

TOWN AND COUNTRY PLANNING ACT 1971

OUTLINE PLANNING PERMISSION

REFERENCE : H18/1886/88

DATE RECEIVED : 9 12 88

APPLICANT : Mr & Mrs D J Fendley
 26 Granville Terrace
 Sutton Bridge
 Spalding
 Lincs

AGENT : Geo. Collings & Co
 17 Blackfriars St
 Kings Lynn
 Norfolk

TYPE : Outline GRID REF : 545320 323520

DESCRIPTION : One residential dwelling house

LOCATION : 219 New House Farm, Hospital Drive, Long Sutton

The South Holland District Council hereby give notice that outline planning permission has been granted for the carrying out of the development in accordance with the application and plans submitted, subject to the following conditions:

- 1 Application for approval of reserved matters must be made not later than three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates :
 - (a) the expiration of five years from the date of this permission
 - (b) the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 41 of the Town and Country Planning Act 1971.

- 2 The following matters are reserved for subsequent approval by the Local Planning Authority, and no development to which they relate shall be carried out until these matters have been approved, viz:

- 1) Detailed drawings to a scale of not less than 1:100 showing the siting, design and external appearance of the buildings, including particulars of the materials to be used for external walls and roofs;
- 2) The siting and design of any vehicular access to a road;
- 3) Landscaping of the site, including details of positions, heights on planting and species of trees and shrubs.

Reason: The application was submitted in outline only.

Cont/...

*This permission refers only to that required by the Town and Country Planning Acts.
 If approval is required under any other enactment this must be obtained separately.*

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
 CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE

TELEPHONE: SPALDING 61161

2/16

Cont/...
H18/1886/88

- 3 The approved scheme of landscaping and/or screening shall be carried out in its entirety within a period of two years beginning with the date on which development of the land is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. The trees, shrubs or bushes shall be adequately maintained by the owner(s) of the land on which they are situated for a period of ten years beginning with the date of completion of the scheme, and all losses shall be made good during that period.

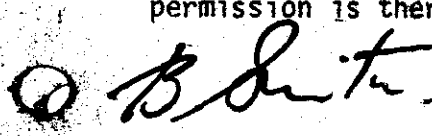
Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily.

- 4 No trees or shrubs on the site shall be lopped, topped, felled or uprooted without the prior written consent of the Local Planning Authority. Any trees dying or becoming dangerous shall be replaced with trees of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: In the interest of the amenity of the area.

- 5 The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, locally in agriculture as defined in Section 290(1) of the Town and Country Planning Act 1971, or a dependent of such a person residing with him, or a widow or widower of such a person.

Reason: The site is in a rural area where it is the policy of the Local Planning Authority not to permit residential development except in the interests of agriculture or where related to the use of the land. The circumstances of this case relate to an agricultural need, and permission is therefore confined to it.


District Planning Officer
28 June 1989 (C)

NOTE TO APPLICANT

Your attention is drawn to the existence of a Section 52 Agreement regulating the development hereby permitted.

Scale: 1:2500

SOUTH HOLLAND DISTRICT

© Crow

1600
1-158ha
2-86
Yellow House

4400
8-014ha
19-80

1783
5-357ha
13-24

8 M 4-58m

New House

3361
797ha
1-97

4860
8-673ha
21-43

1858
4-851ha
11-99

3057
1-458ha
3-60

Drain

4-1m

2232
6-070ha
15-00

SOUTH HOLLAND D.C.
PLAN D11
09 DEC 1992
REF. 1006/88

PLANNING APPLICATION

For office use only

Application No. **415/1826/88**Date Registered **09 DEC 1988**

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

Mr & Mrs D.J. Fendley
26 Granville Terrace,
Sutton Bridge,
Lincs

Tel. No.

NAME AND ADDRESS OF AGENT

(if form completed by agent)

Geoffrey Collings & Co.,
17 Blackfriars Street,
Kings Lynn.

Tel. No. 0553 774566

(Personal contact name) Mr A Holford

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

219 New House Farm, Hospital Drive, Long Sutton, S. Lincs.

OFFICE

COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

One residential dwelling house.

Please complete

I attach

* Four copies of all plans

* an ownership certificate (see back page)

* a fee of ... £66. If you consider no fee is payable include a written explanation instead.

Signed. *A. J. Fendley*Date. *6/12/88*

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 ☒ **or** This is an **outline** application ☐

Now complete Parts
3, 4 and 5 and an
Ownership Certificate

Please state Site Area (Hectares)Please tick **any** box where you are including details which you wish to be considered as part of this application.Siting ☒ Design ☐ External Appearance ☐Means of Access ☒ Landscaping ☐

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

Now complete Part 4 only

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

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

Now complete an Ownership Certificate

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

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

Now complete an Ownership Certificate

TYPE OF DEVELOPMENT

3. A. Please state whether the proposal involves:-

(Tick one or more boxes)

(i) New building(s)

(ii) Alterations or extension

(iii) Change of use

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

One

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

sq. metres

B. Please state size of any new structure:- (a) max. height:

metres

(b) max. length:

metres

(c) max. width:

metres

C. Please state type and colour of materials for facing external walls:

D. Please state type and colour of roofing materials.

5. GENERAL INFORMATION Please complete each section

EXISTING USES

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

Nursery

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

B. There will be a new or altered access to a public road

If so, name of road:

TREES Please tick **one** box

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

B. The proposal does involve the felling of one or more trees

If so, please show details on plans

DRAINAGE Please complete

A. Please state how surface water will be disposed of

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

C. Please state whether a land drain will be affected

D. Foul sewerage will be disposed of to:

Soakaway/Adjacent ditch

It is thought not.

Mains sewer

Cesspool

Septic tank

OTHER MATTERS Please complete

State Yes or No

The proposal is in connection with agriculture

The proposal affects a listed building

The proposal affects a public footpath

The proposal is known to affect contaminated land

The proposal is for industrial, warehousing, offices or shopping purposes

Yes

No

No

No

No

If so, please give details in Part 6

If so, please complete Part 7

6. ANY OTHER INFORMATION Please add any details you wish in support of your application.

Continue on separate sheet if necessary.

See covering letter

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE
SECTIONS.

Use the notice at the bottom of the page only
when necessary.

1. APPLICANT'S INTEREST

Please state interest (e.g. owner, prospective purchaser)

Prospective purchaser

2. OWNERSHIP OF THE SITE

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

If the applicant is the **sole owner of the whole site**, complete **Certificate A**.

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

Certificate A No person other than the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.

Signed (Applicant/Agent) Date

Certificate B The applicant has given the requisite notice to all persons other than the applicant who were owners of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.

State Name and address of owner:

State Date notice served: 6/12/88

Mr & Mrs. Bayne
11 New House Farm, Hospital Grove,
South Holland, Lincoln.

Signed: [Signature] (Applicant/Agent) Date 6/12/88

3. If the land is not in agricultural use, complete Certificate 1.

If the land is agricultural, but there is no agricultural tenant, complete Certificate 1.

If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. (You can use the notice at the bottom of the form to send to the tenant).

Certificate 1 None of the land to which the application relates constitutes or forms part of an agricultural holding.

Signed [Signature] (Applicant/Agent) Date 6/12/88

Certificate 2 The applicant has given the requisite notice to any other person who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates.

State Name and address of tenant:

State Date notice served:

Signed (Applicant/Agent) Date

NOTICE UNDER SECTION 27 OF TOWN AND COUNTRY PLANNING ACT 1971

Proposed development at

Take notice that application is being made to South Holland District Council by
for planning permission for

If you should wish to make representations about the application, you should make them in writing not later than 20 days from the date of service of this notice, to Chief Executive, South Holland District Council, Priory Road, Spalding, Lincolnshire.

