the site could be intensified, bearing in mind its size, by a diversification of uses or if it was sold to another operator.
  (4) Once the right turn lane is installed, it would remove any highway objections to any further proposals on this site.

(5) It was understood that the owner was granted planning permission for residential development on a lane which was unsuitable for further development on land outside the development boundary in order to assist him in paying for these works. Bearing in mind such permission has been granted, I feel it would be inappropriate to dispense with the roadworks.

5 As a matter of record, I can advise that the applicant has recently withdrawn planning application ref: H16/0650/92 for a chill store and packhouse extension. The Committee had previously authorised the issue of permission upon completion of a further planning obligation.

COMMENTS

6 County Highways advice originally was that subject to agreements regarding the provision of a ghost island right turn lane on the A1073, and the existing access being moved further north, then there are no objections. County Highways also offered a reason for refusal in the event that the application was refused.

7 The main issue now is whether there are sufficient reasons for the terms of the agreement to be enforced and for the District Council to insist on the provision of the ghost island junction.

8 From the County Highway's comments it is clear that they are in opposition to the agreement being varied. The points relating to change of operation or intensification are certainly valid, as are the comments on timing of the new works and the likelihood of most of the traffic entering from the direction of the new by-pass. The final two Highway points do not, however, amount in themselves to overriding reasons. Any plans the applicant may have had for future works have been abandoned for the present time, as evidence by the withdrawal of application H16/0650/92.

9 Nonetheless the agreement was entered into freely by the applicant and the balance of opinion based on Highway's advice leads me to conclude that the original terms should be adhered to.

REPRESENTATIONS

Ward Member: Request Committee consideration because of previous non-compliance with conditions and consider that the present proposal should be debated before a decision is made.

BRIAN SMITH ip TP MRTPI
Director of Pla...ng & 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

H16/0448/93

MODIFIED AGREEMENT

Applicant: Mr R Turner
Tel:

Agent: Poddingtons
0775 761856

Description: Amendment of Agreement to remove obligation to implement road works

Location: Turners Stores
Barrier Bank
Cowbit
Spalding, Lincs

Valid date:	13-MAY-93	Terminal date:	08-JUL-93
Target dates:		Target Committee:	23-JUN-93
To case officer	20-MAY-93	Report deadline:	09-JUN-93
Inspected by	27-MAY-93		
Extra contacts	03-JUN-93	Case Officer:	
Report if not clear by	17-JUN-93	D J ROBERTS	

DEVELOPMENT/CONSTRAINTS

Size:
Category:
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Advert	21 May 93	11/6/93
Department of Transp 0602 476121	19-MAY-93	02-JUN-93 (ARTICLE 15)
Dir of Environmental	19-MAY-93	02-JUN-93
Cllr B J Davies	19-MAY-93	26-MAY-93
Cllr C Evans	19-MAY-93	26-MAY-93
Cllr M C White	19-MAY-93	26-MAY-93

SITE RECORD

Grid ref: 524350 320080
OS Sheet: 239 Parcel:

503. PLANNING APPLICATIONS (Continued)

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

Plan No. and Applicant		Proposal
H01/0479/93 Patterson Properties		House at Stonegate, Cowbit.

(Councillor T. Barker requested that his vote against the above decision be recorded. Councillor Barker explained that he felt unable to reach a proper conclusion as the development had already commenced on the site.)

(Councillor C.F. Fisher left the meeting following consideration of the above application.)

H16/0503/93 Mr & Mrs S Woolsey		House and garage (Renewal of H16/0050/92) rear of 32 West Elloe Avenue, Spalding.

(A letter of objection relating to the above application was reported.)

H16/0508/93 Mr N Revill	O.A.	Three one-bed apartments at Cradge Bank, Spalding.

(A letter of objection relating to the above application was reported.)

H16/0533/93 R A Knipe LLB		Almshouses comprising fourteen one-bedroom bungalows at Hoekman Way, Holland Park, Spalding.

(b) **Applications Refused**

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

Plan No. and Applicant		Proposal
H11/1311/92 Mr & Mrs Clifton	O.A.	Bungalow and garage including details of siting and means of access adjacent "Cliftonville", Jarvis Gate, Sutton St James.

