FILE COPY

SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H16/0623/92 Received:08-JUN-92 Type:FULL

Name: Mr B T Hilton
111 Albion Street
Spalding
Lincs
PE11 2BA

Agent: Mr B T Hilton
111 Albion Street
Spalding
Lincs
PE11 2BA

Description: Taxi Service Base Station

Location : 111 Albion Street 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 At the expiration of a period of two years from the date of this permission the use hereby permitted shall cease.

Reason: Experience has shown that this type of use can become a considerable source of nuisance to neighbouring residential properties and a temporary permission will allow the Local Planning Authority to review the situation in the light of experience and to establish whether conditions can overcome potential problems.

2 The premises shall not be used for the purposes of a taxi business at any time on Sundays or Bank Holiday Mondays or between 11 pm and 7 am on other days.

Reason: To protect the amenities of this residential area.

3 One taxi only shall operate from the site. All other taxi's used by the applicant shall operate from ranks.

Reason: To protect the amenities of this residential area.

Notes to Applicant:

The applicant is advised that if he wishes to continue the use after the expiration of the permitted period it will be necessary for him to obtain a further permission.

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)

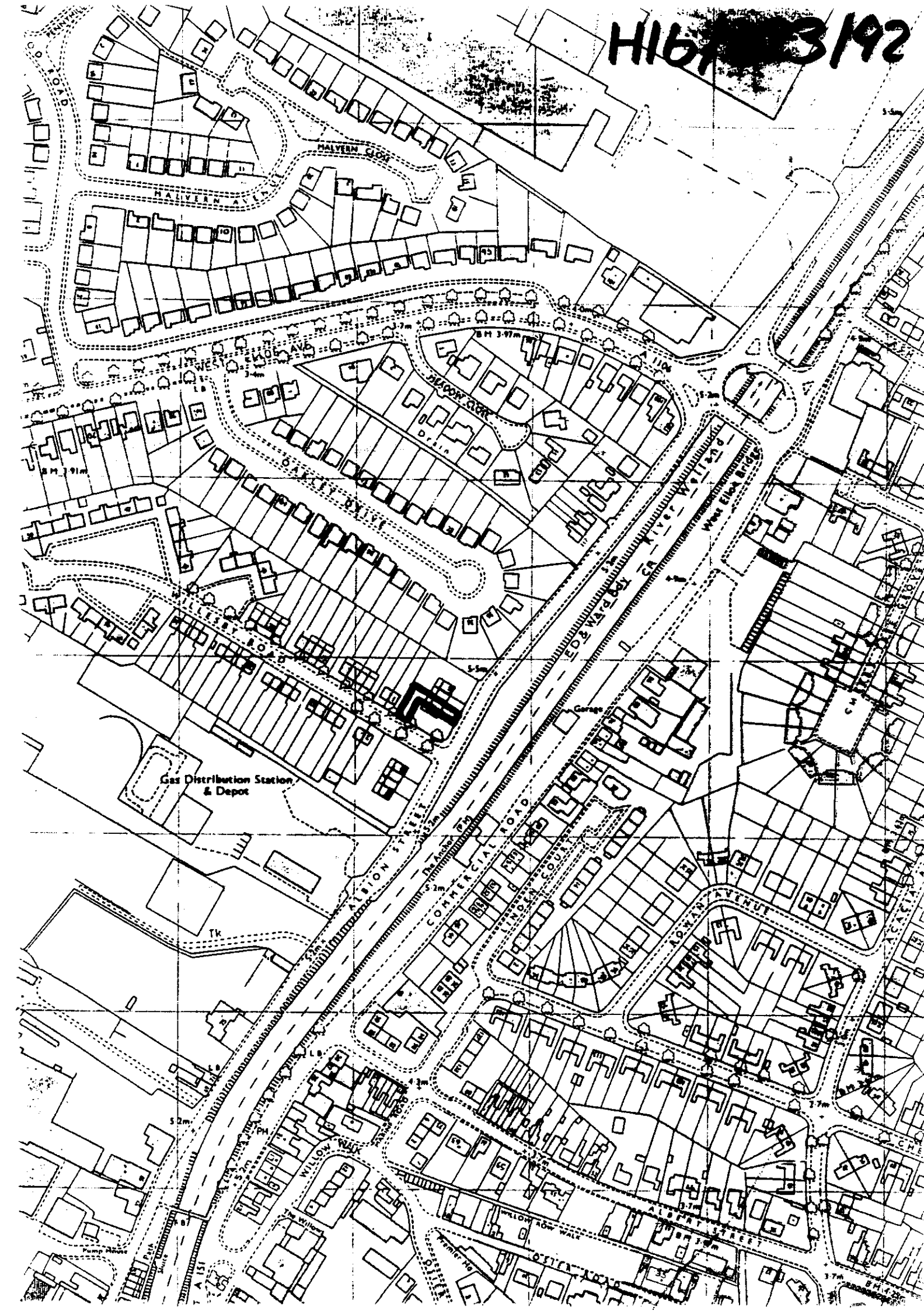
SOUTH HOLLAND DISTRICT COUNCIL

Director of Planning and Building Control Services
12-AUG-92 H16/0623/92

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)