TO BE COMPLETED
BY APPLICANT OR
HIS AGENT

Signed Date

SOUTH HOLLAND DISTRICT COUNCIL

PLANNING DEPARTMENT

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
 CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 61161

APPLICATION NO : H18/1386/88

DATE RECEIVED : 9 12 88

APPLICANT : Mr & Mrs D J Fendley AGENT : Geo. Collings & Co
 26 Granville Terrace 17 Blackfriars St
 Sutton Bridge Kings Lynn
 Spalding Norfolk
 Lincs

DESCRIPTION : One residential dwelling house

LOCATION : 219 New House Farm, Hospital Drove, Long Sutton

Type : Outline Grid Ref : 545320 323520

Terminal Date
 3 2 89

Consultation with Parish Council

Dear Sir / Madam,

I have received an application for the proposal referred to above and enclosed a copy for your information. If no observations have been received within 14 days of the date of this letter it will be assumed that the Parish Council have no observations to make on this proposal.

Any observations which the Parish Council wish to make should be set out below and this form, together with the application, returned to me at the above address.

Yours faithfully,
 B. SMITH,
 District Planning Officer.

S.H.D.C. PLANNING DEPT.	
RECEIVED	
25 JAN 1989	
Section of LDM ES ASP	File Nos.
.....	
.....	

To

Sutton Bridge

 Parish Council

FOR PARISH COUNCIL USE ONLY

1. My Council do not propose to
 comment on this proposal (✓)

2. My Council wish to make the following observations:

The Parish Council have no objections to this application, but note that the site is outside the Boundary of development

Signed:

Date:

23/1/89

15 SOUTH HOLLAND DISTRICT COUNCIL

PLANNING DEPARTMENT

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 61161

APPLICATION NO : H18/1886/88

DATE RECEIVED : 9 12 88

APPLICANT : Mr & Mrs D J Fendley AGENT : Geo. Collings & Co
26 Granville Terrace 17 Blackfriars St
Sutton Bridge Kings Lynn
Spalding Norfolk
Lincs

DESCRIPTION : One residential dwelling house

LOCATION : 219 New House Farm, Hospital Drove, Long Sutton

Type : Outline Grid Ref : 545320 323520 Ward V

Terminal Date 3 2 89

Consultation with Parish Council

Dear Sir / Madam,

19th December 1988

I have received an application for the proposal referred to above and enclose a copy for your information. If no observations have been received within 14 days of the date of this letter it will be assumed that the Parish Council have no observations to make on this proposal.

Any observations which the Parish Council wish to make should be set out below and this form, together with the application, returned to me at the above address.

Yours faithfully,

B. SMITH,

District Planning Officer.

S.H.D.C. PLANNING DEPT. RECEIVED 6 JAN 1989	
Attention of DPO NSM DOPO BS JC ACP Action by Discuss with Copy to	File Nos. Acknowledge YES/NO by date

To Little Sutton
~~Long Sutton~~
Parish Council

FOR PARISH COUNCIL USE ONLY

1. My Council do not propose to
comment on this proposal (✓)

2. My Council wish to make the following observations:

No objection

Signed: J. B. Archer Date: 3/1/89

LINCOLNSHIRE COUNTY COUNCIL

Form No. H/A/3B

DEPARTMENT OF HIGHWAYS AND PLANNING

To *South Holland* District Council

Application Reference *#18/1886/88*

Form of notification by the County Director of Highways and Planning for
DEVELOPMENT AFFECTING HIGHWAYS

With reference to the application dated
relating to the following proposed development:

a. National Grid Reference of a
central point on site

horizontal			vertical		
	4	5	3	2	3
					5

b. Address or location

219 New House Farm, Hospital Drive

c. Name, classification and number of road

Long Sutton

d. Date application referred

22/12/88

e. State whether outline, detailed application etc.

OL

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

Driveway

g.

Delete as
appropriate

1. Notice is hereby given under the provisions of article 12 of the Town and Country Planning General Development Order, 1977, that the County Council as local highway authority:—
 - a. ~~Does not wish to restrict the grant of permission.~~
 - b. Directs that permission is refused (reason overleaf)
 - c. Directs that any permission given by the local planning authority shall include the conditions shown overleaf.
2. a. The County Council as local highway authority requests that any permission given by the local planning authority shall include the conditions shown overleaf.
 - b. The County Council as local highway authority requests that the local planning authority refuse the application (reason overleaf)
3. The County Council as local highway authority requests the local planning authority to complete Form T.R. 108 para 10b as shown overleaf.

Date

22/12/88

Signed

[Signature]
Director of Highways and Planning

CONDITIONS: —

Delete as
appropriate

- i For applications where items are to be reserved for subsequent approval in consultation with the Director of Highways and Planning
- ii For other applications

Delete as
appropriate

- i REASONS FOR 1 or 2 overleaf
- ii COMMENTS FOR FORM T.R. 108 para 10b

The site fronts onto a rural section of Hospital Drive where the Highway frontage is mainly undeveloped. In the absence of any special overriding need there is no justification for permitting this application with the consequent ~~the~~ turning movements on the highway to the detriment of other road users.

To allow this proposal would make it difficult to resist other applications of a similar nature along this road.

Note: — use continuation sheet(s) as necessary.

NB/ IF this is supported by HAFF
I would withdraw my objections.

D C C H E C K S H E E T

APPLICATION NO : H18/1886/88

DATE RECEIVED : 9 / 12 / 88

APPLICANT : Mr & Mrs D J Fendley AGENT : Geo. Collings & Co

DESCRIPTION : One residential dwelling house

LOCATION : 219 New House Farm, Hospital Drove, Long Sutton

Type : Outline Grid Ref : 545320 323520 OS Sheet : 193

Terminal date : 3 / 2 / 89

CONSTRAINTS :

Listed building N
Conservation area N
Trunk road N
Other constraints N

POLICIES :

Inside IBD N

Consult ADAS: Appraisal.....
Art 18

Inside LP area N

GENERAL : RESIDENTS: Addresses -

Additional publicity: General(71/73).....
Departure.....
Special consults: Env Health.....
Any other?.....

Permitted Development Signed.....

Article 7 4 Details required -

DPO COMMITTEE ✓...

CASE OFFICER: ...*DDPO*...

DECISION (Subject to consultations):

Signed:
Date:

CONSULTATION

SITE VISIT

DATE

17/1 MS

Site occupied by glass houses & ply panels
6 or 7 mature trees set back from road edge
Sizable house to north.

RECOMMENDATION

ADMIN RECORD SHEET

INITIALS/DATE

REFERENCE : H10/1886/88 BC ref : ...

Type : OUTLINE.....

First received : 09 DEC 1988

VALID : 09 DEC 1988

VALIDATION

Submission incomplete: Forms
Certificate
Site plans
Fees
Section 26
Other

Requested.....

INVALID REF:

Financial:

CORRECT FEE £ 66
Submitted fee £ 66
Additional fee £
Refund needed £

Receipt no 5072
Receipt no....
Month.....

Non-fee earning - type
previous app
other

ref:

INFORMATION

Site area H 0.04
Floorspace M
No of dwellings 1

Plotted. 13.12.88

Location -

Index sheet no .193...

Grid ref 545320 373520

Ward✓.....

Parish .SUTTON BRIDGE

Local Plan area .NO....

