SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Observations of Local Planning Authority

Reference: H18/0022/93 Received:25-JAN-93 Type:GOVERNMENT DEPT

Name: English Nature
East Region
Monkstone House
City Road
Peterborough PE1 1JY

Agent: English Nature
East Region
Monkstone House
City Road
Peterborough PE1 1JY

Description: Erection of timber sectional tower observation hide

Location : Lutton Outmarsh National Nature Reserve
Sutton Bridge Estate Sutton Bridge

South Holland District Council has considered the above proposal and has NO OBJECTIONS to the development, subject to any condition(s) set out below:

1 At the expiration of a period of 3 years from the date of this permission, the use hereby permitted shall be discontinued and the site reinstated to the reasonable satisfaction of the Local Planning Authority.

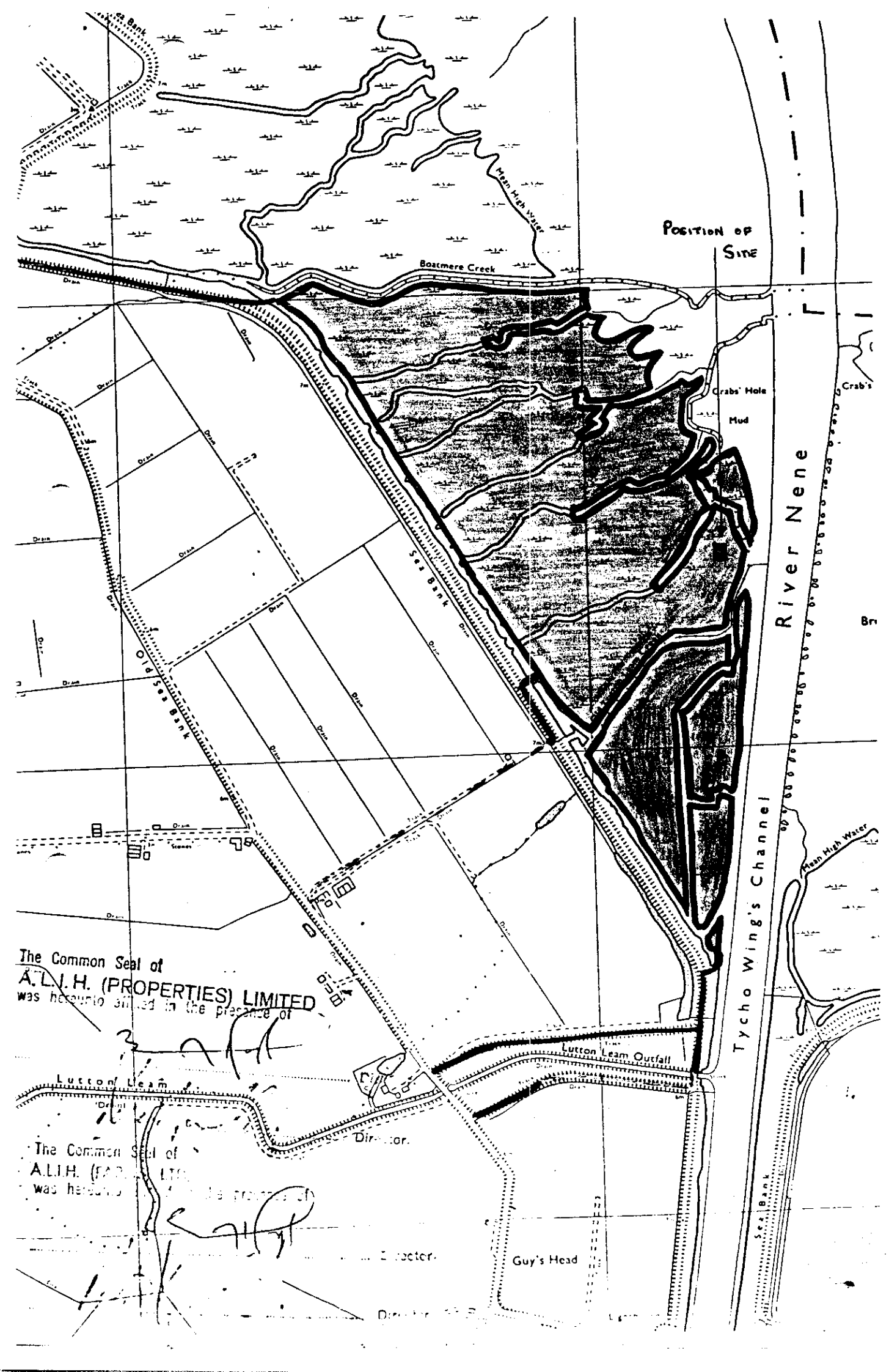
Reason: The building is of a temporary nature and by reason of its materials and design it may become dilapidated and cause injury to the amenities of the locality, and this condition is imposed to enable the Local Planning Authority to review the situation.

Director of Planning and Building Control Services
10-MAR-93 H18/0022/93

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

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

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



The Common Seal of
A.L.I.H. (PROPERTIES) LIMITED
was hereunto affixed in the presence of

Director

The Common Seal of
A.L.I.H. (PROPERTIES) LTD
was hereunto affixed in the presence of

Director

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H18/0022/93

Date Registered 14 JAN 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

ENGLISH NATURE
EAST REGION
MONKSTONE HOUSE
CITY ROAD, PETERBOROUGH PE1 1JY

Tel. No. 0733 340345

NAME AND ADDRESS OF AGENT

(if form completed by agent)

OFFICE COPY

Tel. No.
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

LUTTON OUTMARSH NATIONAL NATURE RESERVE
SUTTON BRIDGE ESTATE, SUTTON BRIDGE, SPALDING, LINCS

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

ERECTION OF TIMBER SECTIONAL TOWER OBSERVATION HIDE

Please complete

Signed .....

I attach
* Four copies of all plans + SEE ACCOMPANYING LETTER REF DOE CIRCULARS 108/77 & 18/84
* an ownership certificate (see back page)
* a fee of ~~*~~ ..... If you consider no fee is payable include a written explanation instead.

Date 11-1-93

Previous application No.

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

2. **TYPE OF APPLICATION**

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

or This is an **outline** application ⬇

Please state Site Area (Hectares)

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

Siting ☐ Design ☐ External Appearance ☐

Means of Access ☐ Landscaping ☐

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

or This is an application for **renewal** of temporary permission or **continuation** without complying with planning 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 of a planning permission which has not yet been implemented. ⬇

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

TYPE OF DEVELOPMENT

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

(i) New Dwellings		If so, how many:
(ii) ~~Other~~ new building(s)	✓	1
(iii) Alterations or extension		
(iv) Change of use		

4. A. If building works are proposed, please state extra floor space to be created: 2.25 sq. metres

B. Please state size of any new structure:- (a) max. height: 5.00 metres
(b) max. length: 2.00 metres
(c) max. width: 2.00 metres

C. Please state type and colour of materials for facing external walls: 9mm External Resin Bonded Plywood Brown with roof covered in grey Bitumen Roofing Felt

D. Please state type and colour of roofing materials.

E. Has a survey of the site been undertaken? State Yes or No: Yes

5. GENERAL INFORMATION Please complete each section

EXISTING USES
Please state existing or, if vacant, the last use(s) of site.