HIGHWAY
MALVERN AVENUE
MALVERN GLEN
WEST ENDS AVE
BM 3.91m
BEACON CLOSE
Drain
OAKLEY DRIVE
WILLESLEY ROAD
River Wandle
West Ella Bridge
Gas Distribution Station & Depot
Garage
ALBION STREET
The Anchor PH
COMMERCIAL ROAD
LINDEN COURT
ADMAN AVENUE
ACACIA
Tk
Pumping Station
WILLOW WALK
The Willows
Pumper Ho
WILLOW ROW WALK
ALBERT STREET
OSIER ROAD
BM 3.98m
A 1104
A 151

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H16/0623/92

Date Registered 08 JUN 1992

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

BERNARD THOMAS HILTON
111 ALBION STREET
SPALDING
LINCS
PE11 2BA

Tel. No. 723626

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

111 ALBION STREET SPALDING LINCS PE11 2BA

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

TAXI SERVICE BASE STATION

OFFICE COPY

Please complete

I attach * Four copies of all plans
*an ownership certificate (see back page)
*a fee of £11.0 If you consider no fee is payable include a written explanation instead.

Signed B T Hilton Date 2/6/92 Previous application No:

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

2. **TYPE OF APPLICATION**

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

or This is an **outline** application

Please state Site Area (Hectares)

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

Siting ☐ Design ☐ External Appearance ☐

Means of Access ☐ Landscaping ☐

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

Now complete Part 4 only

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

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

Now complete an Ownership Certificate

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

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

Now complete an Ownership Certificate

TYPE OF DEVELOPMENT

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

(i) New building(s) [ ]

(ii) Alterations or extension [ ]

(iii) Change of use [✓]

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

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

PRIVATE DWELLING
TAXI BASE STATION

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

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

or

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

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

TREES Please tick **one** box

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

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

DRAINAGE Please complete

A. Please state how surface water will be disposed of

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

C. Please state whether a land drain will be affected

D. Foul sewerage will be disposed of to:

N/A

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.	[ ]	→ 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.

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).

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 B Fellion (Applicant/~~Agent~~) Date 2/6/92

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 B Fellion Applicant/~~Agent~~ Date 2/6/92

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 B Fellion (Applicant/~~Agent~~) Date 4/6/92

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 .....

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes: Accuracy | Neighbours | Other

Boundaries | Site Features

Inspected by: PJM
date: 16-6

Case Officer Conclusions (issues)

House in "middle" of ~~terrace~~ terrace of four has access to rear. Boats adj River.

Case Officer Recommendations (summary) GRANT REFUSE
(details overleaf)

Recommended approvals –

Departure from policy — Yes ---- / No ----

Ward member request — Yes ---- / No ----

Recommend approval against material objection — Yes ----

- Any objection received? No
- If yes, is any obj. material? Yes / No

No ----

[Reason:

Other circumstances needing Committee decision — Yes ----

- Flagged by Senior Officer
- Signed .....

No ----

ALL OF ABOVE

Recommended refusals –

Refusal on adopted policy grounds on first applic. — No ----

- Nil fees (not first Submission)
- Other info. viz:
- Signed .....

Yes ----

ANY ONE OF ABOVE

Committee report
Sub-Committee:
SV recommended .....
Est/Ind. recommended.....

Delegation confirmed by Senior Officer
.....

Recommendation/draft report produced.....

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

APPLICATION REF:

DIRECTIONS

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

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

[Indicate if other Regs] Precise details, for non-standard direction:

This is one of K.W's inquiries. Receipt to PCtte.

CONSULTATION/PUBLICITY REQUIRED PJM 12-6-92

Publicity : General
Departure
Setting of LB Viz

Residents (Postal): RE 15/6
1 Willsby Road.
109, 113 Albion St

Residents (Delivery):

Consults : Dept of Transport
Env Health
Conservation consults : Local
Local & National
English Heritage LBC I, II*
Setting I, II*
Major Ca

Consultant : Name
Order No:

Other :

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

Information satisfactory/unsatisfactory Signed .....

Further direction: Precise details

Amended description:

Reconsultations required -
Parish Council
Ward Members
Residents
Advertise
Other

New valid date ..... Re-Registered .....
Ack/Reception .....

ADMIN RECORD SHEET

INITIAL

Submitted Fee £ 110

Receipt Issued ..... No. P1252

Date First Received 08 JUN 1992

REGISTRATION

REFERENCE H16/0623/92

Cross-Ref N/A

Date 9/6/92

VALIDATION Date 8/6/92

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

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

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

Earlier permission ref .....