(Councillor B.A. Paul entered the meeting during consideration of the above application.)

H01/0218/93 S Merton		Dwelling and garage on land adjoining 80 Stonegate, Cowbit.
H18/0232/93 Simon Storage Group		Construct berth and fuel oil handling facilities together with site access road at Port Sutton Bridge, West Bank, Sutton Bridge.
H14/0329/93 Mr D R Hull	O.A.	Dwelling for use within the business at Mill Green Road, Pinchbeck.
H16/0448/93 Mr R Turner		Amendment of Agreement to remove obligation to implement road works at Turners Stores, Barrier Bank, Cowbit.

(Councillor M.C. White requested that his abstention from voting on the above application be recorded.)

13th JULY 1993 PLANNING COMMITTEE
LANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Page No	Application Number	Case Offr	Instructions/ Decision
1	H11/1311/92 Mr & Mrs Clifton	DMG	Refused plus advice to applicant as recommended
3	H13/0046/93 Andrew John Dunn	DMG	Deferred for site visit. Ensure good knowledge of situation. Applicant is not owner of site. find out what he does own and what arrangements/agreements he has with owner and for how long. Verify with Chris Briggs where accidents occured. Also seek advice on possible highway conditions and requirements if granted.
5	H23/0081/93 Kings Quality Homes	JB	Approved as recommended.
7	H01/0218/93 S Merton	PU	Refused as recommended.
9	H18/0232/93 Simon Storage	JB	Refused as recommended.
13	H18/0488/93 I.P.G.	JB	DPBCS Auth subject to legal obligations as recommended plus addition conditions restricting facilities to emergency fuel supply/construction materials for power station and position of lighting control.
17	H15/0291/93 H Grantham	PJU	Deferred. Require details of planting scheme, showing all trees and barrier facilities to safeguard trees. Reconsider adequacy of scheme and planting height. Discuss legality of last condition compliance with admin department.
18	H14/0329/93 Mr D R Hull	PJU	Refused as recommended.
20	H08/0368/93 Lincoln Co-Op	DJR	DPBCS Auth as recommended
22	H09/0384/93 Longhurst Housing	JB	DPBCS Auth subject to legal obligation as recommended plus footpath being linked to existing system to north west of site.
24	H08/0393/93 H08/0394/93 Gosberton PCC	DJR	DPBCS Auth as recommended. Grant as recommended. Plus letter re unauthorised start and additional condition to protect tree against installation of surface water drain and building operations.
27	H21/0405/93 G E Salter	DMG	Grant permission as recommended. Note 3 to be expanded to include traffic implications which will be of particular concern to authority.
29	H16/0419/93 Woodlands Hotel	DJR	DPBCS Auth to refuse as recommended. Note - breaches of condition and possible unauthorised development to be investigated.

31	H18/0423/93 Mr & Mrs Knight	JB	Deferred for sub-cttee as recommended. Transparency showing where applicant works and resides plus follow through on local need report meeting to be arranged Aug/Sep.
34	H16/0441/93 M Parker & Sons	DJR	Grant as recommended.
36	H16/0445/93 Patterson Properties	DJR	Deferred for sub-cttee as recommended plus site visit.
38	H16/0448/93 Mr R Turner	DJR	Refused as recommended.
41	H23/0471/93 Mr M Fitzgerald	JB	Refused as recommended.
43	H01/0479/93 Patterson Properties	PJU	Grant as recommended.
45	H02/0487/93 Mr & Mrs Capper	DJR	Grant as recommended plus extra conditions requesting notification when work commences for supervision and photographic record of existing wall. condition two to be amended to read 1 year and not 2.
47	H16/0503/93 Mr & Mrs Woolsey	PJU	Grant as recommended.
49	H16/0508/93 Mr N Revill	PJU	Grant as recommended.
51	H16/0533/93 R A Knipe	DJR	Grant as recommended.

