APPLICATION NO. : H16 0655 92

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SOUTH HOLLAND DISTRICT COUNCIL

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Consent

Reference: H16/0655/92 Received:30-JUL-92 Type:CONS AREA CONSENT

Name: First National Commercial Bank
First National House
College Road
Harrow Middx HD1 1FB

Agent: John Mowlem Homes
Unit House
33 London Road
Reigate
Surrey RH2 9HZ

Description: Clearance of site/demolition of warehouses, showroom and offices
Location : 6, 7 & 8 High Street Spalding

South Holland District Council hereby give notice that CONSENT HAS BEEN GRANTED for the demolition in accordance with the application submitted subject to the following condition(s):

1 Demolition shall not be commenced before a contract for the carrying out of the works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.

Reason: Consent for the demolition has only been granted in view of the intended use of the site, and the Local Planning Authority are of the opinion that such demolition should take place only if redevelopment is certain.

The applicant is reminded that separate notification to the Council is required under Section 80 of the Building Act 1984 prior to any demolition and that Building Control Services should therefore be advised at the appropriate time.

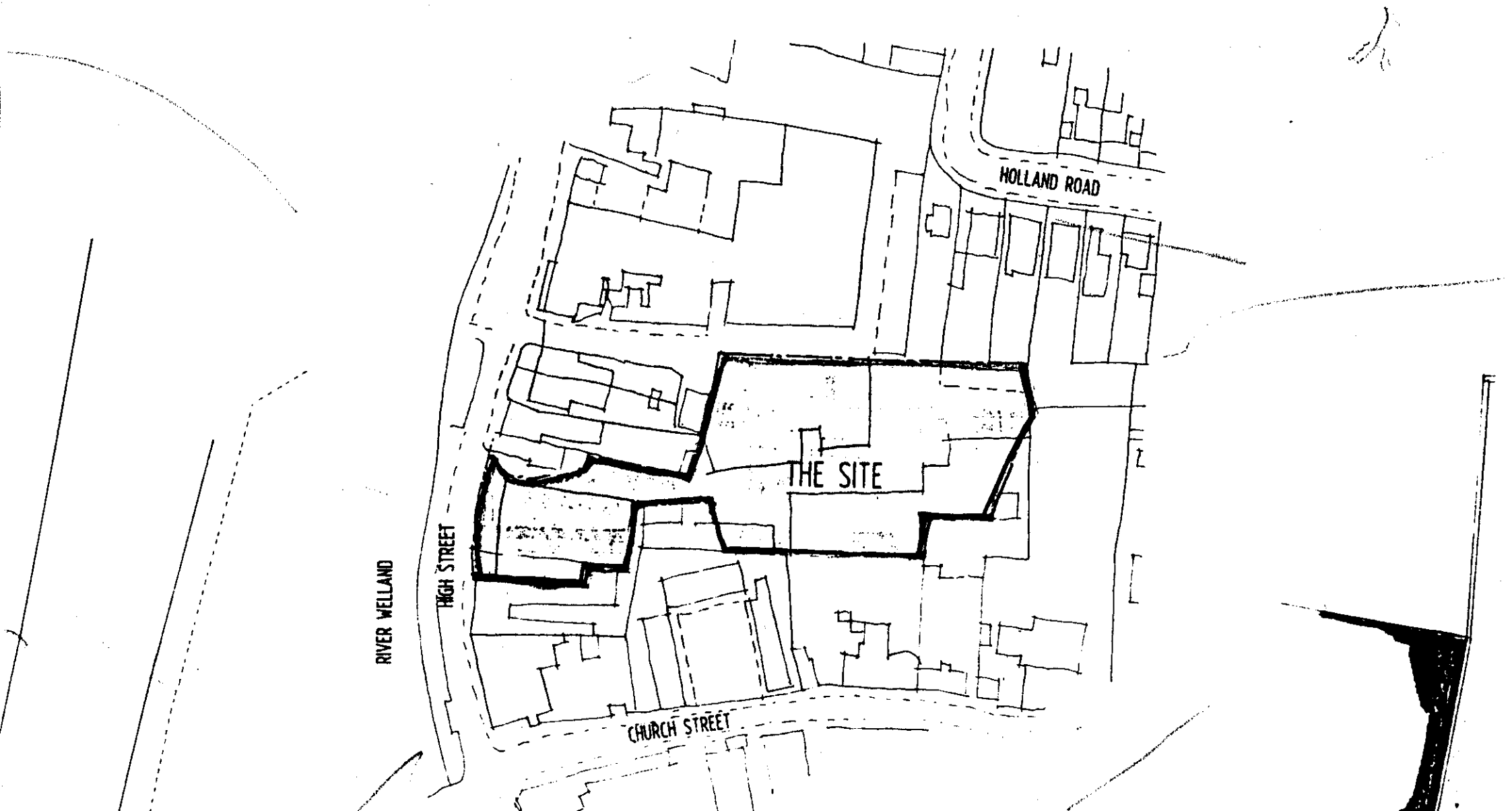
Director of Planning and Building Control Services
22-NOV-94 H16/0655/92

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)

H16/0655/92. LOCATION PLAN



H16|0655|92
15 JUN 1992

FIRST NATIONAL COMMERCIAL BANK
FIRST NATIONAL HOUSE
COLLEGE ROAD
HARROW MIDDX. HD1 1FB

JOHN MOWLEM HOMES
UNIT HOUSE
33 LONDON ROAD
REIGATE SURREY RH2 9HZ
0737 247511 Ext. 208
JAYE FORD

COPY

6, 7 & 8 HIGH STREET SPALDING LINCOLNSHIRE

CLEARANCE OF SITE ~~BEING~~ DEMOLITION OF WAREHOUSES, SHOWROOM AND OFFICES

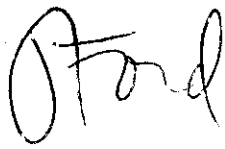
J Ford

10.6.92

H16/0632/92

✓
✓

Mortgagee in possession



11th June 1992

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes: Accuracy Neighbours Other

Boundaries Site Features

Inspected by:
date:

Case Officer Conclusions (issues)

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

Recommended approvals -

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

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

Recommend approval against material objection — Any objection received? No / If yes, is any obj. material? Yes / No — Yes ---- / 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. re: / 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:

Request has Plapp for the PDN 18-6

CONSULTATION/PUBLICITY REQUIRED

Publicity : General
Departure
Setting of LB Viz

Residents (Postal):

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 ..D Roberts..checked

Further direction: Precise details

Amended description:

Reconsultations required -
Parish Council
Ward Members N/A
Residents (Special letter sent to No. 9.)
Advertise
Other

New valid date ..30/1/92.. Re-Registered .....
Ack/Reception ..Has already..

ADMIN RECORD SHEET

INITIAL

Submitted Fee £ NIL

Receipt Issued ..... No. 15

Date First Received 15 JUN 1992

REGISTRATION

REFERENCE H16/0655/92

Cross-Ref R

Date 16/6/92 DAS

VALIDATION Date 15/6/92

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

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

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

Earlier permission ref .....

HM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

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

S65 Advert required ☐ Expiry date .....

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

Correct fee £ NIL Additional £ ..... Receipt no. .....

Refund £ ..... Issued .....

CONSTRAINTS Date 15.6.92

Index Sheets 23C1 OS Nos ..... Grid Ref 5 [illegible] 3 [illegible]

Ward CA Parish SPARKBROOK

Inside IBD YES Inside LB Area YES

TR Rural ☐ CA ☐ YES
TR Bypass ☐ LB ☐ Grade II
Level crossing ☐ TPO ☐
Footpath ☐ Other:

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

Planning Records:
Earlier apps 653/90
653/86 647/89
1492/91 647/85

B Reg Records:
Already submitted Ref.....
Requested .....

Inputs completed.....

Town and Country Planning Act etc

DRAFT PERMISSION

Reference: H16/0655/92 Received:30-JUL-92 Type:CONS AREA CONSENT

Name: First National Commercial Bank
First National House
College Road
Harrow Middx HD1 1FB

Agent: John Mowlem Homes
Unit House
33 London Road
Reigate
Surrey RH2 9HZ

Description: Clearance of site/demolition of warehouses, showroom and offices
Location : 6, 7 & 8 High Street Spalding

South Holland District Council hereby give notice that permission has been granted (or equiv) *on the following condition(s):*

1 Demolition shall not be commenced before a contract for the carrying out of the works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.

Reason: Consent for the demolition has only been granted in view of the intended use of the site, and the Local Planning Authority are of the opinion that such demolition should take place only if redevelopment is certain.

18-NOV-94 AD check.....18/11

Authorised to issue (inc Delegation).....21/11

+ SN 14 Demolition a B C.

Town and Country Planning Act etc

DRAFT PERMISSION

Reference: H16/0655/92 Received:30-JUL-92 Type:CONS AREA CONSENT

Name: First National Commercial Bank
First National House
College Road
Harrow Middx HD1 1FB

Agent: John Mowlem Homes
Unit House
33 London Road
Reigate
Surrey RH2 9HZ

Description: Clearance of site/demolition of warehouses, showroom and offices
Location : 6, 7 & 8 High Street Spalding

South Holland District Council hereby give notice that permission has been granted (or equiv) on the following condition(s):

1 Demolition of the buildings fronting High Street shall not be commenced unless either a contract for the carrying out the works of redevelopment on the site has been made or details of a 2 metre high fence or wall to screen the site from the High Street ~~and be~~ has been submitted to and approved by the Planning Authority. In the event that demolition is carried out without contract for redevelopment, the approved fence shall be constructed in its entirety within 2 months of the commencement of demolition works.