HM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

Technical:
- Certificate ☐
- Site plans ☐
- Description ☐
- Accuracy ☐
- Incomplete form ☐
- S65 Advert required ☐ Expiry date .....

Fees:
- Nil fee – previous app ☐ Ref .....
- – type ☐
- Discounted fee ☐ Reason .....
- Correct fee £ 110 Additional £ ..... Receipt no. .....
- Refund £ ..... Issued .....

CONSTRAINTS Date 10.6.

Index Sheets 133 OS Nos ..... Grid Ref 529360 373370

Ward R Parish SPALDING

Inside IDB YES Inside LP area YES

TR Rural	☐	CA	☐
TR Bypass	☐	LB	☐
Level crossing	☐	TPO	☐
Footpath	☐	Other: Archaeological site 0164078	

Grade

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

Planning Records:
Earlier apps

3 Rec Records:
Already submitted Ref.....
Requested .....

Inputs completed.....

SOUTH HOLLAND DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972
as amended by the
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Circumstances in which the public either shall in the case of confidential information, or may in the case of exempt information, be excluded from a meeting:

CONFIDENTIAL INFORMATION
(Section 100A (2) and (3))

The public shall be excluded from a meeting whenever it is likely, in view of the nature of the business to be transacted, or the nature of the proceedings, that confidential information would be disclosed.

"Confidential information" means:

(a) information furnished to the Council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and

(b) information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court."

Info. Nr exempt if it relates to proposed development for which L.P.A. can grant itself P.P. pursuant to Reg. 3 of T & C.P. General Regs '92. (Variation) Order 1992.

EXEMPT INFORMATION
(Section 100A(4) & (5) & Schedule 12A)

A principal council may by resolution exclude the public from a meeting whenever it is likely there would be disclosure of exempt information. "Exempt information" means:

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the authority.

   (Qualification: Information is not exempt unless it relates to an individual).

   (Interpretation: 'Employee' - 'office holder' - See Interpretation section).

2. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by:

   (a) a magistrates' court committee, within the meaning of section 19 of the Justices of the Peace Act 1979; or

(b) a probation committee appointment under paragraph 2 of Schedule 3 to the Powers of Criminal Courts Act 1973.

(Qualification: Information is not exempt unless it relates to an individual).

(Interpretation: 'Employee' - See Interpretation section).

3. Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.

(Qualification: Information is not exempt unless it relates to an individual).

4. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.

(Qualification: Information is not exempt unless it relates to an individual).

5. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.

(Qualification: Information is not exempt unless it relates to an individual).

6. Information relating to the adoption, care, fostering or education of any particular child.

(Interpretation: 'Child' - See Interpretation section).

7. Information relating to the financial or business affairs of any particular person (other than the authority).

(Qualification: Information is not exempt if it is required to be registered under -

(a) the Companies Act 1985;
(b) the Friendly Societies Act 1974;
(c) the Industrial and Provident Societies Acts 1965 to 1978;
(d) the Building Societies Act 1962; or
(e) the Charities Act 1960).

(Interpretation: 'Financial or business affairs' - See Interpretation section).

8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.

(Qualification: Information is exempt if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, a contract with the authority in respect of the property, goods or services, whether the advantage would arise as against the authority or as against other such persons).

9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

(**Qualification:** Information is exempt if and so long as disclosure to the public of the terms would prejudice the authority in those or any other negotiations concerning the property or goods or services).

(**Interpretation:** 'Disposal' - See Interpretation section).

10. The identity of the authority (as well as or any other person, by virtue of paragraph 7 above) as the person offering any particular tender for a contract for the supply of goods or services.

(**Interpretation:** 'Tender for a contract' - See Interpretation section).

11. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.

(**Qualification:** Information is exempt if and so long as disclosure to the public of the information would prejudice the authority in those or any other consultations or negotiations in connection with a labour relations matter).

(**Interpretation:** 'Labour relations matter' - 'employee' - 'office holder' - See Interpretation section).

12. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with -

(a) any legal proceedings by or against the authority, or
(b) the determination of any matter affecting the authority,

(whether, in either case, proceedings have been commenced or are in contemplation).

13. Information which, if disclosed to the public, would reveal that the authority proposes-

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
(b) to make an order or direction under any enactment.

(**Qualification:** Information is exempt if and so long as disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made).

14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

15. The identity of a protected informant.

(**Interpretation:** 'Protected informant' - See Interpretation section).

