OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

1. **APPLICANT'S INTEREST**
Please state interest in site (e.g. owner, prosp. purchaser)
(Please remember to indicate on the location plan any other land under your control).

Living with Mother.

2. **OWNERSHIP OF THE SITE**

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

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

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

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

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

MRS. K.M.E CHAPMAN.
57 ACACIA AVENUE
SPALDING, LINCS PE11 2LR.

State Date notice served:
20.5.93

Signed B. Chapman (Applicant / Agent) Date 20.5.93

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

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

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

Signed B. Chapman (Applicant / Agent) Date 20.5.93

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

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

APPLICATION ASSESSMENT

Notes for Case Officer

Spoke to Gary Briggs re offers to Rear wall Selling food as has section P24 11-8

The Bargate not a council House Bought at P24 11-8

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by PDH
Date 6-7

Site Notice posted by PDH
Date 6-7
Expiry 27-7

Individual Resident Notices required:

Addresses to be sent to –

Mrs P. Shah,
101 Bevois Ave,
Southsea.

Addresses delivered to –

Case Officer Conclusions

Small room - boat of house needs new inside door & corridor. Selection of hot & veg mixed fishing to fish paint wedges to border No alterations to property externally

RECOMMENDATION/DECISION

NON-DETERMINATION

Permitted Dev (or equiv) .....
Non Development (or equiv) .....
Non Response after Direction .....

Senior Officer confirmed .....

Withdrawn .....

DELEGATED DECISION

Case Officer Recommendation

Approve (or equiv) Refuse (or equiv)

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

COMMITTEE

Confirmed as agenda 28/7

SUB-COMMITTEE

Confirmed as agenda .....

DPBCS AUTHORISED

Decision Issue confirmed .....

Notes:

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

Conditions/Reasons: (cont overleaf)

Grant consent. As per agenda + note

ie. the applicant is advised that it will be necessary for a further application to be made at the end of the 5 year temporary period if he wishes to determine the possibility of continuing the use beyond this period

DC INSTRUCTION SHEET

APPLICATION REF: H16/0507/9

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: 1/500 scale Block plan showing precise location of site.

Direction authorised by Senior Officer... PM ..... Date... 7/6

Revalidation after Direction

Information satisfactory Signed... PM Date... 1.7

Valid date:

Amended description

Reconsultations:

All.....

Specified:

Unsatisfactory – Further direction:

Signed.....

Senior Off.....

Precise details:

Part 3-6. Block Plan 7

Additional Consultation/Publicity Required

B 7/6

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

Extra Consultations:

WP Note –
G Group available
G* Group essential (longer expiry)

Transport	D/Transp A15	..... G* T15	
TRA	D/Transp A18	.....	
	B Rail	.....	
Environment/ Drainage	Env Services	.....	
	NRA	.....	
WAT	IDB	.....	
	Env Assess	..... G ENV	Specify:
Conservation LB	LB Demolish	..... G* DEM	
	Archaeology	..... G ARC	Specify:
	Eng Heritage	.....	
	Consultant	.....	Order No:
	Other	.....	Specify:
Hazards	HSC Group	..... G* HAZ	
	Specific	.....	Specify:
Other PLA		.....	Specify:

Case Officer

Senior Officer Confirmed ..PM... Date..... Recorded DC....

ADMIN RECORD SHEET

Initi.

Submitted Fee £ 120-00

Receipt No P2755

Date first Rec'd 01 JUN 1993

Registration

Reference H16/0504/93

Cross-Ref

Date 02-JUN-93 HAS

Validation

TYPE FULL

Site area
No of dwellings
Floorspace

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

Description to be recorded: Change of use of part of dwelling to shop.

Invalid
- Site plans
- Certificate

Fee
Fee (not free)

Inaccurate
Incomplete
Unclear

Fees
Correct fee £ 120

Nil fee
Discounted

Previous app – ref:
Type of app
Reason:

Additional £
Refund £

Receipt No
Voucher No

Date
Date

Information

Index sheet 183 OS Plots
Grid ref 525640 323360

Ward Q Parish SPALDING

Inside IBD YES Inside LP area YES

Linked to site Ref [redacted]

Linked to property Ref 0 23523+

Constraints:

- CA Cons Area
- LB Listed – Grade:
- ARC Archaeology
- AM Ancient Mon
- SSI Special Int
- Hazards –
- Dist Bound
- Other:
- TR Rural
- BP TR proposed 67m
- LC Level Cross
- FP Footpath
- TPO Tree Pres
- HAZ Site
- AIR Safeguard
- LIN Elect
- PIP Pipe
- CON Waste/contamin