20 Jul 93

Signed: .....
N Midlen
Principal Planning Officer

JED

THE DEPARTMENT OF TRANSPORT

EAST MIDLANDS REGIONAL OFFICE
NETWORK MANAGEMENT AND
CONSTRUCTION DIVISIONS
CRANBROOK HOUSE CRANBROOK STREET
NOTTINGHAM NG1 1EY
SWITCHBOARD 0602 350602
DIRECT LINE 0602 352 469
FAX 0602 799743
GTN 6202

Your Ref: H16/0448/93

Our Ref: EMRT 5065/04/1

Date: 25th June 1993

The District Planning Officer
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs
PE11 2EX

For the attention of D J Roberts Esq

Dear Sir

**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
PROPOSED AMENDMENT OF AGREEMENT TO REMOVE OBLIGATION TO
IMPLEMENT ROAD WORKS AT TURNERS STORES, BARRIER BANK, COWBIT**

Thank you for the modified agreement application dated 19 May 1993 and submitted by Poddingtons on behalf of R Turner Esq in connection with the above-mentioned proposals.

Please not that we do not wish to give any advice in respect of this application.

NOTE:- The site is located adjacent to a length of road for which the Lincolnshire County Council is the highway authority.

Yours faithfully

J J BACH
Lincolnshire Area Team

cc C Briggs Esq, Development Control Section, Lincolnshire County Council

S.H.D.C. PLANNING DEPT.
RECEIVED
28 JUN 1993

Form No. H/A/3J

Lincolnshire

DEPARTMENT OF HIGHWAYS AND PLANNING

To D. Roberts (SHDC) Planning Reference H/6/1317/91

The following are my observations upon the enquiry under the reference quoted above:—

Turners Stores Barrier Bank Cowbit

I refer to the letter from Birchwood Estates dated 15th April regarding the removal of the obligation to provide a ghost island right turn lane on the A1073 for the benefit of this site.

I confirm that I did agree at the recent meeting that it would be difficult to justify the right turn lane on traffic figures alone. However I did also point out, at that meeting, that I consider that a right turn lane should be provided for the following reasons.—

(1) The nature of the A1073 and the effect the By Pass will have on traffic conditions. It would be reasonable to assume that once it is in use vehicles visiting this site would use the By Pass and therefore need to turn right into the access.

Such turning traffic would disrupt the free flow of vehicles on this road particularly those leaving the By Pass heading towards Spalding.

(2) We have not insisted that the works take place at the existing access point but they will only be required when

Date

Signed .....

Director of Highways and Planning

Form No. H/A/3J

(2)

Lincolnshire

DEPARTMENT OF HIGHWAYS AND PLANNING

1 ..... Planning Reference.....

The following are my observations upon the enquiry under the reference quoted above: –

- the new access is provided by the DOT It would make sense to carry out all the works at the same time rather than come along at a later date and put in extra roadworks when the costs would be higher

(3) Notwithstanding the traffic figures put forward the site could be intensified, bearing in mind its size, by a diversification of uses or if it was sold to another operator.

(4) Once the right turn lane is installed it would remove any highway objections to any further proposals on this site.

(5) It was understood that the owner was granted planning permission ~~for~~ for residential development on a lane which was unsuitable for further development or land outside the development boundary in order to assist him in paying for these works Bearing in mind such permission has been granted I feel it would be inappropriate to dispense with the roadworks

Date 19/5/93.

Signed .....

Director of Highways and Planning

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

S.H.D.C. PLANNING DEPT.
RECEIVED
25 MAY 1993 DR

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

Application no: H16/0448/93

Applicant: Mr R Turner
Brooks Farm
Barrier Bank
Cowbit
Spalding, Lincs

Agent: Poddingtons
43 Double Street
Spalding
Lincs
PE11 2AA

Description: Amendment of Agreement to remove obligation to implement road works

Location: Turners Stores Barrier Bank
Cowbit Spalding, Lincs

Type: MODIFIED AGREEMENT

Date received: 13-MAY-93

19-MAY-93

Dear Cllr M C White

NOTIFICATION TO WARD MEMBER

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

As applications can be determined under delegated powers in many cases, please let me know by 26-MAY-93 if you feel that this proposal should be brought to the attention of the Planning Committee for any reason.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Cllr M C White
Glocca Morra
60 Fen End Lane
Spalding Lincs
PE12 6AD

I request that this application be considered by Planning Committee, because OF THE PREVIOUS NON-COMPLIANCE WITH CONDITIONS BY THIS APPLICANT, AND CONSIDER HIS PRESENT PROPOSAL SHOULD BE DEBATED BEFORE A DECISION IS MADE.