INTERPRETATION

'Child' means a person under the age of eighteen years and any person who has attained that age and-

(a) is registered as a pupil at a school; or
(b) is the subject or a care order, within the meaning of section 20 of the Children and Young Persons Act 1969;

'disposal', in relation to property includes the granting of an interest in or right over it;

'employee' means a persons employed under a contract of service;

'financial or business affairs' includes contemplated, as well as past or current, activities;

'labour relations matter' means-

(a) any of the matters specified in paragraphs (a) to (g) of section 29(1) of the Trade Union and Labour Relations Act 1974 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;

'office-holder', in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;

'protected informant' means a person giving the authority information which tends to show that-

(a) a criminal offence,
(b) a breach of statutory duty,
(c) a breach of planning control, as defined in section 87(3) of the Town and Country Planning Act 1971, or
(d) a nuisance,

has been, is being or is about to be committed;

'tender for a contract' includes a written statement prepared by the authority in pursuance of section 9(2) of the Local Government Planning, and Land Act 1980 (estimated cost of carrying out functional work by direct labour).

Town and Country Planning Act etc

DRAFT DECISION

Reference: H16/0623/92 Received:08-JUN-92 Type:FULL

Name: Mr B T Hilton
111 Albion Street
Spalding
Lincs
PE11 2BA

Agent: Mr B T Hilton
111 Albion Street
Spalding
Lincs
PE11 2BA

Description: Taxi Service Base Station

Location : 111 Albion Street Spalding
Lincs

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

1 2 At the expiration of a period of two years from the date of this permission the use hereby permitted shall cease.

Reason: Experience has shown that this type of use can become a considerable source of nuisance to neighbouring residential properties and a temporary permission will allow the Local Planning Authority to review the situation in the light of experience and to establish whether conditions can overcome potential problems.

2 3 The premises shall not be used for the purposes of a taxi business at any time on Sundays or Bank Holiday Mondays or between 11 pm and 7 am on other days.

Reason: To protect the amenities of this residential area.

3 4 One taxi only shall operate from the site. All other taxi's used by the applicant shall operate from ranks.

Reason: To protect the amenities of this residential area.

6 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.

Notes to Applicant:

The applicant is advised that if he wishes to continue the use after the expiration of the permitted period it will be necessary for him to obtain a further permission.

Authorised to issue:

07-AUG-92 H16/0623/92 AD...JV.....DC...A.....

12/8

APPLICATION REFERENCE: H16/0623/92 DATE RECEIVED: 8.6.92

APPLICANT: Mr B T Hilton
111 Albion Street
Spalding
Lincs

AGENT:

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date - 5 AUG 1992

TYPE: Full

DESCRIPTION: Taxi service base station

LOCATION: 111 Albion Street, Spalding

County Highways: No objections.

Public Objections: Two letters of objection received from 109 Albion Street and 1 Willesby Road.
- No objection so long as parking situation is altered so that we can park our car at all times on our property which has access from Willesby Road.
- Run 3 cars and mini bus.
- Keep noise to a minimum after 12.00 midnight.
- Car doors, chatting, revving of engines disturbing.
- Sometimes can't park own car because frontage blocked.
- May ask for transfer or rent reduction.

Environmental Services: Such operations in residential area comprising a terrace are unsuitable but if mindful to grant, suggest conditions: restrict to one vehicle, hours of operation restricted 7.00 to 23.00 hours, temporary permission for 2 years.

PLANNING ISSUES

1 The site is located within a terrace of 4 dwellings which front onto the river.

2 This taxi business and two others at Avebury Gardens and Hereward Road were reported to Planning Committee on the 13 May. It was resolved that:

"That the proprietors of the taxi business be required to submit planning applications for change of use of the premises involved and that, subject to consideration of any further representations received, the Director of Planning and Building Control Services be authorised to grant temporary permissions for a period of two years with appropriate conditions designed to limit the effects of the use on the amenities of the neighbouring properties, including the restriction of the hours of operation to between 7 am and 11 pm daily and limiting the number of taxis operating from each dwelling to one, the remainder to operate from the ranks provided in Spalding".

An application has recently been received from 89 Hereward Road and the Enforcement Officer has established that the occupiers of 1 Avebury Gardens have moved.

3 Objections have been received following normal consultation on

the application. However, taking into account the above resolution it is appropriate that permission should be granted but only for a temporary period in the first instance.

RECOMMENDATION - Grant permission

1 At the expiration of a period of two years from the date of this permission the use hereby permitted shall cease.

2 The premises shall not be used for the purposes of a taxi business at any time on Sundays or Bank Holiday Mondays or between 11 pm and 7 am on other days.

3 One taxi only shall operate from the site. All other taxis used by the applicant shall operate from ranks.

Reasons

1 Experience has shown that this type of use can become a considerable source of nuisance to neighbouring residential properties and a temporary permission will allow the Local Planning Authority to review the situation in the light of experience and to establish whether conditions can overcome potential problems.

2&3 To protect the amenities of this residential area.