Planning Records:
Earlier apps

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

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

H16/0507/93

FULL

Applicant: Mr B Chapman
Tel:

Agent: Mr B Chapman

Description: Change of use of part of dwelling to shop

Location: 87 Acacia Avenue
Spalding
Lincs

Valid date:	01-JUL-93	Terminal date:	26-AUG-93
Target dates:		Target Committee:	25-AUG-93
To case officer	08-JUL-93	Report deadline:	11-AUG-93
Inspected by	15-JUL-93		
Extra contacts	22-JUL-93	Case Officer:	
Report if not clear by	05-AUG-93	P J UDY	

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Knipe Miller & Co -	23-JUN-93	14-JUL-93
Mrs P Shah	05-JUL-93	26-JUL-93
Site/Press Advert MIN	06-JUL-93	20-JUL-93
Cllr E N Davies	05-JUL-93	12-JUL-93
Cllr J Goodley	05-JUL-93	12-JUL-93

L.C.C. Obs Attached Jc 8/7/93
~~part take as Att~~

APPLICATION REFERENCE: H16/0507/93 DATE RECEIVED: 01-JUL-93

TYPE: Full

DESCRIPTION: Change of use of part of dwelling to shop

LOCATION: 87 Acacia Avenue, Spalding

APPLICANT: Mr B Chapman AGENT:

REASON FOR COMMITTEE CONSIDERATION

Objections received.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 26 AUG 1993

RECOMMENDATION

Grant permission.

COMMENTS

1 This is a retrospective application received after a complaint was investigated by the Enforcement Officer.

2 The applicants are using a small room within their house for the purposes of retailing.

3 The proposal is not contrary to the planning policies contained in the Spalding and Pinchbeck Local Plan 1985 or the Spalding and Pinchbeck Local Plan Review.

4 This shop is located within a room which measures 2.2 metres x 2.5 metres. It is not considered that the size of this shop affects the viability of the town centre and as presently used provides a local service.

5 However, any planning permission for a shop could allow any goods to be sold, perhaps to customers from a wider area. As presently operated, this shop is acceptable in planning terms (the key issues being traffic and the amenity of neighbours). I am concerned that any permission granted should not enable undesirable changes in the effect of the use on its surroundings.

6 The granting of planning permission relates only to the use of the land. The applicant may have to comply with other legislation and other relevant departments have been notified of the application.

REPRESENTATIONS

Public: Letter received from Knipe Miller & Co. on behalf of Mr & Mrs R Shah of 101 Acacia Avenue (summarised):-

Clients wish to object:

- Property is a residential property and is no way adapted to being a shop.
- Property probably incapable of being converted into proper shop premises.
- Even if capable of conversion, should not be allowed because clearly in residential area.
- St Pauls estate well served with shops.

Also a petition received with 8 names and addressed reiterating the points outlined above.

Further points raised - clients have no fear of legitimate competition. Are concerned that present activities constitute unfair competition in a sense that will not be paying business rates and will not be complying with a number of regulations concerning shops. Delivery service also being operated from address. Are any licences requires from yourselves? Are occupants in breach of any covenants if dwelling has been sold?

SCHEDULE OF CONDITIONS

The whole of the site frontage between the shop and the highway boundary shall be made available for parking for customer vehicles and the access crossing shall be suitably widened.
Reason: F4.

The use hereby permitted shall be carried out only in the room labelled shop on the 1:50 scale plan received by the Local Planning Authority on 1 July, 1993.
Reason: To ensure that the use does not grow to a significant size, such that it causes demonstrable harm to neighbouring properties.

The shop hereby permitted shall only be operated by a person or persons residents at 87 Acacia Avenue, Spalding.
Reason: To avoid the establishment of a shop separate from the dwelling, which would be undesirable in terms of residential amenity and the inadequacy of parking space to serve both uses.

The use hereby permitted shall cease after five years from the date of this permission, or upon the present applicant (Mr B Chapman) ceasing to be the owner of the property, whichever is the earlier.
Reason: The premises are unsuited to general retail use within the terms for Class A1 of the Town and County Planning (Use Classes) Order 1987, because of their possible input on traffic and residential amenity. This condition is imposed in accordance with the advice of DoE Planning Policy Guidance Notes 4 and 18, as an alternative to taking enforcement action against an existing small businesses.