Signed: Michael C. White

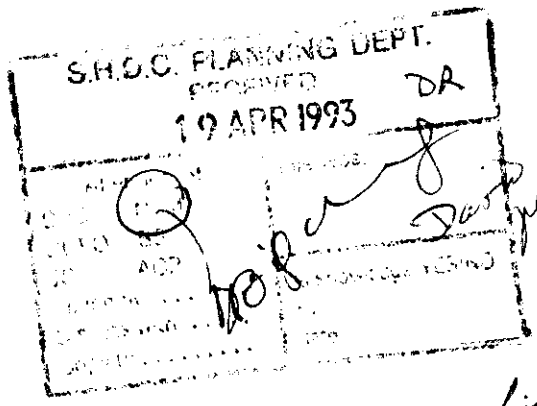
24th MAY 1993.

BIRCHWOOD ESTATES

12 Birchwood Dell, Bessacarr, Doncaster DN4 6SY
Telephone and Facsimile 0302 866667

Our ref :
Your ref:

15 April 1993



Brian Smith Dip TP MRTPI
Director of Planning
South Holland District Council
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Dear Sirs,

Re: Messrs Turners Stores, Barrier Bank, Cowbit

Further to our meeting with Mr Briggs of Lincolnshire County Council concerning the above, and in particular the section 106 agreement entered into by Mr Turner to construct a ghost-island junction as part of the planning consent ref. H16/1317/91.

It was generally accepted by the Highway Engineer that on traffic figures alone it would be difficult to insist on the provision of a ghost-island junction to serve the existing development.

This being the case I would request that the Council agrees to amend the section 106 agreement to remove the obligation to implement these road works until there is further development, or an intensification of use on the site.

The section 106 agreement covers the following obligations :-

1 To apply for a road closure order for Fen End Lane.

2 To construct the ghost-island junction.

3 To construct a turning head in Fen End Lane.

4 To apply for planning permission for residential development.

5 To carry out the Development strictly in accordance with the Permission.

6 To operate the Development strictly in accordance with the details approved.

With the exception of condition 2 all the above have been, or are in the process of being implemented.

It is my opinion that the simplest method to achieve the amendment would be for all parties to agree to delete obligation 2 from the deed.

The planning conditions of the approval detail the extent and method of operation of the site, and this is further reinforced by obligations 5 and 6 of the deed. Your Council will therefore be able to enforce the operation of the development, and ensure that there is no further development or an intensification of use on the site unless the appropriate highway improvements are carried out.

As suggested at the meeting, Mr Turner has agreed to withdraw the current application for a new chill store, and has instructed his agent to write to you on this point. Equally all outstanding details relating to the planning approval will be agreed in the next few days.

I should therefore be obliged if you would consider the above, and advise on how you would wish to implement the variation.

Yours faithfully,

Mark A Graves RIBA

cc

R Turner
T Pridmore

Seen by C.B. 13/5/93.
At this stage the Plan
working further to Add.
will be considered
in detail.
Copy taken.

PODDINGTONS

Architectural Design Consultants

Our ref: TAP/LJA

Your ref: DJR/JP/H16/0650/92

Date: 25th March 1993.

South Holland District Council,
Planning Department,
Council Offices,
Priory Road,
Spalding, Lincs.

Dear Sirs,

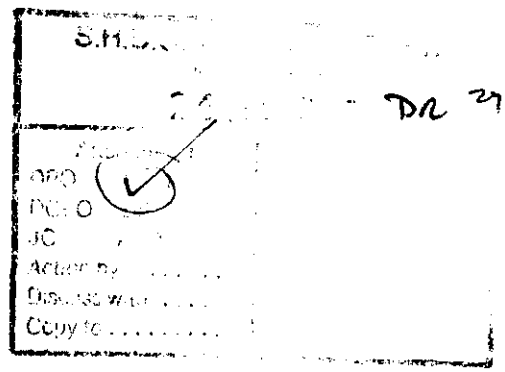
DEVELOPMENT AT BROOKS FARM, BARRIER BANK, COWBIT - MESSRS. TURNERS STORES.