Reason:

28-OCT-94 AD check. M.31/10..... (Not checked against original audits)

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

SC 27

SC 67 Som

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Development Control Manager
Housing and Planning Services

To: Director of Finance and Resources
Client Manager (Resources)

Our Ref: S05/01 916/0675/02

Your Ref:

Date: 30 May 1996

DEMOLITION AND REDEVELOPMENT OF 6, 7 AND 8 HIGH STREET, SPALDING.

When Conservation Area Consent was granted for the demolition of the existing buildings on the above site, the standard condition relating to demolition not commencing until a contract for redevelopment had been made was imposed. I have always interpreted this condition as meaning that a contract between the owner/developer and his builder should be entered into, but in this case the site has been bought by a builder who intends to develop it himself. How, in these circumstances can be comply with this condition? I advised him that the contract would have to be with ourselves, and I enclose a copy of his letter agreeing to enter into an appropriate Section 106 Obligation. I also enclose plans of the site for incorporation into the Obligation.

P Wilson
Development Control Manager

Encs

TELEPHONE MESSAGE - 14 DEC 94 0840am

From:

Richard Longstaff
Longstaff & Co

To:

Nigel Midlen

JOHNSON BROTHERS - HIGH ST, SPALDING

With reference to their letter of 28 Oct 94.

Enquiry was:

a. Retail:

(1) Make use of existing building or;

(2) Demolish and New Build.

b. Office Use:

Proposed new front building as Offices rather than Flats.

c. Other:

Change of use of site for Leisure Use.

He is away today but asked that his enquiries be discussed with Highways asp.

Steve Thorn

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

Your Ref: NRM/JJ/H16/0632/92
H16/0655/92

Director: J. Emmerson BSc MSc PhD CEng FICE

My Ref: CB/Plan11

Principal Planning Officer
Development Control
Department of Planning &
Building Control
South Holland District Council
Council Offices
Priory Road
Spalding
PE11 2XE

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

21st November 1994

Dear Sir

FORMER JOHNSON BROS. SITE AT HIGH STREET SPALDING

I refer to your letter of 16th November and the proposals put forward by Longstaffs, concerning the possible uses of this site, in their letter to you of 28th October 1994.

I assume, from Longstaff's letter, that the proposed uses for this site are made on the understanding that the existing buildings fronting High Street are to remain.

Based on this assumption my comments to each of the proposals are as follows:-

1) Retail
Bearing in mind the very difficult access to and from this site via High Street I would not wish to see the site developed for food retail on the majority of this site. However bearing in mind the site is within the Town centre I would not object to non-food retail subject to the condition that no customer parking is made available. Customers would be expected to park in existing car parks and walk to the site.

2) Office Use
I would not object to such a proposal subject again, to no car parking being provided for staff. However I would prefer to see all of the site used for this purpose and the residential use removed due to the access problems.

3) Leisure Use
I would also not object to such uses again with no car parking provision made at the site.

I would point out that for residential development the existing buildings would need to be removed.

Yours faithfully

Director of Highways and Planning

BRIA **1ITH** 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: H16/0655/92 Type: CONS AREA CONSENT

Applicant: First National Commercial Agent: John Mowlem Homes
Tel: 0737 247511 Ext 208

Description: Clearance of site/demolition of warehouses, showroom and offices

Location: 6, 7 & 8 High Street
Spalding

Valid date:	30-JUL-92	Terminal date:	24-SEP-92
Target dates:		Target Committee:	05-AUG-92
To case officer	04-AUG-92	Report deadline:	22-JUL-92
Inspected by	09-AUG-92		
Extra contacts	14-AUG-92	Case Officer:	
Report if not clear by	03-SEP-92	N R MIDLEN	

DEVELOPMENT/CONSTRAINTS

Size:
Category:
Listed building: LISTED BUILD SETTING
Conservation Area: SPALDING

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Cllr E N Davies	18-JUN-92	02-JUL-92
Cllr J Goodley	18-JUN-92	02-JUL-92
Cllr G Teale	18-JUN-92	02-JUL-92
Site/Press Advert CSA	23-JUN-92	14-JUL-92

BRI[illegible]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: H16/0655/92 Type: CONS AREA CONSENT

Applicant: First National Commercial Agent: John Mowlem Homes
Tel: 0737 247511 Ext 208

Description: Clearance of site/demolition of warehouses, showroom and offices

Location: 6, 7 & 8 High Street
Spalding

Valid date: 15-JUN-92 Terminal date: 10-AUG-92
Target dates: Target Committee: 05-AUG-92
To case officer 20-JUN-92 Report deadline: 22-JUL-92
Inspected by 25-JUN-92
Extra contacts 30-JUN-92 Case Officer:
Report if not clear by 20-JUL-92 ~~P J UDY~~ N Mullen

DEVELOPMENT/CONSTRAINTS

Size:
Category:
Listed building: LISTED BUILD SETTING
Conservation Area: SPALDING

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Cllr E N Davies	18-JUN-92	02-JUL-92
Cllr J Goodley	18-JUN-92	02-JUL-92
Cllr G Teale	18-JUN-92	02-JUL-92
Site/Press Advert CSA	23-JUN-92	14-JUL-92

FIRST NATIONAL

First National Commercial Bank Plc
First National House, 15-19 Dyke Road, Brighton, East Sussex BN1 3FX Telephone: 0273-329711
Fax: 0273-821339 DX: 36667 Brighton 2

N. Midlen, Esq.,
Principal Planning Officer
South Holland District Council
Council Offices
Priory Road,
Spalding
Lincolnshire, PE11 2XE

16th November 1994

Our Ref: JBH/GO/TC.35/89

Your Ref: NRM/JJ/H16/0632/92
H16/0655/92

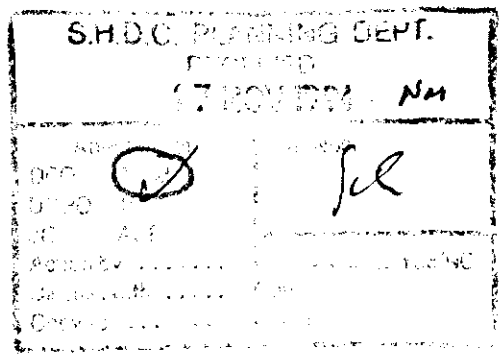
Dear Mr. Midlen,

6, 7 & 8 High Street, Spalding
Clearance of Site and Development of 27 Dwellings

I refer to my letter of 21st October and to our telephone discussion on 27th October. The Bank is anxious to receive the Decision Notices without further delay and I would be grateful if you could arrange accordingly.

Yours sincerely,

J B HOLMES
LEGAL DEPARTMENT



Lincolnshire County Council,
Highways and Planning Dept.
City Hall,
Beaumont Fee,
Lincoln.
LN1 1DN.

Mr N Midlen

NRM/JJ H16/0632/92
H16/0655/92

16 Nov 1994

FAO: Chris Briggs

Dear Sir,

FORMER JOHNSON BROS. SITE AT HIGH STREET, SPALDING.

I enclose herewith a letter from Longstaffs concerning the possible future of the former Johnson Bros. site at High Street.

They make the point that highway considerations are important on this site, and this is certainly the case, because, as you know, it is now virtually impossible to turn into Bath Lane from High Street and thus gain access to the site, and I would be most interested to receive your views on the suggestions he puts for its future.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

Enc.

Longstaffs,
5 New Road,
Spalding,
Lincs.
PE11 1BS.

Mr N Midlen

NRM/JJ H16/0632/92
H16/0655/92
CRML/CW

04 Nov 1994

Dear Sir,

FORMER JOHNSON BROS SITE - HIGH STREET, SPALDING.

I thank you for your letter of the 28th October, and can inform you that the Decision Notices relating to the site are in the process of being printed, and should be issued very shortly.

As far as alternative uses or development of the site is concerned, you are quite right that highway considerations are particularly important on this site, given the existing extremely poor access onto Bath Lane. I have therefore, forwarded a copy of your letter to the County Highways Department with a request that they let me have their views. Once these have been received, I will reply to you.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

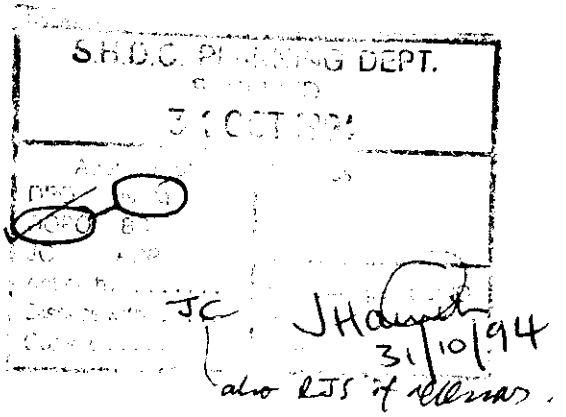
Est. 1770

LONGSTAFF

CHARTERED SURVEYORS
AUCTIONEERS, VALUERS & ESTATE AGENTS

5 New Road, Spalding, Lincs. PE11 1BS. Tel. (01775) 766766 Fax. (01775) 762289

Your ref: Our ref: **CRML/CW** Date: 28 October 1994.



