APPLICATION NO. : H18.0902.92

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SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Planning Permission

Reference: H18/0902/92 Received:20-AUG-92 Type:FULL

Name: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding Lincs PE12 9SX

Agent: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding Lincs PE12 9SX

Description: Erection of Bungalow

Location : The Bungalow off East Bank
Sutton Bridge Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2 Before the vehicular access is commenced to be used the access and turning facility shall be provided on site in accordance with the plan accompanying the application.

Reason: To ensure the provision of adequate facilities for safe ingress and egress of vehicles calling at the site in the interests of road safety

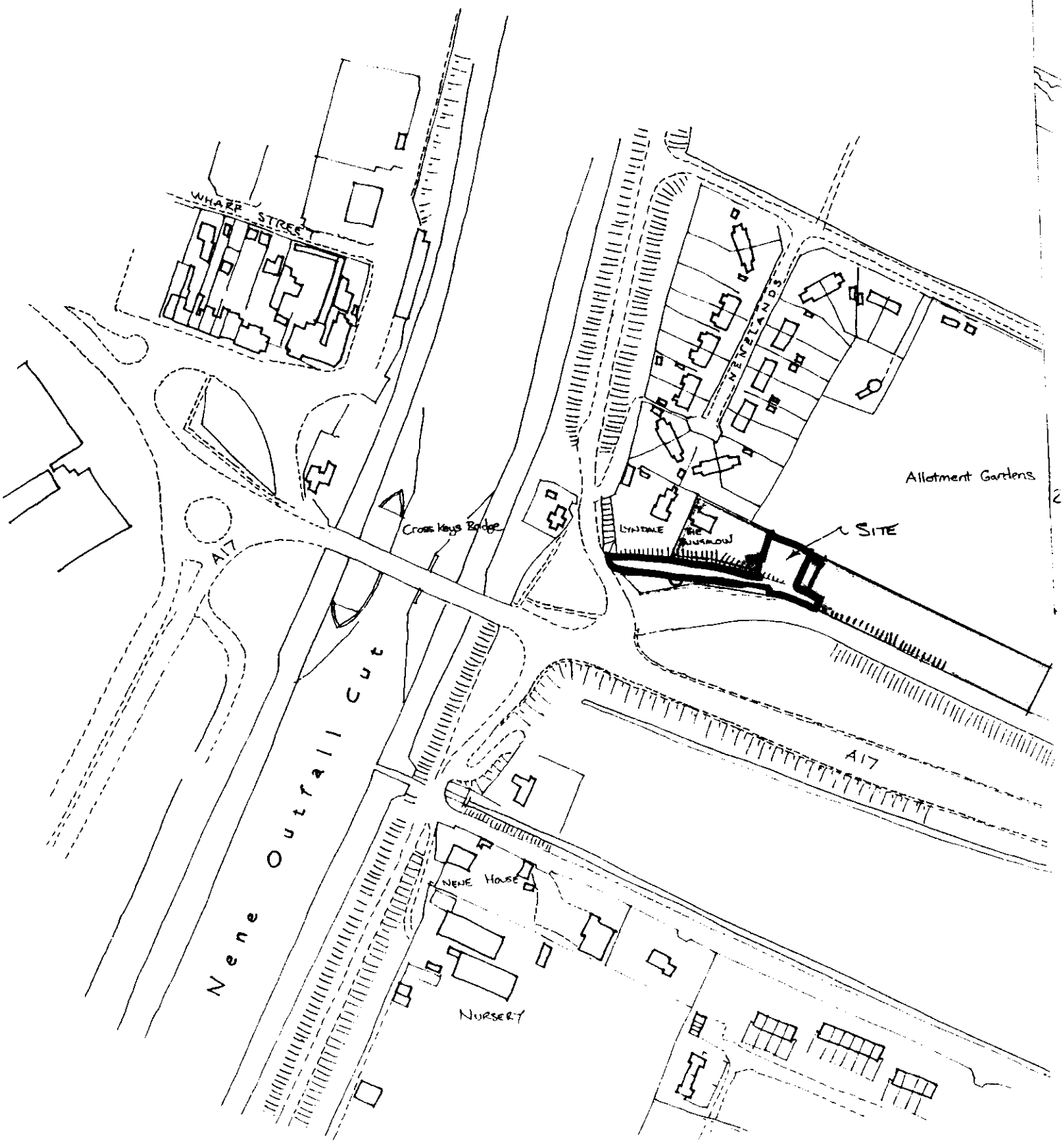
Your attention is drawn to the existence of a Section 106 Planning Obligation regulating the development hereby permitted.

Director of Planning and Building Control Services
05-JAN-94 H18/0902/92

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

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

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


WHARF STREET
NENELANDS
Allotment Gardens
Cross Keys Bridge
A17
LYNDALE
THE BUNGALOW
SITE
Nene Outfall Cut
A17
NENE HOUSE
NURSERY

FOUR COPIES ..ED

PLANNING APPLICATION

For office use only

Application No. H18/0902/92

Date Registered 20 AUG 1992

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR. A J & MRS. M. JODD.
CARLTON HOUSE
CHESTNUT TERRACE
SUTTON BRIDGE SPALDING
Tel. No. PE12 9SX

NAME AND ADDRESS OF AGENT
(if form completed by agent)

Tel. No.
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

'THE BUNGALOW' OFF EAST BANK. SUTTON BRIDGE.

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

ERECTION OF BUNGALOW

OFFICE COPY

Please complete

I attach * Four copies of all plans
*an ownership certificate (see back page)
*a fee of £110-00... If you consider no fee is payable include a written explanation instead

Signed.....

Date...20./.8./....1992.....

Previous application No: H18/0855/91

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

2. **TYPE OF APPLICATION**

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

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

Please state Site Area [ ] (Hectares)

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

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

Now complete Part 4 only

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

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

Now complete an Ownership Certificate

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

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

Now complete an Ownership Certificate

TYPE OF DEVELOPMENT

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

(i) New building(s) ☑

(ii) Alterations or extension ☐

(iii) Change of use ☐

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

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

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

(b) max. length:

(c) max. width:

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

D. Please state type and colour of roofing materials.

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

	HOUSE	GARAGE	
A.			sq. metres
B. (a)	4·7m	4·1m	metres
B. (b)	17·8m	6·3m	metres
B. (c)	9·2m	6·4m	metres
C.	BUTTERLEY CAERNARVON RED MIXTURE RUSTIC		
D.	REDLAND CLAY PANTILE TERRACOTTA 73		
E.	YES		

5. GENERAL INFORMATION Please complete each section

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

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: EAST ROAD
Will there be —
Individual access(es) ☑
New estate road ☐

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

TREES Please tick **one** box

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

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

DRAINAGE Please complete

A. Please state how surface water will be disposed of SOAKAWAY

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 ☑

OTHER MATTERS Please complete

	State Yes or No	
The proposal is in connection with agriculture	NO	→ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public footpath	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices or shopping purposes	NO	→ If so, **please complete Part 7**

In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent. ☐ → Date: Consultee(s):

Is this application related to a previous submission NO ☐ → Application No.:

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

Continue on separate sheet if necessary. SEE ENCLOSED LETTERS

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

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

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

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 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 .....

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

State Name and address of owner: State Date notice served: 3/7/92

MR. H & MRS. A.E. HEIBS THE BUNGALOW EAST BANK SUTTON BRIDGE

Signed ..... (Applicant/~~Agent~~) Date 20/8/92

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

If the land is not in agricultural use, complete Certificate 1.
If the land is agricultural, but there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to any tenant, and complete Certificate 2. (You can use the notice at the bottom of the form to send to the tenant). If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

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

Signed ..... Applicant/Agent) Date 20/8/92

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

State Name and address of tenant: State Date notice served:

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

APPLICATION ASSESSMENT

Notes for Case Officer

JAMES: PLEASE HAVE A WORD ON THE DESIGN. JA 27/8

Site Inspection | Accuracy | Neighbours | Boundaries

Site features | Other

Inspected by DAT
Date 27/8

Notice posted by JC
Date 9/9

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) STANDARD TIME CONDITION

(2) WITHIN 6 MONTHS OF THE COMMENCEMENT OF THE DWELLING HEREBY APPROVED, BEGINNING AFTER APPROVAL CAN BE ACHIEVED IN MEETING WITH THE L.P.A. DETAIL SHALL BE PLANNED IN THE PROCESS SHOWN IN YELLOW ON THE ECOLOGICAL PLAN TO BE SUBMITTED FOR THE APPROVAL OF THE L.P.A.

(3) ~~BEFORE THE OCCUPATION OF THE DWELLING HEREBY APPROVED.~~

(2) B22

Notes to applicant

- [ ] Disabled
- [ ] Outstanding R.M
- [ ] Amended plans

REASONS

(1) STANDARD

(2) IN THE INTERESTS OF WILDLIFE AMENITY

(3) B21.

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 DAVID GIDNEY **Recorded on board:**

ADMIN RECORD SHEET

Initial

Submitted Fee £ 110.

Receipt Issued P1974

Date first Rec'd [illegible] 1992

Registration

Reference H18/0902/92

Cross-Ref R

Date 21/8/92

Validation

TYPE FUL

Earliest permission

Site area

No of dwellings

Floorspace

Description

Tech

Certificate
Site plans
Description

Accuracy
Incomplete form

Fees

Nil fee

Previous app Type

Discounted fee

? Correct fee £110

~~[illegible]~~

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 233

OS No's

Grid ref 549380 371040

Ward V

Parish S. BRIDGE

TR Rural
TR Bypass
Level Cross
Footpath

CA
LB
TPO

Inside IBD NO

Inside LP area YES

Linked to site

Ref 794

Linked to property

Ref

Planning Records:
Earlier apps

83/71

B Reg Records:
Already submitted - Ref
Request
Requested

Tel: HOLBEACH 35[illegible]06

Carlton House.
Chestnut Terrace,
Sutton Bridge,
Spalding.
Lincolnshire.

SOUTH HO[illegible]
PLAN[illegible]
20 AUG 1992
REF H18/0902/92

Dear sir,

We are re-submitting our proposal for a bungalow off East Bank, Sutton Bridge, in the light of the refusal for the site slightly further to the east.

(a) In order to make our application more acceptable, we are prepared to enter into a binding planning agreement (Section 12, Planning and Compensation Act 1991) whereby no further development could take place on any adjacent land, which is owned by Mrs Judd's parents. Thus we feel that this will ensure that this proposal will not set any precedent.

(b) Everybody has been very supportive locally. The local Parish Council voted unanimously in favour of our application, as did our two District ward members at the Parish. The existing neighbours have also expressed their support, and the bungalow would not intrude into their privacy.

(c) The bungalow would be of red brick, with a reddish roof.. hoping to make it blend in with existing buildings. The northern and eastern side boundaries would be sympathetically screened, aiming to ensure that the property would be visually unobtrusive,

(d) Living next door to Mrs Judd's parents would be ideal, because while they are 'getting on' in years, Mr and Mrs Heib are still, thankfully, very active, and we feel we are looking to the future, and could be mutually supportive to each other, which could relieve Social Services, etc, should the need ever arise.

(e) We have enclosed a doctor's letter to support our application, as Mr Judd has, to date, had two spinal operations. Each operation has weakened other parts of the spinal column.

Mr Judd has also, from time to time, suffered recurrences which are extremely painful to him, and this is the need for s single story dwelling.

(f) The site plan enclosed demonstrates that there is adequate visibility to the north of the site. and that there is sufficient room for a private car to turn onto East Bank without first having to edge out on to the carriageway. It already serves as an access for one property, and in our opinion the proposal will not unreasonably intensify its use.

(g) The dwelling is positioned on the plot such that it is possible for a private car to enter and leave the site in forward gear, as a turning space has been provided.

(h) Furthermore, in recognition of thepolicies laid down for dwellings in the open countryside, we are willing to enter into a binding suitable agreement, whereby the dwelling remains available to local needs for the long term, after our own personal needs no longer apply.

We feel that by siting the bungalow ,uch further to the west, as close to the existing bungalow as possible, that the bungalow will be more in keeping with the existing Nenelands development. There is a 12 metre rule for siting buildings near septic tanks, and that is the reason for the gap.

Please consider our proposal sympathetically.

Yours sincerely,

M.C. Judd

(Carol and Tony Judd, applicants).

P.O.

Report to Full Committee

By Assistant Planning & Building Control Services.

Subject: Planning Application HE3/0902/92

Mr & Mrs M Judd — Erection of bungalow — land off East Park Sutton Bridge

1. The Committee will recall that at its meeting on 7 Oct 1992 the Committee resolved to grant full planning permission for the Mr & Mrs Judd's application subject to the applicant first entering into an agreement or obligation to ensure that the development remains available for local needs in the long term and also necessary amendments being agreed to the design of the proposed dwelling.

2. The Committee will also recall that at its meeting on 17 February 1993 consideration was given to a report concerning the need for a reappraisal of the Authority's Local Needs Policy and that in that report reference was made to Mr & Mrs Judd's application as a representative example of the difficulty of

accomodating that policy in terms of a section 106 obligation under the terms of the Town and Country Planning Act 1990.

3. In the light of the deliberations of the Special meeting of the Committee on 15 March 1993 concerning the Local Needs policy, further discussions were held with the Trust Fund.

4. These discussions centred upon the difficulties of drafting a section 106 obligation which addressed with sufficient clarity and precision not only the particular personal needs of the Trust Fund but the ~~current~~ undifferentiated personal / local needs which the dwelling would have to meet in the longer term.

5. As a result, agreement has been reached with the Trust Fund on the following terms:-

(a) that the application site should be related to garaging exclude the area of ~~garaging~~ thus aligning the eastern boundary with the limits of existing development in the locality

(b) that a section 106 obligation be entered into precluding the development of the remainder adjoining of the land in this control a families control.

(c) that the revised elevational details submitted are accepted.

(6) This agreement is based on the following considerations :-

(a) that further difficulty and delay in attempting to arrive at a mutually acceptable section 106 obligation would be unduly disadvantageous to the applicants.

(b) that the reduction in size of the application site so that it is wholly contained within the existing 'pocket' of development, effectively minimises its visual impact on the countryside. ~~Further~~ Accordingly, the divergence from policy is not considered to be such as to warrant recourse to a section 106 obligation in terms of the Rural Needs Policy.

(c) that the speedy determination of the application should enable the Rural Needs policy to be examined further, without the impediment of the continued non determination of this application, ~~although~~ although it is pertinent to question whether, if ~~the~~ Mr + Mrs Judd's application cannot be determined within the terms of this policy, what circumstances would serve in this regard.

Recommendation

That planning permission be granted for application ref. H18/0902/92 on the basis of the agreement with the applicants as outlined above.

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

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

SOUTH HOLLAND DISTRICT COUNCIL

Cum

Application no: H18/0902/92 Type: FULL

Applicant: Mr A J & Mrs M Judd
Tel:

Agent: Mr A J & Mrs M Judd

Description: Erection of Bungalow

Location: The Bungalow
off East Bank
Sutton Bridge
Spalding Lincs

Rd date:	20-AUG-92	Terminal date:	15-OCT-92
Target dates:		Target Committee:	07-OCT-92
To case officer	25-AUG-92	Report deadline:	23-SEP-92
Inspected by	30-AUG-92		
Extra contacts	04-SEP-92	Case Officer:	
Report if not clear by	24-SEP-92	D M GEDNEY	

DEVELOPMENT/CONSTRAINTS

Size:
Category: Newbuild
Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Clerk to Sutton Brid		03-SEP-92	17-SEP-92
Cllr C J T H Brewis	0406 350818	03-SEP-92	17-SEP-92
Cllr D Dewsberry	0406 350947 (Of	03-SEP-92	17-SEP-92
Site/Press Advert MIN		08-SEP-92	29-SEP-92 ✓

L.C.C - Obs Attached Jc. CB 10/9/92

SITE DETAILS

Grid ref: 548380 321040
OS Sheets: 232 Parcel:

MEMORANDUM

FROM: The Director of Administration

TO: Director of Planning & Building Control Services

OUR REF: PBP/LDS/PL.653

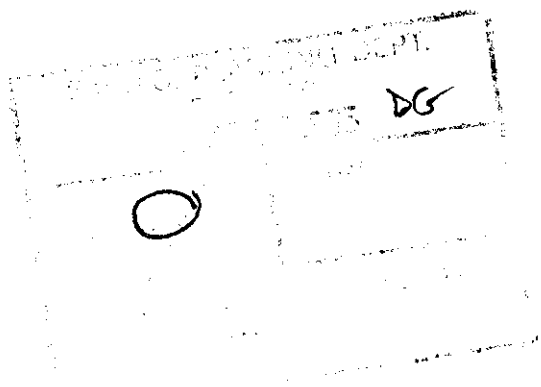
YOUR REF:

DATE: 21st December, 1993

SUBJECT: PLANNING APPLICATION NO. H18/0902/92
BUNGALOW AT EAST BANK, SUTTON BRIDGE

Would you please note that the Planning Obligation relating to the above 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.