Thank you for your letter dated 12th March 1993, Mr. Turner has asked me to attend the meeting that you have suggested.

I understand that Mr. Turner will also be represented by Mr. M. Graves.

Yours faithfully,
Poddingtons,

T. A. PRIDMORE.



2/4/93

c.c. Mr. R. Turner
Mr. G.R. Hastings.

Poddingtons,
43 Double Street,
Spalding,
Lincs. PE11 2AA
Tel: 0775 761856
0775 768296
Fax: 0775 710218

VAT Reg. No. 107 0605 13
Principal: T.A. Pridmore

I would be grateful if you would confirm as soon as possible whether or not the arrangements for the meeting are satisfactory.

Yours faithfully

N A MIDLEN
Principal Planning Officer (Development Control)

PODDINGTONS

Architectural Design Consultants

Our ref: TAP/LJA

Your ref:

Date: 4th February 1993.

South Holland District Council,
Planning Department,
Council Offices,
Priory Road,
Spalding,
Lincs.

Dear Sirs,

APPLICATION REFERENCE: H16/1317/91 - MESSRS. TURNERS STORES, BARRIER BANK, COWBIT.

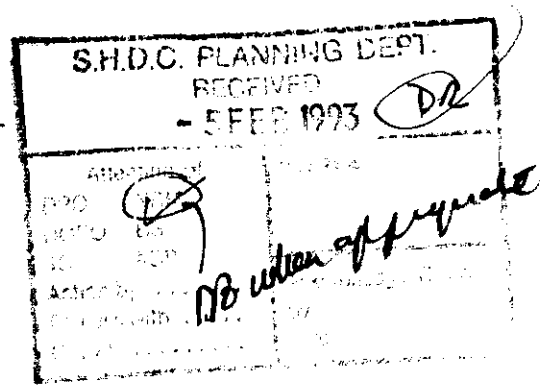
We thank you for your letter dated 25th January 1993.

Unfortunately, there has been a delay in the design and specification of the ghost island. Our Client had arranged for Messrs. A. F. Budge Ltd. to do this work, but they have recently gone bankrupt. However, Mr. Turner is currently discussing this matter with Messrs. Birse Contractors, who are constructing the new by-pass.

We hope, therefore, to have something to present to the County in the fairly near future.

Yours faithfully,
Poddingtons,

T. A. PRIDMORE.



c.c. Mr. R. Turner
Mr. C. Briggs, L.C.C. Highways Dept.

Poddingtons,
43 Double Street,
Spalding,
Lincs. PE11 2AA
Tel: 0775 761856
0775 768296
Fax: 0775 710218
VAT Reg. No. 107 0605 13
Principal: T.A. Pridmore

Cllr Says this may be a possibility & can be discussed at greater length at Meeting 25/2

PODDINGTONS

Architectural Design Consultants

Our ref: TAP/LJA

Your ref:

Date: 4th February 1993.

South Holland District Council,
Planning Department,
Council Offices,
Priory Road,
Spalding,
Lincs.

Dear Sirs,

APPLICATION REFERENCE: H16/650/92.

PROPOSED CHILL STORE & PACKHOUSE AT BROOKS FARM, BARRIER BANK, COWBIT,
FOR: MESSRS. TURNERS STORES.

We refer to the above application and the proposed Planning Obligation.

Unfortunately, due to the present economic climate, our Client has had to put this project on hold for the present. In view of these circumstances would it be possible to issue the Planning Approval subject to the Condition that the building will not be brought into use until the ghost island is constructed.

Yours faithfully,
Poddingtons,

T. A. PRIDMORE.

S.H.D.C. PLANNING DEPT.
RECEIVED
- 5 FEB 1993
DR
Attention to
DPO NSMA
DOPO BS
JC ACP
Action by
Discuss with
File Nos.
Can we discuss this 25/2

Poddingtons,
43 Double Street,
Spalding,
Lincs. PE11 2AA
Tel: 0775 761856
0775 768296
Fax: 0775 710218
VAT Reg. No. 107 0605 13
Principal: T.A. Pridmore

c.c. Mr. R. Turner
S.H.D.C., Director of Administration Dept.