IBD Inside/Outside

Constraints -

TR
Rural(108)
Bypass
Level Cross

CA
LB
TPO

Other

Applications -

Last application

Other applications on site

Other relevant apps

Data input.....

APPLICATION REFERENCE: H18/1886/88

DATE RECEIVED: 9.12.88

APPLICANT: Mr & Mrs D J Fendley
26 Granville Terrace
Sutton Bridge
Spalding Lincs

AGENT: Geo. Collings & Co
17 Blackfriars Street
Kings Lynn
Norfolk

TYPE: Outline

DESCRIPTION: One residential dwelling house

LOCATION: 219 New House Farm, Hospital Drive, Long Sutton

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 7th February 1989

Parish Council:

No objections, but note that site is outside the development boundary.

PLANNING ISSUES

1. The site is located in an area of open countryside where Policy 5 of the Structure Plan applies.
2. The site itself is within a nursery owned by the applicants grandparents who live in a dwelling immediately to the north.
3. It is proposed that the applicants would purchase the nursery but not the dwelling.
4. ADAS conclude that the horticultural unit could offer the prospect of sufficient livelihood to the occupier, that it would normally be necessary for one responsible person to reside on the unit and that there are no dwellings on the land which comprises the proposed unit.

CONCLUSIONS

1. An additional dwelling on this holding can only be justified the existing dwelling becomes divorced from the holding. If this takes place then a viable holding will exist with justification for a dwelling for supervisory and managerial purposes.

PLANNING OFFICER'S RECOMMENDATION

- A. That the applicants be invited to enter into an agreement under Section 52 of the Town and Country Planning Act 1971 to the effect that no additional dwelling on the holding will be erected until the holding has been transferred to their ownership.
 - B. Then the District Planning Officer be authorised to grant outline planning permission subject to the following conditions:-
 - SC8 - (Reserved matters)
 - SC27 - (Implementation of landscaping)
 - SC28 - (Protection of trees)
 - SC39 - (Agricultural habitation)
-

FILE SHEET

1886
RJS

18 1 89

Last Committee
before terminal date:

COM Case Officer RJS

APPLICATION NO : H18/1886/88

RECEIVED : 9 12 88

TERMINAL DATE : 3 2 89

APPLICANT : Mr & Mrs D J Fendley

DESCRIPTION : One residential dwelling house

LOCATION : 219 New House Farm, Hospital Drove, Long Sutton

TYPE : Outline Inside IBD : N No of dwellings 1
 Inside LP area : N Site area 0.04
 Grid ref : 545320 323520 Floorspace 0

Last application : B Reg :

Ack : 19th December 1988

CONSULTATIONS

LIST OF
BACKGROUND PAPERS
(if reported to committee)

EXEMPT *

RECONSULTATIONS

Parish Council
Ward Member
County Highways

Sent	Expiry	Received	OBJ
19/12	6/1	No objection	
19/12	30/12	See comments	
22/12	22/12	Obs 177 JCB	

Sent	Exp.	Rec'd	OBJ
11/1	25/1		

Dept. of Transport
Ministry of Agriculture
Consultant Architect
Environmental Health

19/12	6/1	16/1	

Publicity:

Residents:
Advertisement

Planning Office

Any notes from officer's site inspection

Applicant:

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

From: The District Secretary

To: The Planning Officer

Our Ref: JMB/MJP/PL.230

Your Ref:

Date: 21st June, 1989

SUBJECT: PLANNING APPLICATION NO.H18/1886/88
HOUSE AT 219 NEW HOUSE FARM, HOSPITAL DROVE, LONG
SUTTON

Would you please note that the Section 52 Agreement has now been completed and a copy is enclosed for your records. Would you please arrange to release the planning permission as soon as possible.


District Secretary

S.H.D.C. PLANNING DEPT. RECEIVED 23 JUN 1989	
Attention of: DPO ☒ NRM DOPO ☐ BS JC ☐ ACP	File Nos. <i>one of</i> RJS
Action by	Acknowledge YES/NO
Discuss with	by
Copy to	date

SOUTH HOLLAND DISTRICT COUNCIL



A G R E E M E N T

under Section 52 of the
Town and Country Planning Act 1971

between

SOUTH HOLLAND DISTRICT COUNCIL

and

HORACE JOHN PAYNE

and

ETHEL MAY PAYNE

re

the erection of a dwelling on land at
Hospital Drove, Long Sutton

I hereby certify that this is a true copy of
the Section 52 Agreement relating to land at
Dog Drove, Whaplode St. Catherine

.....
District Secretary

AN AGREEMENT made this 20th day of June

One thousand nine hundred and eighty-nine BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincoln (hereinafter called "the Council") of the one part and HORACE JOHN PAYNE and ETHEL MAY PAYNE of 219 New House Farm Hospital Drove Long Sutton in the County of Lincoln (hereinafter called "the Owners") of the other part

WHEREAS

- (1) The Council are the local planning authority for the South Holland District in the County of Lincoln _____
- (2) The Owners are the owners in fee simple in possession of the land at Hospital Drove Long Sutton shown edged blue on the plan annexed hereto (hereinafter called "the blue land") _____
- (3) The Owners have agreed to sell their freehold interest in the blue land to DEAN JOHN FENDLEY and MICHELLE LOUISE FENDLEY of 26 Granville Terrace Sutton Bridge in the County of Lincoln (hereinafter called "the developers") for use as an agricultural holding _____
- (4) The Developers have by a written application dated the sixth day of December One thousand nine hundred and eighty-eight applied for planning permission for the erection of a dwellinghouse on the land shown edged red on the plan annexed hereto (hereinafter called "the red land") in accordance with the plans and particulars supplied therewith under planning reference H18/1886/88 (hereinafter called "the Development") _____
- (5) Although the red land is outside the confines of a settlement in an area of open countryside where it is the Council's policy to permit new development only in exceptional cases where it is satisfied that there is a special need particularly in connection with agriculture the Council is satisfied that subject to the restriction of the development in the manner hereinafter appearing the development would not contravene local planning policies _____
- (6) The Owners have agreed to enter into this Agreement with the Council pursuant to Section 52 of the Town and Country Planning Act 1971 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 for the purpose of restricting or regulating the development or use of the land in the manner hereinafter appearing

NOW THIS DEED WITNESSETH as follows

1. This Agreement is made in pursuance of Section 52 of the Town and Country Planning Act 1971 and section 33 of the Local Government (Miscellaneous Provisions) Act 1982 _____

2. In the event of planning permission being granted the Owners hereby covenant with the Council not to commence the development until their freehold interest in the blue land has been legally transferred to the Developers and forever thereafter the development shall remain part of the agricultural holding comprising the blue land of which it forms an integral part _____

3. The expressions "the Council" and "the Owners" shall include their successors in title _____

IN WITNESS whereof the Council have caused their Common Seal to be hereunto affixed and the owners have hereunto set their hand and seals the day and year first before written _____

THE COMMON SEAL of THE SOUTH)
HOLLAND DISTRICT COUNCIL was)
hereunto affixed in the)
presence of:)

Ken Gault
Chairman of the Council

M. B.
Deputy District Secretary

SIGNED SEALED AND DELIVERED)
by the said HORACE JOHN)
PAYNE in the presence of:)