NOTE

1 The applicant is advised that if he wishes to continue the use after the expiration of the permitted period it will be necessary for him to obtain a further permission.

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

Can

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0623/92 Type: FULL

Applicant: Mr B T Hilton
Tel: 0775 723626

Agent: Mr B T Hilton
0775 723626

Description: Taxi Service Base Station

Location: 111 Albion Street
Spalding
Lincs

Valid date: 08-JUN-92 Terminal date: 03-AUG-92
Target dates: Target Committee: 14-JUL-92
To case officer 13-JUN-92 Report deadline: 30-JUN-92
Inspected by 18-JUN-92
Extra contacts 23-JUN-92 Case Officer:
Report if not clear by 13-JUL-92 P J UDY

DEVELOPMENT/CONSTRAINTS

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

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Cllr Mrs A J Teale 0775 766412 (Of	11-JUN-92	25-JUN-92
Owner/Occ, 1 Willesby Road	17-JUN-92	01-JUL-92
Owner/Occ, 109 Albion Street	"	"
Owner/Occ, 113 Albion Street	"	"

L.C.C - No objections Jacs 18/6/92

PLANNING COMMITTEE - 13th May, 1992

370. PHOENIX HOUSE, BATTLEFIELDS LANE, HOLBEACH

The Committee considered a report of the Director of Planning and Building Control Services on complaints received that a business was operating from Phoenix House, Battlefields Lane, Holbeach and in respect of a noise nuisance from repairs to a boat being carried out from the same premises. From investigations it was considered that the existing business use did not constitute a material change of use of the premises. However evidence received shortly before the meeting suggested an intensification of this use and there were unconfirmed reports of car sales taking place.

With regard to the boat being repaired on the site, this was being undertaken as a domestic hobby and was not a breach of planning control.

RESOLVED:

(a) That no further action be taken under planning legislation in respect of the boat renovation as there is no breach of planning control; and

(b) In view of the alleged intensification of business activities on the site, this aspect be deferred for further investigations and a report to a future meeting.

371. UNAUTHORISED TAXI BUSINESSES OPERATING FROM 1 AVEBURY GARDENS, 111 ALBION STREET AND 89 HEREWARD ROAD, SPALDING

The Director of Planning and Building Control Services reported that complaints had been received in respect of 24 hour taxi businesses operating from three private dwellings in Spalding. The principal complaints were in respect of night time operation resulting in disturbance from telephones and cars arriving and departing at all hours of the day and night. Although there appeared to be a material change of use it was possible that the businesses might be able to continue if suitable planning conditions were imposed.

RESOLVED:

(a) That the proprietors of the taxi businesses be required to submit planning applications for change of use of the premises involved and that, subject to consideration of any further representations received, the Director of Planning and Building Control Services be authorised to grant temporary permissions for a period of two years with appropriate conditions designed to limit the effects of the use on the amenities of neighbouring properties, including the restriction of the hours of operation to between 7 am and 11 pm daily and limiting the number of taxis operating from each dwelling to one, the remainder to operate from the ranks provided in Spalding; and

371. UNAUTHORISED TAXI BUSINESSES OPERATING FROM 1 AVEBURY GARDENS, 111 ALBION STREET AND 89 HEREWARD ROAD, SPALDING (Continued)

RESOLVED:

(b) In the event of the required applications not being submitted for consideration within 28 days of the date of this meeting, the Director of Administration be authorised to take enforcement action under the provisions of Sections 172/173 of the Town and Country Planning Act 1990 requiring the cessation of operation of the businesses operating from 1 Avebury Gardens, 111 Albion Street and 89 Hereward Road, Spalding between 11 pm and 7 am and to restrict the number of taxis operating from the dwellings at all other times to one, within one month from the date that the enforcement notice takes effect, such notices being required in the interests of the amenities of neighbouring dwellings.

372. AMENITY AREAS FRONTING HORSESHOE ROAD, SPALDING (H16/0399/88) (44/92)

The Committee considered a report of the Director of Planning and Building Control Services on the discussions that had taken place with the developers and owners of these amenity areas, following which they had been reinstated to comply with planning permission H16/0399/88. However, a narrow footpath had been laid alongside the boundary fence of this amenity area to the rear of Plot No 12 on to Horseshoe Road, but there appeared to be a case for this to remain.

Discussions were currently taking place with landowners in order to resolve the question of future maintenance of the sites.

RESOLVED:

(a) That the progess made in relation to the amenity areas be noted; and

(b) No action be taken in respect of the footpath provided at the rear of Plot 12, Horseshoe Road.

373. THE BUILDING ACT 1984 - APPOINTMENT OF APPROVED INSPECTORS

The Committee considered a report of the Director of Planning and Building Control Services which advised that the Association of District Councils was seeking the views of member authorities in response to a Department of the Environment consultation paper on the appointment of approved inspectors for Building Control. The Government's proposals would extend the range of private certifiers into building regulation work, thus increasing competition and giving wider choice to persons proposing to carry out building works.