THE LAND IS A DESIGNATED NATIONAL NATURAL RESERVE

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: By Natural runaway & Soakaways

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

C. Please state whether a land drain will be affected: No

D. Foul sewerage will be disposed of to:
Mains sewer: Cesspool: Septic tank: N/A

PLEASE COMPLETE IN ALL CASES

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

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).

TENANT
HOLDING 999 yr LEASE SINCE 1/1/85

2. **OWNERSHIP OF THE SITE**

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

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

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

Signed ..... (Applicant / ~~Agent~~) Date 11/1/93

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.

Signed ..... (Applicant / ~~Agent~~) Date 11/1/93

Certificate 2 The applicant has given the required notice to every other person who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the 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 .....

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection | Accuracy | Neighbours | Boundaries

Site features | Other

Inspected by
Date

Notice posted by
Date

Resident Notices required

Sent | Delivered

Case Officer Conclusions

RECOMMENDATION

COMMITTEE

Departure from Policy .....

Ward Member request .....

Recommend approval against material objection .....

Other circumstance viz: .....

Change to Committee recorded

DELEGATED ✓

Case Officer .....

Senior Officer .....

Case Officer Recommendation

Approve ✓ Refuse

Signed .....

Conditions/Reasons
(continue overleaf)

1. ~~REMOVE THE CONDITION~~ STANDARD TIME CONDITION

2. STC - 36 - 3 YEARS

REASON (b)

Notes to applicant

- ☐ Disabled
- ☐ Outstanding RM
- ☐ Amended plans

DC RECORD SHEET

APPLICATION REF.

Directions

Art 7 (Outlines)
RM checklist

	Siting	Design	Ext app	Access	Landscape
Previous					
Current					
Required					

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

Other ___

Precise details, for non-standard direction:

Senior Officer authorised: _____ Sent: _____

Revalidation after Direction

Information satisfactory/unsatisfactory Signed: _____

Further direction: Precise details:

Amended description:

New valid date: _____

Consultation/Publicity Required

		Requested	Sent
Extra Publicity:			
	Departure	_____	_____
	Setting of LB	_____	_____
	Public Right of Way	_____	_____
	Discretionary	_____	_____
Extra Consultations:			
	Dept of Transport	_____	_____
	Environmental Serv.	_____	_____
	LB/Cons. Area - Local	_____	_____
	- Local & National	_____	_____
	- English Heritage	_____	_____
	Consultant Name _____ _____		_____
			Order No ___
	Other:	_____	_____

Case Officer JOHN BLACKLOCK

Recorded on board:

ADMIN RECORD SHEET

Initial

Submitted Fee £ NIL

Receipt Issued

Date first Rec'd 14 JAN 1993

Registration

Reference H18/0022/93

Cross-Ref N/A

Date 15/1

Validation DGD

TYPE ~~FULL~~

Earliest permission

Site area

No of dwellings

Floorspace 2·25

Description

Tech

Certificate
Site plans
Description

Accuracy
Incomplete form

Fees

Nil fee

Discounted fee

Previous app
Type

Correct fee

Additional
Refund

Receipt
Issued

Information

Newbuild/Redevelopment/Change of use/Extension/Alteration/Works

Earlier permission Ref

RM

	Siting	Design	Ext app	Access	Landscaping
Previous					
Current					

Index sheets 1993 140

OS No's LUTTON

Grid ref 5 4[illegible] 3 3[illegible]

Ward IK + V

Parish Long Sutton + Sutton Bridge

Inside IBD NO

Inside LP area NO

TR Rural
TR Bypass
Level Cross
Footpath

CA
LB
TPO

Linked to site

Ref 1075

Linked to property

Ref

Planning Records:
Earlier apps

B Reg Records:
Already submitted - Ref
Request
Requested

G C Adolph
14 Hill View
Whitwell
Herts
SG4 8AX

Miss D M Fairchild

DMF/LAB/340
H.8/0022/93

13 April 1993

Dear Mr Adolph

Thank you for your letter dated 25 March 1993.

I suggest that the 'large square wooden building on stilts', situated on the foreshore near the mouth of the river Nene, is an observation bird hide. The Local Planning Authority was notified that such a building had been erected by English Nature in December 1992. English Nature stated that the hide was 'to allow the Site Manager an overall view of the mudflats in the area. The purpose being that the site is of immense ornithological interest', and English Nature wished 'to study and record details of the wildfowl and wader numbers' and their distribution more closely.

A full planning application was not required as English Nature is deemed to be a Government Department and is therefore exempt of the normal application procedure. Details of the building were sent to the Local Planning Authority for observation. After the normal consultations there were no objections. The Local Planning Authority recommended that the situation be reviewed in three years if English Nature were minded to retain the structure.

I advise that you contact English Nature, should you require to know whether further such buildings are planned, as they manage Lutton Outwash National Nature Reserve. English Nature may be contacted at the following address:-

English Nature
East Region Headquarters
Nature Conservancy Council For England
Monkstone House
City Road
Peterborough
PE1 1JY

I trust this helps to answer your enquiry.

Yours sincerely

D M Fennell (Mrs)

p.p. J Curnock
Principal Planning Officer
Local Plans

14 Hill View
Whitwell
Herts
SG4 8AX

25 March 1993

South Holland District Council
Planning Office
Priory Road
Spalding
Lincs

Dear Sirs

On recent visits to the Foreshore during February and March I was walking between Gedney Drove End and the River Nene when I couldn't help but notice a large square wooden building on stilts when looking out towards the mouth of the Estuary.

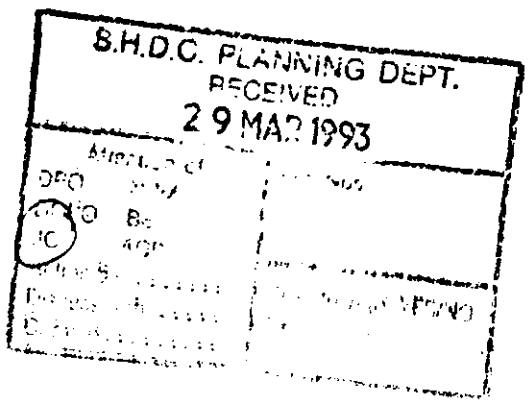
Could you please inform me as to the purpose of this building. It has a well trodden path over the foreshore so it would seem to be well used. As a regular user of the Marsh I would be interested to know how or if planning permission was given and by who and to whom for such an unsightely and unnatural piece of equipment to be erected.