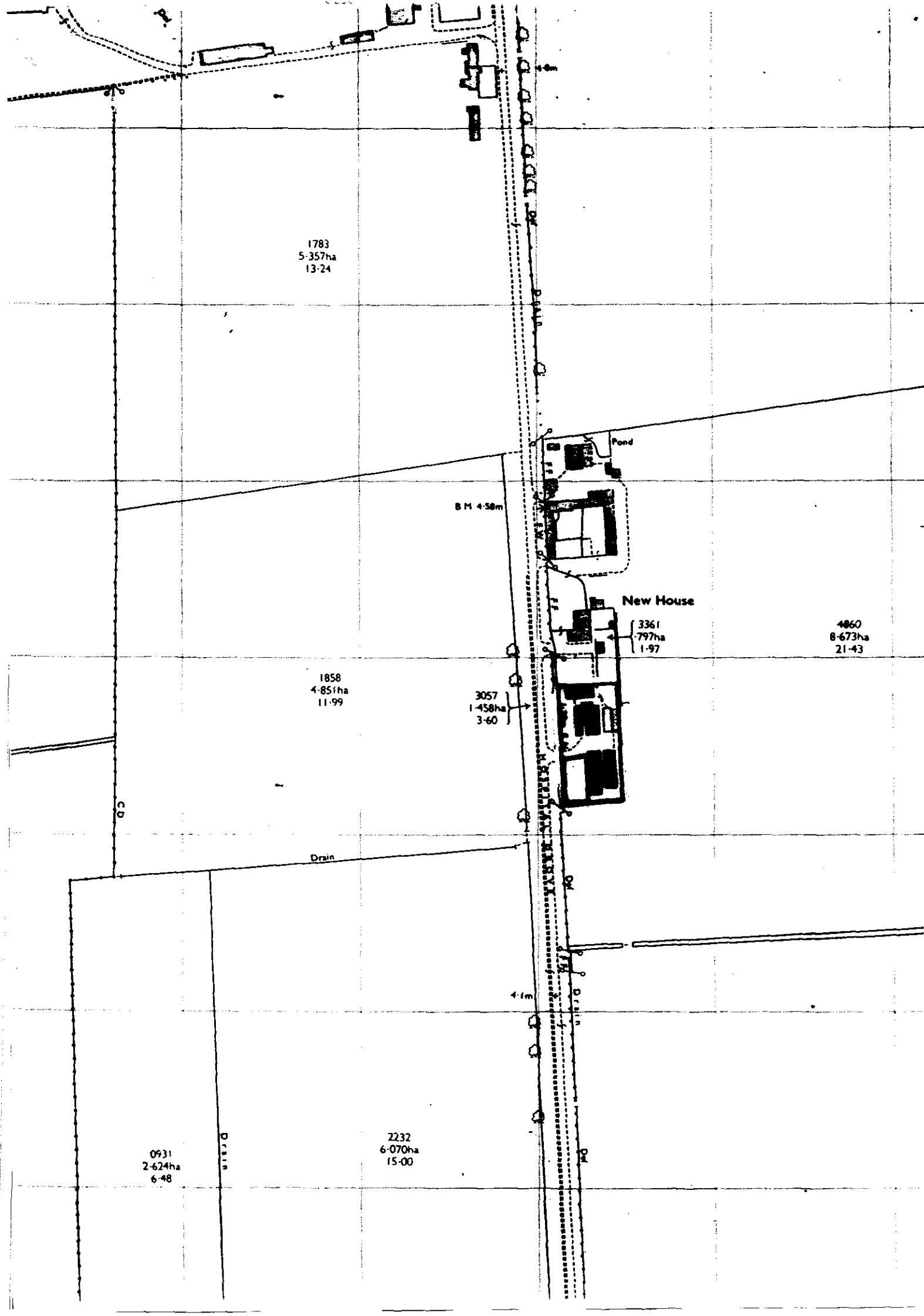
Witness: *G. M. Astaman*
Halfway Farm
Address: *Bridge Rd*
Long Sutton
Occupation: *Farmer.*

SIGNED SEALED AND DELIVERED)
by the said ETHEL MAY)
PAYNE in the presence of:)

Witness: *G. M. Astaman*
Halfway Farm
Address: *Bridge Rd*
Long Sutton
Occupation: *Farmer*

H. Payne

E. M. Payne



SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: District Secretary

To: Planning Officer

Our Ref: JMB/LDS/PL.230

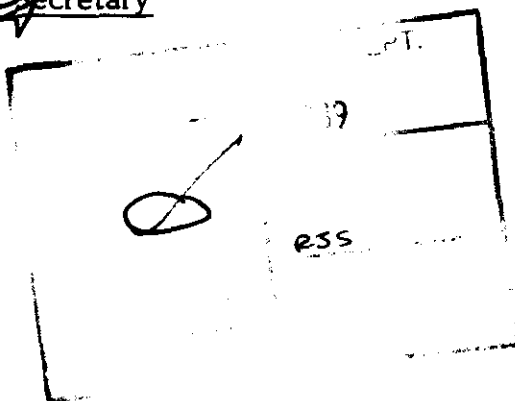
Your Ref: H18/1886/88

Date: 16th March, 1989

SUBJECT : HOUSE AT 219 NEW HOUSE FARM, HOSPITAL DROVE,
LONG SUTTON - PLANNING APPLICATION REF: H18/1886/88

Further to your memorandum dated 23rd February 1989 I now enclose copy of a draft section 52 Agreement relating to the above application. I will let you know as soon as the Agreement has been completed, but in the meantime now return your file.


District Secretary



AN AGREEMENT made this

day of

COPY:

One thousand nine hundred and eighty-nine BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincoln (hereinafter called "the Council") of the one part and H J Payne and E M Payne of 219 New House Farm Hospital Drove Long Sutton in the County of Lincoln (hereinafter called "the Owners") of the other part

WHEREAS

(1) The Council are the local planning authority for the South Holland District in the County of Lincoln

(2) The Owners are the owners in fee simple in possession of the land at Hospital Drove Long Sutton shown edged blue on the plan annexed hereto (hereinafter called "the blue land")

(3) The Owners have agreed to sell their freehold interest in the blue land to Fendley and Fendley of 26 Granville Terrace Sutton Bridge in the County of Lincoln (hereinafter called "the developers") for use as an agricultural holding

(4) The Developers have by a written application dated the sixth day of December One thousand nine hundred and eighty-eight applied for planning permission for the erection of a dwellinghouse on the land shown edged red on the plan annexed hereto (hereinafter called "the red land") in accordance with the plans and particulars supplied therewith under planning reference H18/1886/88 (hereinafter called "the Development")

(5) Although the red land is outside the confines of a settlement in an area of open countryside where it is the Council's policy to permit new development only in exceptional cases where it is satisfied that there is a special need particularly in connection with agriculture the Council is satisfied that subject to the restriction of the development in the manner hereinafter appearing the development would not contravene local planning policies

(6) The Owners have agreed to enter into this Agreement with the Council pursuant to Section 52 of the Town and Country Planning Act 1971 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 for the purpose of restricting or regulating the development or use of the land in the manner hereinafter appearing

NOW THIS DEED WITNESSETH as follows

1. This Agreement is made in pursuance of Section 52 of the Town and Country Planning Act 1971 and section 33 of the Local Government (Miscellaneous Provisions) Act 1982

2. In the event of planning permission being granted the Owners hereby covenant with the Council not to commence the development until their freehold interest in the blue land has been legally transferred to the Developers and forever thereafter the development shall remain part of the agricultural holding comprising the blue land of which it forms an integral part

3. The expressions "the Council" and "the Owners" shall include their successors in title

IN WITNESS whereof the Council have caused their Common Seal to be hereunto affixed and the owners have hereunto set their hand and seals the day and year first before written

THE COMMON SEAL of THE SOUTH)
HOLLAND DISTRICT COUNCIL was)
hereunto affixed in the)
presence of:)