One of the major requirements of approved inspectors was the provision of adequate insurance cover, which must be provided by authorised insurers for a least 10 years from the issue of the final certificate and must be index-linked.

File Note.

H16/623/92
NRM/JJ

14th August 1992

TAXI BUSINESS 111 ALBION ROAD, SPALDING.

Meeting Mr Hilton on 11th August 1992

Mr Hilton called into the office at 11.45am because of his concern over a press report of the conditions imposed by the Committee on this planning application. I advised him that I did not know the detailed circumstances of the case, nor had I read the report or attended the Planning Committee meeting.

In fact, on checking the report it turned out that the time limit quoted in the newspaper was incorrect, and he was to some extent reassured by this, but he was still very concerned at the prohibition on Sunday and Bank Holiday workings. He wanted to know whether this meant that not even his radio could be used to alert cars on the rank. If he could not work on Sunday in particular, he thought it might well mean that he would have to close his business. I advised him that when he received the decision notice he should consider exercising his option to appeal against the condition, but in parallel with that he perhaps ought to write to us explaining the circumstances of his business the effect that a total ban on Sunday trading would have on it and it might be in his interest to approach his Solicitor to act on his behalf.

N Midlen
Principal Planning Officer
Development Control

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: Nigel Midlen, Principal Planning Officer (Development Control)
REF: PJU/H16/623/92
c.c E16/2333.92

TO: Director of Administration
REF: JMB/LST/PL24

DATE: 20th July 1992

SUBJECT: Enforcement Action, 11 Albion Street, Spalding

I intend to take this proposal to the Planning Committee as soon as possible, probably the meeting on 5th August 1992.

Should planning permission be granted then enforcement proceedings are no longer required during the life of the planning permission.

P.P.

N R Midlen
Principal Planning Officer (Development Control)

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning and Building Control Services

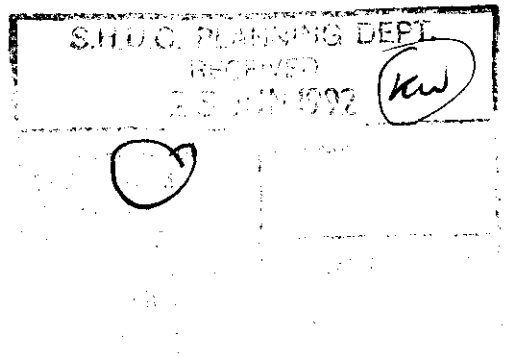
REF: JMB/LST/PL 24

YOUR REF: KW/E16/2333/92

Date: 24th June, 1992

SUBJECT: ENFORCEMENT ACTION - 111 ALBION STREET, SPALDING

Further to Minute 371 of the Planning Committee held on 13th May 1992 I understand that a planning application has now been received from Mr Hilton of Albion Taxis in respect of the taxi business being operated from the above premises. In view of the Committee's decision that any planning permission should contain appropriate conditions designed to limit the effects of the use on the amenities of neighbouring properties, including restriction of the hours of operation and the number of taxis operating from the dwelling, I understand that enforcement action is no longer required, and I should be pleased to receive your confirmation that no further action should be taken in this matter.



Director of Administration

H16 / 623/92

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 26.6.92

OUR REF: JC/SS/PC

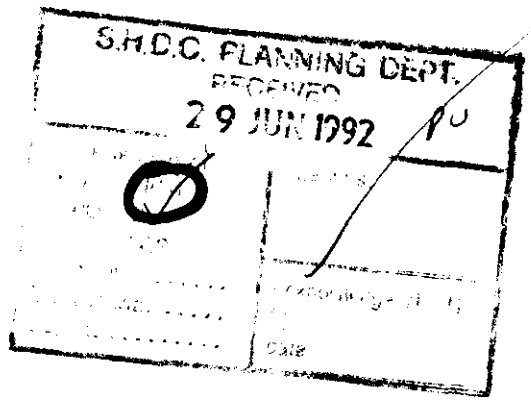
TO: DIRECTOR OF PLANNING & BUILDING CONTROL YOUR REF:

Planning Application H16/0623/92
Taxi business, 111 Albion Street

I remain of the opinion that such operations in a residential area comprising a terrace are unsuitable but if you are mindful to grant then the following conditions should be applied.

1. Restrict to one vehicle only.
2. Hours of operation restricted to 0700 - 2300 hrs.
3. Temporary permission for 2 years.

Director of Environmental Services



MR & MRS J. WILLOUGHBY
109. ALBION ST.
SPALDING.

[redacted]

PJ

June 30th 1992.

Application No:- H16/0623/92

Dear Sir.