I would also be grateful if you could advise me if any further buildings are planned and if this is to be a permanent feature.

Although I do not live locally my family and I are regular users of this area, we were surprised and offended to find this manmade structure in an area of such natural beauty. We hope this is not a sign of things to come on one of the last really natural areas in this region, however, I will contain my emotions until I hear the full story from you.

Yours faithfully

G C Adolph



BI 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: H18/0022/93 Type: GOVERNMENT DEPT

Applicant: English Nature
Tel: 0733 340345

Agent: English Nature
0733 340345

Description: Erection of timber sectional tower observation hide

Location: Lutton Outmarsh National Nature Reserve
Sutton Bridge Estate
Sutton Bridge

Valid date: 25-JAN-93
Target dates:
To case officer 01-FEB-93
Inspected by 04-FEB-93
Extra contacts 08-FEB-93
Report if not clear by 01-MAR-93

Terminal date: 22-MAR-93
Target Committee: 08-MAR-93
Report deadline: 22-FEB-93

Case Officer:
J BLACKLOCK

DEVELOPMENT/CONSTRAINTS

Size: 2.25 M2
Category: Newbuild
Listed building:
Conservation Area:

Other Constraints: AIR

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Clerk to Sutton Brid		29-JAN-93	12-FEB-93
Clerk to Long Sutton	0406 362402	29-JAN-93	12-FEB-93
Cllr D A Tennant		29-JAN-93	12-FEB-93
Cllr E J Clarey	0406 363141	29-JAN-93	12-FEB-93
Cllr M D Booth	0406 350034	29-JAN-93	12-FEB-93
Cllr C J T H Brewis	0406 350818	29-JAN-93	12-FEB-93
Cllr D Dewsberry	0406 350947 (Of	29-JAN-93	12-FEB-93
Clerk to Lutton PC	0775 724941	11-FEB-93	25-FEB-93

L-C-C- No objections 26.2.93

SITE DETAILS

Grid ref: 549250 327350
OS Sheets: 123 140 Parcel:

BI[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

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Inspected by	04-FEB-93		
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Report if not clear by	01-MAR-93		J BLACKLOCK

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Cllr D Dewsberry	0406 350947 (Of	29-JAN-93	12-FEB-93

LCC - No objection 5/2/93

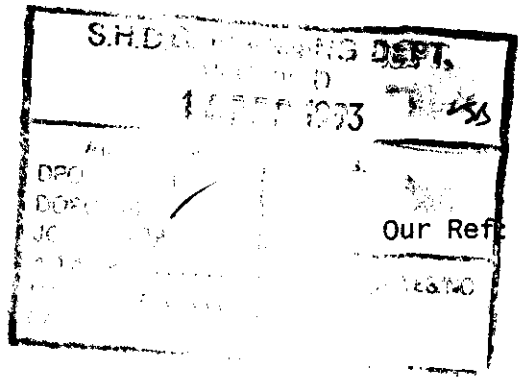
SITE DETAILS

Grid ref: 549250 327350
OS Sheets: 123 140 Parcel:

B Smith Esq
District Planning Officer
South Holland District Council
Council Offices
Priory Road
Spalding
PE11 2XE

NRA

National Rivers Authority
Anglian Region



11 February 1993 Our Ref: GT/93/1/SH/0045/EB

Dear Sir

PLANNING APPLICATION NO H18/0022/93
ERECTION OF A TIMBER SECTIONAL TOWER OBSERVATION HIDE
PROPOSED BY ENGLISH NATURE, LUTTON OUTMARSH NR, SUTTON BRIDGE ESTATE, SUTTON BRIDGE

With regard to the above-mentioned application received on 2 February 1993, I would inform you that the NRA Anglian Region has the following observations to make on the proposal:

We have no objections to raise, in principle, to the above-mentioned application for planning permission.

Yours faithfully

R F Morgan
Planning Engineer

GRAINGER DAVIES, B.Sc., C.Eng., F.I.C.E., F.I.W.E.M.
Regional General Manager

Northern Area
Aqua House
Harvey Street
Lincoln
LN1 1TF
Tel: (0522) 513100
Telefax: (0522) 512927

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
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SOUTH HOLLAND DISTRICT COUNCIL

Application no: H18/0022/93

Applicant: English Nature
East Region
Monkstone House
City Road
Peterborough PE1 1JY

Agent: English Nature
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Monkstone House
City Road
Peterborough PE1 1JY

Description: Erection of timber sectional tower observation hide

Location: Lutton Outmarsh National Nature Reserve
Sutton Bridge Estate Sutton Bridge

Type: GOVERNMENT DEPT

Date received: 25-JAN-93

29-JAN-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

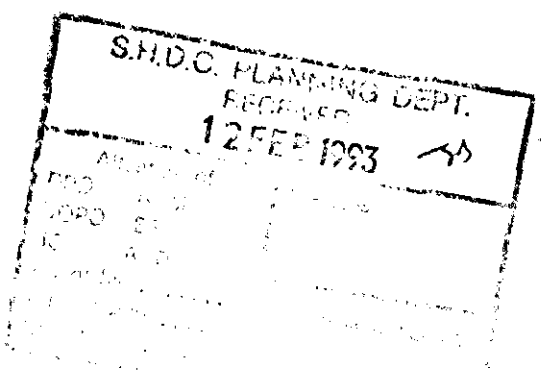
I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 13-FEB-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is J BLACKLOCK

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Long Sutton PC
56 Garnsgate Road
Long Sutton
Spalding Lincs
PE12 9BT

FOR PARISH COUNCIL USE ONLY

Comments: No objections - presume it is for use of the general public



Signed:

for Butcher

GROUP 'D'

11 FEB 1993

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
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Description: Erection of timber sectional tower observation hide

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29-JAN-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 13-FEB-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is J BLACKLOCK

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Sutton Bridge PC
64 Lowgate
Lutton
Spalding, Lincs

FOR PARISH COUNCIL USE ONLY

Comments:

The Parish Council has no objection. Location is misleading as parish boundaries conflict. It is requested that Lutton Parish Council are copied on this application

Signed: H Warrington
Clerk 9th February 93

S.H.D.C. PLANNING DEPT.
RECEIVED
11 FEB 1993
Plan Nos.
Acknowledge YES/NO
by
date

DOE CIRCULAR 18/84

ANNEX A
(Paragraph 17)

WELSH OFFICE CIRCULAR 37/84

DEVELOPMENT BY GOVERNMENT DEPARTMENTS

This form relates to a proposal by the (Department) reference English Nature to undertake development at Lutton Outmarsh National Nature Reserve, Sutton Bridge Estate, Spalding, Lincs.

If the answer to any of the following questions is yes, would you kindly give brief details.