Director of Administration



SOUTH HOLLAND DISTRICT COUNCIL

DEED

Creating Planning Obligation

under Section 106 of the

Town and Country Planning Act 1990

between

SOUTH HOLLAND DISTRICT COUNCIL

and

ANTHONY JOHN JUDD and MARGARET CAROL JUDD

and

AUDREY ELSIE HEIB

re

the erection of a bungalow
at East Bank, Sutton Bridge

THIS DEED is made the 17th day of December One thousand nine hundred and ninety-three BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincolnshire (hereinafter called "the Council") of the one part and ANTHONY JOHN JUDD and MARGARET CAROL JUDD of Carlton House Chestnut Terrace Sutton Bridge in the County of Lincolnshire (hereinafter called "the Developers") of the second part and AUDREY ELSIE HEIB of The Bungalow Lynn Road Sutton Bridge in the County of Lincolnshire (hereinafter called "the Owner") of the third part

RECITALS

(1) The Council is the local planning authority for the area within which the land described in the First Schedule ("the Land") is situated

(2) The Owner is the owner in fee simple in possession free from incumbrances of the Land

(4) The Developers have by application dated the twentieth day of August one thousand nine hundred and ninety two applied to the Council for planning permission for the erection of a bungalow on the land edged red on the plan annexed hereto in accordance with the plans and particulars supplied therewith under planning reference H18/0902/92 ("the Development")

(5) The obligation created by this Deed is a planning obligation for the purposes of section 106 of the Town and Country Planning Act 1990

(6) The Council has decided to grant conditional planning permission for the Development subject to the creation of this obligation without which planning permission for the Development would not have been granted

(7) The Council is the local planning authority by whom the planning obligation is enforceable

NOW THIS DEED made in pursuance of section 106 of the Town and Country Planning Act 1990

WITNESSETH as follows

1. The Owner and the Developer hereby agree to enter into the planning obligation specified in the Second Schedule hereto

2. This planning obligation is a local land charge and shall be registered as such

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

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written

FIRST SCHEDULE

(Details of the "Land")

The land situate at East Bank Sutton Bridge shown edged blue on the plan annexed hereto

SECOND SCHEDULE

(The Planning Obligation)

The Owner and the Developers hereby covenant with the Council that the Land shall not be used for residential development at any time in the future

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

A M Newton
CHAIRMAN

R Cole
DIRECTOR OF ADMINISTRATION

6039

~~Chairman of the Council~~

~~Director of Administration~~

SIGNED AS A DEED by the said

ANTHONY JOHN JUDD

in the presence of:-

Witness

Address

Occupation

SIGNED AS A DEED by the said

MARGARET CAROL JUDD

in the presence of:- M. C. Judd

Witness

Address

Occupation

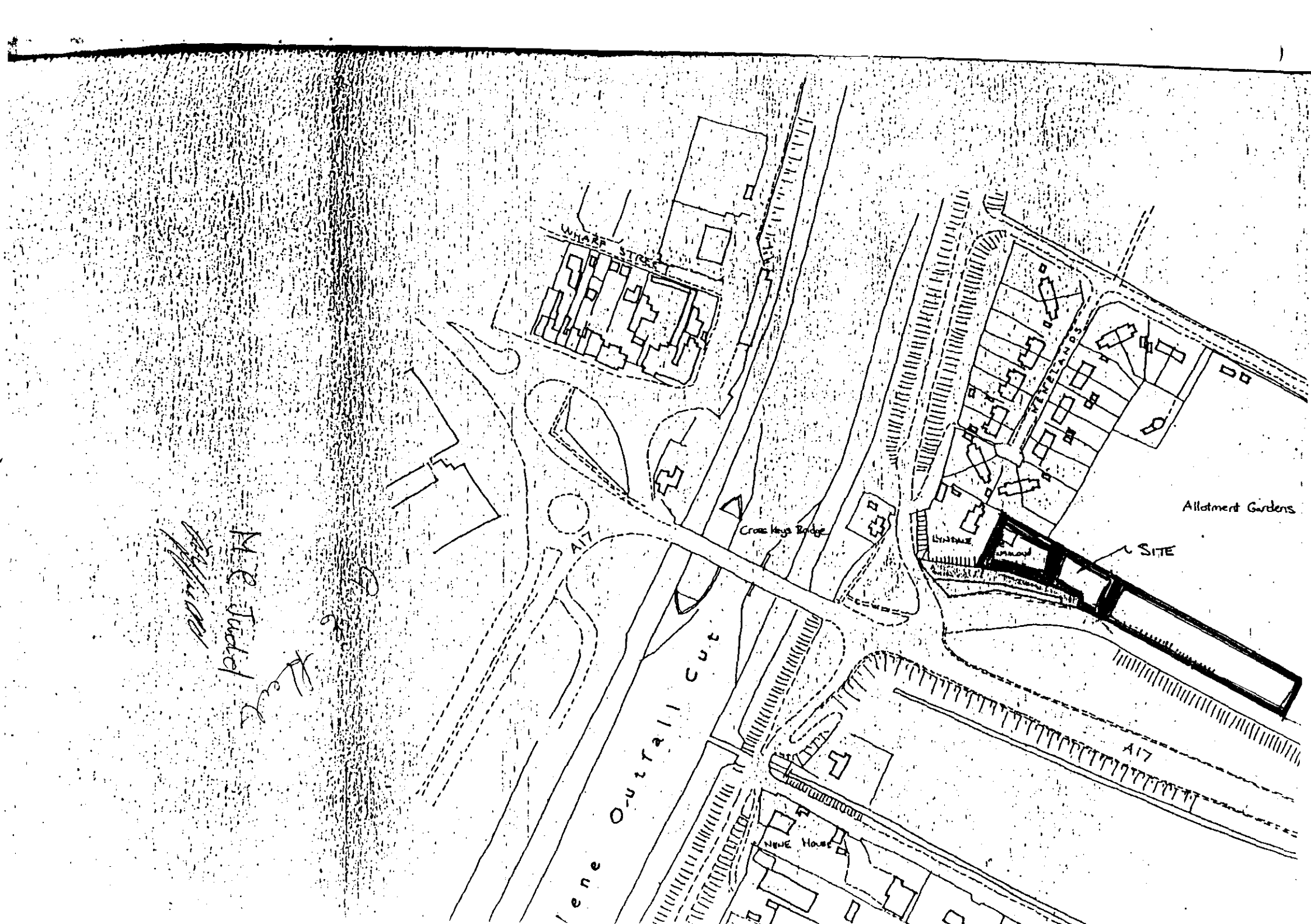
SIGNED AS A DEED by the said

AUDREY ELSIE HEIB in the presence of:- A E Heib

Witness

Address

Occupation


WHARF STREET
Cross Keys Bridge
A17
Allotment Gardens
SITE
A17
Ouse Outfall Cut
NEWE House

26/4/93

B.S. – scraps 'proposal to dock
– said no legal agreement could cover
Fidd's circumstances & other cases of
disclosure.
– outlines planning solution which
can stand up to critical assessment.
– must take 'long view'

416. PLANNING APPLICATIONS (Continued)

(j) **Details not required**

The applicant be advised that the submission of details is not required in respect of the undermentioned development:-

Plan No. and Applicant	Proposal
H03/0461/93 J T & E E Davis	Open sided 'barn' type building, steel frame (truss) to house mobile grain dryer at Grays Farm, North Drove Bank, Spalding.

(Councillor J.T. Davis declared an interest in the above application, and left the Council Chamber during consideration thereof.)

(O.A. denotes outline application.)

417. EAST BANK, SUTTON BRIDGE - ERECTION OF BUNGALOW (APPLICATION REFERENCE H18/0902/92) (730(e)/92)

The Director of Planning and Building Control Services reminded Members of their decision under minute 730(e)/92 to grant planning permission for a bungalow off East Bank, Sutton Bridge the subject of planning application reference H18/0902/92 subject to the applicants first entering into a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to ensure that the development remained available for local needs in the long term. The Committee at its meeting on 17th February, 1993 had agreed to reappraise the local needs policy in view of changes in legislation, recent developments in Government policy, recent decisions of the Local Government Ombudsman, and practical difficulties which had been experienced in operating the policy. In particular, the above decision had highlighted the difficulties in applying the policy, as it had not proved possible to draft an appropriate planning obligation as the term "local need" was difficult to interpret and incorporate precisely within an agreement. The applicants had therefore been advised that any planning obligation would be prepared in the light of the recommendations of the Planning Committee following the reappraisal of the policy.

An informal presentation had been made to members on 15th March, 1993, and a report would shortly be submitted to the Planning Committee for consideration. In the meantime, further discussions had been held with the applicants, and as a result of such discussions it had been agreed (a) that the application site be readjusted to exclude the area of garaging to align the eastern boundary with the limits of existing development in the locality and (b) that the applicants enter into a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to prohibit any further residential development on the remainder of the adjoining land in the applicants' control or in the control of the applicants' family. Subject to the above, it was felt that the planning obligation requiring the development to remain available for local needs in the long term was no longer required.

RESOLVED: The Director of Planning and Building Control Services be authorised to grant planning permission for the above development subject to appropriate conditions, and to the applicants first entering into a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to prohibit any further residential development of the remainder of the adjoining land within the applicants' control, or within the control of the applicants' family.

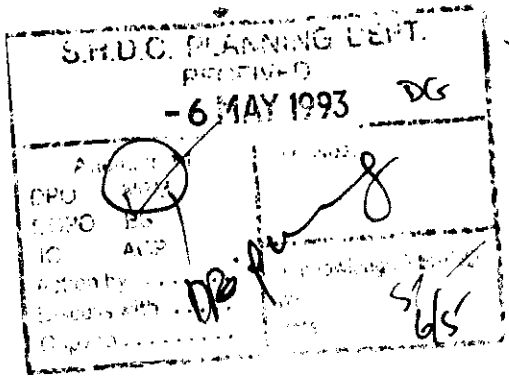
29-4-93

Carlton House
Chestnut Terr
Sutton Bridge
Spalding
Lincs
PE12 9SX

Dear Mr Smith, With reference to our meeting on Mon 26th May with yourself and Mr Blacklock we would like to confirm our agreement on the ammended block plan which we all agreed upon and you outlined in red, futhermore we agree that no other development on the east and west side of the plot which is outlined in blue.

Yours sincerely

Carol & Tony Judd.



April 16. 1993.

Discussion with Mr & Mrs Judd — David Jadray present.

Advised Mr & Mrs Judd of following :-

(a) Officers endeavouring to interpret Committee's wishes.

(b) Planning permission could have been granted — only intention to grant subject to Section 106 Obligation.

(c) No suspicion of Mr & Mrs Judd's motives — a desire to avoid an 'cheap' building land.

(d) Difficulties envisaged to be experienced in defining local/personal need in terms of a Section 106 Obligation.

(e) ~~If~~ Planning Committee had examined at length issues of local/personal need & had reached no firm conclusions on every aspect — least of all that of the legal implications (Section 106 Obligation).

Mr & Mrs Judd claimed that they had understood permission had been granted & their land was now up for sale.

Suggested to Mr & Mrs Judd that :-

(a) Committee could reluctantly grant permission without Section 106 Obligation or an obligation which did not fully address the issues.

(b) Committee could refuse permission in which case I advised them their chances on Appeal were slim.

~~(Could agree~~

(c) A compromise could be reached — movement of the site further westwards to position shown on attached plan + offers were made recommend acceptance to Committee without a Section 106 Obligation.

Mr Jones fully expressed opposition to (c) on grounds that :-

(1) loss of outbuildings to relatives' property
(2) Drainage problems — septic tank got a little way'
(3) Cost of new plans and new application.

Countered this by stating :—

(1) outbuildings merely temporary structures.
(2) A common septic tank could be installed.
(3) Additional costs offset by savings in dispensing with legal costs re Section 106 Obligation.

Agreed :—

(1) Mr Jones fully to think about suggested re-siting and advise me by Wednesday 21/4.

J Patrick
16/4/93.

Mr & Mrs A Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding
Lincs
PE12 9SX

Mr J Blacklock

JB/LAB
H18/0902/92

12 February 1993

Dear Sir & Madam

Residential Development - The Bungalow, Off East Bank, Sutton Bridge.

With reference to the above, I write to advise you that a report is being submitted to the Planning Committee on 17 February 1993 concerning the operation of the Authority's local needs policy.

The report is recommending a re-appraisal of the local needs policy and if the report's recommendation is accepted, the completion of the Section 106 Obligation in respect of your application obligation will be undertaken when that re-appraisal has been completed.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning & Building Control Services

REF: JMB/LST/PL

YOUR REF: JB/LAB/H18/0902/92

Date: 22nd December, 1992

SUBJECT: BUNGALOW OFF EAST BANK, SUTTON BRIDGE
APPLICATION REFERENCE H18/0902/92

I refer to your memorandum dated 9th December 1992 relating to the above. Unfortunately, the information provided is still insufficient to enable me to draft a planning obligation as reference is made only to the local need which has resulted in the planning application being made, and not to any further local needs to which occupancy of the proposed development must be restricted.

The situation in this case is similar to that outlined in my memoranda dated 24th July and 5th November 1992 (Your reference DS/DPBCS/H12/0260/92) relating to residential development at Lutton Bank, Lutton, in that the term "local need" is difficult to interpret and incorporate precisely within a planning obligation. I understand that you are anticipating reporting to the Planning Committee regarding a local needs policy which can be incorporated in an agreement, and perhaps this is a suitable case for inclusion within such a report.

I will therefore take no further action on this matter until I have received further instructions regarding the particular matters to be incorporated within the agreement in this case.

Director of Administration

S.H.D.C. PLANNING DEPT.
RECEIVED
23 DEC 1992
DG
SB
DD

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: Director of Planning and Building Control Services

TO: Director of Administration

REF: JB/LAB/H18/0902/92

REF:

DATE: 9 December 1992

SUBJECT: Erection Of Bungalow - "The Bungalow:, Off East Bank, Sutton Bridge.

Further to my memo dated 11 November 1992 in connection with the above, I enclose details of correspondence which I trust you will find self explanatory.

Perhaps you could advise me whether you now consider the authority is in a position to proceed with the Section 106 Obligation.

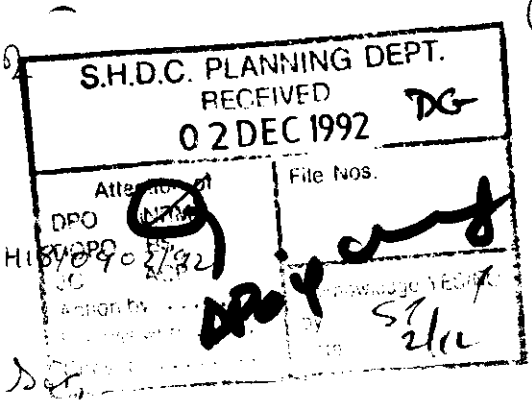
If you have any queries, please do not hesitate to contact Mr Blacklock.

Director of Planning and Building Control Services

Enc

Carlton House
Chestnut Terr
Sutton Bridge
Spalding
Lincs
PE12 95x

23-11-92



JH/LAB/HI

Dear Sir,

In reference to your letter dated 6th Nov concerning our meeting on the 29th Oct

1/ My back problem for which you have three doctor's letters to confirm my back has been severely weakend after two operations to remove discs, and I have been told by the surgeon who performed my operations Mr Boughey, that there is the likelihood of more operations to follow.

In 1989 I was off work for 5 months confined to bed for 2 months, when finally able to get up I found it very hard to negotiate the stairs

In 1991 I was off work again for 3 weeks and again had trouble with the stairs

3/ The plot of land for the bungalow is now owned by my wife and myself and there is not

any payment outstanding on the plot.