PLANNING COMMITTEE - 25th August, 1993

567. PLANNING APPLICATIONS (Continued)

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

Plan No. and Applicant	Proposal
H16/0507/93 Mr B Chapman	Change of use of part of dwelling to shop at 87 Acacia Avenue, Spalding.
H18/0576/93 Regalbourne Ltd	Residential - two dwellings at plots 128 and 129 Falklands Road, Sutton Bridge.

(It was also agreed that the Lincolnshire County Council be requested to take appropriate action under the Highways Act urgently to seek the removal of the bus shelter from within the visibility splay at the junction of Falklands Road and Bridge Road, and its relocation as soon as possible.)

H16/0625/93 Mr & Mrs Moore	Extension to dwelling including replacing flat roof to garage with pitched roof at 58 Saxon Close, Spalding.
H20/0653/93 J A Rootham & S A Nichols	Dwelling (Renewal of application H20/1008/90) at The Homestead, Jarvis Gate, Sutton St James

(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
H08/0437/93 Mr & Mrs H Hare	O.A	Dwelling at existing nursery adjacent to Woodlands Cottage, Boston Road, Gosberton.
H03/0600/93 Mr P Miller		Two storey extension at 24 Coronation Avenue, Deeping St Nicholas.
H23/0636/93 Mr P G & Mrs C L Frith		Use of existing out-building for retail purposes at "Braemar", Mill Lane, Whaplode.

(c) **Applications Director of Planning and Building Control Services authorised to approve**

The Director of Planning and Building Control Services be authorised to grant planning permission for the undermentioned developments, in accordance with his recommendations, as amended where indicated:-

Plan No. and Applicant	Proposal
H13/0205/93 Dr & Mrs S Rayner	Landscaping scheme (Condition 6 of H13/0680/92) at 11 East Cobgate, Moulton.

(Councillor J Clark declared an indirect interest in the above application, and left the Council Chamber during consideration thereof.)

H11/0605/93 Messrs R K Wilson & Son Ltd	Two bungalows at plots 10 and 11 Delph Fields, Long Sutton.

25th AUGUST 1993 PLANNING COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Page No	Application Number	Case Offr	Instructions/ Decision
1	H13/0205/93 Dr & Mrs Rayner	DMG	DPBCS Auth as recommended.
4	H08/0437/93 Mr & Mrs Hare	DJR	Refused as recommended.
7	H15/0480/93 Mr Marshall	PJU	Grant as recommended plus additional condition ref boundary noise levels. Site Visit considered unnecessary.
10	H16/0507/93 Mr Chapman	PJU	Grant as recommended plus note advising applicants may re-apply without prejudice at end of temporary permission period.
12	H16/0522/93 Paragon Petcare	PJU	Grant as recommended.
13	H18/0576/93 Regalbourne Ltd	DMG	Grant as recommended. Letter to County Council with forceful request for them to achieve the visibility requirements over the land in their ownership and also drawing attention to the committee's considered opinion that the amenities of the estate are suffering due to the state of the roads which have still not been adopted by the County Council.
16	H03/0600/93 Mr Miller	PJU	Refused as recommended.
17	H11/0605/93 Wilson & Son	DMG	DPBCS Auth as recommended.
19	H16/0625/93 Mr & Mrs Moore	PJU	Grant as recommended.
21	H16/0629/93 RG & LM Sharman	PJU	Application withdrawn.
23	H23/0636/93 Mr & Mrs Frith	DMG	Refused as recommended. Suggest additional reason be added ref circumstances of highways requirements and effect on visual character of the road - This will not be on minutes.
25	H20/0653/93 Roothman & Nichols	DMG	Grant as recommended.
26	H01/0671/93 Mr & Mrs Brown	PJU	Application withdrawn.

26 Aug 93

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

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning and Building Control Services