1. (i) Are you aware of any other Government Department, local authority, nationalised industry, or statutory undertaking, or the National Trust, owning or having an interest in the site or adjacent land or possessing training, firing or other rights over it? Air MOD. Safeguard

   (ii) Are you aware of proposals for any such proposals for any such body to develop the site or adjacent land? NO

2. Is there on the site or in its immediate vicinity

   (i) any ancient monument on the statutory list, or shown on the 1.2500 (25 inch) or 1/10,000 (6 inch) OS maps, or known to exist from local knowledge or records, or NO

   (ii) any building of special architectural or historic interest on a statutory list or likely to be listed? NO

3. Is the site in a conservation area? NO

4. (a) Does the site contain minerals

   (i) the subject of a planning permission, or NO

   (ii) allocated in the development plan for working, or NO

   (iii) protected in the development plan as a reserve for possible future working? NO

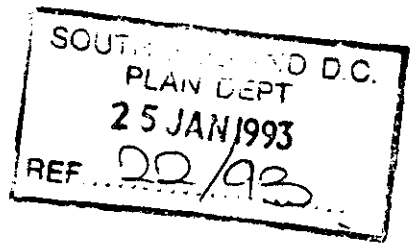
   (b) Are there any other reasons for considering that the site might contain minerals of economic importance? NO

5. Is there within ½ mile any

   (i) NHS hospital NO

   (ii) service hospital NO

   (iii) private hospital? NO



6. Are you aware of other information in relation to the site that which might be material to the development proposal? NO

Circular 18/84
(Department of the Environment)
Circular 37/84
(Welsh Office)

Joint Circular from the

Department of the Environment
2 Marsham Street London SW1P 3EB

Welsh Office
Cathays Park Cardiff CF1 3NQ

SOUTH HOLL... D.C.
PLAN DEPT
25 JAN 1993
REF.....22/93.

3 August 1984

Crown Land and Crown Development

Nature Conservancy Council

1. The Town and Country Planning Act 1984 comes into force on 12 August 1984. A commentary on its provisions in relation to England and Wales, and with reference to the regulations made under sections 1 and 3 of the Act which also come into force on the same day, is contained in Part I of the memorandum accompanying this circular. Section 1 of the Act enables planning permission to be sought prior to the disposal of Crown land or an interest therein. It thus renders redundant the procedure set out in Ministry of Housing and Local Government Circular 49/63 by which disposing Departments sought an informal opinion from local planning authorities about appropriate future uses of surplus Crown land. Circular 49/63 is hereby cancelled. Section 2 of the Act deals with the making of tree preservation orders in respect of Crown land prior to its disposal. Paragraph 45 of Circular 36/78 (Welsh Office Circular 64/78) on "Trees and Forestry" will be amended in due course.

2. Part II of the memorandum contains advice about the existing use of surplus Crown land.

3. Part III sets out the revised rules and procedures for the disposal of surplus Crown land (the "Crichel Down rules") which were adopted in December 1981. They are included in this memorandum for the convenience of local authorities and because the general principles underlying those rules are commended, where appropriate, for application to local authority land disposals.

4. Part IV sets out the arrangements by which Government Departments and other Crown bodies consult local planning authorities about their proposals for development. The basic procedure as set out in Circular 7/77 (Welsh Office Circular 5/77) remains unchanged but the arrangements as described in that circular have been updated to reflect the changes that have taken place in the statutory planning system over the last seven years. Circular 7/77 (Welsh Office Circular 5/77) is hereby cancelled.

Action by the local planning authority

12. The local planning authority will treat the Notice in the same way as they would a statutory planning application (but see paragraph 29 for entry into the register).

Outside London

13. Where development would, if it were the subject of an application for planning permission, fall within paragraph 19 of Schedule 16 to the Local Government Act 1972, as substituted by section 86(2) of the Local Government, Planning and Land Act 1980, the district planning authority will consult the county planning authority in the manner set out in paragraph 19 of Schedule 16. The district planning authority will notify any representations made by the county planning authority to the developing Department. If the county planning authority object to the proposal, this is to be considered as an objection by the local planning authority for the purposes of paragraph 23 of this part of the memorandum.

14. Where the development involves a county matter (as defined in paragraph 32 of Schedule 16 to the Local Government Act 1972 as amended by section 86(4) of the Local Government, Planning and Land Act 1980) the district planning authority will send three copies of the Notice and plans to the county planning authority and will notify the developing Department as sooon as may be that the proposal has been referred to the county. Where the county planning authority do not themselves wish to make representations about the proposal, they will nevertheless forward any representations by the other authority to the developing Department for consideration. These will not however constitute an objection from the local planning authority since, for the purposes of paragraph 23 of this part of the memorandum, the county planning authority is to be regarded as the local planning authority—see the footnote to paragraph 4.

London

15. The London borough council or the City Council will refer the Notice to the Greater London Council or will consult that Council in the same circumstances as they would if the Notice were a formal planning application for planning permission. Representations from these authorities will be dealt with as in paragraphs 13 and 14.

Fees

16. Notification by Government departments of their proposed developments are not subject to the fees payable on submission of planning applications.

Further information

17. The Notice of Proposed Development sent to the local planning authority may be accompanied by a request for further information in a form as set out in Annex A to this part of the memorandum. The local planning authority are asked to complete this form as soon as possible from

Circular 108/77
(Department of the Environment)
Circular 150/77
(Welsh Office)

Joint Circular from the

Department of the Environment
2 Marsham Street, London SW1P 3EB

Welsh Office
Cathays Park, Cardiff CF1 3NQ

Sir

4 November 1977

NATURE CONSERVATION AND PLANNING

SOUTH [illegible] D.C.
PLAN DEPT
25 JAN 1993
REF. 22/93

1. The increasing pressures on land, for example from development and recreation, often compete and conflict with the aim of conserving the remaining relatively natural elements of the environment in Britain. At the same time, there is an increasing public awareness of the need for nature conservation, and of the contribution that the animals, plants and land forms of this country make to the quality of man's environment. The Secretaries of State wish to foster this awareness of the role and importance of nature conservation and are particularly concerned that the need to conserve the nation's natural heritage should be fully taken into account when planning decisions are taken.

2. Local authorities are reminded that, under Section 11 of the Countryside Act 1968, "in the exercise of their functions relating to land under any enactment, every Minister, government department and public body shall have regard to the desirability of conserving the natural beauty and amenity of the countryside", which is defined so as to include the conservation of its flora, fauna and geological and physiographical features. It should, however, be emphasised that nature conservation interest is by no means confined to traditionally beautiful areas and occurs in towns as well as in the countryside. The Secretaries of State look to local authorities to take full account of natural conservation factors both in formulating structure and local plans, and in the consideration of individual planning applications. For example, wildlife and physiographical features in their areas can often be protected by the careful siting and treatment of developments. Local authorities should also consider the impact on nature conservation when undertaking their own developments of various kinds.