Chairman of the Council

District Secretary

SIGNED SEALED AND DELIVERED)
by the said H)
J PAYNE in the)
presence of:)

Witness:

Address:

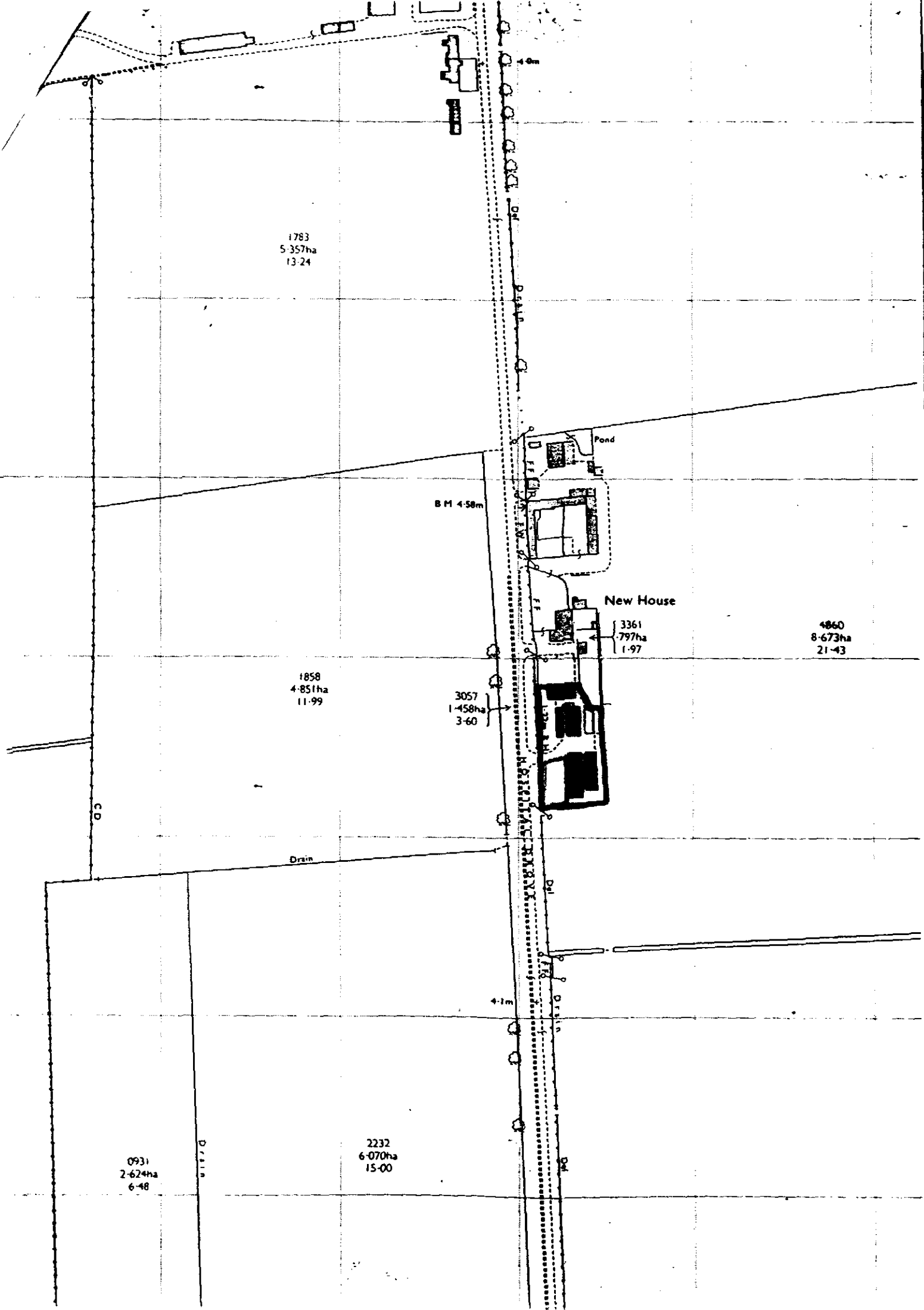
Occupation:

SIGNED SEALED AND DELIVERED)
by the said E M)
PAYNE in the)
presence of:)

Witness:

Address:

Occupation:



1783
5.357ha
13-24

B.M. 4.58m

Pond

New House

3361
797ha
1-97

4860
8.673ha
21-43

1858
4.851ha
11-99

3057
1.458ha
3-60

CD

Drain

0931
2.624ha
6-48

Drain

2232
6.070ha
15-00

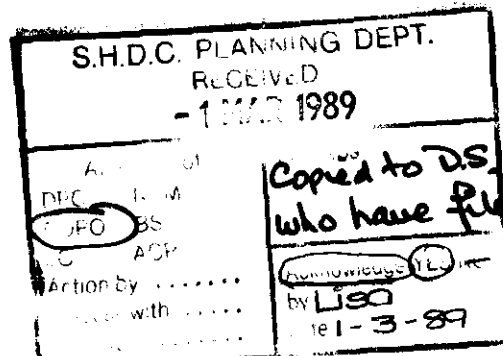
CHARTERED SURVEYORS, AUCTIONEERS AND ESTATE AGENTS.

Our ref:AJH/MJ

28th February 1989

Your ref:RJS/SJS H18/1886/88

Chief Planning Officer,
South Holland District Council,
Chatterton Tower,
Winfrey Avenue,
Spalding,
Lincs, PE11 1DB.



Dear Sir,

Proposed Dwelling at 219 New House Farm, Hospital Drive, Long Sutton
Planning Application H18/ 1886/88 - Mr & Mrs D.J. Fendley

We refer to your letter dated 23rd February and draw your attention to our letter to you of the 3rd February (copy enclosed).

As you will see we have already indicated that our clients are willing to enter into the required section 52 Agreement and we would have hoped that this confirmation would have been adequate for you to progress the application. However, in an attempt to receive an early approval to our Planning application we confirm once again that our clients Mr & Mrs D.J. Fendley are willing to enter into an agreement under Section 52 of the Town and Country Planning Act 1971 to the effect that no additional dwelling on the holding will be erected until the holding has been transferred to their ownership.

We look forward to receiving your approval notice.

Yours faithfully,

A.J. HOLFORD A.R.I.C.S.
Senior Surveyor,
Geoffrey Collings & Co.

Enc.



Collings

GEOFFREY COLLINGS AND CO.

17 Blackfriars Street, King's Lynn, Norfolk, PE39 1NN.

Tel: (0553) 774588/774135

Terrington St. Clement,

Norfolk.

Tel: (0553) 828012

Long Sutton,

Lincolnshire.

Tel: (0406) 362098

Wisbech,

Cambridgeshire.

Tel: (0945) 83063

CHARTERED SURVEYORS, AUCTIONEERS AND ESTATE AGENTS.

Our ref:AJH/MJ

3rd February 1989

Chief Planning Officer,
South Holland District Council,
Chatterton Tower,
Winfrey Avenue,
Spalding,
Lincs

Dear Sir,

Proposed dwelling at 219 New House Farm, Hospital Drive, Long Sutton
Application number H18/1886/88

We have had sight of the Agenda item for the above planning application for the meeting of the Council's planning committee on the 7th February. In response to the Planning Officers recommendation we would wish to confirm that our clients, Mr & Mrs D.J Fendley do intend to buy the land in question before erecting the new dwelling and are willing to enter into a Section 52 Agreement to this effect.

We hope that you are able to inform the members of the Committee of this, so that you are able to issue your approval notice.

Yours faithfully,

Geoffrey Collings & Co.