Reference the application above to run a Taxi Service from 111 Albion Street Spalding, which is the home of MR B.T. Hilton we have no objections so long as the parking situation is altered so that we can park our ~~cars~~ at all times on our property which has access from Willesby Road. which has in the past been blocked by Taxis. They are running three cars and a Mini Bus also to keep the noise to a minimum after 12.00 midnight.

Yours Sincerely

MR & MRS J. Willoughby

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

OBJECTION

Application no: H16/0623/92

Applicant: Mr B T Hilton
111 Albion Street
Spalding
Lincs
PE11 2BA

Agent: Mr B T Hilton
111 Albion Street
Spalding
Lincs
PE11 2BA

Description: Taxi Service Base Station

Location: 111 Albion Street Spalding
Lincs

Type: FULL

17-JUN-92

Dear Sir/Madam,

PLANNING APPLICATION

I have received an application for planning permission which you may be interested in. The details of the application are shown above.

If you wish to see the application and plans they are available at the Planning Department during office hours (8.30 am to 5.15 pm Monday to Thursday, and 8.30 am to 4.45 pm Friday). If you have any observations about the proposal, they should be sent to me by 01-JUL-92, quoting the above reference number. Please note that I cannot guarantee confidentiality as your comments to be taken into account may need to be reported to Planning Committee and therefore be available for public inspection.

Should you need to contact the department, the officer dealing with this application is P J UDY .

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Owner/Occupier
1 Willesby Road
Spalding
Lincs

Please read overleaf.

S.H.D.C. PLANNING DEPT.
27 JUN 1992 PR

22/6

1 Willesley Rd
Spalding
Lincs
PE11 2AX
June 19th 1992

Dear Sir or Madam

Thanking You for your letter (overleaf) informing me of the Statutory planning petition on the premises (which, incidentally and unfortunately nearly reaches our back door.

While we wish every success for our Neighbour, who I may say is a nice neighbour, or I'm sure, co-operative if possible, the fact that Taxis going on & off all hours, & returning early hours has been, & can still prove very disturbing to us, in particular. - slamming car doors, revving, chatting whistled we are in bed as you will appreciate!

We also have Cars parked immediately in our front entrance, thus preventing my family (of 8) who own Cars, parking when they visit us. There have been numerous occasions when they have been forced to park at the entrance of Willesley Rd. and walk to us. and this is just not on! and could cause Grievances, and even aggression, which can be avoided with full co-operation & understanding by the Proprietors.

Failing this, I shall hesitate to approach the Housing Committee in view of rates Transfer, at Rear Exit. of as Taxi Reduction (which has entered my mind on occasions) Reluctantly, because I love this house and area, having lived in it for 55 years, (from a child.) Hope this letter been Boring to read, but I need to see the Plans at your office today, & after discussion was advised to write to you. giving our opinion. Once again, I wish the best of luck to our Neighbour and hope very sincerely that these points are considered in our favour & for all concerned.

Yours faithfully,
J C Robinson (MRS)

S.H.D.C. PLANNING DEPT.
RECEIVED
23 JUN 1992

587. PLANNING APPLICATIONS (Continued)

(a) Applications Granted

Plan No. and Applicant	Proposal
H16/0284/92 Spalding Pentecostal Church	Change of use to place of religious worship at 12 Haverfield Road, Spalding.
H16/0346/92 Longhurst Housing Association Ltd	Construction of four 1 bedroom bungalows and four 2 bedroom bungalows on site Off Atton Avenue, Spalding.

(It was also agreed that the Director of Planning and Building Control Services negotiate with the applicant the siting of the properties for disabled people to ensure that they are situated nearest to the car park.)

H06/0532/92 Albany Developments	O.A.	Residential development at Holmlea, Gedney Drove End.

(the word "enclose" in recommendation B was amended to read "endorse")

H11/0557/92 Miss P Worts	Change of use from offices to self contained flat at The Old Granary, Bull Lane, Long Sutton.
H09/0643/92 Mr & Mrs M Seaman	Extension to house at Creewood House, Creewood Close, Holbeach.
H16/0623/92 Mr B T Hilton	Taxi service base station at 111 Albion Street, Spalding.
H16/0631/92 Flowerscene	Change of use from retail and display to dried and artificial flower assembly - distribute including associated offices, etc at Home Improva, Stumps Lane, Spalding.
H08/0644/92 Mr & Mrs T H S Clarke	Retention of dwelling without complying with agricultural occupancy condition (Condition 2 of SR157/70) at Lansdown House, Chaintoft Lane, Gosberton.

H16/0711/92 Mr L Brooks	O.A.	Dwelling (renewal of outline planning permission H16/0845/89) at 1a Hereward Road, Spalding.

(The Director of Planning and Building Control Services confirmed that this property will be connected to the main sewerage system.)