The Nature Conservancy Council: Its Advisory Role

3. In drawing up policies for nature conservation, and in considering the ecological impact of development proposals, local authorities will find it helpful to consult the Nature Conservancy Council (NCC). The Council was established as the successor to the Nature Conservancy by the Nature Conservancy Council Act 1973, and its functions include:

a. advising Ministers on the development and implementation of policies for or affecting nature conservation in Great Britain;

b. providing advice and disseminating knowledge about nature conservation generally;

c. establishing and managing nature reserves in Great Britain;

d. commissioning and supporting relevant research.

The NCC also has the power to make grants to local authorities, voluntary bodies and others towards the cost of carrying out projects that the Council itself would have the power to carry out, such as establishing and managing nature reserves, undertaking scientific surveys and research, and providing interpretative facilities.

4. The Secretaries of State attach great importance to the Council's advisory role, and the Council wishes to maintain close and effective liaison with local planning authorities. The normal point of contact with the Council should be through its regional offices. A list of the Council's offices in England and Wales is given in the Annex to this circular.

The Range of Nature Conservation Interest

5. Native plants and animals are to be found throughout the countryside and more frequently than is often realised in urban environments as well. But sites which provide a favourable habitat for the rarer species or for uncommon combinations of species are of special importance—as are sites in which are located geological and physiographical features of special interest.

6. Many such sites of particular nature conservation importance have the statutory designations of National Nature Reserve (NNR), Local Nature Reserve (LNR), or Site of Special Scientific Interest (SSSI). Many of these sites are irreplaceable as there are no known sites of equivalent interest anywhere else in the country, and their features of scientific interest once destroyed, cannot be recreated. Others are important as representative examples of their type locally, regionally, or nationally. The statutory nature reserves, along with the SSSIs, constitute an important part of the national heritage, and the Secretaries of State wish to ensure that, as far as possible, these sites are protected from damage or destruction, and their important scientific features conserved.

National Nature Reserves (NNRs)

7. National Nature Reserves are established by the NCC under powers conferred by the National Parks and Access to the Countryside Act 1949, as amended by the Nature Conservancy Council Act 1973. These are sites of national or international importance. The establishment of NNRs is a continuous process, and it should not be assumed that all or most of the very important sites have already been so designated. Such reserves are either owned, or leased, by the NCC, or are the subject of Nature Reserve Agreements with the landowners and occupiers. NNRs are shown separately, for convenience, in the County Schedules of SSSIs prepared by the NCC. Local planning authorities are reminded that paragraph 15 of Schedule 3 to the 1973 Act provides (inter alia) that for the purpose of the application of any statutory provision to land in which the NCC has an interest and which is managed as a nature reserve, the NCC is deemed to be a government department. Accordingly, the provisions of Section 266 of the Town and Country Planning Act 1971 will apply to such land as though it were Crown land.

Sites of Special Scientific Interest (SSSIs)

8. Under Section 23 of the National Parks and Access to the Countryside Act 1949, the NCC has a duty to notify local planning authorities of any land, not managed as a nature reserve, which is of special interest because

ENGLISH
NATURE

East Region Headquarters

Nature Conservancy Council for England

Monkstone House, City Road,
Peterborough PE1 1JY

Telephone (0733) 340345
Fax (0733) 898341

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

Our Ref: L5-03-13

22 January 1993

Dear Sir

APPLICATION NO. H18/0022/93
RE: LUTTON OUTMARSH NATIONAL NATURE RESERVE

Further to your letter of 18 January 1993, please find enclosed four copies of Annex A to DoE Circular 18/84 as requested. With regards to the fee of £60 I spoke with your Mrs Maxwell and indicated our interpretation of DoE Circular 108/77 and 18/84 was that we are exempt from such payments. I have taken the liberty of enclosing copy of extracts of relevant paragraphs at the request of Mrs Maxwell for your information.

Thanking you in anticipation of your favourable reply.

Yours faithfully

F A Bayne
Buildings Surveyor
East Region

SOUTH HOLLAND D.C.
PLAN DEPT
25 JAN 1993
REF. 22/93

BRIAN **TH** 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

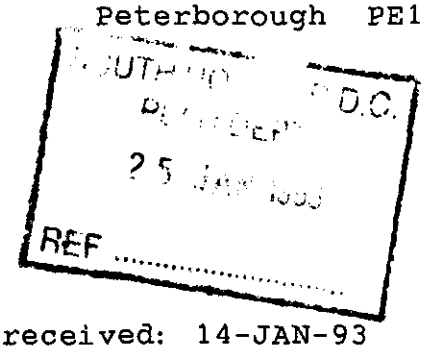
SOUTH HOLLAND DISTRICT COUNCIL

Application no: H18/0022/93

Applicant: English Nature
East Region
Monkstone House
City Road
Peterborough PE1 1JY

Agent: English Nature
East Region
Monkstone House
City Road
Peterborough PE1 1JY

Description: Erection of timber sectional tower observation hide



Location: Lutton Outmarsh National Nature Reserve
Sutton Bridge Estate
Sutton Bridge

Type: GOVERNMENT DEPT

Date received: 14-JAN-93

18-JAN-93

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:

FAO YOUR REF: L5-03-13

Four copies of Annex A to DOE Circular 18/84 are required, which were not enclosed with the application as stated.

A fee of £60 is required. Not required

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

ENGLISH
NATURE

East Region Headquarters

Nature Conservancy Council for England

Monkstone House, City Road,
Peterborough PE1 1JY

Telephone (0733) 340345
Fax (0733) 898341

South Holland District Council
Planning & Building Control Dept
Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

For the attention of Mr N R Midlen

Your Ref: IB/SAH 1870/12

Our Ref: L5-03-13

11th January 1993

Dear Sir

LUTTON OUTMARSH NATIONAL NATURE RESERVE

With reference to your letter dated 29 December 1992 in reply to my letter of enquiry dated 15 December concerning the erection of small bird observation hide on the above NNR.

I have as requested duly filled in the necessary application forms (4 no.) and also attached four copies of Annex A to DoE Circular 18/84. You will also note that included are site location plans together with a simple lined diagram/drawings no. L5-03-13/1 and 2 showing the construction details of the hide. As the project is of a relatively small nature it is hoped that you will accept these. If not then obviously we will be only too willing to have more detailed scaled drawings made up.

As previously discussed we again can only apologise for the error in the erection of the hide without consultation with your department and hope a sympathetic approach to this case will be met. Finally I would very much like to point out that in my previous letter to you I omitted to make reference to DoE Circular 108/77 para 7 which refers to NCC as deemed to be a Government Department so therefore can be read in conjunction with DoE Circular 18/84 as referred.

Thanking you in anticipation of your kind co-operation and look forward to your early reply.