3/ Our long term intensions are very clear we want and need to get the bungalow built, get moved in, and try to alleviate some of my physical problems, and hopefully live there for the next fifty years.

4/ My wifes family own the bungalow and gardens to the west of our site and the strip of land to the east of our land, for which you have an agreement for us not to apply to build on the site.

5/ We will be happy to enter into a long term agreement ensuring that the bungalow is available for the local need specified.

6/ Our existing house is unsuitable for our needs in Chestnut Terrace and would be sold.

Yours sincerely

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: Director of Planning and Building Control Services

TO: Director of Administration

REF: JB/LAB/H:8/0902/92

REF:

DATE: 16 June 1993

SUBJECT: Section 106 Obligation.
Erection of Dwelling - Land Adjacent To The Bungalow, Off East Bank, Sutton Bridge.

At its meeting on 8 June 1993 the Planning Committee resolved that planning permission be granted subject to a Section 106 Obligation be entered into precluding the development of the remainder of the adjoining land in their control or the families control.

Accordingly, I enclose:-

1 6 copies of 1/250 plan of application site in red.

2 A copy of the planning application form.

3 6 copies of 1/2500 plan showing areas in blue where future development would be precluded.

Director of Planning and Building Control Services

Enc

Mr A Judd
Charlton House
Chestnut Terrace
Sutton Bridge
Spalding
Lincs

Mr J Blacklock

JB/JP/
H18/0902/92

13 November, 1992

Dear Sir

Erection of Bungalow - Land off East Bank, Sutton Bridge

Further to my letter of 6 November, 1992, I write to add that amendments were also discussed with regard to the submitted plans.

The particular point made to you was that the string courses should be dispensed with so that the appearance of the bungalow had a less horizontal emphasis.

I would be pleased to receive amended drawings showing this revision.

Yours faithfully

N R MIDLEN
Principal Planning Officer (Development Control)

2

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

From: G Smith
Planning and Building
Control Services

To: J Berridge
Administration Dept.

Our Ref: GS/JJ H18/0902/92

Your Ref:

Date: 11 Nov 1992

H18/0902/92 MR AND MRS JUDD
ERECTION OF BUNGALOW, OFF EAST BANK, SUTTON BRIDGE.

With reference to the above, it was resolved at the Planning Committee of 7th October 1992, that the above be authorised subject to the applicant entering into a planning obligation under the provisions of Section 106.

In order that you may prepare the necessary docmentation, please find enclosed:-

1. A copy of the planning application form.

2. Six 1:2500 site location plans indicating the curtilage of the site edged red.

Confirmation that the applicant is willing to enter into such an agreement will be forwarded when received.

G Smith

G Smith
Technical Assistant

Enc.

Mr A J Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding
Lincs

Mr J Blacklock

JB/LAB/H18/0902/92

6 November 1992

Dear Sir

Erection Of Bungalow, Land Off East Bank, Sutton Bridge.

I refer to your meeting with the Director of Planning and Building Control Services, Mr B Smith and the Senior Planning Assistant, Mr J Blacklock.

As indicated to you, this Authority is seeking to formulate criteria for what would constitute local need which could be embodied in a Section 106 Agreement restricting the occupation of the proposed bungalow to occupants who met those stated requirements.

These criteria, I should emphasise, would be specific to this particular set of circumstances: it is not the intention of the Authority to base a policy of accommodating local need which would have a general application upon the circumstances obtaining in this case.

To assist the Authority, I would be obliged if you would confirm in writing the details of your disability and details of your ownership of the application site ie; whether it is owned in freehold by yourself and some member of your family and whether there is any outstanding financial commitment or charge on the land. Details of your long term intentions with regard to the bungalow, when built, would be appreciated as would details of any other land or property owned by yourself, your family and close relatives in the vicinity of the application site.

If you need any assistance or clarification upon these points, please do not hesitate to contact Mr Blacklock.

I look forward to hearing from you.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

730. PLANNING APPLICATIONS (Continued)

(d) **Applications Director of Planning and Building Control Services Authorised to Approve** (Continued)

Plan No. and Applicant	Proposal
H06/0764/92 Mr P Webb	Brick built garage with a 15 degree pitched roof at Trinity House, Pinstock Lane, Gedney.

(e) **Application approved subject to Planning Obligation**

Subject to the applicants first entering into a Planning Obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 to ensure that the development remains available for local needs in the long term, and to the Director of Planning and Building Control Services negotiating with the applicants amendments to the design of the bungalow so that it is more in character with its rural location, the Director of Planning and Building Control Services be authorised to grant planning permission for the undermentioned development, contrary to his recommendation:-

Plan No. and Applicant	Proposal
H18/0902/92 Mr A J & Mrs M Judd	Bungalow at The Bungalow, off East Bank, Sutton Bridge.

(O.A. denotes outline application.)

731. "SOUTH HOLLAND 2000" - THE SOUTH HOLLAND DISTRICT LOCAL PLAN

The Director of Planning and Building Control Services advised members that the draft South Holland District Local Plan was now nearing completion and reported on the range of matters to be covered by the plan including the character and environment of South Holland, the economy of South Holland, residential development, leisure, recreation and tourism and transport, communication and accessibility. The draft plan had two fundamental objectives: (i) to conserve and enhance the environmental characteristics and identity of South Holland and the quality of life of those who live or work in the district or who are visitors; and (ii) without prejudicing the first objective, to enable development to take place which will contribute to the economic well-being of the district and which will meet the district's residential needs.

Members were advised that the plan had to deal with the development of the district which was realistically likely to take place during the period covered by the plan, and that the more radical, less certain and possibly longer term influences on the district such as "Project Electra" and the east coast motorway could not be included formally. Nevertheless, it was felt that reference to the issues raised by such projects should be included without causing the plan to exceed its statutory contents.

RESOLVED:

a) The Director of Planning and Building Control Services be authorised to publish "South Holland 2000" in draft for the purposes of consultation and public participation subject to the inclusion of a policy relating to public transportation;

b) That in making the above decision, it be understood that the Council does not commit itself to the contents of the draft plan, and that full consideration will be given to the responses to consultations and public participation; and

APPLICATION REFERENCE: H18/0902/92 DATE RECEIVED: 20 08 92

APPLICANT: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding
Lincs PE12 9SX

AGENT:

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date -7 OCT 1992

TYPE: Full

DESCRIPTION: Erection of bungalow

LOCATION: The Bungalow, Off East Bank, Sutton Bridge

Parish Council: No objections.

County Highways: Request refusal.

Information From Applicant: (summarised)

- Prepared to enter into a Planning Agreement whereby no further development could take place on any adjacent land, which is owned by Mrs Judd's parents. Not set undesirable precedent therefore.
- Local Parish Council and Ward Members unanimously express their support.
- Existing neighbours have expressed their support.
- Proposed bungalow in keeping.
- Bungalow would be sited on land currently adjacent to Mrs Judd's parents bungalow at East Bank. Mr Judd has desperate need for single storey accommodation, because of medical reasons (doctors note confirms this). He has had two spinal operations recently and each operation has weakened other parts of his spinal column. Mr Judd has also, from time to time, suffered reoccurrences which are extremely painful to him.
- Location next to Mrs Judd's parents would enable family to be mutually supportive and not reliant on others such as Social Services, etc.
- Bungalow sited as far west as possible to make it more in keeping with the existing Nenelands development. There is a 12 metre rule for siting buildings near septic tanks and that is the reason for the gap.

PLANNING POLICIES/DOE ADVICE
Outside IBD.

Long Sutton and Sutton Bridge Local Plan.
Structure Plan Policies 5A, 6A and 7A.
Local Need Criteria as outlined in the Council's policy entitled "Dwellings In The Open Countryside".

1 Site features
(a) Compatibility.
(b) Relationship with existing development.
(c) Impact on surrounding rural areas.
(d) Adequate road access?

2 Dwelling Details (fully detailed application required)
(a) Relationship to its surroundings in terms of appearance, etc.
(b) Suitability to satisfy local need.

3 Occupancy
(a) Full details of particular local need.
(b) Details of any proposals to ensure that the dwelling remains available for local needs in the long term.

PREVIOUS DECISIONS
H18/0835/91 - Outline - Erection of bungalow - Refused.
H18/0490/92 - Full - Erection of bungalow - Refused.

Reasons
1 Contrary to policy.
2 Inadequate visibility, etc.

PLANNING ISSUES
1 The determining issue is whether the previous reasons for refusal have been overcome.
2 With respect to the most recent refusal (H18/0490/92) the site has been moved further westwards closer to the existing bungalow.
3 With regard to application reference H18/0835/91, the Committee will recall a site visit was undertaken by the Sub-Committee and subsequently it was resolved to refuse planning permission and that the applicants be advised consideration would be given to an application in accordance with the Council's criteria as set out in its advice leaflet "Dwellings In The Open Countryside" in respect of new buildings for local need.
4 The current proposal differs from that considered in 1991 in so far as the site has a slightly different configuration (the former was square shaped exclusive of the access whilst that now proposed is more oblong with an addition to accommodate part of a turning head); is wider by some 30 feet; and is located 50 feet further eastwards from "The Bungalow."
5 The application site is garden/agricultural land associated with "The Bungalow" and is at a much lower level than the land to the south and the access. It measures 32 metres x 23 metres exclusive of the access drive.
6 Access is of East Bank and is located relatively close to the junction with the A17(T).

CONCLUSIONS
1 As previously the site is outside the development boundary as outlined in the Long Sutton and Sutton Bridge Local Plan (adopted March 1990). As such, Policy H4 applies which states

that new residential development in the open countryside should not normally be permitted unless there is an essential agricultural/horticultural need. Whilst I note the applicants personal case, it is nevertheless my opinion that there is not sufficient reason to justify a departure from the above policy. No further information has been supplied which would warrant a departure from this view.

2 The Sutton Bridge Local Plan makes provision for a continuing average building rate of around 20 dwellings a year between the period 1986 to 1996 to reinforce the role of the settlement as a service and employment centre for a large ruralinterlard. Having regard to this therefore, there is already an over provision since the actual number of completions between the period March 1991 to March 1992 were 43, with 26 starts, 68 dwellings under construction and 512 with planning permission but not started.

3 As with the previous refusals I have assessed the proposal against the local need criteria and it is still my opinion that it does not comply to a satisfactory degree. The site still does not have a satisfactory relationship with the existing development to the west and also Nenelands and as such is contrary to Structure Plan Policy 5A. It is also considered to be essentially an extension out into open countryside which also makes it contrary to Structure Plan Policy 6A particularly if account is taken of the fact that to provide adequate garden space (little is proposed) a further encroachment would be involved). Finally, the road access is not suitable in my view.

4 If Members are minded to grant permission, it is considered that amendments should be carried out to the design of the bungalow so that it is more in character with its rural locality.

RECOMMENDATION - Refuse Permission.

1 The site is outside the confines of a settlement in an area of open countryside where it is the policy of the Local Planning Authority to permit new development only in exceptional cases where it is satisfied that there is a special need, particularly in connection with agriculture. In the opinion of the Local Planning Authority the circumstances of this case are not sufficient to justify permission, which will be contrary to Policies 5A, 6A and 7A of the Lincolnshire Structure Plan and also the Policies of the Long Sutton and Sutton Bridge Local Plan. These are in accordance with national planning policies as set out in Planning Policy Guidance Note 7, 1992 (The Countryside and the Rural Economy) and are aimed at the conservation of agricultural land, the preservation of the character of the countryside and the economic provision of services. In the opinion of the Local Planning Authority the granting of permission for the development as proposed would be harmful to the purposes of these policies, because as well as its individual effect on these issues, it would form a precedent for further similar proposals which would then be difficult to resist.

2 The proposal, if permitted, would intensify the use of an existing access which is inadequate in terms of visibility to

Ref H18/0902/92

LATE OBS: Offr..... Date.....
Salient points highlighted

Meeting held with Mr and Mrs Judd friday 2nd October, 1992. They raised a number of matters, including the fact that they were not ~~[illegible]~~ at all happy with the recommendation to Committee and stressed that they had already spent a lot of money on previous applications.

They did stress, however, that they were prepared to enter into a legal agreement whereby the dwelling remains available to "local needs" for the long term, after their own personal needs no longer apply.

DMS 2/11/92

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

LATE OBS: Cttee ..... Date .....
Solicitor/Principal Officer

NRA

National Rivers Authority
Anglian Region

14 September 1992 Our Ref: GT/92/1/SH/0254/EB

Dear Sirs

PLANNING APPLICATION NO H/18/0902/92
FOR PROPOSED ERECTION OF A BUNGALOW BY
MR & MRS A J JUDD AT THE BUNGALOW OFF
EAST BANK SUTTON BRIDGE

With regard to the above-mentioned application received on 11 September 1992, I would inform you that the NRA Anglian Region has the following observations to make on the proposal:

We have no further observations other than those contained in my letter dated 10 October 1991 in reply to Planning Application Number H18/0835/91 submitted by Mr & Mrs Judd at the site referred to in the current application.

A copy of the above letter is enclosed for your record and information purposes.

Yours faithfully

R F Morgan
Planning Engineer

S.H.D.C. PLANNING DEPT.
RECEIVED
17 SEP 1992 DG

Attention of	File Nos.
DPO NPM	
SCMO MS	
JC ASP	
Action by	Acknowledge YES/NO
Discuss with	by
Copy to	date

ROGER HYDE
Regional General Manager

Aqua House
Harvey Street
Lincoln
LN1 1TF
Tel: 0522 513100
Fax: 0522 512927

BRIAN SI H 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

- 4 SEP 1992
Group 'C'

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H18/0902/92

Applicant: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding Lincs PE12 9SX

Agent: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding Lincs PE12 9SX

Description: Erection of Bungalow

Location: The Bungalow off East Bank
Sutton Bridge Spalding Lincs

Type: FULL

Date received: 20-AUG-92

03-SEP-92

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 18-SEP-92. 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 D M GEDNEY

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 have no objections

Signed:
H. Summerton Clerk.

15 SEP 1992

S.H.D.C. PLANNING DEPT.
RECEIVED DG
16 SEP 1992

Attention of	File Nos.
DPO MRM	
DOPO BS	
JC ACP	
Action by	Acknowledge YES/NO
Discuss with	by
Copy to	date

BRIAN S H 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: H18/0902/92

Applicant: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding Lincs PE12 9SX

Agent: Mr A J & Mrs M Judd
Carlton House
Chestnut Terrace
Sutton Bridge
Spalding Lincs PE12 9SX

Description: Erection of Bungalow

Location: The Bungalow off East Bank
Sutton Bridge Spalding Lincs

Type: FULL

Date received: 20-AUG-92

03-SEP-92

Dear Cllr D Dewsberry

NOTIFICATION TO WARD MEMBER

I have received an application for the above proposal in your ward. The officer dealing with this application is D M GEDNEY

As applications can be determined under delegated powers in many cases, please let me know by 13-SEP-92 if you feel that this proposal should be brought to the attention of the Planning Committee for any reason.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

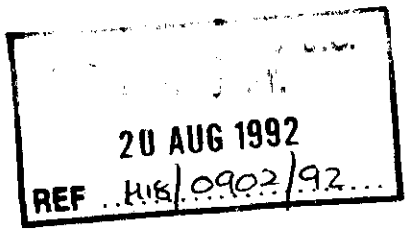
Cllr D Dewsberry
248 Bridge Road
Sutton Bridge
Spalding Lincs
PE12 9SH

DG

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

I request that this application be considered by Planning Committee, because of previous application being refused.

Signed:



LONG SUTTON HEALTH CENTRE

Drs: A.J. Dutton
R.M. Couch
J.M. Gosney
J.B. Jacklin
C.C.C. Fung
C.C. Booth

West Street,
Long Sutton,
Spalding, Lincs.
PE12 9BN

Tel. No. Holbeach 362081

27th July 1992

TO WHOM IT MAY CONCERN

Mr & Mrs Judd of Carlton House, Chestnut Terrace, Sutton Bridge are both patients of mine. I understand that they are submitting application to build a bungalow. Mr Judd suffers from a severe back problem and I feel it is imperative for him to be allowed permission to build a bungalow to relieve his medical problem.