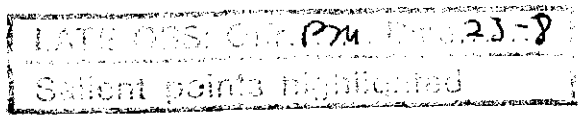
REF: JAS/KS/CH

YOUR REF: PJU/JP/H16/0507/93

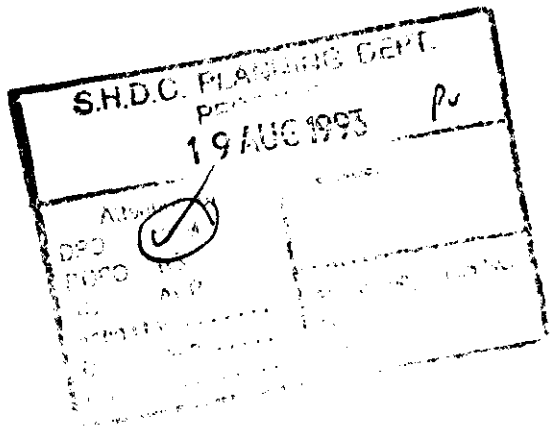
Date: 18th August 1993

SUBJECT: CHANGE OF USE OF PART OF DWELLING TO SHOP - 87 ACACIA AVENUE, SPALDING

I refer to your memorandum dated 12th August 1993 concerning the above. This property was sold in 1990 under the Right to Buy provisions and, in accordance with Ministerial advice, the Conveyance contained no restriction relating to the use now proposed (ie. retail). Once sold the use of former council dwellings must be controlled under the planning legislation.



Director of Administration



Messrs Knipe Miller & Co. (Solicitors)
12 Broad Street
Spalding
Lincs PE11 1TB

Mr P J Udy

PJU/JP/H16/0507/93

RAK.BB

13 August, 1993

Dear Sirs

87 Acacia Avenue, Spalding

I refer to your letter dated 22 June, 1993 and also to your letter of 8 July, 1993.

I write to advise that a Committee report has been drafted for the Planning Committee of 25 August, 1993 in relation to the application which has been received on this site.

I have also sent memos to varying departments of the Council in relation to points made in your letter of 22 June, 1993, concerning the regulations on shops, business rates and the issue of any covenants which may have been breached. These are matters which I consider can be investigated by the Council independently from the determination of this application.

Yours faithfully

N R MIDLEN
Principal Planning Officer (Development Control)

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: N R Midlen
Principal Planning Officer
(Development Control)

TO: Director of Environmental Services

REF: PJU/JP/H16/0507/93

REF:

DATE: 12 August, 1993

SUBJECT: Change of Use of Part of Dwelling to Shop - 87 Acacia Avenue, Spalding

I have received a planning application at the above premises for the above stated use.

I have received letters from solicitors acting on behalf of an objector asking whether the applicant has complied with regulations concerning shops and whether they are paying business rates. They also advise that it is believed that a delivery service van is being operated from that address.

I would be grateful if you would take any action that may be required so that the business complies with legislation dealt with by your own department.

N R MIDLEN
Principal Planning Officer (Development Control)

Copy to: Director of Finance

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: South Holland District Council Application Reference H16/0507/93.

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. Address or location

57 Acacia Avenue Spalding

3. Name, classification and number of road

UC

4. Date application referred 8-7-93

5. State *whether outline, detailed application etc.*

FULL

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

Change of use of part of Dwelling to Shop

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. (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: 8-7-93 Signed: P Emerson
Director of Highways and Planning

RICHARD A. KNIPE, LL.B.
DIANNE L. MILLER, LL.B.

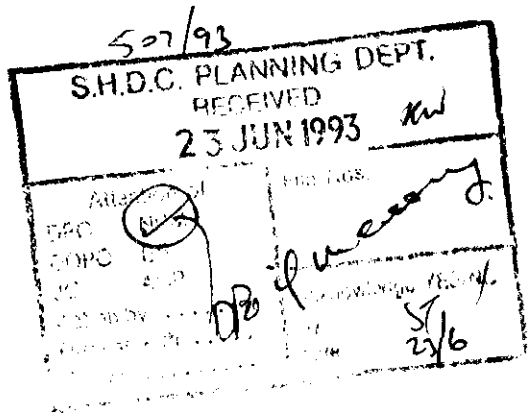
Consultant
H. BOWDEN

DX 26707
Fax (0775) 725842

KNIPE MILLER & CO.
SOLICITORS

DEMBLEBY HOUSE
12 BROAD STREET
SPALDING
PE11 1ES

TEL (0775) 768774



Our Ref. RAK.BB

Your Ref. KW.JJ.E16.2505.93

22nd June, 1993

Dear Sirs,

87 ACACIA AVENUE, SPALDING - OUR CLIENTS : MR. & MRS. R. SHAH - 101 ACACIA AVENUE

We refer to your letter of the 26th of May and we understand that so far as is known no Planning Application has been received.

Could you please confirm that in the circumstances Enforcement Proceedings will be taken.

Whilst our Clients have no fear of legitimate competition they are concerned that the present activities constitute unfair competition in the sense that the occupants of Number 87 quite clearly will not be paying Business Rates and will not be complying with a number of Regulations concerning Shops.

The matter is of great concern to our Clients and we would ask that the appropriate action be taken as quickly as possible.