H09/0562/92 Mr P Cunnington	O.A.	Residential development at Cranmore Lane, Holbeach.

(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:-

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

Mr P J Udy

PJU/JP/
H16/0623/92

ALD/SG.9544

29 October, 1992

Dear Sirs

111 Albion Street, Spalding - Taxi Service Base Station

I refer to your letter which was received on 8 September, 1992.

It is my opinion that the Planning Authority cannot control the use of the telephone. However, it is suggested that the telephone is situated in such a position that neighbours will not be effected by its ringing, since any complaint of nuisance will be investigated by the Environmental Services Department and any history of problems could well effect any application to continue beyond the two year period.

Yours faithfully

pp. N R MIDDEN
Principal Planning Officer (Development Control)

NRM saw this before + altered it before signed

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: ALD/SG.9544

Your Ref:

Date

7th September, 1992.

Dear Sirs,

RE: 111 Albion Street SPALDING Lincs
Taxi Service Base Station
REF: H16/0623/92

We are instructed by Mr. B. T. Hilton of the above address who intends to appeal against the conditions imposed on the permission granted relating to the above dated the 12th August, 1992.

We would be most grateful if you could let us have a photocopy of the initial application as our client did not retain a copy.

In the meantime we would be grateful if you would clarify condition 2, namely that the premises shall not be used for the purposes of a "taxi business" on Sundays, Bank Holiday Mondays or between 11pm and 7am on other days. Is it intended that this condition should prevent Mr Hilton from using telephone/radio for the purpose of the business between these times or is it merely to prevent him from causing taxis to draw up outside the property during these times?

We look forward to hearing from you in due course.

Yours faithfully,

Send to Andrew for action para 2. DS 8/9

S.H.D.C. PLANNING DEPT.
RECEIVED
- 8 SEP 1992

D. Smith Esq,.,
Director of Planning and Control Services,
South Holland District Council,
Council Offices,
Priory Road,
SPALDING,
Lincs.

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

FILE COPY

Knipe Miller & Co,
Dembleby House,
12 Broad Street,
Spalding,
Lincs.
PE11 1ES.

Mr P Udy

PJU/JJ
H16/0623/92
RAK.BB.8449
16 April 1998

Dear Sir,

111 ALBION STREET, SPALDING.

I reply to your letter dated 9th April 1998 received on the 14th April 1998.

The planning permission for a taxi service base station at this address was granted for a temporary period of two years. The planning permission lapsed in August 1994 and therefore it is my opinion that your Clients do not need a change of use so that the property can be used solely as a residence.

Yours faithfully

N Midlen
Development Control Manager

Rang Mr Billyard of Knipe Miller + Co.
He is happy for Mrs Taylor to pick letter up
PJU 16-4-98.

KNIPE MILLER & CO

PARTNERS
RICHARD A. KNIPE LL.B. *
DIANNE L. MILLER LL.B #
ASSISTANT SOLICITOR
STUART P. WILD B.Sc *

SOLICITORS
DEMBLEBY HOUSE
12 BROAD STREET
SPALDING LINCS PE11 1ES

Dx. 26707 SPALDING
Fax. 01775 725842

TEL. 01775 768774

Our Ref: RAK.BB.8449

Your Ref:

9th April, 1998

Dear Sirs,

111 ALBION STREET SPALDING - PLANNING PERMISSION H16/0623/92

We act for the prospective purchasers of the above property. Our Local Search reveals that the above permission was granted in 1992 to enable the property to be used as a Taxi Service Base Station.

We should be grateful if you could let us have a copy of the permission and enclose a cheque for £8 in respect of the fee.

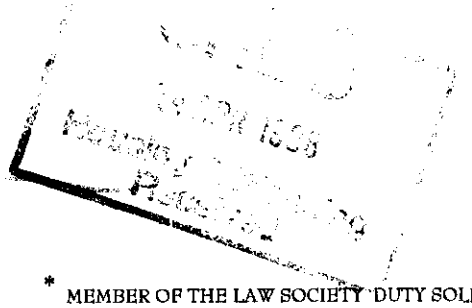
We understand that the property was for some time used as a taxi office but that use ceased late last year and the property is now empty.

Our clients have no interest in running a taxi business whatsoever and want to use the property as a residence only.

Quite clearly that was the established use before the 1992 permission. Do our clients need to apply for full planning permission now if they wish to use the property solely as a residence.

We look forward to hearing from you as a matter of urgency as our clients are anxious to proceed with their purchase as quickly as possible.

Yours faithfully,



Planning Dept.
South Holland District Council
Priory Road,
SPALDING
Lincs.

* MEMBER OF THE LAW SOCIETY DUTY SOLICITOR SCHEME
# MEMBER OF THE LAW SOCIETY CHILD CARE PANEL

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