C.C.C. Fung

AGENDA ITEM NO. 4

SOUTH HOLLAND DISTRICT COUNCIL

REPORT TO: THE PLANNING COMMITTEE 17 FEBRUARY 1993

BY: THE DIRECTOR OF PLANNING AND BUILDING CONTROL SERVICES

1.0 SUBJECT: LOCAL NEEDS POLICY

PURPOSE: **To advise the Committee of the need for a reappraisal of the Authority's Local Needs Policy**

1.1 This report is concerned with issues relating to the implementation of the Authority's Local Needs Policy.

1.2 The Policy, as contained in the Authority's advice leaflet on dwellings in the countryside, states:-

> "New dwellings for the general housing market should be built within the approved development boundaries of towns and villages. However, there are some other places where dwellings for particular "local needs" may be built. These "local needs" may include houses specially for first-time buyers, and homes for people with particular need to live close to their work. In some places groups of dwellings exist which are clearly not villages, but where individual dwellings may be permitted to fulfil these "local needs" without conflicting with the overall aims of planning policy. Government advice is contained in Planning Policy Guidance Notes 1 and 7.
>
> It is impossible to state categorically all the circumstances when such departures from normal policy will be permitted, and those when permission will be refused, because each application needs to be judged on its own merits. This list sets down several matters which the Council will consider when applications are made:-
>
> **SITE FEATURES**
>
> Will the proposed dwelling be compatible with the use of nearby land or buildings, or are the amenities of the future residents likely to be adversely affected?
>
> Will the proposed dwelling fit satisfactorily with the existing pattern, character, density and appearance of development nearby?
>
> - What impact, if any, will the proposed dwelling have on the appearance of the surrounding rural area?
> - Is there adequate road access?

DWELLING DETAILS

A fully detailed application will be required so that the Council can consider:

(a) The relationship of the proposed dwelling to its surroundings in terms of its appearance and its effect on the amenities of existing and future residents;
(b) Its suitability in terms of size, type and location to continue to satisfy local need.

OCCUPANCY

- Full details will be required of the particular "local need" for the dwelling eg. the applicant's local place of work.
- Details should also be submitted of any proposals (eg. legal agreements or covenants) to ensure that the dwelling remains available for local needs in the long term, after the needs of the first occupier no longer apply".

1.3 This policy dates from 1989 and predates changes in legislation; recent developments in Government policy; recent Ombudsman decisions; and practical difficulties which have come to light in operating the Policy. These developments suggest that a fundamental re-appraisal of the Policy is now required.

2.0 CHANGES IN LEGISLATION

2.1 Section 54A of the Town and Country Planning Act 1990 states that development must be determined in accordance with the Development Plan unless material considerations dictate otherwise.

2.2 Previously, the requirement had been to 'have regard to the Development Plan' in determining applications for development. The change in wording 'in accordance with' - a stronger injunction altogether - reflects the Government's intention that the control of development should be 'plan led'. Hence, the statutory requirement that all Local Planning Authorities should produce District Wide Plans.

2.3 Given the pre-eminence now accorded to the Structure Plan, it is clear the Authority's Local Needs Policy will have to be applied more judiciously: 'planning by exception' or the appearances of such, has to be avoided if the Structure Plan is to be applied as Government policy provides.

2.4 A further consequence of this emphasis is that an Authority's policy is more likely to be open to legal challenge through Judicial Review on the grounds of inconsistency with the Structure Plan.

2.5 In this regard, the Committee may wish to bear in mind that the background of its local needs policy is that of the excision of a similar policy from the Structure Plan by the Secretary of State.

3.0 AFFORDABLE HOUSING

3.1 The emphasis of Government advice contained in Circular 7/91 and PPG No. 3 'Housing' is that provision for affordable housing should be met on a community basis: a clear distinction is drawn between the public benefit and private gain.

3.2 Thus, Government policy has now enabled the social dimension of housing, or a particular section of it, to be addressed, but in doing so it has thrown into sharper relief the need to ensure the accommodation of private or individual needs is consistent with the public benefit and the purposes which the planning process serves.

3.3 A further consideration is that Government advice is aimed at the provision of low cost housing whereas the Authority's Local Needs Policy seeks to accommodate an expressed local need where the context may not necessarily be that of the affordability of property. A case in point would be the need advanced by a relative to live near a member of the family because of a serious disability or handicap.

4.0 OMBUDSMAN'S DECISIONS

4.1 The Committee will recall that at its meeting on 14 July 1992 the findings were reported to the Ombudsman in respect of maladministration in two cases where permission had been granted for dwellings on the grounds of personal need.

4.2 These reports emphasise that planning decisions should be made having regard to planning policies and guidance. Accordingly, there are dangers inherent in giving primacy to personal considerations.

5.0 THE DISTRICT LOCAL PLAN

5.1 Policies for inclusion in the District Local Plan will also have to be made on the same established policy basis and therefore it is important if a Local Needs Policy is to form an integral part of that plan it is seen as consistent with that policy framework.

6.0 PRACTICAL DIFFICULTIES

6.1 Two recent applications - Applications H12/0260/92 and H18/0902/92 (Mrs J Barwell and Mr and Mrs A Judd respectively) have highlighted difficulties in applying the Local Needs

Policy. Both applications were for residential dwellings and both were submitted on the basis of local need. In each case, the Committee resolved that permission be granted subject to a Section 106 Obligation relating specifically to the Local Need advanced.

6.2 However, in neither case has it been possible to draft a Section 106 Obligation with sufficient precision and clarity to obviate the risk of successful legal challenges.

6.3 In respect of application H12/0260/92 (Mrs J Barwell) an Appeal has been lodged against Non-determination, and in respect of the application ref no. H18/0902/92, the applicants, Mr and Mrs Judd, have expressed concern that no Section 106 Obligation has as yet been concluded.

6.4 Indicative of the difficulties which have been experienced in drafting Section 106 Obligations vis à vis the Local Needs Policy are the following:-

A <u>Defining 'Local'</u> - Local in the sense of the parish; groups of parishes; immediate neighbourhood; ward constituency; area covered by a particular plan or policy; or within the District as a whole?

B <u>Defining need and distinguishing it from a wish or demand</u>. Possibly the Policy should address needs which are 'special' or 'personal' as opposed to local, (the above mentioned applications relate, in fact, to a special/personal need rather than a local one). However, this begs the question of what is 'special' or 'personal'.

(i) Needs may arise from an illness, disability or handicap; from family ties; from difficult financial circumstances; social deprivation; from a specific type of occupation and the service which that occupation provides to the community.

(ii) Within these broad categories there are many possible permutations but they all involve value judgements as to what is particularly 'special' or 'personal' or exceptional about them. Bearing in mind that most applicants have a perception of a need for accommodation which is very particular and important to them, they are value judgements open to question or criticism as unduly selective. There is, therefore, the public perception of fairness or unfairness as a factor in the application of policy.

(iii) A pertinent consideration in this regard is paragraph 38 of PPG No. 1 (March 1992) which states:-

"Unless otherwise specified, a planning permission runs with the land and it is seldom desirable to provide for any other arrangement. Exceptionally,

however, the personal circumstances of an occupier, personal hardship, or the difficulties of businesses which are of value to the character of the local community, may be material to the consideration of a planning application. In such circumstances, a permission may be made subject to a condition that it is personal to the application (see paragraph 73 of Annex to DOE and WO Circular 1/85). Such arguments will seldom outweigh the more general planning considerations. If the proposed development entails works of a permanent nature they will remain long after the personal circumstances of the applicant have ceased to be material."

In the use of the word 'seldom' the Secretary of State clearly has in mind only those circumstances which are very exceptional - sufficiently exceptional to outweigh the strong presumption or expectation that established planning policy be adhered to. The advice also raises the issue of the time dimension if exceptional cases or circumstances are to be accommodated.

C Defining the appropriate time scale. There is an inherent mismatch between the expressed need and the accommodation of it, for the latter is by its nature permanent (ie. the erection of a dwelling) while the former is ephemeral - the need passes with the passing of the individual or individuals concerned. Once those individuals have passed away - and with them the need particular to their circumstances - how is that initial need to be translated into or, re-interpreted in respect of others? or, indeed, should it be? Is the dwelling to continue to provide for some local/special need for accommodation or when the originating need no longer exists, should the dwelling be `released' onto the open market?

7.0 CONCLUSIONS

7.1 In view of the above, it is considered there is a clear case for the re-appraisal of the Authority's Local Needs Policy. There is also a need to provide some guidance to Mr and Mrs Judd in respect of their application ref. H18/0902/92.

8.0 RECOMMENDATIONS

1. That the Chairman and Vice Chairman together with the Director of Planning and Building Control Services be instructed to hold informal discussions with Members and appropriate officers to consider and reappraise the terms and scope of the Authority's Local Needs Policy.

JAB

SOUTH HOLLAND DISTRICT COUNCIL

PLANNING & BUILDING CONTROL DEPARTMENT

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

TO ALL MEMBERS OF COUNCIL

Your Contact: B. Smith

Our Ref: DPBCS/JH
F. 1810

Your Ref:

Date: 11 Mar 1993

Dear Councillor,

RE: LOCAL NEEDS POLICY
TO REAPPRAISE THE TERMS AND SCOPE OF THE COUNCIL'S LOCAL NEEDS POLICY.

Further to my report to the Planning Committee, I would offer also the following observations and suggestions as a basis for considering and discussing the issues raised as a result of the report.

Assessing Need

The Secretary of State has advised that no fixed set of national criteria can be prescribed for assessing local needs; much is bound to depend on the local housing market and on local economic and social conditions. Since planning conditions and Agreements cannot normally be used to impose restrictions on tenure, price or ownership, the planning authority would need to satisfy itself before granting planning permission, that other secure arrangements to that effect would be made. Although the details of such arrangements are a matter for local planning authorities, it is important that they ensure that the benefit will be enjoyed by successive as well as by initial occupiers of the property.

Planning conditions and Agreements can properly be used to restrict the occupation of property to people falling within particular categories of need, so long as the conditional agreement is in pursuance of a proper planning objective, and its terms are sufficiently certain as to the nature of the restriction, e.g. by referring to criteria of eligibility set out in a Local Plan Policy. By the same token, planning Agreements and planning conditions cannot and should not seek to control matters which are not proper planning

Cont/d.....2/.

Planning & Building
Control Department
Council Offices,
Priory Road,
Spalding,
Lincolnshire. PE11 2XE

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

considerations; planning authorities should consider in advance whether their proposals for control over occupation are, therefore, enforceable in the longer term. It is also important, therefore, that people should be able to see that the policy is applied in a fair and consistent way, and in accordance with stated criteria.

The Ombudsman View

"The purpose of the planning system is to regulate the development and use of land. Decisions in individual cases should be based on planning grounds only and must be reasonable and sustainable in those terms. The Council cannot make arbitary decisions, nor - without good reason - can it ignore the provisions of the Structure Plan. The personal circumstances of an applicant can sometimes and exceptionally be taken into account in considering a planning application. However, it is equally clear that those circumstances are only relevant after all other planning factors have been considered fully and properly, and they must not be allowed to outweigh those other valid planning considerations.....taking account of wholly irrelevant considerations is not the way to decide planning applications. Such actions amount to maladministration."

What is Local Need?

Certain categories of need could be expected to feature in most local needs policies within the overall aim of maintaining a balanced community, and the area within which needs will be considered "local" will have to be specified in the Council's policy.

Examples of Local Need

(i) Persons who require housing which costs less than the current market price, i.e. persons whose average income is not sufficient to raise a mortgage to buy existing or new properties within their village at full market value.

(ii) Persons who are resident within the Parish or the immediate neighbouring Parishes, including first time buyers, dependents of households and those living in substandard accommodation or tied accommodation on retirement.

(iii) Persons who are employed within a particular Parish or group of neighbouring Parishes; persons with the firm offer of a job in the locality who cannot take up the offer because of lack of affordable housing.

(iv) Persons who are not necessarily resident locally, but have a long standing and strong local connection with the local community/Parish by reasons of birth, previous residence, employment or family connections.

The question arises in seeking to assess each type of local need

Cont/d..3/.

whether the application of other objective criteria will assist, and offer the assurances necessary if the Council is to be seen acting properly as a local planning authority. To that end it will be important to differentiate between "local" need and "personal" needs.

Examples of Personal Need.

Although not exhaustive, the following list examples cases of personal need:-

(i) Family support, e.g. on health grounds.

(ii) Need different and special types of accommodation, e.g. disability.

(iii) Cost - cannot afford (how may such cases actually result in putting the saving of land costs into a larger or better dwelling!).

(iv) Desire, rather than need - e.g. rural environment, large garden/paddock.

Some of the Criteria to be Considered.

Locational

(i) Does "local" mean within the District, within the Parish, within the settlement of the Parish?

(ii) Within a group of Parishes/settlements, e.g. "The Droves".

(iii) Within a specified distance from a recognised service centre.

(iv) Will it continue to satisfy local need in the future in terms of the location.

Site Features

(i) Within or adjacent to the IBD/existing group of dwellings.

(ii) Compatible with adjoining uses of land or buildings.

(iii) Will a dwelling fit satisfactorily in an existing pattern in terms of character, density and appearance.

(iv) What impact will it have on surrounding area.

(v) Is there adequate road access.

Dwelling Details

(i) Type of accommodation, e.g. bungalow, house, special design, number of rooms etc.

Cont/d...4/.

(ii) Justification for particular type of accommodation.

(iii) Will it continue to satisfy local need in the future in terms of size and type.

Applicants

(i) Family details, number of dependents, relationship to the members of family residing in the District.

(ii) Details of existing accommodation, owner occupier, tenant, tied.

(iii) Outstanding mortgage, if owner occupied, value of existing property.

(iv) If owner occupied, what type of accommodation and where.

(v) If disabled, what are the details of the disability, e.g. permanent, use of wheelchair; is there corroboration of the disability etc.

(vi) Are you currently on a waiting list for local authority housing. If so, what category, e.g. general, aged or disabled, transfers. How long have you been on the waiting list?

(vii) Have you applied to any other Council or Housing Association for accommodation.

Employment Details

(i) Employed, umemployed, retired, job on offer. If so, where and with whom.

(ii) If employed - where - within/outside the District
- type of employment, e.g.
- special service provider - what is a special service?

(iii) What is current earnings and mortgage capability?

Legal Requirements

(i) If necessary, is the applicant prepared to enter into an appropriate legal Agreement(s):-

(1) to ensure that the housing remains affordable/ available in perpetuity, thus retaining its function to meet an identified "local need".

Include dependants

(2) to ensure the repair, maintenance, control and occupancy criteria for the proposed housing.

Cont/d...5/.

(3) The control of management of such housing should ideally be in the hands of a Housing Association or Housing Village Trust.

(ii) Permitted development rights covering extensions to each dwelling to be removed at the time of granting planning permission.

(iii) Affidavits from applicant and persons corroborating the facts and statements made by applicant - if information subsequently shown to be bad, can Council take action against the parties?

Finally, may I remind you that the meeting is to take place on Monday 15th March 1993 at 6.30 p.m. in the Council Chamber. You should bring with you your copy of my report to the 17th February 1993 Planning Committee (Agenda Item 4 "Local Needs Policy"). Should you have mislaid your copy, could you please advise my secretary as soon as possible and not later than 2 p.m. on Monday next.

Yours sincerely,

B. SMITH MRTPI
DIRECTOR OF PLANNING AND
BUILDING CONTROL SERVICES.

Enc. Information Leaflet "Dwellings in the Open Countryside".

HOUSING VILLAGE TRUSTS INVESTIGATED — DECIDED CASE?

DPBCS (4)

ACTION SHEET

File Ref.	Min No.	Subject	Action Required	Responsible Officer	Action Taken
	99	Minutes	Update index and outstanding items sheet.	DA (JMB)	
	100	Planning Applications (a) (b) (d) (e) (f) (g)	Issue decision notices plus other action as detailed in the minutes.	DA (JMB)	
	100	(c) Applications Deferred	a) Include applications on Plans Sub-Committee agenda as appropriate	DA (PC)	
			b) Negotiate with the applicant a reduction in the curtilage of the proposed dwelling in respect of application reference H09/1318/92	DPBCS	
	100	(h) Applications Approved Subject to Planning Obligations	Arrange completion of planning obligations then release planning permission.	DA (PC) DPBCS	
	100	(i) Enforcement Action (52 Clough Common, Holbeach Clough) (33 North Parade, Holbeach)	a) Issue enforcement notices.	DA (JMB)	
			b) Copy plans to Local Land Charges Clerk.	DA (JMB)	
	101	Local Needs Policy	a) Arrange for an informal discussion with the Chairman and Vice-Chairman of the Committee, members and appropriate officers to consider and reappraise the terms and scope of the authority's local needs policy.	DPBCS	
			b) Following such discussions submit a further report to Committee.	DPBCS	

S.H.D.C. PLANNING DEPT.
RECEIVED
25 FEB 1993
Attention of
DPO NSM
DDPO ES
JC ACP
Action by .....
Discuss with .....
Copy to .....