Messrs Poddingtons,
[illegible] Double Street,
Spalding,
Lincs.
PE11 2AA.

Mr D Roberts

DJR/JJ H16/1317/91

25 Jan 1993

Dear Sir,

PLANNING PERMISSION: CHANGE OF USE TO CHILLED WAREHOUSE ETC, BROOKS FARM, BARRIER BANK FOR MR R TURNER.

The above application was granted permission on 7th May 1992 subject to a planning obligation regarding that a Section 278 Agreement be entered into with the County Council within a period of 6 months of the date of permission. The County Council have advised me that to date, no progress has been made towards completion of the agreement. As such it would appear that the applicants are in breach of the terms of the planning obligation entered into with the District Council.

I would be grateful for your urgent comments on this matter and an update as to the latest position regarding the Section 278 Agreement.

Yours faithfully

[illegible]
Principal Planning Officer
Development Control

Spoke to Ray Turner 8/2 See Book note

PODDINGTONS

Architectural Design Consultants

Our ref: MRH/LJA

Your ref: DJR/JJ H16/650/92 & H16/661/92

Date: 22nd January 1993.

Mr. D. Roberts,
South Holland District Council,
Planning Department,
Council Offices,
Priory Road,
Spalding,
Lincs. PE11 2XE.

Dear Sir,

EARTH EMBANKMENTS - MESSRS. TURNERS STORES, BARRIER BANK, COWBIT.

We thank you for your letter dated 19th January, 1993.

The earth embankment to the north and east of the site was constructed using top soil taken from the adjacent field. The size and position is as our drawing no. MRH/2485/6. The smaller embankment around the lorry parking area will be constructed in the same manner.

Yours faithfully,
Poddingtons,

M. R. HOLLAND.

S.H.D.C. PLANNING DEPT.
RECEIVED
25 JAN 1993

Poddingtons,
43 Double Street,
Spalding,
Lincs. PE11 2AA
Tel: 0775 761856
0775 768296
Fax: 0775 710218
VAT Reg. No. 107 0605 13
Principal: T.A. Pridmore

Messrs Poddingtons,
43 Double Street,
Spalding,
Lincs.
PE11 2AA.

Mr D Roberts

DJR/JJ H16/0650/92
H16/0661/92

19 Jan 1993

Dear Sir,

DEVELOPMENTS BY MESSRS TURNERS STORES, BARRIER BANK, COWBIT.

I would be pleased to learn if you are in a position to supply the information requested in my letter of 9th November 1992 in respect of the above applications. Namely, written confirmation that the applicant is prepared to enter into an agreement in respect of H16/0650/92, and details relating to the earth bunds in relation to H16/0661/92.

Your early response to these matters is requested.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

Spoke to them
Tues 5/2
See 'Book' note

COUNTY OFFICES
NEWLAND · LINCOLN

LINCOLNSHIRE COUNTY COUNCIL

HIGHWAYS & PLANNING DEPARTMENT
4th Floor, City Hall, Beaumont Fee, Lincoln LN1 1DN
Telephone (0522) 552222 Fax (0522) 553149

Director: J. Emmerson

Your Ref: H16/1317/91
My Ref: CB/PLAN 11/278/VAH

Director of Planning & Building
Control Services
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincs

For further information contact
Mr C Briggs
Telephone Lincoln (0522) 553127

18 December 1992

Dear Sir

DEVELOPMENT AT BROOKS FARM, SPALDING

I note that it was a requirement of a Section 106 Agreement made between yourselves and Mr R Turner, that a Section 278 Agreement be entered into, with the County Council, within 6 months from the date of planning permission for highway improvements.

The planning permission was dated 7 May 1992. To date no progress has been made towards the completion of such an Agreement. This is of concern bearing in mind the comments raised on the recent application, reference H16/0650/92.