Two other points arise :-

1. Our Clients are lead to believe that a Delivery Service from a Van is being operated from that address. Although this may be more of a question for Environmental Health, are any Licences needed from yourselves for that sort of service and if so have they been applied for?

2. The property obviously belongs to yourselves or has been sold as a Council House. Are the occupants in breach of any covenants by their present activities and if so are any steps being taken to enforce them?

Yours faithfully,

South Holland District Council
Priory Road,
SPALDING
Lincs.

THIS FIRM IS REGULATED BY THE LAW SOCIETY IN THE CONDUCT OF INVESTMENT BUSINESS

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: H16/0507/93

Applicant: Mr B Chapman
87 Acacia Avenue
Spalding
Lincs
PE11 2LR

Agent: Mr B Chapman
87 Acacia Avenue
Spalding
Lincs
PE11 2LR

Description: Change of use of part of dwelling to shop

SOUTH HOLLAND D.C.
PLANNING DEPT
01 JUN 1993
REF Valid

Location: 87 Acacia Avenue
Spalding

Type: FULL

Date received: 01-JUN-93

09-JUN-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

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

The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:

Four 1:500 scale block plans showing precise location of shop.

Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is P J UDY

Yours faithfully

Principal Planning Officer

BRIAN SMITH Dip TP MRTPI
D[illegible]or 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

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P2755
Date received : 01-JUN-93

Received from

Mr B Chapman

Address

87 Acacia Avenue
Spalding
Lincs

Fee paid	£	120.00
VAT	£	0.00
Total received	£	120.00

Cash/Cheque : Cash

Signed.....SAVICKS.....
(Authorised Collector)

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: H16/0507/93

Applicant: Mr B Chapman
87 Acacia Avenue
Spalding
Lincs
PE11 2LR

Agent: Mr B Chapman
87 Acacia Avenue
Spalding
Lincs
PE11 2LR

Description: Change of use of part of dwelling to shop

Location: 87 Acacia Avenue Spalding
Lincs

Type: FULL

24-SEP-93

Dear Sir/Madam,

PLANNING APPLICATION

The above application for planning permission has now been considered, together with your comments, and it has been decided that permission should be granted in this case.

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

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Copy sent to :-

Mrs P Shah - Petition Leader
101 Acacia Avenue
Spalding
Lincolnshire

Knipe Miller + Co - Agents
Ref RAK.BB
Dembleby House
12 Broad Street
Spalding
Lincs
PE11 1ES

RICHARD A. KNIPE, LL.B.
DIANNE L. MILLER, LL.B.
Consultant
H. BOWDEN

DX 26707
Fax (0775) 725842

KNIPE MILLER & CO.
SOLICITORS

DEMBLEBY HOUSE
12 BROAD STREET
SPALDING
PE11 1ES

TEL (0775) 768774

Our Ref RAK/MLB

Your Ref Mr. Udy

S.H.D.C. PLANNING DEPT.
RECEIVED
- 9 JUL 1993
Attention of
DPO NHM
DDPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....
File Nos.
Acknowledge YES/NO
by
date 9/7

8th July 1993

OBJECTION

Dear Sirs,

Re: 87 Acacia Avenue - Application by Mr. B. Chapman - H16/0507/93 - Our Clients Mr. and Mrs. R. Shah - 101 Acacia Avenue.

We refer to a letter dated the 5th July sent to our above named Clients.

Our Clients wish to object to that Application.

Their grounds of opposition are as follows:-

1. The property the subject of the Application is a residential property and in no way is adapted to being a shop.

2. The property is probably incapable of being converted into proper shop premises that comply with the modern regulations.

3. Even if it were capable of conversion the Application should not be allowed because it is in an area that is clearly residential in planning terms.

4. The St. Pauls Estate is well served for shops and there is no need to depart from norman planning policy.

For all these reasons our Clients wish to object.

Yours faithfully,

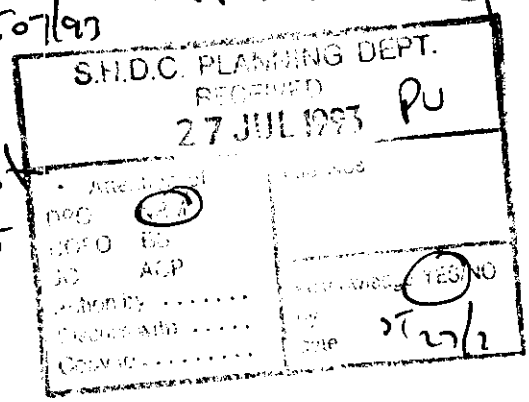
South Holland District Council,
The Planning Department,
Priory Road,
Spalding,
Lincolnshire.