File Ref.	Min No.	Subject	Action Required	Responsible Officer	Action Taken
	104	Spalding Town Centre	Arrange for the inclusion of plans and proposals within the Committee's work programme over the next two years.	DPBCS	
	105	Monks House Court, Spalding - Plot 8	a) Advise the complainants and the developer of the Committee's decision.	DPBCS	
			b) Issue enforcement notice if necessary.	DA (JMB)	
			c) Copy plan to Local Land Charges Clerk, if enforcement action is necessary.	DA (JMB)	
	106	Trees Subject to Statutory Protection for which Consent to Fell had been Granted	None.	-	

TO ALL MEMBERS OF COUNCIL

B. Smith

PPBCS/JH
P. 1810

11 Mar 1993

Dear Councillor,

RE: LOCAL NEEDS POLICY
TO REAPPRAISE THE TERMS AND SCOPE OF THE COUNCIL'S LOCAL NEEDS POLICY.

Further to my report to the Planning Committee, I would offer also the following observations and suggestions as a basis for considering and discussing the issues raised as a result of the report.

Assessing Need

The Secretary of State has advised that no fixed set of national criteria can be prescribed for assessing local needs; much is bound to depend on the local housing market and on local economic and social conditions. Since planning conditions and Agreements cannot normally be used to impose restrictions on tenure, price or ownership, the planning authority would need to satisfy itself before granting planning permission, that other secure arrangements to that effect would be made. Although the details of such arrangements are a matter for local planning authorities, it is important that they ensure that the benefit will be enjoyed by successive as well as by initial occupiers of the property.

Planning conditions and Agreements can properly be used to restrict the occupation of property to people falling within particular categories of need, so long as the conditional agreement is in pursuance of a proper planning objective, and its terms are sufficiently certain as to the nature of the restriction, e.g. by referring to criteria of eligibility set out in a Local Plan Policy. By the same token, planning Agreements and planning conditions cannot and should not seek to control matters which are not proper planning

Cont/d.....2/.

whether the application of other objective criteria will assist, and offer the assurances necessary if the Council is to be seen acting properly as a local planning authority. To that end it will be important to differentiate between "local" need and "personal" needs.

Examples of Personal Need.

Although not exhaustive, the following list examples cases of personal need:-

(i) Family support, e.g. on health grounds.

(ii) Need different and special types of accommodation, e.g. disability.

(iii) Cost - cannot afford (how may such cases actually result in putting the saving of land costs into a larger or better dwelling!).

(iv) Desire, rather than need - e.g. rural environment, large garden/paddock.

Some of the Criteria to be Considered.

Locational

(i) Does "local" mean within the District, within the Parish, within the settlement of the Parish?

(ii) Within a group of Parishes/settlements, e.g. "The Droves".

(iii) Within a specified distance from a recognised service centre.

(iv) Will it continue to satisfy local need in the future in terms of the location.

Site Features

(i) Within or adjacent to the IBD/existing group of dwellings.

(ii) Compatible with adjoining uses of land or buildings.

(iii) Will a dwelling fit satisfactorily in an existing pattern in terms of character, density and appearance.

(iv) What impact will it have on surrounding area.

(v) Is there adequate road access.

Dwelling Details

(i) Type of accommodation. e.g. bungalow, house, special design, number of rooms etc.

Cont/d...4/.

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning and Building Control Services

OUR REF: REA/LDS/PL.612

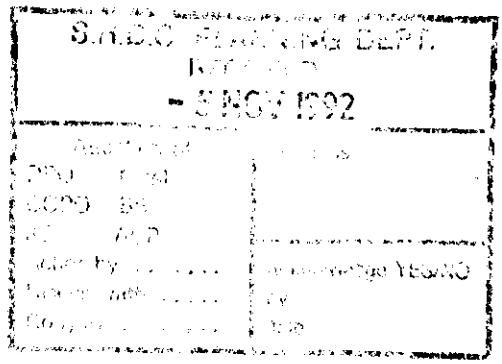
YOUR REF: DPBCS/JH/H12/0260/92

DATE: 5th November 1992

SUBJECT: PROPOSED WORDING OF PLANNING OBLIGATION, RESIDENTIAL DEVELOPMENT, LUTTON BANK, LUTTON

Thank you for your memorandum dated 20th October 1992. I agree with the view of your own officers. However, if the Planning Committee is determined to have a 'local need' policy which can be incorporated in an Agreement it will be necessary for them to define precisely what is meant by the terms referred to in your memorandum, particularly in view of the Government's new policy that planning decisions should be taken in accordance with development plan provisions unless there are special circumstances which warrant an exception being made. The Planning Committee would, in my view, have to spell out very carefully the special circumstances involved in each case.

Director of Administration



AGENDA ITEM NO.

SOUTH HOLLAND DISTRICT COUNCIL

5

REPORT TO: THE PLANNING COMMITTEE 14TH JULY 1992

BY: THE DIRECTOR OF PLANNING AND BUILDING CONTROL SERVICES

1.0 SUBJECT: DWELLINGS FOR "LOCAL NEEDS"

PURPOSE: **To provide advice relating to the implementation of policy.**

1.1 Planning policy allows for dwellings to be built in areas where dwellings would not normally be permitted in the following circumstances:-

(i) Where there is an essential need to house farm or forestry workers near to their place of work. (Policy 7A of the Lincolnshire Structure Plan; paragraph 2.18 of PPG7).

(ii) Where there is a genuine local need for "Affordable Housing" which would not otherwise be met, and arrangements exist to ensure that the benefits will be enjoyed by all the subsequent occupants as well as the initial occupiers. (Policy 8A of the Lincolnshire Structure Plan; paragraph 44 of PPG3).

1.2 The granting of planning permission depends not only on the proposal falling within one or other of the above categories, but also upon the suitability of each particular proposal in relation to the site and its surroundings.

1.3 Your own advice leaflet sets out the matters which you will consider when assessing applications for housing for "local needs" under the headings "Site Features", "Dwelling Details" and "Occupancy". Under the heading "Occupancy" are the following requirements:-

"- Full details will be required of the particular "local need" for the dwelling e.g. the applicant's local place of work.
- Details should also be submitted of any proposals (e.g. legal agreements or covenants) to ensure that the dwelling remains available for local needs in the long term, after the needs of the first occupier no longer apply."

1.4 Two Local Government Ombudsmen have reported recently on their investigations into complaints that two Local Planning

Authorities have acted wrongly in granting planning permission for dwellings in locations where planning permission would not be granted normally, because each decision was based primarily on matters which are not planning considerations, namely the personal circumstances of the applicants. In both cases maladministration was found.

1.5 These Ombudsmen's reports emphasise that planning decisions should be made having regard to planning policies and guidance, and that departures should be made only for sound planning reasons, however sympathetic a planning authority may feel towards the personal circumstances of any applicant. Similarly, preparation of policies for inclusion in the District Local Plan will also have to be made on the same basis.

1.6 RECOMMENDATION

That this advice be noted.

Background Papers:- Ombudsmen Reports.
F. 510 and 1620

Local Government (Access to Information) Act 1985

The Officer to whom reference should be made concerning inspection of the background papers is the Director of Planning and Building Control Services, Council Offices, Priory Road, Spalding, Lincs. Tel: (0775) 761161

play in the character of the settlement in terms of their location, relationship to surrounding buildings, and importance in framing or permitting views.

3.33 The fact that an open area has not been identified under this policy does not necessarily imply that its development would be acceptable.

POLICY H8

WHERE PROPOSALS ARE RECEIVED FOR RESIDENTIAL DEVELOPMENT ON A SITE, OR PART THEREOF, WITHIN A DEFINED CURTILAGE LINE AND IT CAN BE PROVEN BY THE DISTRICT COUNCIL THAT THERE IS A DEMONSTRABLE LACK OF AFFORDABLE HOUSING TO MEET LOCAL NEEDS IN THE SETTLEMENT, THE DISTRICT COUNCIL MAY SEEK TO NEGOTIATE WITH THE DEVELOPER FOR THE INCLUSION OF AN ELEMENT OF AFFORDABLE HOUSING FOR PURCHASE OR RENT TO MEET LOCAL NEEDS.

ANY SUCH APPLICATION WILL BE CONSIDERED ON ITS INDIVIDUAL MERITS, BUT MUST SATISFY ALL OF THE FOLLOWING CRITERIA:

1. **THE HOUSING MUST COMPLY WITH THE DEVELOPMENT CONTROL CRITERIA SET OUT IN POLICIES G2, H4, H5 AND, WHERE APPROPRIATE, H6.**

2. **THE SEALING OF A LEGAL AGREEMENT TO ENSURE THAT THE HOUSING REMAINS AFFORDABLE IN PERPETUITY, THUS *RETAINING ITS FUNCTION TO MEET IDENTIFIED 'LOCAL NEED'*. ANY PROPOSAL WHICH ALLOWS FOR INITIAL DISCOUNTED PRICES ONLY WILL NOT BE ACCEPTABLE UNDER THIS POLICY.**

3. **THE SEALING OF A LEGAL AGREEMENT TO OVERSEE THE REPAIR, MAINTENANCE, CONTROL AND OCCUPANCY CRITERIA FOR THE PROPOSED HOUSING. THE CONTROL AND MANAGEMENT OF SUCH HOUSING WILL BE IN THE HANDS OF A HOUSING ASSOCIATION OR HOUSING TRUST.**

4. **PERMITTED DEVELOPMENT RIGHTS COVERING EXTENSIONS TO HOUSING PERMITTED UNDER THIS POLICY WILL BE REMOVED AT THE TIME OF GRANTING PERMISSION.**

3.34 This policy indicates the willingness of the Council to seek to negotiate with developers to achieve an element of affordable housing on residential schemes which are proposed on land within existing settlement curtilage lines. In practical terms, this would mean the developer agreeing to give an 'element' of his site over to low cost housing to be administered by a housing association. The developer would build the houses, but they would not be sold at full market value by the developer.

3.35 The ability of the local authority to enter into such negotiations with a prospective developer is enshrined in Planning Policy Guidance Note No. 3.

This circular states:-

> "Where there is a demonstrable lack of affordable housing to meet local needs, planning authorities may reasonably seek to negotiate with developers for the inclusion of an element of affordable housing in such schemes, and may include policies in local plans indicating their

intention to do so.

> ..... Where there is such a policy in the local plan, the willingness of a developer to include an element of affordable housing on land allocated for residential use, in accordance with the policy, will be a material consideration which the planning authority should take into account in considering the application".

3.36 Prior to the District Council considering entering into negotiations with a developer to achieve this objective, a lack of affordable housing in the settlement where the development is proposed will need to have been proven. Where the District Council is satisfied that there is a lack of affordable housing it may then seek to open negotiations with the developer. However it does not necessarily follow that where a lack of affordable housing is proven the District Council will wish to pursue negotiations within the developer. The particular circumstances of the proposal, its size, location within the settlement and so on, will need to be carefully assessed prior to any decision being made as to whether to seek an element of affordable homes within the overall development.

3.37 Where the District Council determines to seek negotiations with the developer for an element of affordable housing, the size or amount of that element will depend upon the local circumstances, including the scale of the proposed development, the type of proposed development, and the characteristics of the shortfall of affordable homes in that particular settlement.

PPG 3 states:-

> "Where an element of low cost provision is appropriate, its precise scale will vary from case to case, and will need to be a matter for negotiation. Authorities cannot expect policies to be upheld if they seek to impose a quota on developers, regardless of market or site conditions."

3.38 Local Need for the purposes of this policy is defined as covering:

(a) persons who require housing which costs less than the current market price i.e those persons whose average income is not sufficient to raise a mortgage which would enable them to buy existing or new properties within their settlement at their full market value;

(b) persons who are resident within the parish or immediately neighbouring parishes, including first time-buyers, dependents of households and those living in sub-standard accommodation;

(c) persons who are employed within the parish or immediately neighbouring parishes.

(d) persons who have a strong local connection with the parish or immediately neighbouring parishes by reasons of birth, previous residence, employment or family connections.

3.39 Affordable housing for the purposes of this policy means housing for those whose incomes do not allow them to compete on the open market for house purchase and for whom private sector economic rents are too high. It can cover either housing for purchase, often on the basis of shared equity arrangements, or housing for rent.

3.40 DETAILS OF THE DEVELOPMENT

Although any housing provided under this policy will meet a specific local need, it will still be required to conform to all the development control criteria which govern the development of housing in general.

3.41 LOW COST ENSURED

In order to ensure that the housing remains affordable in perpetuity , a legal agreement will need to be concluded between the District Council and the operators or owners of the houses. This is because the District Council will not be prepared to accept schemes whereby it becomes clear that housing is being provided at initially discounted prices but which is then subsequently sold at full market value, since in the longer term this would not provide any solution to the problem of a lack of affordable homes.

Such an agreement will normally be part of a Section 106 Obligation and/or a Section 33 Agreement under the 1982 Act.

3.42 LONG TERM OPERATION

Experience has shown that Housing Associations or Trusts are best equipped to operate affordable needs housing schemes. As PPG 3 puts it:

> "Most commonly, the best way of ensuring that affordable housing will be enjoyed by successive as well as initial occupiers of property is by the involvement of a housing association or other social body (e.g. a trust) providing housing for rent or shared ownership: the body's control over subsequent changes of ownership and occupation."

3.43 The management of affordable homes schemes will therefore be subject to a binding legal agreement. The District Council will require that applicants indicate in writing prior to the submission of any application that they are prepared to enter into a Section 106 Obligation and/or a Section 33 Agreement under the 1982 Act.

Such Agreements should cover the following points:

(a) That initial and future occupancy of the housing is limited to those who are defined as having a

local need in accordance with paragraph 3.39.

(b) In the event of no person within the settlement being eligible for a future occupancy of the housing, the catchment area will be extended to include immediately neighbouring settlements. This is to ensure that housing does not remain empty.

(c) Management arrangements are established covering, for example, repair and maintenance of the housing.

(d) That 'staircasing' to full ownership, i.e the right to buy out the Housing Association part of the shared equity, will not be permitted, subject to existing legal restrictions.

It should be noted that any such above agreement should be tailored to meet the expected tenure of the housing i.e whether for shared equity or for rent.

3.44 PERMITTED DEVELOPMENT RIGHTS

It is essential that any changes proposed to dwellings built under this policy do not undermine their ability to meet an identified local need. For example a proposal to add an extra bedroom to a house could result in that house no longer being suitable to meet its original purpose. By removing permitted development rights, the District Council are not seeking to stop all extensions, since clearly some may be for perfectly acceptable developments. However, the District Council does seek to have control over this form of development and to have the authority to refuse extensions where this is deemed necessary.

POLICY H9

THE DISTRICT COUNCIL MAY, AS AN EXCEPTION TO POLICY G1, GRANT PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT WHICH PROVIDES AFFORDABLE HOMES FOR PURCHASE OR RENT WHICH CAN BE DEMONSTRATED TO MEET A PROVEN LOCAL NEED.