Yours faithfully

C Briggs

Director of Highways and Planning

S51/91

S.H.D.C PLANNING DEPT.
22 DEC 1992

DS R would it cannot intervene here?
23/12

This was discussed with C. Briggs 21/1/92
He considers this a separate matter

5744.D3L

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: G Smith
Planning and Building
Control Services

To: J Berridge
Administration Dept.

Our Ref: GS/JJ H16/650/92

Your Ref:

Date: 11 Nov 1992

H16/650/92 - MESSRS TURNER STORES
CHILL STORE AND PACK HOUSE, BROOKS FARM, BARRIER BANK, COWBIT.

With reference to the above, it was resolved at the Planning Committee of 27th October 1992 that the above be authorised subject to the applicant first entering into a Planning Obligation under the provisions of Section 106.

In order that you may prepare the necessary documentation, please find enclosed:

1. Six 1:2500 site location plans indicating the curtilage of the site. the subject of the Agreement, edged red.

2. A copy of the planning application form.

3. Six copies of plan no. MRH/2485/2 at a scale of 1:500.

Confirmation that the applicant is willing to enter into the Agreement will be forwarded when received.

G Smith
Technical Assistant

Enc.

Messrs Poddingtons,
43 Double Street,
Spalding,
Lincs.
PE11 2AA.

Mr D Roberts

DJR/JJ H16/650/92
H16/661/92

09 Nov 1992

Dear Sir,

DEVELOPMENTS BY MESSRS TURNERS STORES, BARRIER BANK, COWBIT.

This is to confirm that the above applications were considered by the Council's Planning Committee meeting on 27th October 1992. It was resolved as follows:-

In respect of H16/650/92-

A That the applicant be invited to enter a Planning Obligation under the provisions of Section 106 of the Planning Act prohibiting the development being brought into use until the improved access facilities to the site have been completed and the existing Planning Obligation dated 23 April 1992 being amended by the substitution of plan no MRH/2485/2 for plan B attached thereto.

B Subject to the finalisation of the agreements the Director of Planning and Building Control Services be authorised to grant permission subject to conditions.

In respect of H16/661/92

That permission be granted subject to prior receipt of satisfactory details regarding the construction of the proposed earth bunds. In relation to this application it was also resolved that the period for compliance with the existing enforcement notice regarding the landscaping scheme be extended until 31st March 1993, but the Committee was concerned at the delay in proceeding with this proposal.

I would request written confirmation that the applicant is willing to enter into the Planning Obligation in respect of H16/650/92, and request the details relating to the earth bunds in relation to H16/661/92.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

OBJECTION

"Glocca Morra",
60 Fen End Lane,
Spalding,
LINCS.
PE12 6AD

Tel: 0775 - 760680

28th October 1992

Mr B.Smith, MRTPI,
The Director of Planning & Building Control,
South Holland District Council,
Council Offices,
Priory Road,
Spalding,
LINCS.
PE11 2XE

Planning Application No. H16/0661/92
Condition Compliance H16/1317/91, Condition 3 (iii)

Dear Mr Smith,

With reference to the earth bunds which have been newly constructed, in order to comply with the condition abovementioned, and which were mentioned at the meeting of the Planning Committee last evening. I would respectfully bring to your notice the fact that at a previous meeting of the Planning Committee, when this matter was discussed, you stated that they were to be constructed according to the laid down specification, in order to facilitate landscaping.

The bunds that have been constructed appear to be piles of soil that contains a large amount of brick and hardcore, just added to what was previously built.

I do not consider these to conform to the condition compliance placed upon the applicant and would very much appreciate your investigation of same.

You are aware, the Planning Committee, on your recommendation, has extended the amount of time the applicant has to complete the bunds and landscaping in order that he can construct them according to requirements, and I feel once again he is attempting to show his total disregard for the Planning Authority.

Yours sincerely,

Michael C. White

District Councillor, Spalding South Ward

S.H.D.C. PLANNING DEPT.
RECEIVED
29 OCT 1992 PJ

Attention of
DPO NBM
DOPO DS
JO ACP
Action by ...
Discuss with ...
Copy to ...

File Nos.
PSR

Acknowledge YES/NO
by SF
date 30/10

18 bid DSR 22/12 from KWS