Yours faithfully

F A Bayne
Buildings Surveyor
East Region

SOUTH ...
14 JAN 19..
0022/93

100% Recycled paper

J Blacklock

JB/SAH 1870/12

L5-03-13

29 December 1992

Mr F A Bayne
Buildings Surveyor
East Region
English Nature
Monkstone House
City Road
Peterborough
PE1 1JY

Dear Sir

Lutton Outmarsh National Nature Reserve

Thank you for your letter dated 15 December 1992 in connection with the above.

I assume that although the Nature Reserve is on Crown Land, English Nature itself is not a Crown Body and therefore the provisions of Circular 18/84 'Crown Land and Crown Development' have no direct relevance in this case.

The erection of the hide does constitute development because the structure has been built as a permanent fixture. In my view therefore, planning permission is required and accordingly I enclose the requisite planning application forms.

Yours faithfully

N R Midlen
Principal Planning Officer (Development Control)

Enc.

ENGLISH
NATURE

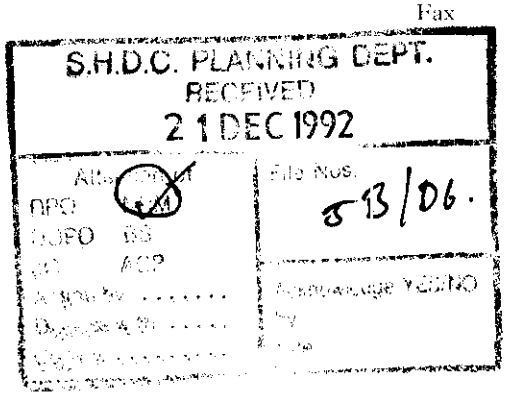
East Region Headquarters

Nature Conservancy Council for England

Monkstone House, City Road,
Peterborough PE1 1JY

Telephone (0733) 340345
Fax (0733) 898341

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



Ref: L5-03-13

15 December 1992

Dear Sir

LUTTON OUTMARSH NATIONAL NATURE RESERVE

With reference to the above reserve we currently manage situated at the mouth of the River Nene and your telephone conversation on 14 December with Mr R Findon the Senior Officer at our Grantham office.

As you are now aware English Nature erected a small observation bird hide on the saltmarshes to allow the Site Manager an overall view of the mudflats in the area. The purpose being that the site is of immense ornithological interest and we wish to study and record details of the wildfowl and wader numbers, distribution etc more closely.

Unfortunately it is with regret I must confess that an application for planning consent was not sent to your offices. Although the NNR enjoys Crown Immunity this should not be abused and therefore I write to you providing you with details of the hide and position in order for you to look at and give advice/views on the procedure we should now adopt.

I can only reiterate upon my earlier comment and apologise for this error and hope that you will look sympathetically at this case.

Thanking you in anticipation for your co-operation and look forward to your early reply.