ANY SUCH APPLICATION WILL BE CONSIDERED ON ITS INDIVIDUAL MERITS, BUT MUST SATISFY ALL OF THE FOLLOWING CRITERIA:

1. **THE HOUSING BE NORMALLY LOCATED ADJACENT TO EXISTING CURTILAGE LINES AS DEFINED IN POLICY G1;**
2. **HOUSING SHOULD BE OF A SCALE APPROPRIATE TO THE SETTLEMENT TO WHICH IT IS ADJACENT;**
3. **THE HOUSING MUST COMPLY WITH THE DEVELOPMENT CONTROL CRITERIA SET OUT IN POLICIES G2, H4, H5 AND, WHERE APPROPRIATE, H6;**
4. **THE SEALING OF A LEGAL AGREEMENT TO ENSURE THAT THE HOUSING REMAINS AFFORDABLE IN PERPETUITY, THUS RETAINING ITS FUNCTION TO MEET IDENTIFIED 'LOCAL NEED'. ANY PROPOSAL WHICH ALLOWS FOR INITIAL DISCOUNTED PRICES ONLY WILL NOT BE ACCEPTABLE UNDER THIS POLICY;**
5. **THE SEALING OF A LEGAL AGREEMENT TO OVERSEE THE REPAIR, MAINTENANCE, OWNERSHIP AND OCCUPANCY CRITERIA FOR THE PROPOSED HOUSING. THE OWNERSHIP AND**

MANAGEMENT OF SUCH HOUSING WILL BE IN THE HANDS OF A HOUSING ASSOCIATION OR VILLAGE TRUST;

6. **THE APPLICANT MUST DEMONSTRATE TO THE SATISFACTION OF THE DISTRICT COUNCIL THAT THE HOUSING WILL MEET A LOCAL NEED WHICH CANNOT BE MET ON THE OPEN MARKET, AND THAT THE SCHEME WILL BE ECONOMICALLY VIABLE;**

7. **PERMITTED DEVELOPMENT RIGHTS COVERING EXTENSIONS TO HOUSING PERMITTED UNDER THIS POLICY WILL BE REMOVED AT THE TIME OF GRANTING PERMISSION;**

8. **ANY SUCH SCHEME WHICH ADVOCATES CROSS-SUBSIDY INVOLVING OPEN MARKET VALUE HOUSING TO ACHIEVE AFFORDABLE HOUSING ON LAND OUTSIDE DEFINED SETTLEMENT CURTILAGES WILL NOT BE ACCEPTABLE UNDER THIS POLICY;**

9. **PROVISIONS MAY BE REQUIRED WITHIN THE PROPOSALS TO ENSURE THAT LAND ADJACENT TO THE HOUSING SITE IS SAFEGUARDED AGAINST DEVELOPMENT.**

3.45 Since the last census in 1981, the population growth within the District has been almost entirely due to in-migration. A consequence of this influx, which is forecast to continue, albeit at a slightly lower rate, has been the rapid rise in the demand for housing, increased land values and the higher price of property.

3.46 Over the same period, changes in Central Government attitude has resulted in the sale of public sector rented housing under the Right-to-Buy legislation and at the same time reduced the number of new houses being built by local authorities for rent. Concurrently the private sector rented accommodation has continued to decline. Additionally, the continuing decline of the agricultural industry as an employer within rural areas has led to many 'tied' cottages being sold on the open market, thus further reducing the number of properties traditionally available to locally-based people.

3.47 There have been two consequences of these trends. Firstly, people who traditionally would have bought houses at the lower end of the market can no longer so afford to do; and secondly, people who traditionally would have opted for local authority rented accommodation may now be forced to look elsewhere, consider buying, or remain living with family or friends.

3.48 The District Council has become increasingly concerned at the inability of some of the District's residents to afford homes and the problems which this is causing to rural settlements which are either becoming retirement havens or expensive commuter villages. The local needs policy is an attempt to allow a partial solution to the problem by providing a policy framework which allows development on unallocated land which has been bought at non-residential development values to meet a highly specialised and restricted market; that of housing "local people" who cannot compete in the open housing market.

3.49 Local Need for the purposes of this policy is defined as covering:

a) persons who require housing which costs less than the current market price ie. those persons whose average

income is not sufficient to raise a mortgage which would enable them to buy existing or new properties within their village at their full market value;

b) persons who are resident within the parish or immediately neighbouring parishes, including first time buyers, dependants of households and those living in sub-standard accommodation.

c) persons who are employed within the parish or immediately neighbouring parishes;

d) persons who have a strong local connection with the parish or immediately neighbouring parishes by reason of birth, previous residence, employment or family connections.

3.50 Affordable Housing for the purposes of this policy means housing for those whose incomes do not allow them to compete in the open market for house purchase and for whom private sector economic rents are too high. It can cover either housing for purchase, often on the basis of shared equity arrangements, or housing for rent.

3.51 Each proposal will be treated on its individual merits. Each site which is put forward will obviously still have to be assessed on the basis of its impact on the surrounding area, in terms of visual intrusion, safe access and availability of services. Just because a site is released for affordable needs housing does not mean that planning standards will be applied any less strictly than for market value housing.

THE LOCATION OF THE SITE

3.52 Only development which is clearly related to an existing settlement will be acceptable. This does not imply that all suitable sites must immediately abut existing curtilage lines. There may be instances where because of topography or existing tree cover, an acceptable site exists in a location distinct from the main settlement, and its development, would neither result in a visual intrusion in the open countryside nor be considered unrelated to the existing settlement. However any development which would stand out harshly in the open countryside will not be acceptable under this policy.

THE SCALE OF THE PROPOSAL

3.53 It is anticipated that most proposals put forward under this policy will be relatively small scale in nature; in the majority of cases probably fewer than ten dwellings. Nevertheless there may be instances where the scale of the development being proposed is out of character with the settlement to which it is related. In this case it is not considered that such proposals could be permitted since they would seriously alter the form and setting of that settlement, and thus undermine the principles upon which a settlement's ability to grow has been defined under Policy G1.

THE DETAILS OF THE DEVELOPMENT

3.54 Although this housing is being approved to meet a specialised need, it must still conform to all the

development control criteria which govern the development of housing within defined curtilage lines. Aspects such as the density of development and the need for new development to reflect traditional materials are just as relevant to affordable needs housing as to open market value housing.

LOW COST ENSURED

3.55 In order for this policy to have any effect it is imperative that the affordable needs housing remains so in perpetuity. There are a number of reasons for this. Firstly, the landowners will need to be assured that the notional subsidy to the financing of a scheme that they have contributed for the benefit of the community by way of the land will be secured in perpetuity. If they cannot be confident of this, then it is unlikely that they will be prepared to release land for this type of housing. Secondly, the District Council will not be prepared to approve schemes whereby it becomes clear that this policy is being used as a loophole in order to provide for housing initially at discounted prices but which is then subsequently sold at full market value, since in the longer term this would not provide any solution to the problem of a lack of affordable homes.

3.56 The District Council will therefore require landowners or the housing associations to enter into a binding agreement which ensures that the benefit to the community of the low-cost land subsidy passes to all subsequent occupants. This agreement will normally be part of a Section 106 Obligation and/or a Section 33 Agreement under the 1982 Act.

LONG TERM OPERATION

3.57 Experience has shown that Housing Associations or Village Trusts are best equipped to operate affordable needs housing schemes. It is not considered that private developers will normally have the necessary experience or constitutional controls which Housing Associations as non-charitable organisations have. It is therefore considered that if private developers construct affordable homes, the management of these homes should be passed over to a housing association or village trust.

3.58 The management of affordable housing schemes will be subject to a binding legal agreement. The District Council will therefore require that applicants indicate in writing prior to the submission of any application that they are prepared to enter into a Section 106 Obligation and/or the Section 33 Agreement under the 1982 Act.

3.59 Such an agreement should cover the following points:-

a) That initial and future occupancy of the housing is limited to those people in the village who have a local need, as defined previously for the purposes of this policy, and who have been identified by the village survey supporting the application.

b) In the event of no person within the village being eligible for a future occupancy of the housing, the

catchment area will be extended to include immediately neighbouring parishes. This is to ensure that housing does not remain empty.

c) Management arrangements are established covering, for example, repair and maintenance of the housing.

d) That 'staircasing' to full ownership, ie. the right to buy out the Housing Association part of the shared equity, will not be permitted, subject to existing legal restrictions.

3.60 It should be noted that any such agreement should be tailored to meet the expected tenure of the housing i.e. whether for shared equity or for rent.

MEETING LOCAL NEED

3.61 The applicant must prove that the housing proposed does meet an identified local need which cannot be met on the open market and that the eventual cost to the occupiers will enable the need identified to be met, and that the overall housing scheme is financially viable. In order to prove this it is likely that the applicant will have to carry out a detailed survey of the village in order to assess what the need is, its extent and what proportion of that identified need is likely to be willing to buy on a shared equity basis or rent. Quite often the Parish Council is the best placed organisation to carry out such a survey. Ideally, every household should be surveyed. The survey should aim to discover how many local people are now in housing need, what their needs are and what they can afford.

3.62 Having proved from the survey that a need exists the applicant will also be required to demonstrate that the housing scheme being promoted is financially sound. A scheme which either collapses or requires higher rents to cover costs greater than initially calculated will not meet its original aim and will therefore not be acceptable.

PERMITTED DEVELOPMENT RIGHTS

3.63 It is essential that any changes proposed to dwellings built under this policy do not undermine their ability to meet an identified local need. For example, a proposal to add an extra bedroom to a house could result in that house no longer being suitable to meet its original purpose. By removing permitted development rights, the District Council is not seeking to stop all extensions, since clearly some may be for perfectly acceptable developments. However the District Council does seek to have control over this form of development and to have the authority to refuse extensions where this is deemed necessary.

AVOIDING CROSS SUBSIDY

3.64 Any proposals which attempt to provide market value housing outside defined curtilage lines will be resisted. It should be made clear that this is an exceptions policy designed to allow only that housing which meets specifically defined local needs. Any proposal which involves market value housing would clearly undermine the confidence of the landowner in terms of releasing land at an initially discounted

colour and texture for vehicular access and parking.

4.5 It is important to emphasise that the District Council will expect to see landscaping proposals which establish a coherent planting and open space structure for the site as a whole. Even if the site is developed in phases the Council will wish to be assured that each phase complies with an overall landscape structure.

4.6 The District Council recognises the growth of new technologies (for example, micro-electronics, information technology, biological engineering) and the lack of these activities in North Kesteven. The policy identifying a business park is intended to provide an opportunity for new technologies to establish themselves in the District, and for North Kesteven to broaden its employment base.

POLICY E3

PROPOSALS FOR SMALL SCALE INDUSTRIAL OR BUSINESS DEVELOPMENT (USE CLASSES B1, B2 AND B8 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987) WITHIN THE DEFINED SETTLEMENT CURTILAGE LINES WILL NORMALLY BE APPROVED PROVIDED THAT THERE IS NO SIGNIFICANT CONFLICT WITH SURROUNDING LAND USES IN TERMS OF ACCESS, TRAFFIC GENERATION OR PROBLEMS OF OPERATIONAL DISTURBANCE OR VISUAL INTRUSION.

4.7 Policy E3 aims to stimulate small firm formulation and job creation largely to meet local needs. The policy is well supported by advice and circulars from Central Government and broadly reflects the aims of Structure Plan policies.

4.8 This policy can also be of benefit to local communities by stimulating employment initiatives that reduce rural depopulation and the need for long journeys to work. The environment and economy is also assisted by this policy through supporting locally-based industry and enabling full use to be made of existing public investment in roads, sewers and other related services and facilities. It encourages private investment, provided that this does not lead to avoidable further public expenditure or create undesirable environmental conditions either visually or by the creation of dust, noise and smell or as a result of traffic-generated problems.

4.9 Although Policy E3 recognises that local job provision should be encouraged in order to protect the local environment, these industries may be the subject of planning conditions in order to control their initial and future size and the nature of their activities.

POLICY E4

PROPOSALS FOR NEW INDUSTRIAL AND COMMERCIAL DEVELOPMENT IN THE COUNTRYSIDE ZONE WILL NOT NORMALLY BE PERMITTED.

HOWEVER, EXCEPTIONALLY, WHERE IT CAN BE SHOWN TO THE SATISFACTION OF THE DISTRICT COUNCIL THAT THE PROPOSED DEVELOPMENT IS ESSENTIAL IN THAT LOCATION, AND THERE WOULD BE NO SIGNIFICANT CONFLICT WITH SURROUNDING LAND USES IN TERMS OF

the White House.

Martin Airfield	Area straddling B1189 east south east of Metheringham.
Swinderby Airfield	Area north of Swinderby RAF Station.

POLICY E2

THE AREA DEFINED BP ON THE INSET MAP IS ALLOCATED AS A SITE FOR DEVELOPMENT AS A BUSINESS PARK. PROPOSALS FOR OFFICE, RESEARCH AND DEVELOPMENT OR LIGHT INDUSTRIAL USES, OR COMBINATIONS THEREOF, AS DEFINED BY USE CLASS B1 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 WILL NORMALLY BE APPROVED PROVIDED THAT:-

1) **BUILDINGS ARE NO GREATER THAN THREE STOREYS OR 10M IN HEIGHT WHICHEVER IS GREATER AND;**
2) **PARKING PROVISION SHALL MEET NORMALLY ACCEPTABLE OPERATIONAL REQUIREMENTS AND THE NON-OPERATIONAL PARKING PROVISION SHALL PROVIDE A SURPLUS OF 25% OVER AND ABOVE NORMAL REQUIREMENTS AND;**
3) **BUILDING MATERIALS AND HARD SURFACING TREATMENTS ARE SYMPATHETIC TO THE SURROUNDINGS OF THE DEFINED BUSINESS PARK AND;**
4) **LANDSCAPING OF A MINIMUM OF 25% OF THE SITE AREA, INCLUDING TREE AND SHRUB PLANTING, LAWNS AND HARD LANDSCAPING FEATURES, WILL BE REQUIRED TO SCREEN THE DEVELOPMENT AND CREATE A PARKLAND SETTING. PROPOSALS WILL BE REQUIRED TO ESTABLISH A LANDSCAPING STRUCTURE FOR THE WHOLE SITE TO ENSURE THAT THE OBJECTIVE OF A UNIFIED LANDSCAPE STRUCTURE IS ACHIEVED. ON SITE BOUNDARIES ADJOINING OTHER LAND USES, TREE PLANTING BELTS OF A MINIMUM TEN METRES WILL BE PROVIDED IN, ADDITION TO THE LANDSCAPING REQUIREMENT STATED ABOVE AND;**
5) **SAFE VEHICULAR ACCESS TO AND FROM THE ROAD NETWORK IS ACHIEVED AND;**
6) **THERE WILL BE NO SIGNIFICANT CONFLICT WITH SURROUNDING LANDUSES IN TERMS OF ACCESS, TRAFFIC GENERATION AND PROBLEMS OF OPERATIONAL DISTURBANCE.**

4.5 Whilst the term "Business Park" is now generally known and used it has no formal definition. Within the context of Policy E2, the term Business Park is defined thus:-

> Generally, a previously undeveloped site capable of accommodating a number of establishments with uses falling within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987. Each establishment may function wholly as, or in combinations of, office, research and development or production floorspace. The buildings on a business park tend to be of innovative design, using unconventional materials which reflect the nature of the activities they house. Landscaping, both hard and soft, is normally of a very high standard. Tree and shrub planting is used with areas of lawn to create a parkland feel to the development. Traditional road surfacing materials such as tarmacadam tend to be avoided in favour of paving slabs, or more commonly, coloured paviors to achieve variety in terms of

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: South Holland District Council Application Reference H18/0902/92.

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:

1. National Grid Reference of a central point on site

	horizontal			vertical		
	4	3	3	2	1	0.

2. Address or location

East Bank, Sutton Bridge

3. Name, classification and number of road

UC

4. Date application referred 10-9-92

5. State whether outline, detailed application etc.

Full.

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

Bungalow.

7. Delete as appropriate

Notice is hereby given under the provisions of article 15 of the Town and Country Planning General Development Order, 1988, that the County Council as local highway authority:—

~~a. Does not wish to restrict the grant of permission.~~

b. Requests that any permission given by the local planning authority shall include the conditions shown overleaf.

c. Requests that the local planning authority refuse the application (reason overleaf).

d. Requests the local planning authority to complete Form T.R. 108 para 10b as shown overleaf.

