FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H16/1371/01

Date Registered 30 NOV 2001

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

DAVID JAMES ESQ
WYKEHAM LODGE,
ROMAN BANK,
SPALDING,
LINCOLNSHIRE, PE11 6EY

Tel. No. SPALDING (01775) 722408

NAME AND ADDRESS OF AGENT

(if form completed by agent)

MESSRS HIX AND SON,
CHARTERED SURVEYORS
NO. 28 CHURCH STREET, HOLBEACH,
NR. SPALDING, LINCOLNSHIRE, PE12 7LL

Tel. No. HOLBEACH (01406) 422777
(Personal contact name) R.H. FRISBY ESQ

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

WYKEHAM LODGE, ROMAN BANK, SPALDING, LINCOLNSHIRE, PE11 6EY

OFFICE COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

THE RETENTION OF THE DWELLING WITHOUT COMPLYING WITH THE RESTRICTED OCCUPATION CONDITION NO. 3 ON THE ORIGINAL OUTLINE PLANNING PERMISSION, REFERENCE NUMBER H16/1092/78

Please complete p.p. DAVID JAMES ESQ I attach

* Four copies of all plans
* an ownership certificate (see back page)
* a fee of £95.00 . . . If you consider no fee is payable include a written explanation instead.

Signed . . . . . Date 29th NOVEMBER 2001

Previous application No. ~~H16/1092/78~~

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

2. **TYPE OF APPLICATION**

(✓)

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

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

Please state Site Area (Hectares)

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

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

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	H16/1092/78 CONDITION NO. 3

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.	N/A

TYPE OF DEVELOPMENT

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

(i) New Dwellings		If so, how many:
(ii) Other new buildings		
(iii) Alterations or extension		
(iv) Change of use		NOT APPLICABLE

4. A. Please state site area (in all cases)		hectares
B. If building works are proposed, please state extra floor space to be created:	NOT APPLICABLE	sq. metres
C. Please state size of any new structure: (a) max. height:		metres
(b) max. length:		metres
(c) max. width:		metres
D. Please state type and colour of materials for facing external walls:		
E. Please state type and colour of roofing materials.		
F. 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. — RESIDENTIAL

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

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

or

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

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

TREES Please tick one box

A. The proposal does not involve the felling of any trees — /

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

DRAINAGE Please complete

A. Please state how surface water will be disposed of

B. For estate developments please state how highway surface water will be disposed of — NOT APPLICABLE

C. Please state whether river or stream will be affected

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

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal is for or connected with agriculture	NO	➡ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public right of way	NO	
The proposal is known to involve contaminated or filled land	NO	
The proposal is for industry, warehousing, offices, shopping or similar commercial purposes.	NO	➡ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If so please give date sent.	N/A	➡ Date: Consultee(s)
Is this application related to a previous submission?	YES	➡ Application No H16/1092/78

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

Wykeham Lodge, Roman Bank, SPALDING, Lincolnshire, PE11 6EY

Outline Planning Permission for the erection of Wykeham Lodge, Roman Bank, SPALDING, PE11 6EY was granted by the South Holland District Council under Reference Number H16/1092/78 on the 6th December 1978 with approvals of reserved matters being obtained under Reference Number H16/369/79/6338 on the 16th May 1979 and H16/1058/80/497 on the 14th October 1980.

1. The property was constructed and occupied soon after and its purpose, at that time, was to ensure that Mr. James could live on site and be close at hand to deal with matters of security on the adjacent nursery and with the out of normal hours management tasks such as watering, ventilation, maintenance of temperatures and the inspection of the growing crops in the production glasshouses. The Wykeham Nursery expanded and three (3) other Nurseries were added into the business in the 1990's but the requirement for day to day supervision of the management tasks became less and less as fully automatic watering, ventilation and heating systems were installed and telemetry systems became available whereby the maintenance and checking of these systems could satisfactorily be attended to off site. There is now therefore no more need for Mr. James to continue living at Wykeham Lodge to undertake these tasks and the restricted occupation condition has outlived its usefulness.

2. The farms and holdings in the immediate area have also grown much larger since Wykeham Lodge was built and there is now very little demand for extra houses for farm workers. Indeed many local farms are selling off their cottages to purchasers from outside the area and their farm workers seem to prefer living in the towns where better amenities are readily available.

3. Since the dwelling was constructed there has been a marked change in the character of the surrounding area and various planning permissions have been granted as follows :-

a) Planning Permission for Change of Use from Retail and Display to Dried and Artificial Flower Assembly and Distribution including associated offices at Stumps Lane, SPALDING. This Planning Permission was granted to Flowersave on the 15th august 1992 under Reference Number H16/0631/92. We understand from Mr. James that this planning permission followed on from an earlier planning permission when Messrs Hardwicks of Spalding moved to the site to establish a commercial use.

b) Planning Permission for Retrospective Change of Use from a General Purpose Farm Storage Building to a Vegetable Processing Building at Springfields Nursery, Camelgate, SPALDING. This planning permission was granted to Messrs T.F. Bowman and Son on the 24th August 2001 under Reference Number H16/0006/01.