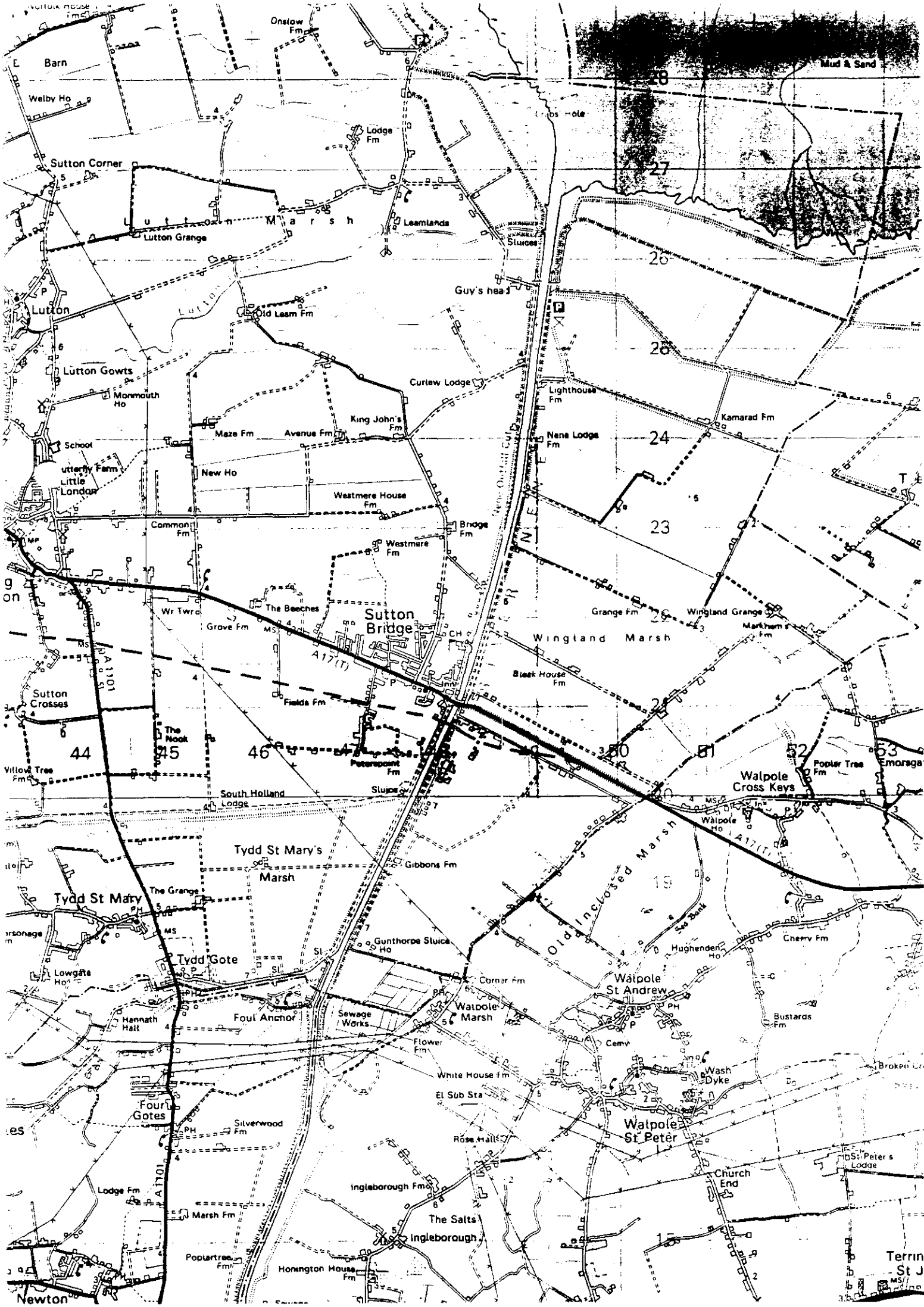
Yours faithfully

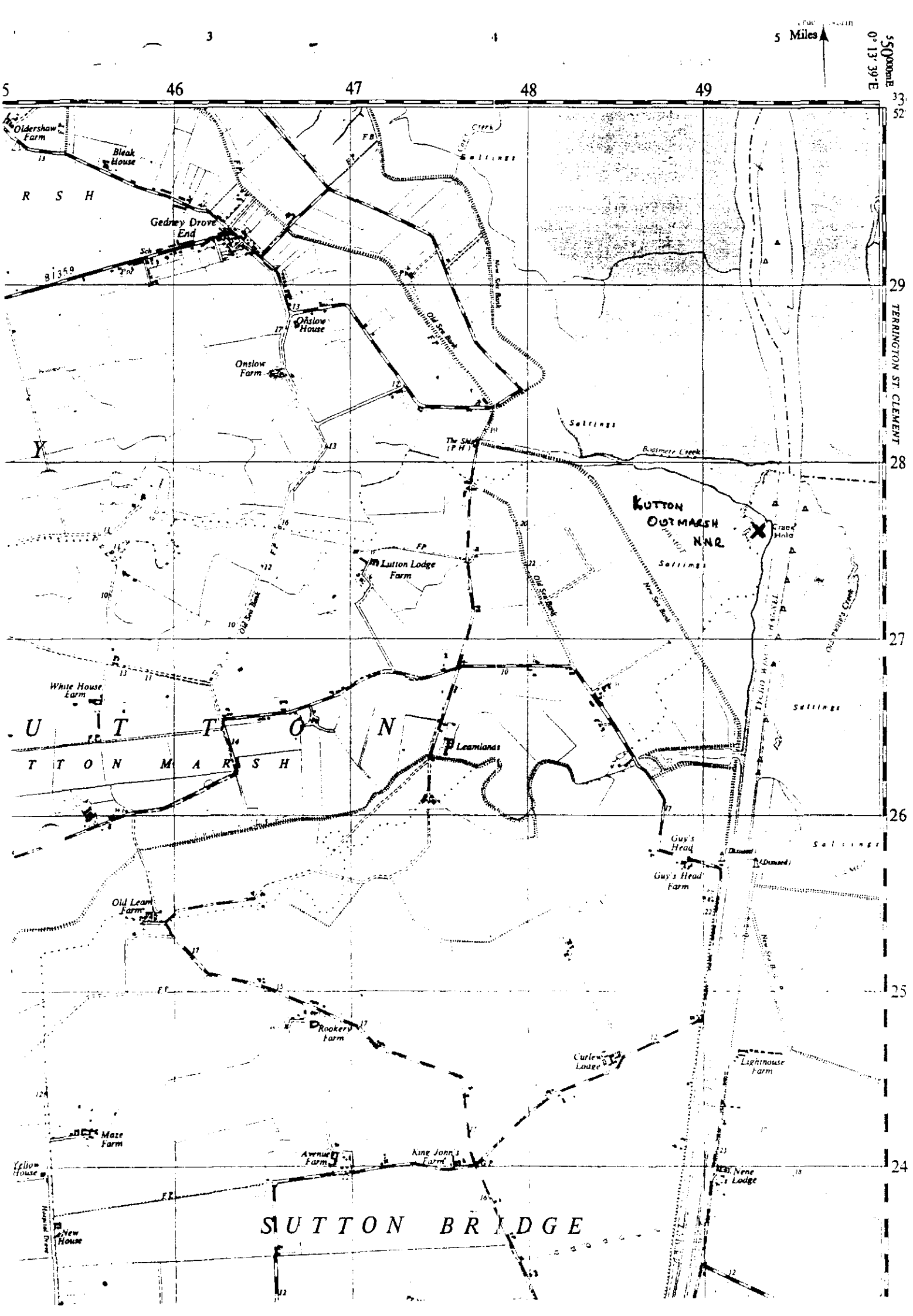
F A Bayne
Buildings Surveyor
East Region