For the attention of N. Midlen Esq.
Planning Department,
South Holland District Council,
Council Officers,
Priory Road,
SPALDING,
Lincolnshire.

Dear Sirs,

Re: Former Johnson Bros Site - High Street, Spalding.

We understand that following the Section 106 Agreement being signed by our clients, First National Commercial Bank Plc that the planning permission for the residential application on this site should soon be forthcoming and we wonder if you could just let us know when you expect it to come to hand.

Following recent discussions with our clients, we have also been asked to look into the question of alternative use on the site and following my Assistant's discussion with Mr Roberts of your office on the 27th October 1994, we write to enquire further with regard to the following possibilities:-

1. Retail:

We appreciate that the site has some history of retailing on the garden product and as florists when owned by Johnsons. What would your views be if someone were to apply for that scale of retailing that was previously carried on from the showrooms etc at the front of the site and what would your further views be on a more extensive application for retailing such as for a retail food operator who would utilize the majority of the site either for building or for car parking purposes?

2. Office Use:

Taking into account that the proposed building in the present application fronting onto High Street could be adapted for office use rather than residential, what would your views be were such a building to be utilized for offices, the necessary car parking provided behind and the remainder of the site to the rear still developed for residential purposes?

Continued...../

For the attention of N. Midlen Esq.
Planning Department.

3. Leisure Use:

We are from time to time approached by Leisure Operators for premises that could be used for some of the follows: indoor ten pin bowling alley, indoor skating rink, indoor snooker hall and that similar type of operation. Subject to providing car parking, what would your views be on a leisure type use on the site?

Generally, we appreciate that highway consideration is important to this site but no doubt the significant decrease in traffic passing the site after the by-pass opening in the Spring of 1995 will need to be taken into account.

We should mention that the site that our clients have an interest in excludes the office building on the north side of Bath Lane where it joins High Street but includes the remainder of the showrooms on the frontage, and the commercial buildings and yard formerly occupied by Johnsons all through to the rear.

We look forward to hearing from you as soon as convenient and appreciate any views given at this stage are without commitment and would of course be subject to formalization with the planning decision following an application.

Yours faithfully,

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC) To: Director of Administration
Planning and Building
Control Services

Our Ref: NRM/JJ H16/655/92
H16/632/92

Your Ref: JMB/KS/PL.492

Date: 25 Nov 1993

6, 7 AND 8 HIGH STREET, SPALDING, CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS - 106 OBLIGATION.

I thank you for your memorandum of the 4th November 1993, however I am not able to do as you request a) because I do not know what areas of land the applicants will decide they can convey individually, and which areas will remain common and b) because the scale of the plan you supplied is far too small to do so accurately were I to have that knowledge.

Is such a degree of detail necessary? I passed you through some correspondence in September from the First National Commercial Bank where they indicated how they felt the matter should be handled. I gather that this is the way they have dealt with similiar situations in the past. Can I suggest that you contact Mr Holmes at the Bank directly since he seems to have had some experience of these arrangements.

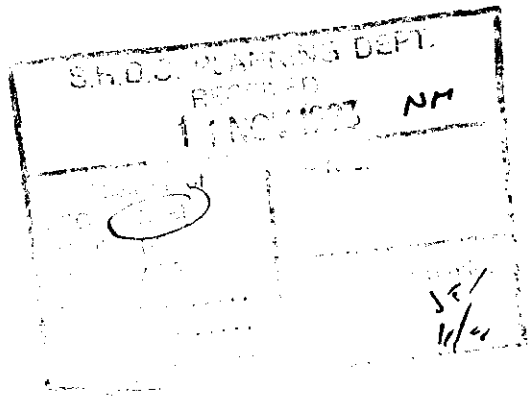
N Midlen
Principal Planning Officer
Development Control

FIRST NATIONAL

First National Commercial Bank Plc

First National House, 15-19 Dyke Road, Brighton, East Sussex BN1 3FX Telephone: 0273-329711
Fax: 0273-821339 DX: 36667 Brighton 2

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



Our Ref: JBH/JRD/TC.35/89'B'
Your Ref: NRM/JJ H16/0655/92

10th November 1993

Dear Sir,

RE: 6, 7 & 8 High Street Spalding
Clearance of site and development of 27 dwellings

Further to this matter and to our recent telephone discussion may I please ask you to request your Legal Department to expedite delivery of the draft Section 106 Agreement for approval.

You mentioned that you had received a communication from your legal colleague requesting detailed plans for the estate road etc, but obviously these will not be available until the eventual submission of the reserved matters for the approval of your department and as I see it the Council's requirements can be achieved by mere reference to a plan which will identify the site and by incorporating clauses along the lines indicated in my letter to you of 21st July 1993.

I would be grateful for your early reply.

Yours faithfully

JOHN B. HOLMES
LEGAL DEPARTMENT

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC) To: Director of Administration, Planning and Building Control Services

Our Ref: S97/1 S/0/0865/92Z
H16/0892/92

Your Ref:

Date: 01 Oct 1993

RE: 6, 7 AND 8 HIGH STREET, SPALDING - CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS.

Thank you for your letter of 14th September, and apologise for not advising you of the purpose of the Section 106. This is as recommended in my Committee report, i.e. to ensure the satisfactory future maintenance of the access road and the other common parts of the estate. Not in addition I think also the maintenance of the street lighting which will be required by planning condition. I enclose herewith copies of the necessary plans.

S. Bagshaw
Principal Planning Officer
Development Control

Enc.

AI ICATION REFERENCE: H16/0632/92 DATE RECEIVED: 30-JUL-92

TYPE: Full

DESCRIPTION: 25 residential dwellings including 18 houses and 7 flats with 44 car parking spaces

LOCATION: 6, 7 and 8 High Street, Spalding, Lincolnshire

APPLICANT: First National Commercial Bank AGENT: John Mowlem House

APPLICATION REFERENCE: H16/0655/92 DATE RECEIVED: 30-JUL-92

TYPE: Conservation Area Consent

DESCRIPTION: Clearance of site/demolition of warehouses, showroom and offices

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 13 Apr. 93 Sub-Ctee

LOCATION: 6, 7 and 8 High Street, Spalding, Lincolnshire

APPLICANT: First National Commercial Bank AGENT: John Mowlem House

---

RECOMMENDATION

That the Director of Planning and Building Control Services be authorised to negotiate with the applicants a satisfactory scheme to guarantee the future maintenance of the access road, and upon completion of those negotiations application H16/0632/92 and H16/0655/92 be reported to the Planning Sub-Committee for determination.

REPRESENTATIONS

County Highways: Aware that in the past permission has been granted for sheltered accommodation, despite the poor access under an archway, and it is also appreciated that Bath Lane has an industrial/business use which is obviously dangerous in terms of existing access. However, concerned at the provision of private dwellings on this site via an inadequate access under an archway, will a refuse vehicle be able to gain access to the site? Access road not considered to be appropriate for adoption, bearing in mind the poor access, but if permitted the Council could be faced with requests for adoption. Prefer to see a much lower traffic generating use.

E ronmental Health: Express concerns of proximity of dwellings to existing mill, with potential for noise, smell and possibly dust nuisance. Also close to the Courtyard, which although closed would, if reopened, also cause nuisance problems.

Public: Received from 9 High Street - summarised:
- Application includes small area of land belonging to 9 High Street.
- Also door of 9 High Street's garage opens outwards and would obstruct proposed pathway. (Application now amended so as not to include 9 High Street's land).

PREVIOUS DECISIONS

H16/0659/86 - High density residential development and sheltered housing - Approved.
H16/1147/89 - Residential development and sheltered housing scheme for 41 units - Authority given to issue permission subject to Section 106 Agreement re: Age limitation.

PLANNING ISSUES

1 Given the previous decisions of the Planning Committee to approve high density development and sheltered housing on the site, the determining issues are whether the current proposal is sufficiently different in terms of:
(a) The inadequacy of the access.
(b) The potential for nuisance caused by adjoining uses.
to justify the grant of permission.

2 The site is situated in the heart of the Spalding Conservation Area, close to High Bridge, the frontage flanked on either side by buildings scheduled as special architectural and historic interest. It was for many years used for the maintenance, repair and sale of agricultural machinery, and consequently has an established general industrial use.

3 Although there was an office and showroom block on the High Street frontage (which would have to be demolished to enable the current development to proceed), the main access to the site for large industrial machines was via Bath Lane. This is a very narrow lane, with a totally blind junction to High Street, and it is, in one sense, perhaps fortunate that the use has closed down, because this access is so poor that with the one-way system, serious hold-ups would inevitably occur where large vehicles would attempt to use it.

4 Although the frontage of the site is not adequate to enable the County Council's standard visibility splays to be provided, the access currently proposed, and those of the schemes proposed in the past, are much better than the existing Bath Lane access, and the Committee in considering past residential schemes considered this to be an improvement on the existing situation, which they recognised could recommence at any time.

5 Similarly, although the Environmental Services Department expressed reservation in the past over residential development of the site, the Committee felt that, given the position of the site close to the town centre, and the existence of numerous dwelling houses very close to the Mill and the Courtyard discotheque, that in principle residential development was acceptable.

6 Application H16/1147/89 which was considered by the Planning Committee in March 1991, when they authorised me to issue permission subject to a Section 106 Agreement limiting the age of occupants, provided for 44 sheltered persons flats. One block of flats situated on the High Street frontage, with the access to the site being via an archway. It was considered that, given the sensitive situation of the site in the Conservation Area adjoining Listed Buildings, that this was an appropriate solution. The County Highways Department did not object to it. The current proposal has a virtually identical frontage block, with an identical access archway, but this time the County has registered an objection.