Date: 10/9/92. 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 a, b, or c overleaf

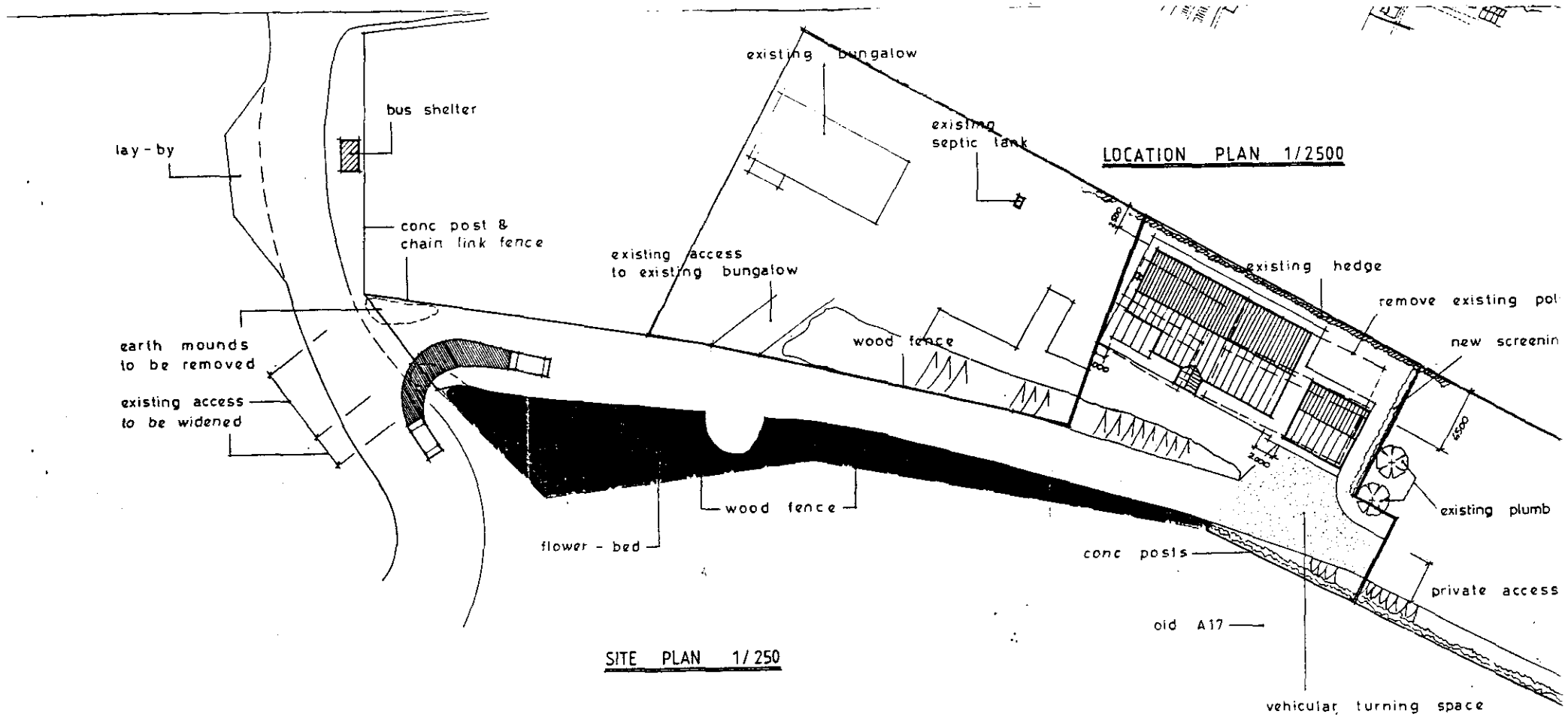
(ii) COMMENTS FOR FORM T.R. 108 para 10b

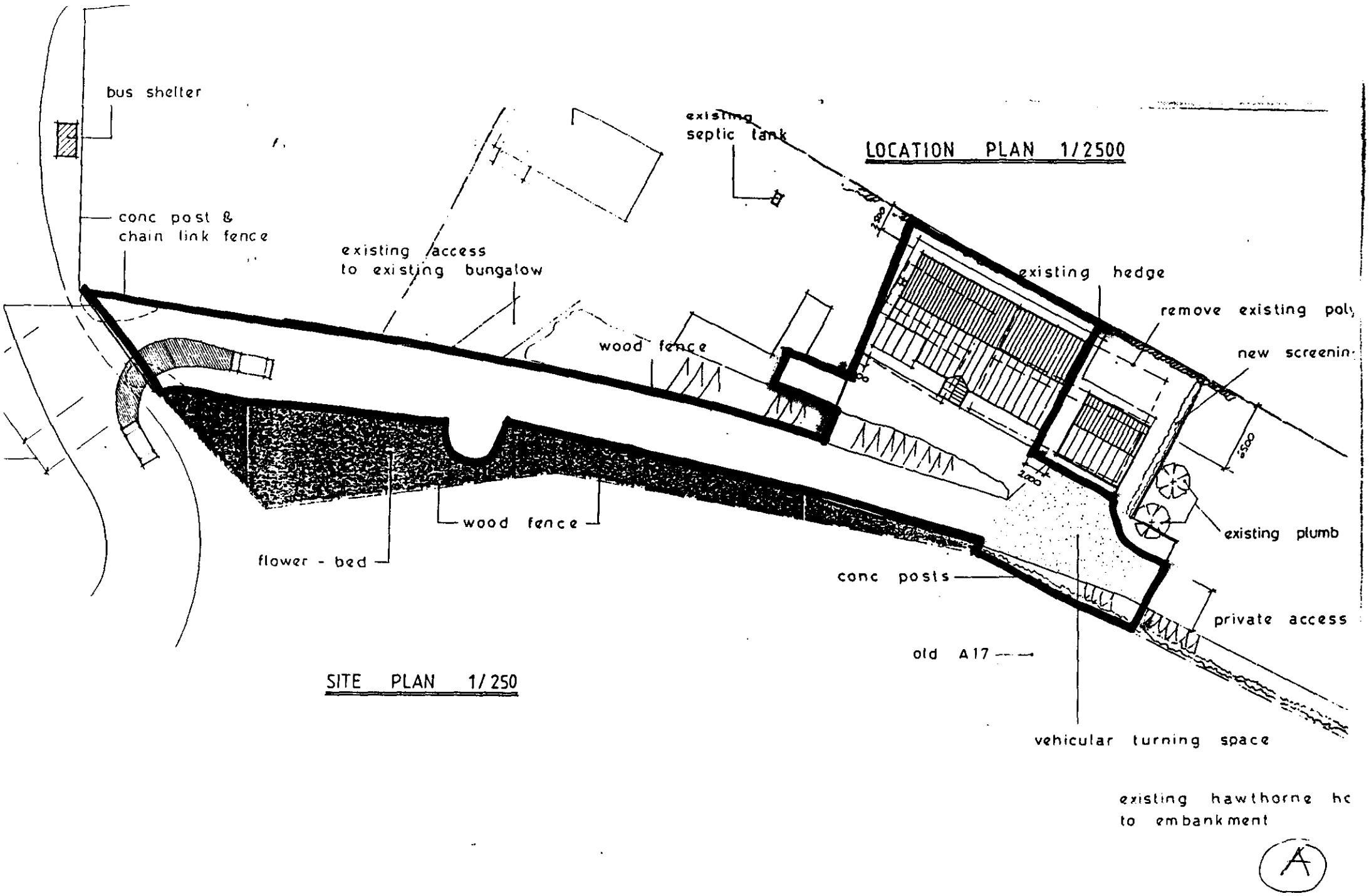
The proposal, if permitted, would intensify the use of an existing access which is inadequate in terms of visibility, to the north (the traffic approach side) Vehicles emerging from this access have to edge out into the carriageway of East Bank before being able to see, or be seen by, oncoming traffic to the detriment of highway safety.

Also due to the site level it would be difficult to achieve an adequate access and turning facility to the site

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

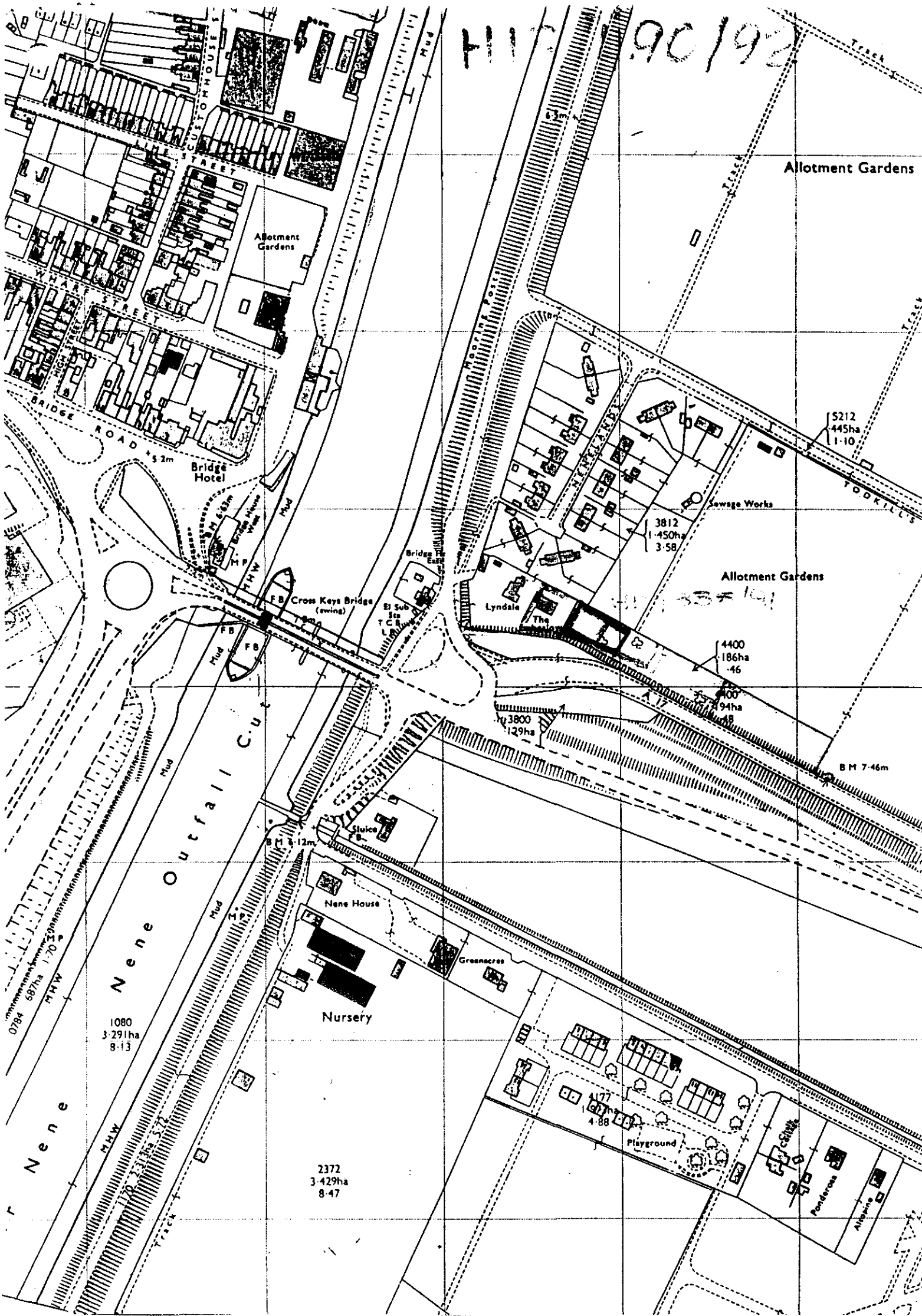
TO ALL MEMBERS OF THE COUNCIL

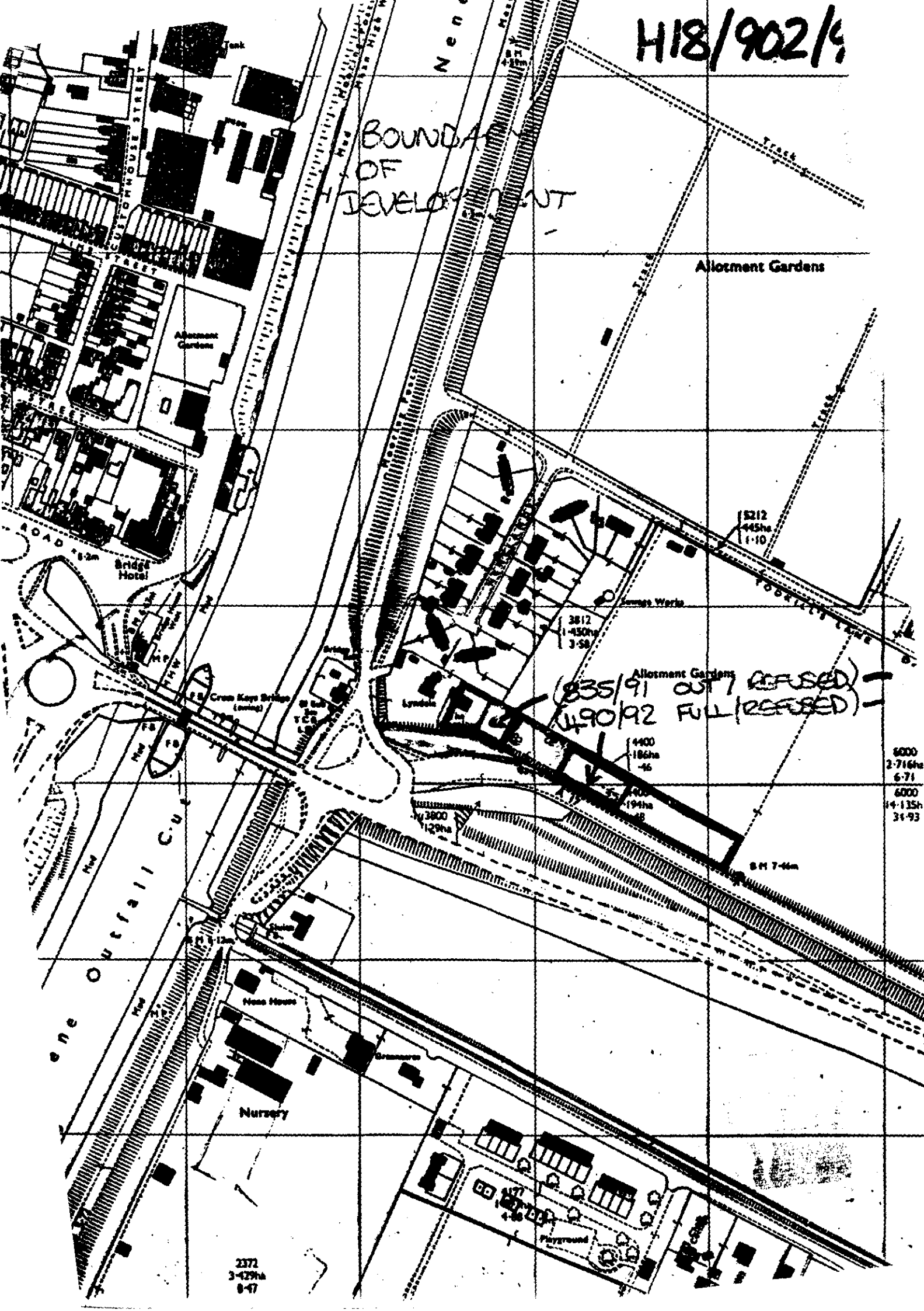

existing bungalow
bus shelter
lay - by
existing septic tank
LOCATION PLAN 1/2500
conc post & chain link fence
existing access to existing bungalow
existing hedge
remove existing pol
new screenin
earth mounds to be removed
wood fence
existing access to be widened
6500
2000
existing plumb
wood fence
flower - bed
conc posts
private access
old A17
vehicular turning space
SITE PLAN 1/250



LOCATION PLAN 1/2500

SITE PLAN 1/250


Allotment Gardens
Allotment Gardens
Allotment Gardens
Bridge Hotel
Bridge Road
Lime Street
Wharf Street
High Street
Cross Keys Bridge (swing)
Bridge House
Bridge House Estate
Lyndale
The Limes
Sewage Works
Nene Outfall Cut
Nene House
Nursery
Greensacres
Sluice
Playground
Pondcross
Alpine
Mud
Track
MHW
MLW
BM 6·63m
BM 5·12m
BM 7·46m
5212
·445ha
1·10
3812
1·450ha
3·58
4400
·186ha
·46
3800
·129ha
1080
3·291ha
8·13
2372
3·429ha
8·47
4·88