A further projected commercial development is planned upon another part of the Springfields complex.

It is submitted that these existing developments and those proposed have already altered and will continue to alter the character of the area and with Wykeham Lodge lying in such close proximity to them it has lost its agricultural aspect and is no longer suitable or needed in the interests of local Agriculture or Horticulture.

4. In accordance with the requirements of Annex No. 1 of The Department of The Environment Planning Policy Guidance Note No. 7, 1997 (The Countryside – Environmental Quality and Economic and Social Development) and The South Holland District Council Mr. James arranged for 'Wykeham Lodge' to be offered for sale on the open market earlier this year. Local Estate Agents Morriss and Mennie, with offices in both Spalding and Holbeach, were engaged and we enclose herewith :-

a) A copy of their Terms of Engagement letter dated the 9th February 2001 following their inspection and valuation of the property.

b) A copy of their Particulars of Sale.

c) A copy of their advertisement in the Lincolnshire Free Press edition of the 10th April 2001.

d) A copy of their letter to us dated the 21st September 2001 confirming that the property has been advertised on a number of occasions and in their window displays at their offices.

e) A copy of their letter to Mr. James dated the 9th November 2001 confirming that the property had also been advertised on their Web Site.

The Agents have confirmed that interest was shown in the property but the existence of the Agricultural Habitation Condition, in the end, dissuaded interested parties from buying in many cases after taking legal and valuation advice.

Mr. James has also been provided with copies of two (2) independent valuations prepared by Messrs Brown and Co of Spalding and Paul Johnson Property Consultants of Stamford for Messrs Dalton, Warner and Davis of LONDON, EC4V 2AH, the Consultants to The Spalding Power Station Project, and these are attached hereto. The valuations confirm the advice with regard to valuation given to Mr. James by Messrs Morriss and Mennie.

5. Further to our attendance at your Council's Planning Department we understand that the Council has approved three (3) similar applications for the retention of properties without complying with the Agricultural Habitation Conditions as follows :-

a) 'Ramona', Cheal Row, GOSBERTON, Nr. Spalding
Reference Number H08/1166/00 dated the 22nd November 2000.

b) 'Wyndcatch', Kellett Gate, LOW FULNEY, Nr. Spalding
Reference Number H16/0229/01 dated 13th August 2001.

c) No. 104 Luttongate Road, GEDNEY HILL, Nr. Spalding
Reference Number H19/0063/01 dated the 10th May 2001

It is therefore submitted, taking into account the information and evidence submitted in this Application and the abortive marketing of the property earlier this year subject to the Agricultural Habitation Condition, that it would be fair and reasonable for this Application to be granted.

7. **INDUSTRIAL, WAREHOUSING, OFFICES OR SHOPS** Please complete if appropriate

Please tick **one** box and complete B if necessary

A. The proposal does not involve any alteration in existing floorspace ☐

B. The proposal involves the creation of or an alteration in total **gross** floorspace ☐ ➡

Proposed total gross floorspace ____ sq. m. Previous total gross floor space ____ sq. m.

This new total includes the following net floorspace:

Retail ____ sq. m. Office ____ sq. m. Industrial ____ sq. m. Warehousing ____ sq. m.

Other ____ sq. m. ➡ If so, please state use:

	Office Staff	Industrial staff	Other staff
How many office, industrial and other staff will be employed on the site as a result of the development proposed? If you have existing premises on the site, how many of the employees will be new staff?			
If you propose to transfer staff from other premises please give details of the numbers involved and of the premises affected.			
In the case of industrial development, give a description of the processess to be carried out and of the end products, and the type of plant or machinery to be installed.			
If the proposal forms a stage of a larger scheme for which planning permission is not at present sought, please give what information you can about the ultimate development			
Is the proposal related to an existing use on or near the site?	State Yes or No ☐		
If so, please explain the relationship			
Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory?	State Yes or No ☐		
If so, please give details including gross floor area of such premises and state your intentions in respect of those premises.			
What provisions have been made for the parking, loading and unloading of vehicles within the curtilage of the site? (Please show the location of such provision on the plans and distinguish between parking for operational needs and other purposes)			
What is the estimated vehicular traffic flow to the site during a normal working day? (Please include all vehicles except those used by individual employees driving to work)			
What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?			
Will the proposed use involve the use of storage of any hazardous materials?	State Yes or No ☐	If yes, you may need to apply for Hazardous Substances Consent	
What provision is being made for access to premises for the disabled?			

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

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

2. OWNERSHIP OF THE SITE

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

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

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

p.p. DAVID JAMES ESQ

Signed ..... ~~(Applicant~~ / Agent) Date 29th NOVEMBER 2001

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.
Owner's Name:
Address of owner at which notice was served: 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 farmed by the owner and there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

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

p.p. DAVID JAMES ESQ

Signed ..... ~~(Applicant~~ / Agent) Date 29th NOVEMBER 2001

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.
Tenant's Name:
Address of tenant at which notice was served: State Date notice served:

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