7 Similarly, although H16/1147/89 provided for a private access road through to the remainder of the development, which the County Highways department did not object to, they are now objecting to the provision of a private access road to the rear of this development. Their change of view is on the basis that the 25 houses proposed for this scheme, would generate a higher amount of traffic than the 44 sheltered persons flats.

8 As far as the archway is concerned, I remain convinced that this is the appropriate way to reconcile the problems of access with the appearance of Conservation Area. At present, the site is an eyesore on the frontage; this solution would result in a considerable improvement visually. The access archway is 4.8 metres high, while the height of vehicles such as refuse vehicles is normally 3.9 metres, there should therefore be no problem of service vehicles accessing to the site.

9 There is, however, a difference between accepting a private driveway to flats and a private driveway to the series of houses. Although the specification of the road can be made sufficiently high to provide a satisfactory access, houses are likely to be sold freehold, whilst flats or sheltered housing accommodation is likely to be leasehold and there would therefore be somebody capable of regularly maintaining the roadway.

10 The Planning Committee could safely accept the private roadway to residential dwellings, I feel that it is essential that adequate arrangements are made to ensure that this roadway is maintained to an adequate standard in the future.

11 The Environmental Services Department have been consistent in expressing their concern about residential development on this site, but in the past the Planning Committee has overruled their objection. The question rises whether this particular form of development is more "noise sensitive" than those approved by the Planning Committee. It may be questionable whether elderly people are more or less sensitive to noise and smell nuisance than the average occupier of dwellings, but it is true that the current proposal provides for private gardens, which could be affected by noise and smell, whilst this did not apply to the sheltered housing scheme. Nonetheless given the situation of the site, and the problems which could be caused if the existing general industrial use started up again, the site is extremely close to residential properties and I remain of the opinion that the appropriate future use of the site is residential.

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: Principal Planning Officer (DC) To: Director of Administration
Planning and Building Control
Services

Our Ref: NRM/JJ H16/655/92
H16/632/92

Your Ref:

Date: 10 Sep 1993

6, 7 AND 8 HIGH STREET, SPALDING - CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS.

I enclose herewith recent correspondence I have had with First National Commercial Bank Plc, in which you see that they agree to a 106 agreement and also suggest the matter could be covered.

N Midlen
Principal Planning Officer
Development Control

Enc.

FIRST NATIONAL

First National Commercial Bank Plc

First National House, 15-19 Dyke Road, Brighton, East Sussex BN1 3FX Telephone: 0273-329711
Fax: 0273-821339 DX: 36667 Brighton 2

N Midlen Esq
Principal Planning Officer
South Holland District Council
Planning & Building Control Department
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

NRM/JJ
H16/0655/92
H16/0632/92

JBH/GPD
TC.35/89'B'

3 September 1993

Dear Sir,

RE: 6, 7 & 8 HIGH STREET, SPALDING
CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS

Thank you for your letter of 27th August, the contents of which have been duly noted.

In the circumstances, will you please arrange with your Legal Department for the submission of a draft Section 106 Agreement to me for approval.

Yours faithfully,

John B. Holmes
Legal Department

S.H.D.C. PLANNING DEPT.
- 6 SEP 1993 NM

First National Commercial
Bank Plc,
First National House,
15-19 Dyke Road,
Brighton,
East Sussex,
BN1 3FX.

N Midlen

NRM/JJ H16/0655/92
H16/0632/92
JBH/EJS/TC.35/89'B'

27 Aug 1993

Dear Sir,

6, 7 AND 8 HIGH STREET, SPALDING, CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS.

I thank you for your letter of the 21st July 1993, which awaited me on my return from holiday.

I think that the method you suggest for ensuring the continued maintenance of the common parts of the development i.e. a management company with occupiers being the shareholders, is the appropriate way of dealing with the situation, and it is a method that I believe has been used elsewhere in the District in similar situations.

It is the normal policy of the Planning Committee to require such arrangements to be enshrined in a Section 106 Agreement, rather than relying on a planning condition. There are, I think, historically several reasons for this, one of which is that legal agreements appear to be afforded more respect by purchasers (and their solicitors) than planning conditions, and secondly the extreme slowness of the Planning Enforcement procedure although as far as conditions are concerned the situation may now be improved by the Condition Compliance Notice procedures.

As matters stand, I am authorised to issue the relevant Planning and Conservation Area Consents once an appropriate 106 Agreement has been entered into, and it would be necessary to report the whole situation back to the Planning Committee to obtain authorisation to impose a planning condition instead of a 106 Agreement. I do not know whether the Committee would be prepared, in the event, to agree to a change in

their normal procedure. The concept of privately maintained roads in a housing estate was somewhat controversial and I wonder whether it would be in your interests to raise this matter again. In the circumstances, although I appreciate that the alternative option is a possibility, I would advise that you should continue along the route of a Section 106 Agreement.

Yours faithfully

N Midlen
Principal Planning Officer
Development Contro

AL NDUM

These applications were deferred by the Planning Committee at their meeting on the 5 September 1992 for:

(i) The applicants to put forward a scheme to guarantee the future maintenance of the access road.
(ii) To negotiate an improvement to the design of the development in relation to the adjoining business premises.

1 The applicants have now amended their scheme, deleting a number of houses close to the adjoining Oldacres Mill and substituting flats. Other houses have been designed to minimise the impact from neighbouring properties.
2 Subject to a condition requiring adequate sound proofing, Environmental Health are satisfied with the proposal.
3 The applicants have also indicated that a management company will be set up to maintain the roadway. Thus the layout will be managed in a similar way to a development of flats, where the normal arrangement is that the private access roads are not maintained by the County.
4 A letter of objection has been received by agents acting on behalf of Oldacres Mill as follows:

(i) Oldacres Mill immediately to the north and has been established for many years. Concerned residential development would be wholly inappropriate given location next to the Mill with problems of noise generation.
(ii) Aware of outline planning permission and reserved matter application. However, former has expired and latter not yet been issued. Aware that current scheme incorporates design measures to help overcome siting in relation to Mill. Still concerned.

RECOMMENDATION

That subject to the applicants submitting a satisfactory legal agreement to cover their maintenance arrangements, the Director of Planning and Building Control Services be authorised to grant permission, subject to appropriate conditions, including a condition requiring sound proofing and street lighting.

FIRST NATIONAL

First National Commercial Bank Plc
First National House, 15-19 Dyke Road, Brighton, East Sussex BN1 3FX Telephone: 0273-329711
Fax: 0273-821339 DX: 36667 Brighton 2

N. Midlen, Esq.,
Principal Planning Officer,
Development Control,
South Holland District Council,
Priory Road,
Spalding,
Lincolnshire,
PE11 2XE

21st July, 1993

Our Ref : JBH/EJS/TC.35/89'B'

Your Ref : NRM/JJ H16/0632/92
& H16/0655/92

Dear Sir,

Clearance of site and development of 27 dwellings,
6, 7 & 8 High Street, Spalding

Your letter of the 18th June addressed to John Mowlem Homes has been passed to me for attention. This Bank is Mortgagee of the above-mentioned site.

I note that you are proposing for the Section 106 Agreement to be completed to secure the maintenance of the estate road and the provision of adequate lighting for the same. It seems to me that if the estate road is not going to be adopted then the purchaser of each unit will need to be granted rights of way thereover, subject to a covenant to contribute a rateable proportion of the cost of maintenance of the roadway, the lighting thereof and the other common parts. Obviously a developer of the site will cease to have any interest in the roadway after the last unit has been sold and therefore, as I see it, the only method of guaranteeing the continued repair and maintemance is to form a management company for such purpose, the shares in which are distributed amongst the owners of the units which form the development.

I therefore suggest that the Council's requirements can be achieved by imposing an additional condition in the Planning Permission to the effect that building works shall not commence unless and until the Council has approved a scheme (such as one outlined above) to ensure the continued maintenance of the estate road. By proceeding in this way, surely a Section 106 Agreement will not be necessary.

I will await to hear from you.

Yours faithfully,

J.B. HOLMES
Legal Department

S.H.D.C. PLANNING DEPT.
RECEIVED
23 JUL 1993

MEMORANDUM

SOUTH HOLLAND DISTRICT COUNCIL

FROM: Director of Administration

TO: Director of Planning & Building Control Services

OUR REF: JMB/MJP/PL.669

YOUR REF: NRM/JJ H16/655/92
H16/632/92

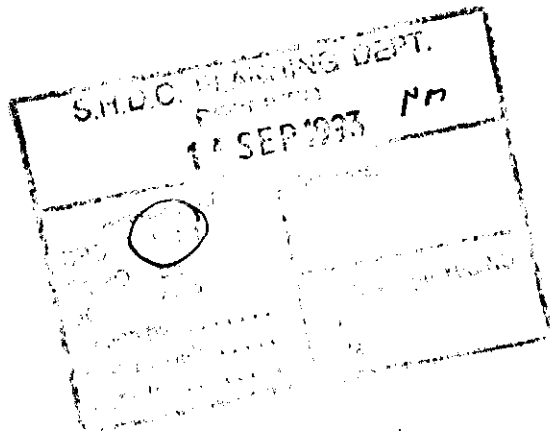
DATE: 14th September 1993

SUBJECT: 6, 7 AND 8 HIGH STREET, SPALDING - CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS

I refer to your memorandum dated 10th September, 1993 relating to the above. You do not state in your memorandum what the Planning Obligation is required to achieve, and I should be grateful if you would advise me further. Please also let me have 4 copies of a plan showing the application site edged in red, and copies of the application forms.