RJS/sjs
H18/1886/88

Geoffrey Collings & Co
17 Blackfriars Street
KINGS LYNN
Norfolk
PE30 1NN

For the attention of Mr A Holford

23 February 1989

Dear Sirs

Proposed dwelling at 219 New House Farm, Hospital Drove, Long Sutton (Mr & Mrs D J Fendley)

I refer to your application for planning permission which has now been considered by the District Council's Planning Committee.

The site is in an area where the District Council's policy is not to grant planning permission, unless a dwelling is necessary in the interests of agriculture or horticulture. At present the holding has a dwelling attached to it but the Council notes that it is proposed to separate the horticultural unit from the existing dwelling. Accordingly the District Council is prepared to grant planning permission if your clients are willing to enter into an agreement, under Section 52 of the Town and Country Planning Act 1971, to the effect that no additional dwelling on the holding will be erected until the holding has been transferred to their ownership.

I should be pleased to receive written confirmation as to whether or not your clients are prepared to enter into such an agreement. Upon receipt of this then progress may be made with the application.

Yours faithfully

B SMITH MRTPI
District Planning Officer

MEMORANDUM

TO: The District Secretary

FROM: The Planning Officer

YOUR REF: JMB/LST/PL

OUR REF: H18/1886/88

DATE: 23 February 1989

SUBJECT: HOUSE AT 219 NEW HOUSE FARM, HOSPITAL GROVE, LONG SUTTON
PLANNING APPLICATION REFERENCE H18/1886/88

In reply to your memorandum of the 16 February 1989, I understand that the applicants are willing to enter into an agreement, under Section 52, and I am seeking their written confirmation of this.

I enclose the documents as requested in your memo.

B. Smith

District Planning Officer

CHARTERED SURVEYORS, AUCTIONEERS AND ESTATE AGENTS.

Our ref:AJH/MJ

3rd February 1989

Chief Planning Officer,
South Holland District Council,
Chatterton Tower,
Winfrey Avenue,
Spalding,
Lincs

Dear Sir,

Proposed dwelling at 219 New House Farm, Hospital Drove, Long Sutton
Application number H18/1886/88

We have had sight of the Agenda item for the above planning application for the meeting of the Council's planning committee on the 7th February. In response to the Planning Officers recommendation we would wish to confirm that our clients, Mr & Mrs D.J Fendley do intend to buy the land in question before erecting the new dwelling and are willing to enter into a Section 52 Agreement to this effect.

We hope that you are able to inform the members of the Committee of this, so that you are able to issue your approval notice.

Yours faithfully,

A.J. Holford
A.J. HOLFORD ARICS
Senior Surveyor,
Geoffrey Collings & Co.

DRP DOPO BS JC ACP Action by Discuss with Copy to		7 Feb Ctee Acknowledge YES/NO by date
--	--	--



A D A S



The District Planning Officer
South Holland District Council
Chatterton Tower
Winfrey Avenue
Spalding
Lincs
PE11 1DB

S.H.D.C. PLANNING DEPT.	
RECEIVED	
16 JAN 1989	
Alleged by DPO NRM OPO BS IC ACP	Date Recd 13
Application by with	Acknowledge YES/NO by date

Your Ref. H18/1886/88

Our Ref. EL 1408

Date 13 January 1989

Dear Sir

AGRICULTURAL DWELLING HOUSE APPRAISAL: PROPOSED DWELLING , 219 NEW HOUSE FARM, HOSPITAL DROVE, LONG SUTTON - MR AND MRS D J FENDLEY

I am writing in reply to your letter which was received at this office on 22 December 1988 requesting a technical appraisal of the agricultural facts relating to an application submitted on behalf of Mr and Mrs D J Fendley, 26 Granville Terrace, Sutton Bridge, Spalding, Lincs, for planning permission to erect a dwelling on a site situated off Hospital Drive, Long Sutton.

The following information was obtained at a meeting and site visit with Mr and Mrs D J Fendley on 10 January 1989.

Land Tenure and Cropping

I understand that, if the present application is successful, Mr and Mrs D J Fendley intend to purchase the area of land indicated edged blue on the application site plan, a copy of which was enclosed with your letter. At the present time, this area of land is owned and occupied by Mr H J and Mrs E M Payne (Mrs D J Fendley's grandfather and grandmother). This land, together with an adjacent area of land which is tenanted by Mr J Payne (Mrs D J Fendley's father), is equipped with approximately 11,735 sq ft of protected cropping, in the form of Dutch light glasshouses (9,915 sq ft) and polythene tunnel structures (1820 sq ft). Approximately 8915 sq ft of the glass is provided with heating, and about 4,000 sq ft of the glass area is situated on rented land. The protected cropping is currently utilised by H J & E M Payne for growing pinks for cut flower production.

Mr and Mrs Fendley explained that the protected cropping would include the area situated on the rented land, and that the polythene tunnel on the application dwelling site would be re-erected on the unit. They further explained that the protected cropping would be utilised for cut flower production, initially growing pinks, with possibly other varieties in the future.

I further understand that approximately one acre of adjacent open land, tenanted by Mr J Payne, has been cropped by Mr H J Payne in the past and that this area will be utilised by the new business for outdoor cut flower production. Mrs Fendley is currently utilising part of this area for growing sweet williams, and the planting of approximately 2,000 outdoor pink plants is envisaged.

Farm Buildings

In addition to the part of the area of protected cropping previously described, the land to be purchased is equipped with a timber packing shed approximately 50' x 12', with a leanto timber/asbestos building approximately 50' x 18'.

Proposed Labour Force

I understand that Mrs D J Fendley would work full-time on the unit, with assistance from Mr D J Fendley. Mrs Fendley works part-time for her father, Mr J Payne, who farms in the area. Mr Fendley, who has full-time employment outside agriculture, also helps at times on Mr J Payne's land.

Housing Accommodation

I understand that there are no dwellings on the land which forms the proposed new unit. A dwelling unit adjacent, at 219 New House Farm, is owned and occupied by Mr H J and Mrs E M Payne, who wish to continue to reside in this dwelling.

Mr and Mrs D J Fendley currently reside at 26 Granville Terrace, Sutton Bridge.

Reasons for the Proposed Development

Mrs Fendley explained that a dwelling is required on the subject site for occupation by herself and her family, to enable the proposed business to be efficiently run.

Conclusions

My guidance with regard to the agricultural need for a dwelling in relation to the factors set out in DOE Circular 16/87 (paragraph 7 of Annex A) and the Annex to DOE Circular 24/73 is set out below:-

i. Viability

A horticultural unit of the scale and type proposed could offer the prospect of a sufficient livelihood to the occupier. 1

It would appear that part of the land comprising the unit may not be in the secure occupation of the applicants, although an arrangement between the applicants and the head tenant of such land has been made for the applicants to occupy the land. I would point out that land which is occupied under non-secure arrangements does not necessarily form a permanent part of an agricultural or horticultural unit. 1

ii. Labour Requirements

Such a unit is capable of providing full-time work for one person.

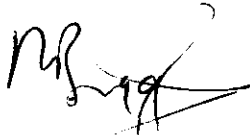
iii. Number of Persons with a Need to Live on the Holding

It would normally be necessary for one responsible person to reside on a unit of the total scale and type proposed for operational, managerial and security reasons.

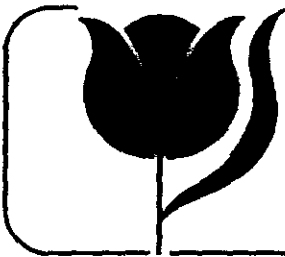
iv. Existing Housing Accommodation with Regard to iii. Above

I understand that there are no dwellings on the land which comprises the proposed unit.