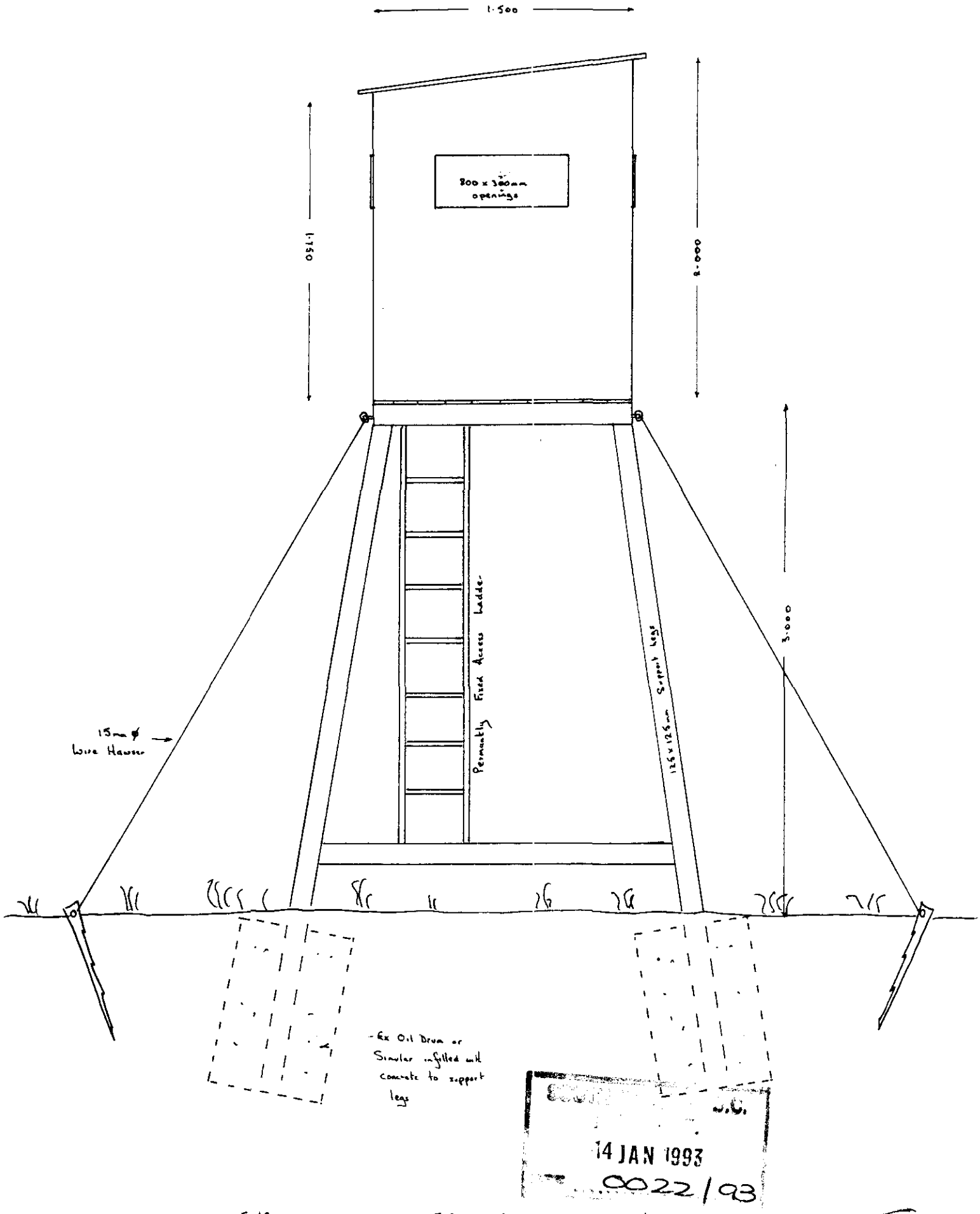
LUTTON OUTMARSH NATIONAL NATURE RESERVE

The Outmarsh comprises all that of open grass and samphire marshes, bare sands, mud and channel and soil and herbage of the banks and forelands comprising the outmarshes and foreshores of the Wash of a total of 240 acres or thereabouts extending from the foot of the seaward side of the sea back to the mean high water mark from time to time as the same are for the urposes of identification only delineated and shown edged red on the plan annexed hereto.

14 JAN 1993
REF ...0022/93


Mud & Sand
Onslow Fm
Barn
Welby Ho
Lodge Fm
Sutton Corner
Lutton Marsh
Lutton Grange
Leamlands
Sluices
Guy's head
Lutton
Old Leam Fm
Lutton Gowts
Curlew Lodge
Monmouth Ho
Lighthouse Fm
Kamarad Fm
King John's Fm
Maze Fm
Avenue Fm
Nene Lodge Fm
School
utterfly Farm
Little London
New Ho
Westmere House Fm
Common Fm
Bridge Fm
Westmere Fm
Wr Twrd
The Beeches
Sutton Bridge
Grove Fm
Grange Fm
Wingland Grange
Wingland Marsh
Marthem's Fm
A17(T)
Bleak House Fm
Sutton Crosses
A1101
Fields Fm
The Nook
Peterspoint Fm
Willow Tree Fm
Poplar Tree Fm
Walpole Cross Keys
South Holland Lodge
Sluice
Walpole Ho
Tydd St Mary's Marsh
Gibbons Fm
Old Inclosed Marsh
Tydd St Mary
The Grange
Gunthorpe Sluice
Hughenden Ho
Cheery Fm
Tydd Gote
Lowgate Ho
Corner Fm
Walpole St Andrew
Hannath Halt
Foul Anchor
Sewage Works
Walpole Marsh
Bustards Fm
Flower Fm
Cemy
White House Fm
Wash Dyke
El Sub Sta
Four Gotes
Silverwood Fm
Walpole St Peter
Rose Hall
Lodge Fm
Marsh Fm
Ingleborough Fm
Church End
St Peter's Lodge
The Salts
Ingleborough
Poplartree Fm
Honington House Fm
Newton
Terrin
St J


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TERRINGTON ST. CLEMENT
Oldershaw Farm
Bleak House
R S H
Gedney Drove End
B1359
Onslow House
Onslow Farm
Old Sea Bank
New Sea Bank
Saltings
The Ship (P.H.)
Boatmans Creek
KUTTON OUTMARSH NNR
Crane Hole
Lutton Lodge Farm
White House Farm
U T T O N
T O N M A R S H
Leamlands
Guy's Head
Guy's Head Farm
Old Leam Farm
Rookery Farm
Curlew Lodge
Lighthouse Farm
Maze Farm
Avenue Farm
King John's Farm
Yellow House
New House
Nene Lodge
SUTTON BRIDGE



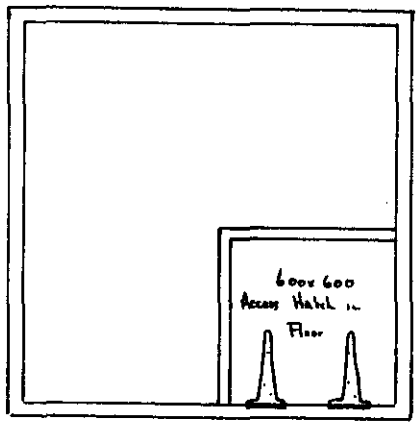
14 JAN 1993
0022/93

ENGLISH NATURE – TYPICAL DETAILS OF HIDE

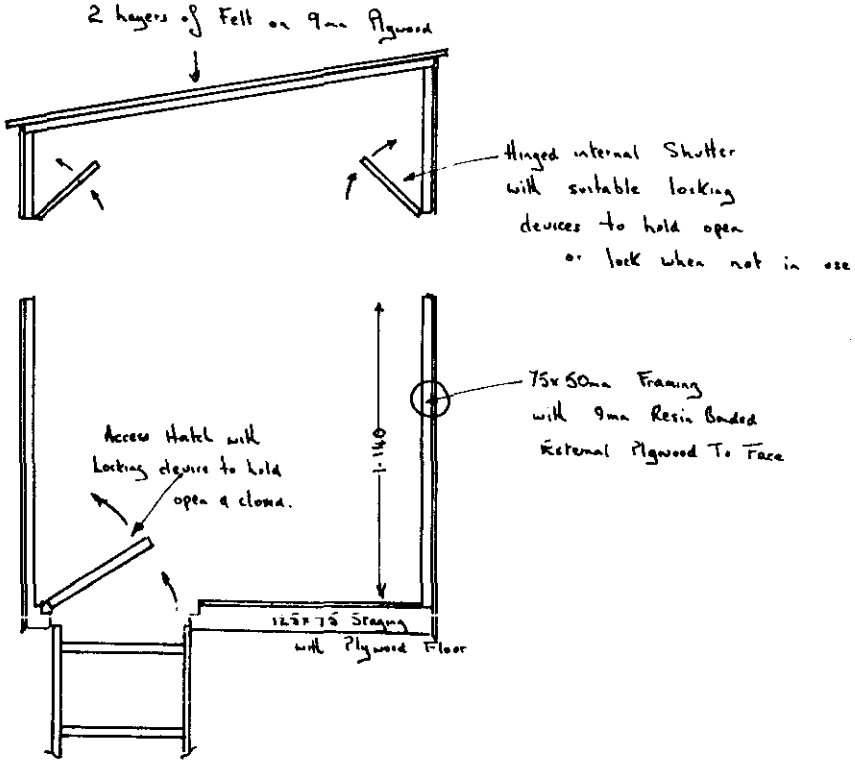
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ENGLISH NATURE

All timbers & plywood used throughout to be given a coat of preservative treatment.



PLAN OF FLOOR SHOWING
ACCESS HATCH



SECTION THRO' SHOWING OBSERVATION
WINDOWS WITH HINGED SHUTTERS

14 JAN 1993
0022/93

DRWG No.
LS-03-13/2

ENGLISH
NATURE