I look forward to hearing from you in due course.

Director of Administration



John Mowlem Homes,
Unit House,
33 London Road,
Reigate,
Surrey,
RH2 9HZ.

M. K. Midlen

ASM/TJ B16/0632/92
B16/0655/92
JP/AA

18 Jun 1993

Dear Sir,

CLEARANCE OF SITE AND DEVELOPMENT OF 27 DWELLINGS, 6, 7 AND 8 HIGH STREET, SPALDING.

I am glad to be able to advise you that the Planning Sub-Committee, at their meeting on the 24th May, resolved to authorise me grant to Conservation Area Consent and Planning Permission for the clearance and redevelopment of the site subject inter alia to conditions relating to sound proofing near the adjoining Mill, and the provision of adequate street lighting, once an enforceable legal agreement or obligation has been entered into to ensure the satisfactory future maintenance of the roadway, the lighting, and the other common parts of the estate. I would suggest, therefore, that your Clients Solicitors draw up a draft agreement to cover these points and submit it to me as soon as possible.

Whilst being prepared, subject to the above provisions, to grant planning permission for your redevelopment scheme, members of the Sub-Committee thought that it would be preferable if an access could be achieved to at least part of the site via Holland Road, since this would reduce the amount of traffic entering the site off High Street, where the visibility splays are less than perfect, and would enable the road to be taken over and maintained by the County Council. I will, therefore, be looking into whether there is any possibility of such an access, and will write to you further over it.

Yours faithfully

K Midlen
Principal Planning Officer
Development Control

First National Commercial Bank Plc
First National House, College Road, Harrow, Middlesex, HA1 1FB Telephone: 081-861 3717
Fax: 081-861 4540 DX: 4250 Harrow 2

N. Midlen, Esq.,
South Holland District Council,
Council Offices,
Priory Road,
Spalding,
Lincolnshire. PE11 2XE.

7th October 1992,

Our Ref: AJT/LL

Dear Mr. Midlen,

re: 6, 7 & 8 High Street, Spalding

Thank you for your letter dated 23rd September 1992.

I have subsequently spoken with one of your colleagues and arranged to attend your offices at 11.00 a.m. on the 20th October 1992. I shall be accompanied by my colleague David Poulter whom you have met in the past.

I look forward to seeing you again.

Yours sincerely,

A.J. Turzynski
Advances Manager

S.H.D.C. PLANNING DEPT.
RECEIVED
- 8 OCT 1992
Attention of
DPO DIRM
DCPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....
File Nos.

John Mowlem Homes,
Unit House,
33 London Road,
Reigate,
Surrey.
RH2 9HZ.

Mr N Midlen

NRM/JJ H16/0532/92
S16/0655/92
NI/VA

23 Sep 1992

Dear Sir,

CONSTRUCTION OF 25 DWELLINGS AT 6, 7 AND 8 HIGH STREET, SPALDING - FIRST NATIONAL COMMERCIAL BANK.

Your application on behalf of First National Commercial Bank for 18 houses and 7 flats at 6, 7 and 8 High Street, Spalding was considered by the Planning Committee at their meeting on the 15th September, and I was authorised to go back to you for discussions on two matters of concern.

Firstly, part of the site is immediately adjacent to Oldacres Mill, and in particular to the main access to the Mill. Members were, consequently, concerned that the lorry traffic and other activities at the Mill would cause detriment to residents, and particularly to the residents of properties 1 - 6. The Committee felt there was considerable difference over the potential effect of the Mill on the development proposed, with its rear garden space, compared with the flat development that was previously proposed for the site, which had been designed with no individual gardens, and any communal open space screened by the building blocks. It was felt that there was urgent need for some redesign of the scheme to overcome this problem.

Secondly, there was concern over the access road, and how it would be maintained in the future. Again, Members felt there was a difference between this proposal, with individual houses which would presumably be sold to owner/occupiers and the previous proposals they considered which consisted of flats. With flat development, even if the flats were sold on a leasehold basis, they would normally be a ground landlord who would retain the ownership of the roadway, and have no

obligation to maintain it in a satisfactory state. With individual houses, the situation is not so straight forward and the Committee felt that before they could agreed to a roadway which was not to be adopted by the County Council, they must know what arrangements would be made to ensure the effective maintenance of the road in the future and they would need to be certain that such arrangements were binding.

If you would like to discuss this matter further, I would be happy to agree to a meeting with either myself or another member of the Planning staff, together with a member of the Environmental Services Department.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
C[illegible] Offices,
Prio[illegible]y Road, Spalding,
Lincolnshire. PE11 2XE

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H16/0655/92

Applicant: First National Commercial Bank
First National House
College Road
Harrow Middx HD1 1FB

Agent: John Mowlem Homes
Unit House
33 London Road
Reigate
Surrey RH2 9HZ

Description: Clearance of site/demolition of warehouses, showroom and offices

Location: 6, 7 & 8 High Street
Spalding

[illegible] JUL [illegible]

Type: CONS AREA CONSENT

Date received: 15-JUN-92

20-JUL-92

Dear Sir/Madam

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

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

The ownership certificates need to be amended according to the attached letter.

Please return the additional copy of this letter with your reply.

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

Yours faithfully

Principal Administrative Officer

Unit House
33 London Road
Reigate,
Surrey,
RH2 9HZ

Tel: (0737) 247511/241177

Fax: (0737) 247554/223912

DX: 54109 Reigate 2

NT/VA

29th July, 1992

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

FOR THE ATTENTION OF MR N MIDLEN

Your ref: NRM/JJ H16/0632/92
H16/0655/92

Dear Sirs,

re; **PROPOSED DEMOLITION OF WAREHOUSES, OFFICES ETC. AND CONSTRUCTION OF 25 RESIDENTIAL DWELLINGS AT 6, 7 AND 8 HIGH STREET SPALDING**

I refer to your letter and enclosures dated 10th July 1992.

Dealing with the two issues you have raised regarding the section of boundary wall and garage serving No. 9 High Street, I have discussed the matter with our Clients and would comment as follows:

1. In earlier discussions with Lincolnshire County Council Highways and Planning Department, it became clear that they would not be willing to adopt the proposed access road for several reasons, the major one being that they do not adopt highways that pass under buildings.

   With this knowledge we have designed the estate road on the basis of a housing close with a shared surface road and grassed verge. As a consequence the garage doors you refer to would open out across a verge and not a footpath. The entire accessway would be 'private' and run/maintained by a Management Company, the shareholders of which will comprise the residents of the site.

2. With regard to the short length of existing boundary wall adjacent to the garage and originally shown to be demolished as part of our proposals we have reviewed the necessity to do same as the road will be in private ownership and therefore I would respectfully suggest that the slight intrusion into the grass verge should not prejudice the overall benefit of the scheme.

I enclose 4 copies of our revised site layout plan N144/3 Rev A which has been revised to show the revisions mentioned above and which I would be grateful if you would substitute for the plans already in your possession.

Should you require any further clarification of information, please do not hesitate to contact me.

Cont'd/.....

DIRECTORS
R.D. Clark A.R.I.C.S. (Chief Executive)
R.C. Houston B.A., A.C.M.A., M.B.I.M.
D.J. Webb, Sol.
R.G. White F.C.A.

Thank you for your assistance in this matter.

Yours faithfully,

N P TWINE
DESIGN DIRECTOR

cc: D Poulter

Enc: N144/3 Rev A

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 23.7.92

OUR REF: JC/SS/PC

TO: DIRECTOR OF PLANNING & BUILDING CONTROL YOUR REF:

Planning Application H16/0632/92
Residential development, High Street, Spalding

I write further to my previous correspondence concerning the development of this site and would suggest that the applicants should initially provide a noise assessment from which the most appropriate design, construction and layout of the houses can then be formulated such as will ensure that complaints concerning the operation of the abutting commercial undertakings are unlikely.

pp Director of Environmental Services

IN

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

Dr. M. S. A. Townsend,
164 Woolram Wygate,
Spalding,
Lincs.
PE11 3PA.

Mr N Midlen

NRM/JJ H16/0632/92
H16/0655/92

14th July 1992

Dear Sir,

DEMOLITION AND REBUILDING OF 6, 7 AND 8 HIGH STREET, SPALDING.

I thank you for your letter of 3rd July concerning the wall and garage belonging to your mother's property at 9 High Street.

Whilst it is possible for an application to be made on another persons property, the owner has to be formerly notified and a Certificate to that effect has to accompany the application. This was not done in this case. The purpose of this procedure it to ensure a) that the owner knows that an application has been made and b) that the Local Authority should know that all the application site might not be under the applicants control. A Planning Authority can still go ahead and grant permission, but of course this does not in anyway override the owners property rights.

In this instance I have written to the applicants advising them that they must serve the necessary Certificate B, and that the Committee will want to be sure that the question of whether the wall can, or cannot be realigned, is resolved before they make any determination.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

John Mowlem Homes,
Unit House,
33 London Road,
Reigate,
Surrey.
RH2 9HZ.