Yours faithfully



P-L Briggs
Land Management Adviser



South Holland District Council

B. Smith, MRTPI - District Planning Officer

Planning Department
Council Offices
Chatterton Tower
Wintrey Avenue
SPALDING
Lincs
PE11 1DB

Telephone: Spalding (0775) 81161
Fax: Spalding (0775) 710772

Destination NAME: MAFF. KIRTON. F.A.O. MR. BARK

FAX no: 0205 722922

Your ref/contact:

No of pages: 3

Our ref/contact:

Date: 9.1.89

SUBJECT: 418/1886/88

MESSAGE

FURTHER DOCUMENTS
AS REQUESTED

Income for

Banked

May 1988	£ 426 - 69	Flowers
June "	£ 1815 - 77	Flowers
July "	£ 1512 - 40	Flowers
August "	£ 1950 - 57	Flowers
~~Oct~~ Sept "	£ 997 - 32	Flowers
	<u>£ 6,702 - 75</u>	

approx 1,300 - 00 until April 6th 1989

Income from Pests April 1988 - April 1989,
approx previous years about the same, but
the receipts, books etc are at my accountants
at present.

Yours Sincerely

E. M. Payne Mm,

Income Statement for

H. J. & E. M. PAYNE

219 New House Farm

Hospital Drive

Long Sutton

Spalding

Series P.E/29EH

Tel. Hedbeach 362353

Big House	100 x 30'	Heated	3,000 sq ft
Small House	50 x 20	Not Heated	1,000 sq ft
			<u>4,000</u>

The above on land for which my
Father J. Payne is the tenant.

of 189 MAZE FARM HOSPITAL DRIVE LONG SUTTON

1	House	70 x 22	Heated	1,540 sq ft
1	House	80 x 20	Heated	1,600 sq ft
1	House	50 x 23	Heated	1,150 sq ft
1	House	55 x 11	Heated	605 sq ft
1	House	51 x 20	Heated	1,020 sq ft
2	Kennels	65 x 14	Not Heated	1,820 sq ft
				<u>7,735</u>

and Packing Shed, and Lean-to Building
Owned by Grand-Father H. J. Payne
H. J. E. M. PAYNE

219 NEW HOUSE FARM

HOSPITAL DRIVE

LONG SUTTON

SPALDING LINES

PE12 9EH

Tel. Holbeach 362353

Tel. 362224.

189, Maze Farm,
Hospital Drive,
Long Sutton,
Spalding,
Lincs.

PE12 9EN

10th October, 1988.

I am writing as I wish to confirm that I am willing to let Mrs Fendley (my daughter) use the two glasshouses. These glasshouses are placed behind other glasshouses which are on the land that Mr & Mrs Fendley wish to purchase.

The previous tenant of the land, (on which the two glasshouses are situated, behind the land which my daughter wishes to purchase), was Mr H. J. Payne for 21 years. I have been tenant for 5 years. Mr H. J. Payne (my father) is the owner of the 2 glasshouses. He continued to use the glasshouses after I became tenant of the land of which the glasshouses are situated.

continued...

Now Mr H. J. Payne now aged 70 years wishes to retire. As a result ~~he~~ has decided to sell his Glass-house Nursery. Which Mr & Mrs Fendley wish to purchase. (his grand-daughter).

In the future, I would allow Mr & Mrs Fendley to put up some more glasshouses or tunnels on my rented land, which is behind the glasshouse nursery which they wish to purchase,

Yours sincerely,



(MR J. PAYNE.)

Father of Mrs Fendley.

SOUTH HOLLAND DISTRICT COUNCIL

PLANNING DEPARTMENT

B. SMITH M.R.T.P.I., DISTRICT PLANNING OFFICER
CHATTERTON TOWER, WINFREY AVENUE, SPALDING, LINCOLNSHIRE TELEPHONE: SPALDING 61161

APPLICATION NO : H18/1886/88

DATE RECEIVED : 9 12 88

APPLICANT : Mr & Mrs D J Fendley AGENT : Geo. Collings & Co
26 Granville Terrace
Sutton Bridge
Spalding
Lincs

DESCRIPTION : One residential dwelling house

LOCATION : 219 New House Farm, Hospital Drive, Long Sutton

Type : Outline Ward : V

19th December 1988

Notification to Ward Member

I have received an application for the proposal referred to above

Proposed determination

A

☒

The application will be considered
by the Planning Committee

B

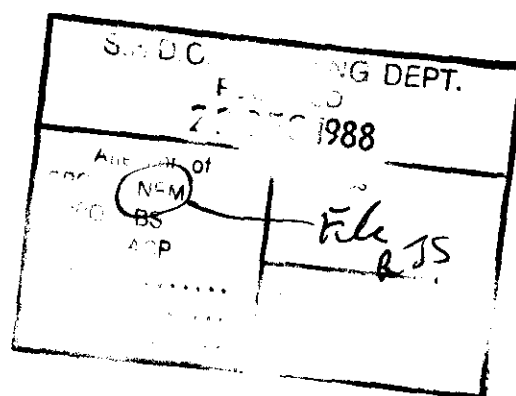
☐

From an initial Examination, it
appears that the application is
likely to be one which may be

determined without reference to the Planning Committee,
if no objections are received and if my eventual
recommendation is one of approval.

If you feel that the proposal should be brought to the
attention of the Committee, please let me know by
returning this notice. If I do not receive this within 7
days of the date of this notice it will be assumed that
you have no objection to the determination of the
application under delegated powers.

Cllr D Dewsberry V 2
248 Bridge Road
Sutton Bridge
Spalding
Lincs PE12 9SH



Comments, if any:

I request that the above application be
considered by the Planning Committee
for the following reason(s).

Comments, if any:

*Outside boundary of development
has an agricultural need been
sought*

Signed *[Signature]*

Date *23.12.88*



ANGLIAN WATER

N.R.A. UNIT • AQUA HOUSE LONDON ROAD PETERBOROUGH PE2 8AG
TEL: PETERBOROUGH • (0733) • 555667

Clive Mason

Regional Manager, Flood Defence and Operations

Your Ref:

Our Ref:

Date: 22/12/88

Dear Sirs

PLANNING APPLICATION No. H18/1886/88

With reference to the above mentioned application Anglian Water N.R.A. Unit have no objections to raise, in principle, to this development for planning permission.

Please find attached a list showing the Authority's recommendation relevant to this development.

Yours faithfully,

D. Gray

PP. Ray Morgan
Planning Engineer

21 DEC 1988		5 DEPT.
LCPO	BC	Acknowledged YES/NO
JC	ACP	
Action by		By
at with		

EP

Fax. (0733) 67268

Advice and Information from the Water Authority -

- No.6 There is no sewer available in the area to serve the proposed development and it is likely that the Developer would install a septic tank to dispose of the foul sewage from the Development. The Authority would not approve the discharge of septic tank effluent direct to a stream and the system must not be constructed within a distance of 5 metres of any watercourse.

The consent of the Authority will be necessary for the discharge of septic tank effluent into underground strata and I shall be grateful if the Developer can be informed of the Authority's requirements under the provisions of Section 34 of the Control of Pollution Act 1974.