THIS FIRM IS REGULATED BY THE LAW SOCIETY IN THE CONDUCT OF INVESTMENT BUSINESS

SHOPKEEPERS
RESIDENCE of
ST. Pauls Estate
SPALDING

OBJECTION

5/7/93



F.A.O.
P.J. UDY
THE Planning Dept
South Holland DIST.
PRIORY ROAD
SPALDING
LINES.

87 ACACIA AVE VS. SHOPKEEPS
+ RESIDENCE OF ST. PAUL'S
ESTATE.

We the undersigned wish to object to the planning Appli-
-CATION TO CHANGE RESIDENTIAL property for the use of SHOP.

1) THE PROPERTY the subject of the APPLICATION IS a residential property and in no way is adapted to being a shop.
2) The property is probably incapable of being converted into proper shop premises that comply with the modern regulations plus EUROPEAN.
3) Even if it were capable of conversion the Application ~~residential~~ should not be allowed because it is in an area that is clearly residential in planing terms.
4) Whilst it is obvious that Estates such as the St. Paul's ESTATE should have shops these should be primarily on corner

Sites in premises that are suitable and the area is already served by such facility. To allow a property in the middle of a residential area to be converted into a shop or to change its use into a shop would create a dangerous precedent and be a departure from normal planning policy.

5, There are already established shops serving St. Paul's ESTATES.

E. Rodman — 91 ACACIA AVE

~~12 [illegible] AVE~~

S/t Dhanji — Nestlen's Rents, Commercial Rd.

P Roberts — The Salmon Box, Albert St.