Mr N Midlen

NRM/JJ H16/0632/92
H16/0655/92
JF/VA

10th July 1992

Dear Sir,

PROPOSED DEMOLITION OF WAREHOUSES, OFFICES ETC AND CONSTRUCTION OF 25 RESIDENTIAL DWELLINGS AT 6, 7 AND 8 HIGH STREET, SPALDING.

I am afraid that a problem has arisen with my consideration of your two applications on behalf of the First National Commercial Bank for the above.

I have received a letter on behalf of the owner of No 9 High Street, Spalding, a property to the north of your site, stating that she owns the small section of wall shown on your plans as being demolished and realigned.

Your applications were accompanied by a Certificate A stating that your clients own the whole of the site, and clearly a mistake was made here. For my Authority to be able to accept these applications as valid, it will be necessary now for you to submit a Certificate B certifying that you have given the necessary notice to the owner of the wall, and the Planning Committee will also wish to know that an Agreement has been reached with the owner allowing the wall to be realigned and your plans to be complied with.

The letter also points out that No 9 has a garage which will open directly out over the footpath, with the doors obstructing the footpath when they are open. This is also a matter which I think will concern the Planning Committee, and also the County Highways Department who are unlikely to wish to adopt the road in such circumstances.

I enclose herewith my formal notices of invalidation of the applications because of the incorrect Certificates, and would hope that you would be able to resolve these outstanding matters as soon as possible.

Yours faithfully

N Midlen
Principal Planning Officer
Development Control

Encs.

PLANNING APPLICATION

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

PROPOSAL IN CONSERVATION AREAS

The proposal may affect the character or appearance of the Conservation Area of SPALDING .

Reference No: H16/0655/92
Description: Clearance of site/demolition of warehouses, showroom and offices

Location: 6, 7 & 8 High Street
Spalding

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me by 14-JUL-92 quoting the above reference number.

B Smith
Director of Planning and Building Control Services

23-JUN-92

SOUTH HOLLAND DISTRICT COUNCIL

John Mowlem Homes

Unit House
33 London Road
Reigate,
Surrey,
RH2 9HZ

Tel: (0737) 247511/241177
Fax: (0737) 247554/223912
DX: 54109 Reigate 2

JF/VA

12th June, 1992

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

Dear Sirs,

RE: **APP. H16/0632/92**

Further to a telephone conversation with Mr Steven Thorne yesterday, please be advised that the application referenced above, whilst made for a site in a conservation area, does not require the demolition or affect directly any listed buildings.

Thank you.

Yours faithfully,

JAYE FORD
PLANNER

SOUTH HOLLAND D.C.
PLANNING
15 JUN 1992
REF. 0632/92

DIRECTORS
R.D. Clark A.R.I.C.S. (Chief Executive)
J.R.J. Douse B.Sc., C.A. (S.A.)
R.C. Houston B.A., A.C.M.A., M.B.I.M.
D.J. Webb, Sol.

John Mowlem Homes Ltd
Registered address: 33 London Road, Reigate, Surrey RH2 9HZ
Registered in England Number 153009

John Mowlem Homes

Unit House
33 London Road
Reigate,
Surrey,
RH2 9HZ

Tel: (0737) 247511/241177
Fax: (0737) 247554/223912
DX: 54109 Reigate 2

JF/VA

10th June, 1992

South Holland District Council
Planning Dept.
Council Offices
Priory Road
Spalding Lincs PE11 2XE

Dear Sirs,

RE: **CONSERVATION AREA CONSENT 6 7 and 8 HIGH STREET SPALDING. RELATED PLANNING APPLICATION NO. H16/0632/92**

Please find enclosed 3 copies of an application to demolish buildings on the site above in a conservation area. A survey showing the buildings we wish to demolish is included along with copies of the planning application drawings.

Consent for demolition and site clearance (application No.H16/0661/86) was approved in conjunction with a previous application for Outline Planning Permission (ref:H16/0659/86).

Should you require any additional information, please do not hesitate to contact me.

Thank you.

Yours faithfully,

JAYE FORD
PLANNER

SOUTH [illegible]
PLA[illegible]
15 JUN 1992
REF 0655/92

DIRECTORS
R.D. Clark A.R.I.C.S. (Chief Executive)
J.R.J. Douse B.Sc., C.A. (S.A.)
R.C. Houston B.A., A.C.M.A., M.B.I.M.
D.J. Webb, Sol.

John Mowlem Homes Ltd
Registered address: 33 London Road, Reigate, Surrey RH2 9HZ
Registered in England Number 153009

First National Commercial Bank Plc
First National House, 15-19 Dyke Road, Brighton, East Sussex BN1 3FX Telephone: 0273-329711
Fax: 0273-821339 DX: 36667 Brighton 2

N. Midlen, Esq.,
Principal Planning Officer,
South Holland District Council
Council Offices,
Priory Road,
Spalding,
Lincolnshire
PE11 2X

21st October 1994

Our Ref: JBH/GO/TC.35/89

Your Ref: NRM/JJ H16 0655/92

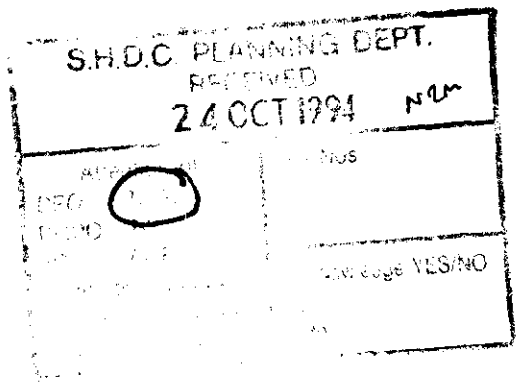
Dear Mr. Midlen,

6, 7 & 8 High Street, Spalding
Clearance of Site and Development of 27 Dwellings

Further to our telephone conversation today, I confirm that the Section 106 Agreement was completed on the 6th October and I have received back from your Director of Administration a certified copy of the document. I would therefore be grateful if you could expedite the issue of the planning permission which should be forwarded direct to me please.

Yours sincerely,

~~N WICKENS~~ J.B. Hamer
LEGAL DEPARTMENT



24th MAY 1993 PLANNING SUB-COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Application Number/ Applicant	Case Offr	Instructions/ Decision
H18/0064/93 J W Trayford	JB	Grant as recommended.
H20/0127/93 F S Campling	JB	DPBCS Authorised. Conditions to include: Enhanced planting between proposed building and residential dwellings. Restriction on hours of use, 2300hrs to be latest time allowed. Parking to be on other side so as to allow building to act as a noise buffer. Use to be restricted to bowling alley only.
H16/0091/93 Mr & Mrs Ball	PJU	Deferred for site visit. Insufficient time to visit site.
H13/0205/93 Dr & Mrs Rayner	DMG	Deferred for site visit. Insufficient time to visit site.
H09/0794/92 Mr & Mrs Britton	JB	Refused.
H08/0161/93 Mr T Sharpe	DJR	Deferred for site visit. Insufficient time to visit site.
H14/0222/93 Patterson Properties	DJR	Deferred for site visit. Insufficient time to visit site.
H23/0237/93 P & S W Hoyes	DMG	Grant as recommended.
H01/0277/93 Patterson Properties	PJU	DPBCS Authorised subject to re-alignment of access. Members not happy with access strip being excluded - agreement over maintenance needed.
H03/0295/93 Mrs J Earth	DJR	Deferred for site visit. Insufficient time to visit site.
H02/0306/93 L Brisley	PJU	Deferred for site visit. Insufficient time to visit site.
H16/0289/93 Mr & Mrs French	PJU	Deferred for site visit. Insufficient time to visit site.
H16/0632/92 H16/0655/92 1st National Bank	NRM	DBPCS Authorised as recommended. Look at access possibilities and advise applicant accordingly. **WAIT FOR MINUTE**
H12/0006/93 Mr & Mrs Knight	DMG	Grant as recommended. **WAIT FOR MINUTES** to check if any access requirements.

PLANS SUB-COMMITTEE - 24th May, 1993

391. PLANNING APPLICATIONS (continued)

(a) Determinations following Site Inspections (Continued)

Plan No and Applicant	Proposal
H01/0277/93 Patterson Properties	Two pairs of 2 bedroomed houses at Stonegate, Cowbit.

RESOLVED: The Director of Planning and Building Control Services be authorised to grant planning permission for the above development subject to satisfactory negotiations with the applicant regarding the relocation of the proposed access to the site on the land lying between the proposed access and the western boundary of the residential curtilage to the site, and clarification regarding the proposed future use and maintenance of the area of land.

(Councillor A E Naylor entered the meeting during consideration of the above application.)

H16/0632/92 First National Commercial Bank	25 residential dwellings including 18 houses and 7 flats with 44 car parking spaces at 6, 7 and 8 High Street, Spalding.

RESOLVED: The Director of Planning and Building Control Services be authorised (a) to grant planning permission for the above development in accordance with his recommendation; and (b) to investigate the possibility of a further access being provided through land to the rear of the site, the applicants to be advised of any such possibility.

H16/0655/92 First National Commercial Bank	Conservation Area Consent for clearance of site/demolition of warehouses, showroom and offices at 6, 7 and 8 High Street, Spalding.

RESOLVED: The Director of Planning and Building Control Services be authorised (a) to grant planning permission for the above development in accordance with his recommendation; and (b) to investigate the possibility of a further access being provided through land to the rear of the site, the applicants to be advised of any such possibility.