- No.17 The applicant is advised (before the septic tank is installed) to obtain professional advice as to whether the tank and its associated soakaway system will work satisfactorily, having regard to sub-soil conditions. If the applicant, after percolation tests have been completed, finds that the ground conditions are unsuitable for a soakaway then Anglian Water must be consulted regarding other methods of foul sewage disposal.
- No.7a A percolation test should be undertaken to ensure that soakaways will work adequately. They should be subject to the approval of your Council. If after the test it is found that soakaways do not work satisfactorily then Anglian Water must be consulted further.
- No.6a Each dwelling must be connected to its own individual septic tank and associated foul soakaway system.
- No.13 All roof water should be conveyed by a sealed pipe system before being discharged to any watercourse or underground strata.
- No.16 All oil or chemical storage tanks, buildings, ancillary handling facilities and equipment including pumps and valves shall be contained within an impervious bunded area of at least 110% of the tank capacity designed and constructed to the satisfaction of the Local Planning Authority.

CHARTERED SURVEYORS, AUCTIONEERS AND ESTATE AGENTS.

Our ref:AJH/MJ

5th December 1988

Chief Planning Officer,
South Holland District Council,
Chatterton Tower,
Winfrey Avenue,
Spalding,
Lincs PE11 1DB.

S.H.D.C PLANNING DEPT. RECEIVED - 9 DEC 1988	
Attention of DPO NRM DOPO BS JC ACP Action by Discuss with Copy to	File nos Acknowledge YES/NO by date

Dear Sir,

Proposed dwelling at 219 New House Farm, Hospital Drive, Long Sutton

Please find enclosed an outline planning application relating to the above proposal.

The Nursery is at present owned by Mr H.J. and Mrs E.M. Payne of 219 New House Farm, Hospital Drive, Long Sutton. Mrs Payne has produced an income statement for this years crop of Pinks which shows that an adequate income has been generated from the area of glass available. Mr Payne is now in his seventies and wishes to retire, and sell his nursery business.

Our clients, Mr & Mrs Fendley are wishing to buy the nursery. Mr Fendley being Mr Payne's granddaughter. Mr Fendley is currently employed on the farm which surrounds the nursery and since it is Mrs Fendley's intention to continue the running of the nursery the erection of a dwelling on the site for their use would ensure that the business receives their maximum attention. In addition to Mr Fendley's agricultural background, Mrs Fendley has several years previous experience in horticulture and we see no reason why the business will not flourish.

The land to the east of New House Farm is tenanted by Mr J Payne, Mr Fendleys father. Mr Payne has tenanted this for the last 5 years. Prior to this Mr H.J. Payne was tenant for 21 years. Permission has been granted from Mr J Payne to retain the two glasshouses on this tenanted land, and if necessary, erect additional glasshouses, if it is found that there is an unsatisfactory area of glass in which to generate an adequate income.

We enclose the following:

- a) COmpleted application form and site plan. The dwelling shown is an example of a plot layout. We do not wish the house size and design to form part of the application. These details can be determined at full plans stage.
- b) A planning fee of £66.
- c) Copy of income statement from Mr & Mrs H.J. Payne.

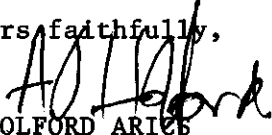


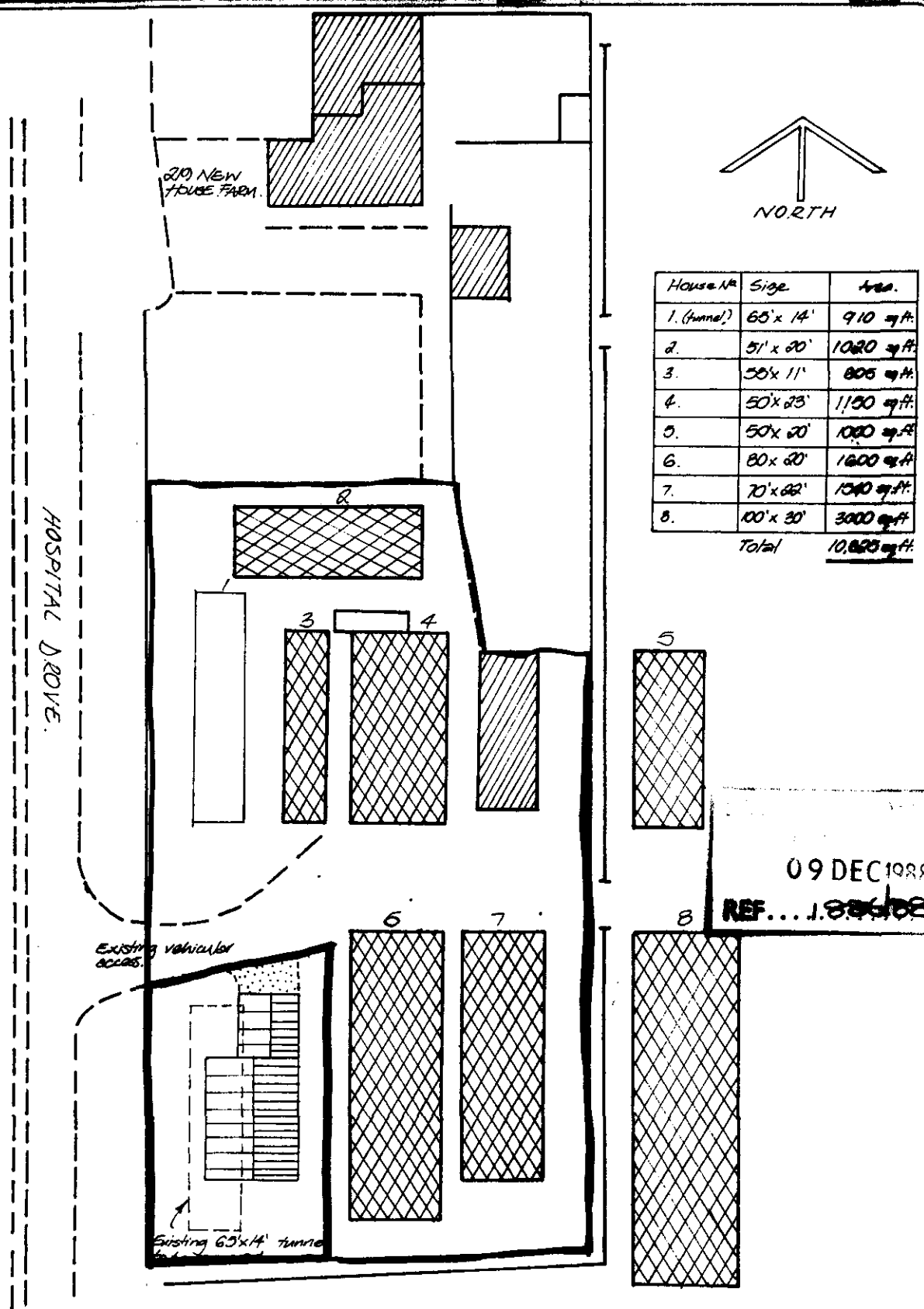
continued.....

d) Copy of letter from Mr J Payne consenting to the retention of the 2 glasshouses to the east of the site, and to the erection of further glass houses.

We hope that the above is clear to you and that the application receives your favourable recommendation. Should you have any queries or require further information please do not hesitate to contact us.

Yours faithfully,


A. HOLFORD ARIES
Senior Surveyor
Geoffrey Collings & Co



Title; PROPOSED TWO STOREY
DWELLING HOUSE.

Client; MR & MRS D.J. FENDLEY.

Scale;
1/500

Drawn by;
A.J. HOLFORD ARCS

Ref.
L.S. 12/88

Date;
December 1988

Collings

GEOFFREY COLLINGS AND CO.
Chartered Surveyors

Office; High Street, Long Sutton.
S. Lincs PE18 9QB.
Tel. 0406 362006