C. Lawton — 16. Beach Avenue.

P.K. Tambe — 90 Acacia AVE

Mme Edwards — 38 St Pauls Rd Spalding

91 Acacia Av Spalding

Ack Letter sent to

Mrs Shah — Petition Leader

101 Acacia Ave

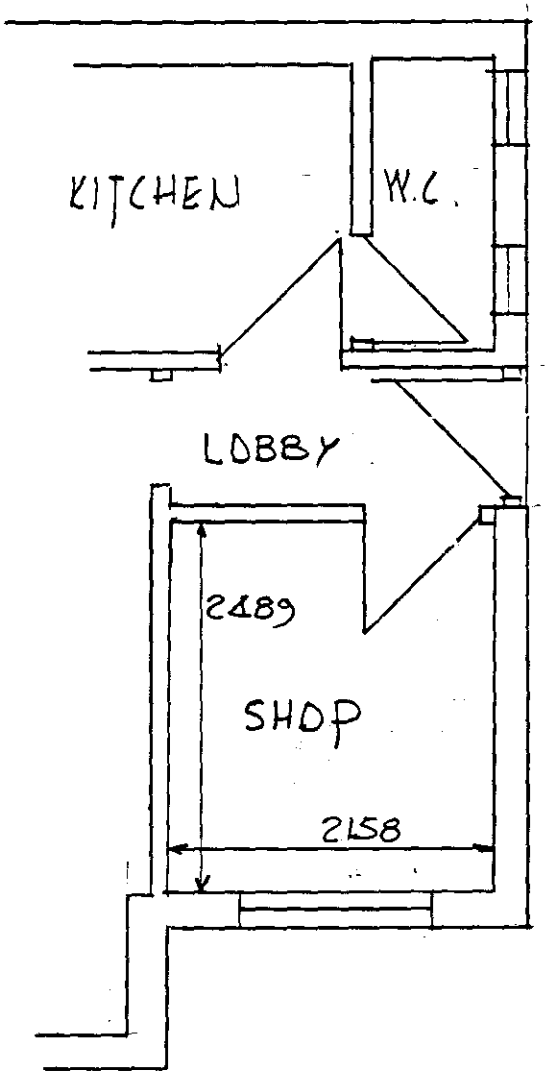
at request of E Rodman

78/7

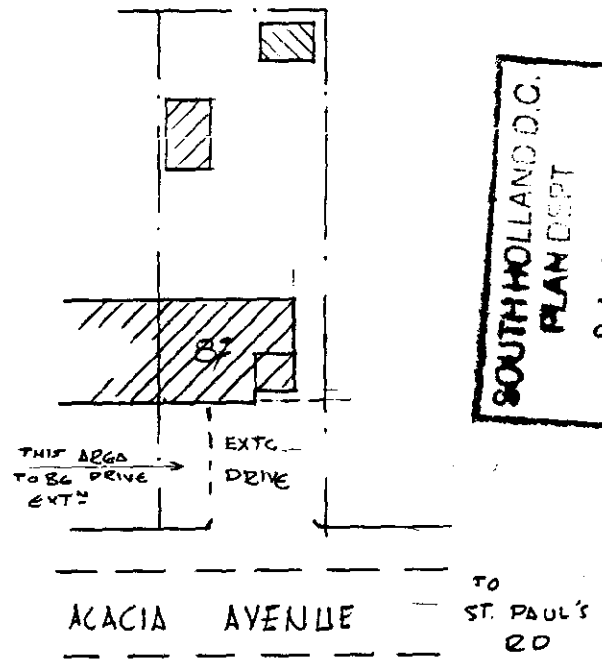
8 addresses
8 names

PROPOSED CHANGE OF USE, OUTBUILDING INTO SHOP AT 87 ACACIA AVENUE, SPALDING, FOR MR B. CHAPMAN

H16/0507/93



PLAN 1:50



SITE 1/500

SOUTH HOLLAND D.C.
PLAN DEPT
REF 507/93

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H16/0507/93 Received:01-JUL-93 Type:FULL

Name: Mr B Chapman
87 Acacia Avenue
Spalding
Lincs
PE11 2LR

Agent: Mr B Chapman
87 Acacia Avenue
Spalding
Lincs
PE11 2LR

Description: Change of use of part of dwelling to shop

Location : 87 Acacia Avenue Spalding
Lincs

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

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2 The whole of the site frontage between the shop and the highway boundary shall be made available for parking for customer vehicles and the access crossing shall be suitably widened.

Reason: In the interests of the safety and convenience of traffic using the adjacent road.

3 The use hereby permitted shall be carried out only in the room labelled shop on the 1:50 scale plan received by the Local Planning Authority on the 1 July 1993.

Reason: To ensure that the use does not grow to a significant size, such that it causes demonstrable harm to neighbouring properties.

4 The shop hereby permitted shall only be operated by a person or persons resident at 87 Acacia Avenue, Spalding.

Reason: To avoid the establishment of a shop separate from the dwelling, which would be undesirable in terms of residential amenity and the inadequacy of parking space to serve both uses.

5 The use hereby permitted shall cease after five years from the date of this permission, or upon the present applicant (Mr B Chapman) ceasing to be the owner of the property, whichever is the earlier.

Reason: The premises are unsuited to general retail use within the terms for Class A1 of the Town and Country Planning (Use Classes) Order 1987,

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)

SOUTH HOLLAND DISTRICT COUNCIL

because of their possible input on traffic and residential amenity. This condition is imposed in accordance with the advice of DoE Planning Policy Guidance Notes 4 and 18, as an alternative to taking enforcement action against any existing small businesses.

The applicant is advised that it will be necessary for a further application to be made at the end of the five year temporary period if he wishes to continue the use beyond this period.