(b) Planning Applications Awaiting Site Inspections

As there was insufficient time to visit the sites prior to the meeting, consideration of the undermentioned applications be deferred pending a site inspection for the reasons indicated:-

Plan No and Applicant	Proposal
H16/0091/93 Mr and Mrs D Ball	Bungalow at Horseshoe Road, Spalding.

(To assess whether the proposal would be acceptable subject to an appropriate planning obligation.)

H13/0205/93 Dr and Mrs S Rayner	Condition compliance with landscaping scheme (condition 6 of H13/0680/92) at 11 East Cobgate, Moulton.

(In view of representations now received from the Parish Council.)

H08/0161/93 Mr T Sharpe	Semi detached dwelling to replace existing delapidated dwelling at 41 High Street, Gosberton.

(To assess the suitability of the site for the proposed development.)

298. PLANNING APPLICATIONS (continued)

(b) Planning Applications Awaiting Site Inspections

Plan No and Applicant	Proposal
H16/0091/93 Mr & Mrs D Ball	Bungalow at Horseshoe Road, Spalding.

RESOLVED: In order to assess whether the proposal would be acceptable subject to an appropriate planning obligation.

H13/0205/93 Dr & Mrs S Rayner	Condition compliance with landscaping scheme (Condition 6 of H13/0680/92) at 11 East Cobgate, Moulton.

RESOLVED: In view of representations now received from the Parish Council.

H16/0632/92 First National Commercial Bank	25 residential dwellings including 18 houses and 7 flats with 44 car parking spaces at 6, 7 and 8 High Street, Spalding.

RESOLVED: In order to assess the suitability of the site for the proposed development.

H16/0655/92 First National Commercial Bank	Conservation Area Consent for clearance of site/demolition of warehouses, showroom and offices at 6, 7 and 8 High Street, Spalding.

RESOLVED: In order to assess the suitability of the site for the proposed development.

(c) Other Planning Applications Referred to the Sub-Committee for Determination

The following applications which had previously been referred to the Sub-Committee for consideration were determined as indicated:-

Plan No and Applicant	Proposal
H16/0015/93 S & S Developments Limited	Change of use of three offices to bedsit accommodation (three units) at 24 Pinchbeck Road, Spalding.

RESOLVED: Planning permission be granted for the above development for a temporary period of two years in the first instance, in accordance with the recommendation of the Director of Planning and Building Control Services.

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

H16/1093/92 Revills Jewellers	Installation of security grilles to windows at Revills Jewellers, 12 Market Place, Spalding.

RESOLVED: Planning permission be granted for the amended scheme now submitted in accordance with the recommendation of the Director of Planning and Building Control Services.

H16/1094/92 Revills Jewellers	Listed building consent for installation of security grilles at 12 Market Place, Spalding.

RESOLVED: Listed building consent be granted for the amended scheme now submitted in accordance with the recommendation of the Director of Planning and Building Control Services.

PLANNING APPLICATIONS (Continued)

Plan No. & Applicant		Proposal
H22/0132/93 Mr E Revell	O.A.	Dwelling and garage at The Bell Inn, 69 Austendyke Road, Weston Hills.

RESOLVED: Planning permission be refused for the above development, contrary to the recommendation of the Director of Planning and Building Control Services, on the grounds that, in view of the changed circumstances of the adjoining land which included the provision of a patio area to the public house, the proposal would, if permitted, result in a cramped form of development which, in view of the proximity of the changes in the curtilage of the adjoining public house would, in the opinion of the local planning authority, detrimentally affect the residential amenities of the property which the occupiers would have a reasonable right to enjoy.

265. 6, 7 and 8 HIGH STREET, SPALDING - APPLICATION REFERENCES H16/0632/92 AND H16/0655/92

The Director of Planning and Building Control Services submitted a report relating to application reference H16/0632/92 for 25 residential dwellings including 18 houses and 7 flats with 44 car parking spaces at 6, 7 and 8 High Street, Spalding, and application reference H16/0655/92 for Conservation Area Consent for the clearance of site/demolition of warehouses, showroom and offices at 6, 7 and 8 High Street, Spalding.

RESOLVED: *Consideration of the above applications be deferred pending a site inspection to enable members to assess the suitability of the site for the proposed developments.*

(End of Minutes)

Mr D Patterson,
Patterson Properties,
Ornom House.
Roman Bank.
Spalding.
Lincs.
PE12 6EY.

Mr D Roberts

DJR/JJ B16/0655/92

24 Oct 1995

Dear Sir,

DEVELOPMENT AT 6, 7 AND 8 HIGH STREET, SPALDING.

Further to previous correspondence and discussions in respect of the above. This is to confirm the Council's concerns that the buildings on site have been demolished in breach of Condition No 1 of Conservation Area Consent B16/0655/92. This condition required that demolition should not be commenced before a contract for the carrying out of the works of redevelopment of the site had been made, and planning permission had been granted for the redevelopment for which the contract provided.

To date no such contract has been made and as matters stand the Council is empowered to take action in respect of this breach. Such action could ultimately result in Court proceedings against you. Obviously however it is preferable to resolve the situation by agreement between the Parties and in this respect the informal discussions held with you over possible alternative developments are pertinent.

Of these alternatives, I have to state a preference for the construction of a central block of buildings served by a circulatory one way system using Bath lane as an access point only. This would ensure that any resultant gaps in the street scene are kept to a minimum. This has to be the prime objective in this case, given the need to retain an appropriate street scene as was provided for in the original scheme.

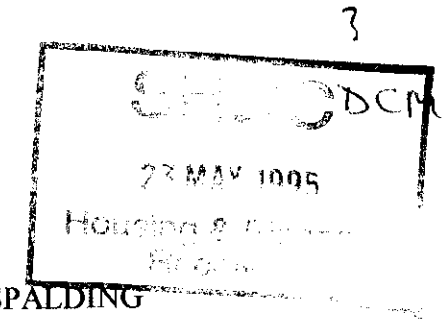
In any event, if the original scheme is not to be implemented it is imperative that an alternative scheme be formulated which can be

Patterson Properties

DP/SLP

22nd May, 1995

Mr. N. Midlen -Development Control Manager Housing and Planning,
South Holland District Council,
Council Offices,
Priory Road,
SPALDING,
Lincs.



Dear Mr. Midlen,

RE; JOHNSON BROTHERS SITE, HIGH STREET, SPALDING

We write to confirm our agreement to enter a Section 106 Agreement for the above site.

We also confirm that following demolition, redevelopment will commence within a one month period, and we undertake to complete the frontage within one year.

Yours sincerely,
For and on behalf of
PATTERSON PROPERTIES (TOWN DEVELOPMENT)LTD.

DENIS PATTERSON
Director

"Ornom House" Roman Bank, Spalding, Lincolnshire PE12 6EY
Telephone / Fax: 01775 766566

SHDC
-7 SEP 1995
Housing & Planning
Received

SOUTH HOLLAND DISTRICT COUNCIL

ACTION
Attention of HP DCM
Discuss with
Copy to
File Ref
Comments

MEMORANDUM

To: Director of Housing and Planning Services

From: Client Manager (Resources)

Our Ref: JMB/JP/PL.872

Date: 5 September 1995

Subject: **6, 7 & 8 HIGH STREET, SPALDING**

I refer to your memorandum dated 30 May 1995 relating to the above. The draft planning obligation was forwarded to Mr Patterson on 15 June 1995 for approval but unfortunately to date it has not been possible to secure all the information necessary to enable the engrossment of the obligation to be despatched.

I understand that the existing buildings on site have now been demolished but as there are already valid planning permissions for demolition and redevelopment of the site, there is very little that can be done to persuade Mr Patterson to complete the planning obligation.

A further reminder letter has today been forwarded but frankly I do not anticipate any further co-operation.

R E Atkins
Client Manager (Finance)

11/9/95. The only reason Mr Patterson has not entered into this agreement is because he intends to apply for an amendment for dev. of Johnsons Site. Once he is happy with the scheme and we are prepared to accept it, he will sign.
RW. 11/9.

NOTE FOR FILE

H16/655/92
NRM/JJ
21 Sep 1995

6, 7 AND 8 HIGH STREET, SPALDING - CONDITION FORBIDDING DEMOLITION UNTIL CONTRACT ENTERED INTO FOR REDEVELOPMENT.