H18/902/9
BOUNDARY OF DEVELOPMENT
Allotment Gardens
Allotment Gardens
Bridge Hotel
Crow Keys Bridge
Nissen Huts
Nursery
Playground
(835/91 OUT (REFUSED)
490/92 FULL (REFUSED)

existing
septic tank

LOCATION PLAN 1/2500

ce

existing access
to existing bungalow

wood fence

existing hedge

remove existing poly

new screening

2500

2000

2000

2500

wood fence

flower - bed

conc posts

old A17

private access

vehicular turning space

existing plumb t

existing hawthorne he
to embankment

SITE PLAN 1/250

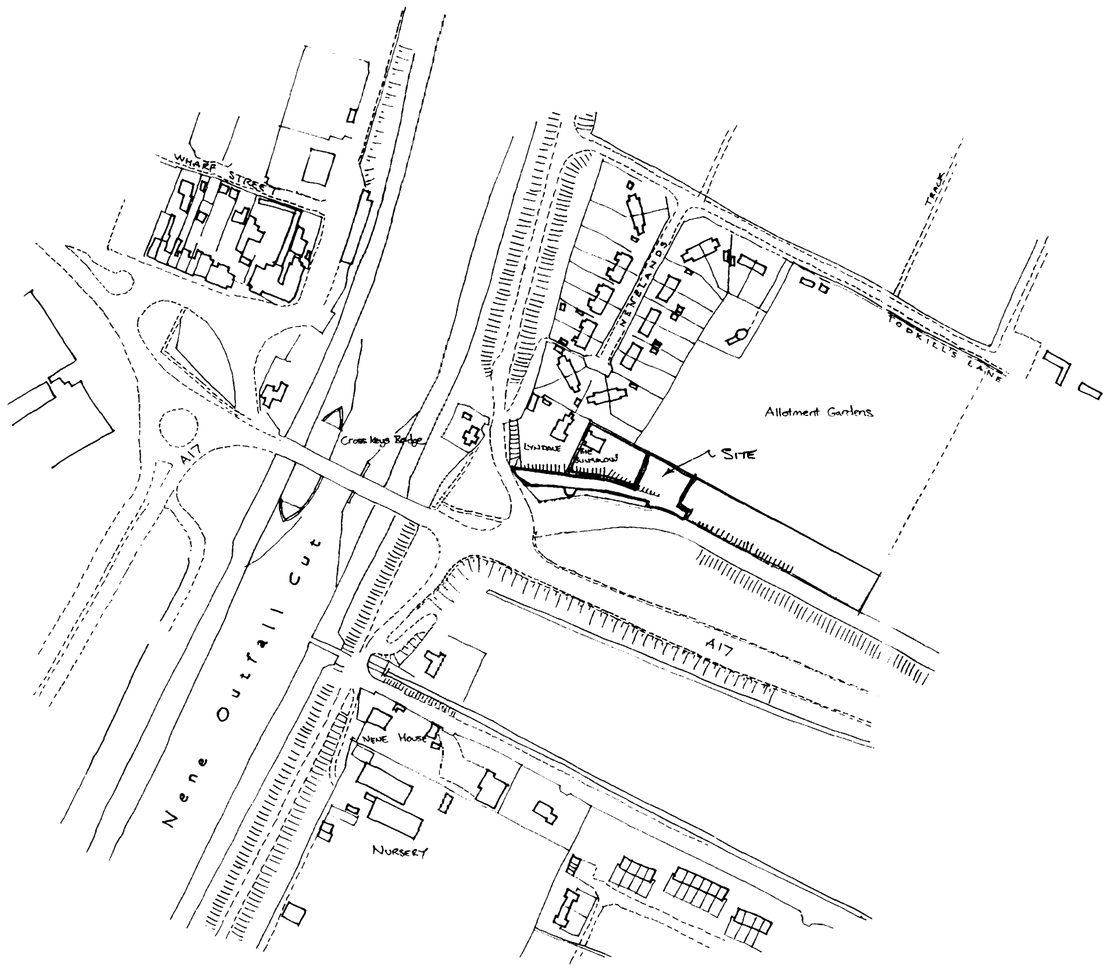
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PLAN D
20 AUG 1992
REF 0902/92

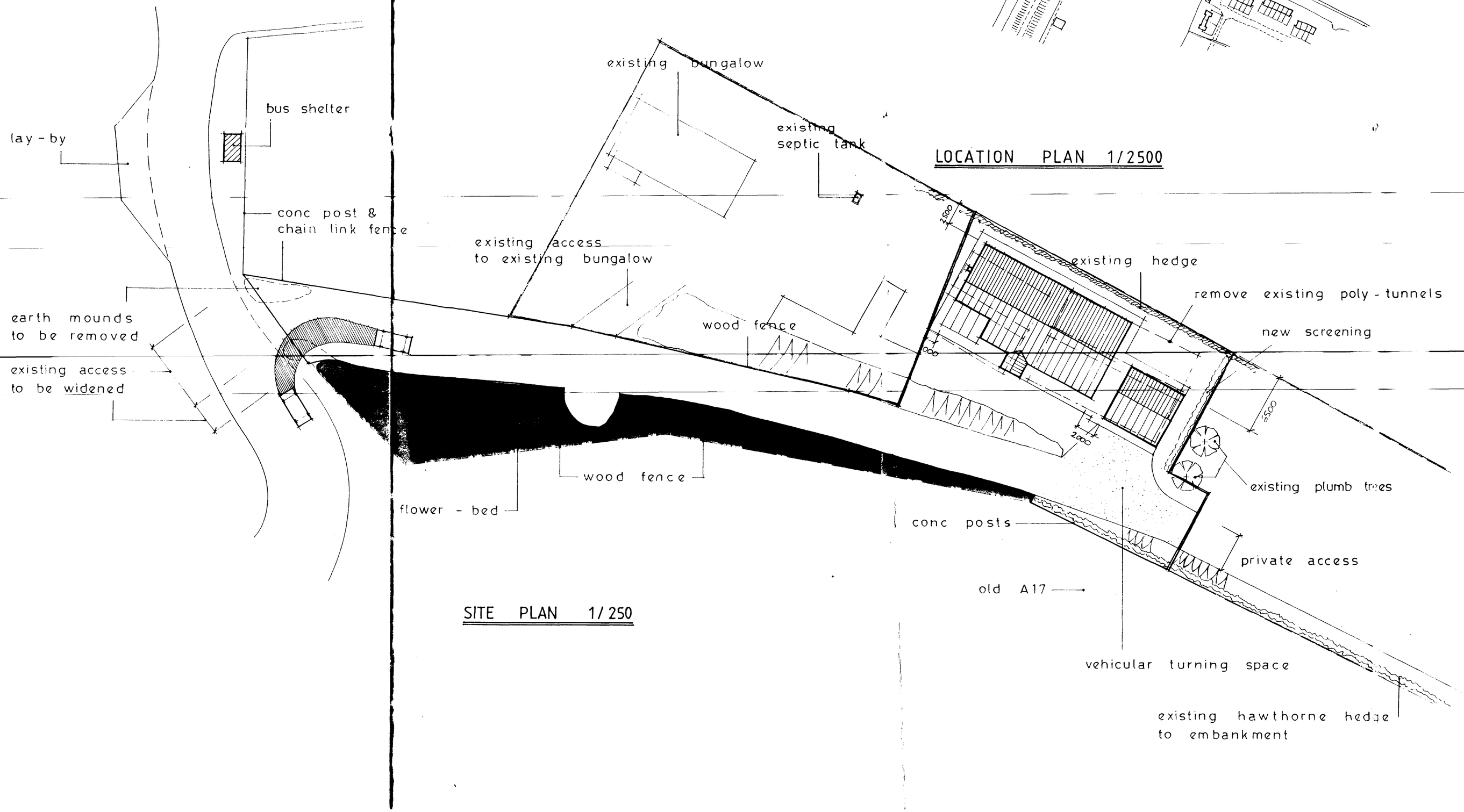
ERECTION OF BUNGALOW
LOCATED AT
'THE BUNGALOW' OFF
EAST BANK
SUTTON BRIDGE
FOR
MR. A.J. & MRS. M. JUDD

APRIL '92

N



LOCATION PLAN 1/2500



SITE PLAN 1/250

S.D.C.
PLANNING DEPT.
20 AUG 1992
REF ....0902/92....

ERECTION OF BUNGALOW
LOCATED AT
'THE BUNGALOW' OFF
EAST BANK
SUTTON BRIDGE
FOR
MR. A.J. & MRS. M. JUDD

APRIL '92	1/100 & 1/50

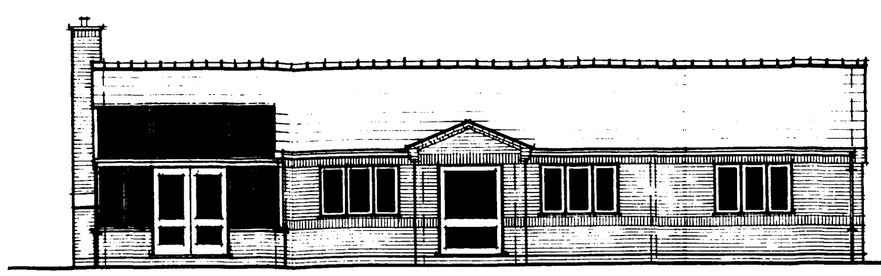
FACE BRICK :
Butterley Caernarvon Royal Mixture Rustic

FASCIA :
White u.p.v.c.

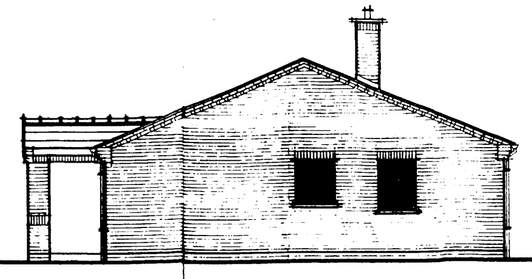
DOWNPIPES / GUTTERING :
Brown u.p.v.c.

ROOF TILES :
Redland Clay Pantile n Terracotta 73

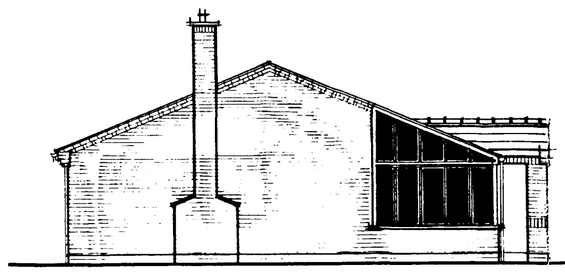
WINDOWS :
White u.p.v.c.



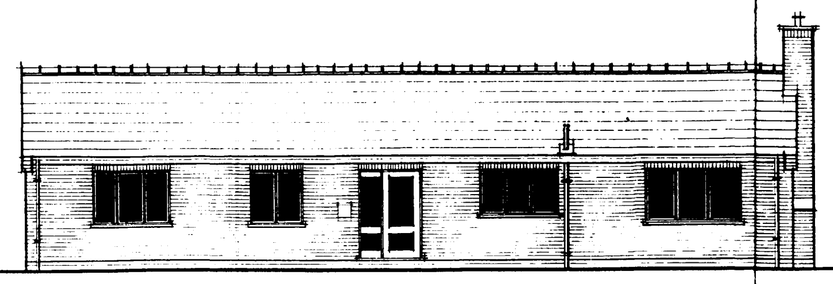
SOUTH ELEVATION



EAST ELEVATION

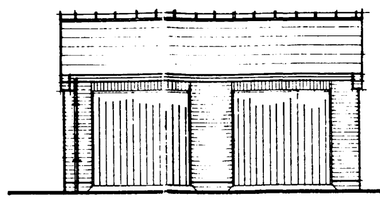


WEST ELEVATION

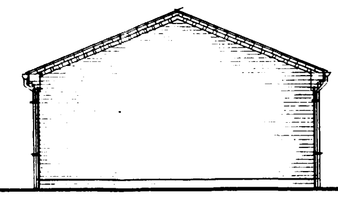


NORTH ELEVATION

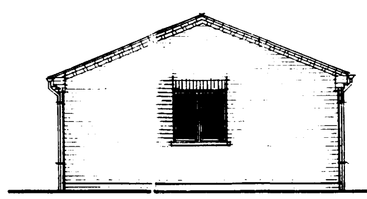
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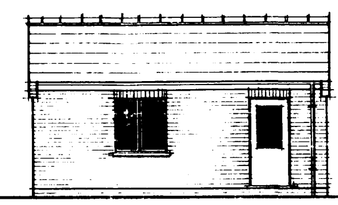
SOUTH ELEVATION



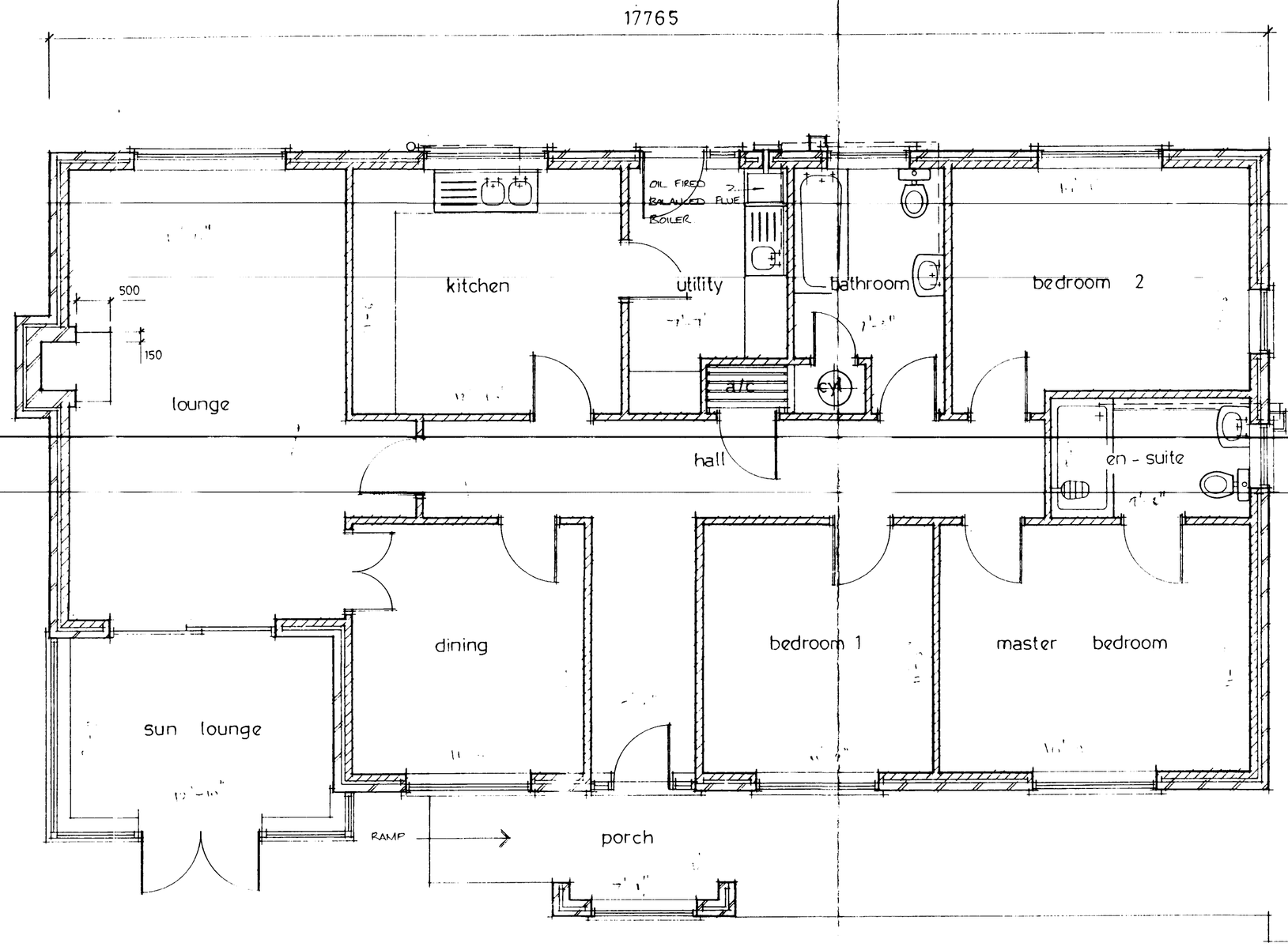
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



FLOOR PLAN