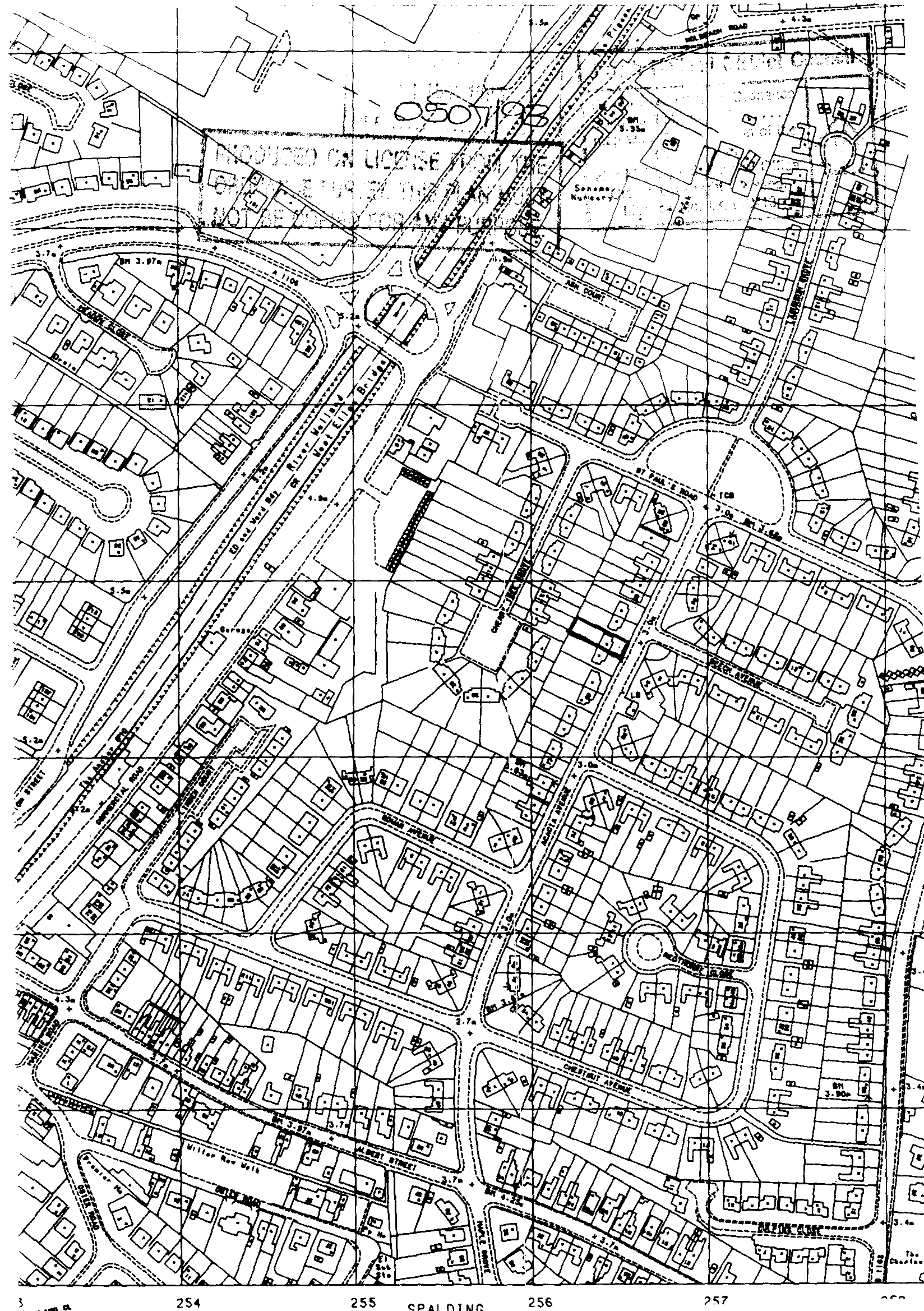
Your attention is drawn to the need to comply with the provisions of Section 4, 7, 8 and 8(a) of the Chronically Sick and Disabled Persons Act 1970, where appropriate, and to the Code of Practice for Access of the Disabled to Buildings (British Standard Institutions code of practice BS 5810:1979) or to Design Note 18 'Access for Disabled People to Educational Buildings', or to documents replacing such codes. Any work required which would alter the proposal hereby permitted may need a further application for planning permission.

Director of Planning and Building Control Services
17-SEP-93 H16/0507/93

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

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

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


HOLBEACH ROAD
0507193
ASH COURT
River Welland
West Elloe Bridge
ST PAUL'S ROAD
BEECH AVENUE
ACACIA AVENUE
CHESTNUT AVENUE
ALBERT STREET
Willow Row Walk
Garage
Drain
BM 5.33m
254
255
SPALDING
256
257

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H16/0507/93

Date Registered 01 JUN 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

BRIAN CHAPMAN
87 ACACIA AVENUE
SPALDING
LINCS PE11 2LR.

Tel. No.

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

Tel. No.
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

As Above.

OFFICE COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

PART.
CHANGE OF USE TO SHOP. (FRUIT VEG ECT)

Please complete

I attach
* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £120.00 If you consider no fee is payable include a written explanation instead.

Signed... B. Chapman.... Date 20.5.93..... Previous application No.

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

2. **TYPE OF APPLICATION**

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

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

Please state Site Area (Hectares)

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

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

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

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

TYPE OF DEVELOPMENT

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

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

4. A. If building works are proposed, please state extra floor space to be created:	
B. Please state size of any new structure:- (a) max. height:	N/A. sq. metres
(b) max. length:	metres
(c) max. width:	metres
	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.

WASH HOUSE.

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

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

or

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

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

TREES *Please tick* ***one*** box

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

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

DRAINAGE *Please complete*

A. *Please state how surface water will be disposed of*

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

C. Please state whether a land drain will be affected

AS EXISTING.

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

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal is in connection with agriculture	NO	➡ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public right of way	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices, shopping or similar commercial 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.		➡ Date: Consultee(s)
Is this application related to a previous submission?		➡ Application No.

6. **ANY OTHER INFORMATION** Please add any details you wish in support of your application.
Continue on separate sheet if necessary.