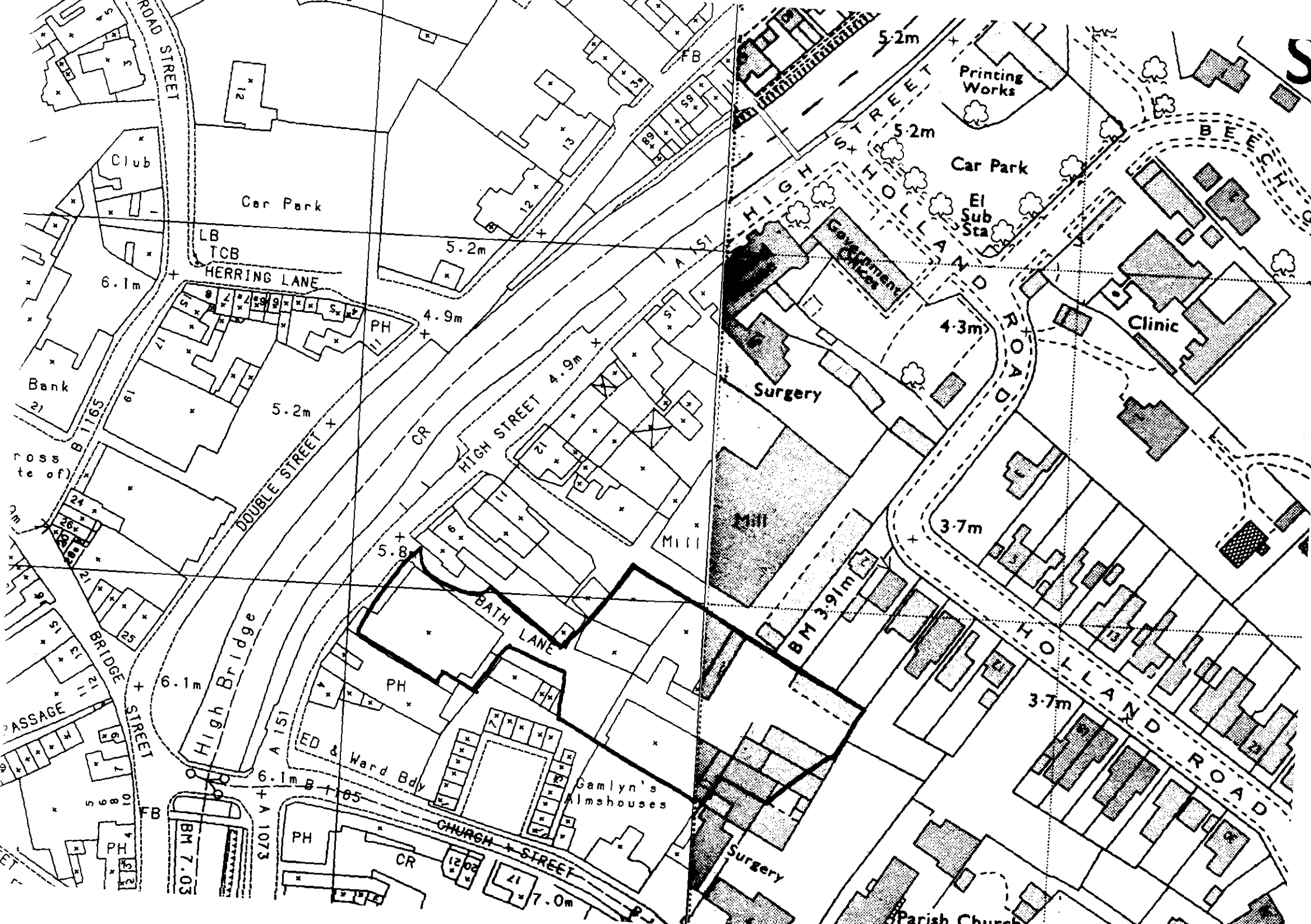
Meeting with Bob Atkins 19th September 1995 to discuss situation.

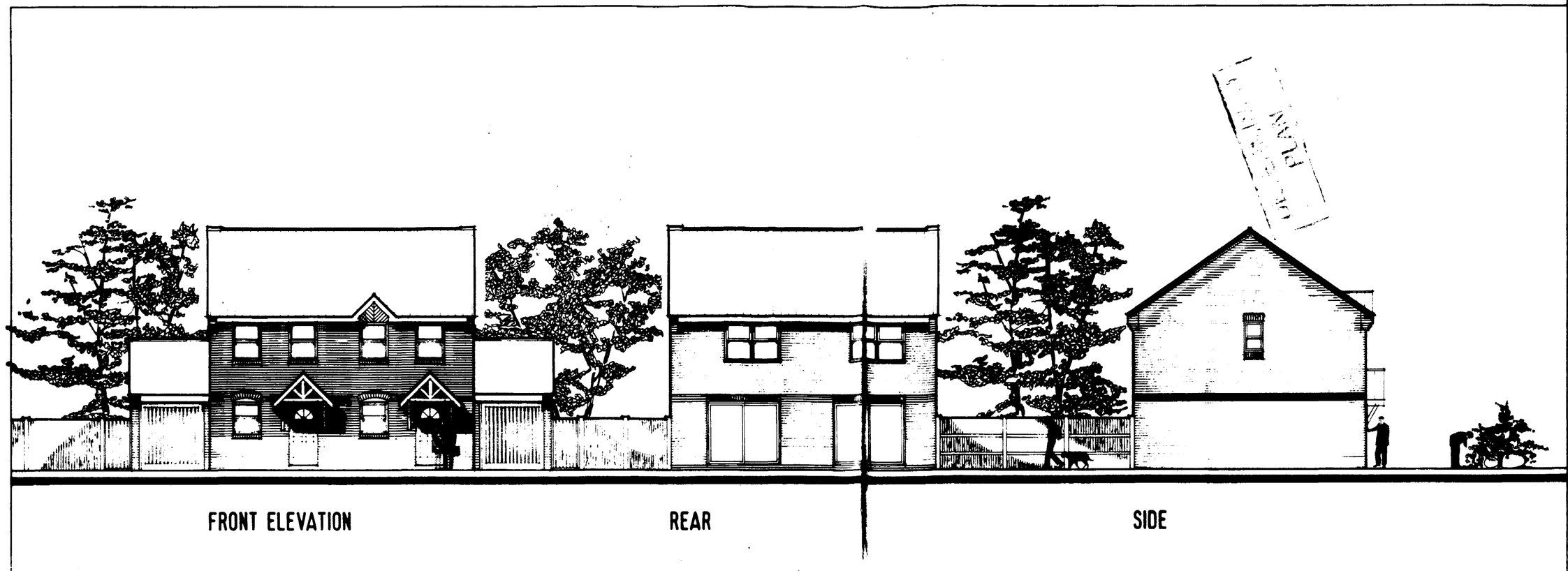
Either condition has not been complied with, because no contract has been entered into, or the Developers letter of 22nd May constitutes a contract. In this case, he must be in breach of, or close to being in breach of, his contract to commence redevelopment within one month of demolition.

This is an important site and we must not let it remain undeveloped. Cannot therefore just leave Patterson to decide when, he will, or will not, start work. Bob Atkins is going to write to him over the situation and send us a copy.

N Midlen
Development Control Manager

cc: K Woods

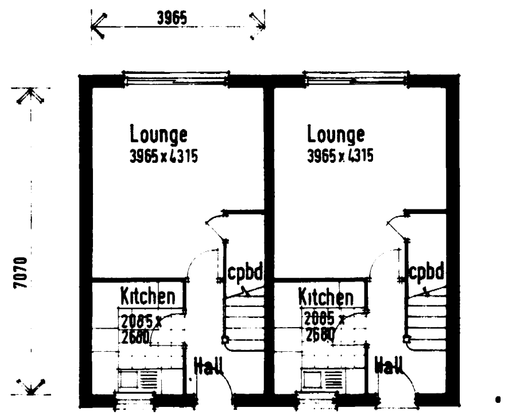

Club
Car Park
LB
TCB
HERRING LANE
6.1m
5.2m
4.9m
PH
Bank
B 1165
DOUBLE STREET
CR
HIGH STREET
4.9m
5.8m
Mill
BATH LANE
PH
BRIDGE STREET
High Bridge
6.1m
A 151
ED & Ward Bdy
Gamlyn's Almshouses
6.1m B 1165
CHURCH STREET
A 1073
BM 7.03
PH
CR
7.0m
Surgery
Parish Church
5.2m
Printing Works
HIGH STREET
HOLLAND ROAD
Car Park
El Sub Sta
Government Offices
4.3m
Surgery
Clinic
BEECH
3.7m
BM 3.91m
3.7m
HOLLAND ROAD



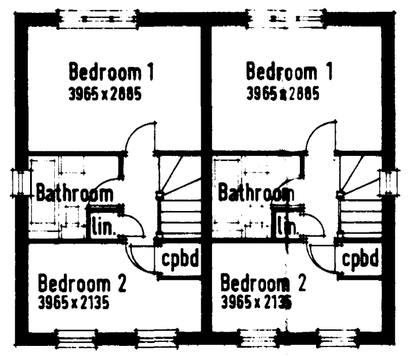
FRONT ELEVATION

REAR

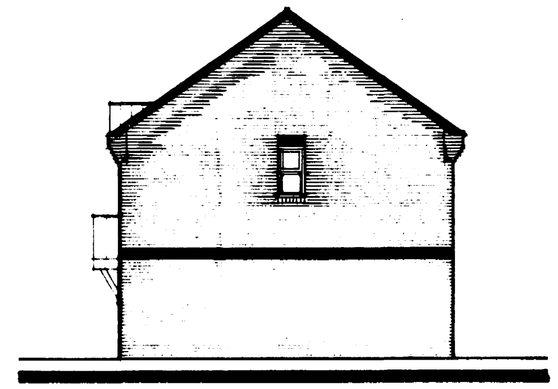
SIDE



GROUND FLOOR



FIRST FLOOR



SIDE

JOB	THE HASCOMBE II: 2 bed terraced house.
TITLE	Planning Drawing.
	56.05 sq.m. 603 sq.ft
DATE	
SCALE	1:100
DRAWN	
REV	
DRG No	HT/161

D.C.
19 NOV 1992

Unit Construction Company, Limited
Southern Division,
Unit House,
33 London Road,
Redhill,
Surrey RH1 1LZ
Telephone Reigate (07372) 47511/41177

Unit

REVISION A		REVISION B	
DATE	DRAWN	DATE	DRAWN
REVISION C		REVISION D	
DATE	DRAWN	DATE	DRAWN