SOUTH HOLLAND DISTRICT COUNCIL

Application no: H23/0880/93

Applicant: P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding Lincs PE12 6TS

Agent: P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding Lincs PE12 6TS

Description: Change of use of outbuilding to sell sports and leisure wear

Location: Braemar
Mill Lane
Whaplode
Spalding Lincs

Type: FULL

Date received: 21-SEP-93

NOTICE OF NON-DETERMINATION

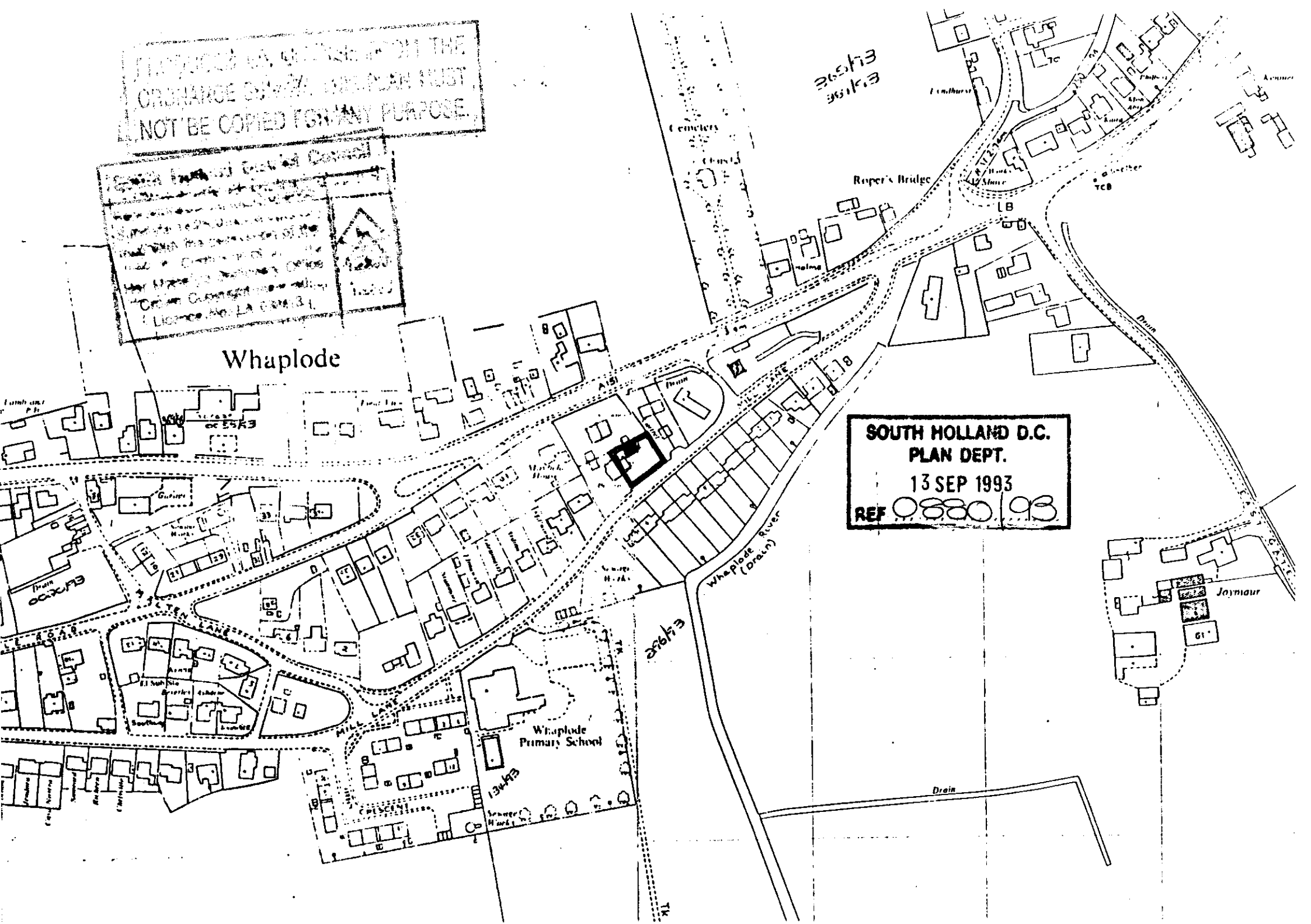
South Holland District Council hereby give notice that no further action will be taken on this application.

Director of Planning and Building Control Services

08-DEC-94

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)


Whaplode
Roper's Bridge
Cemetery
Chapel
Mill Lane
Whaplode Primary School
Whaplode (Drain)
Drain
Joymaur
SOUTH HOLLAND D.C.
PLAN DEPT.
13 SEP 1993
REF 0880/93

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H23/0880/93

Date Registered 13 SEP 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

P.G & C.L. FRITH.
BRAEMAR, MILL LANE, WHAPLODE,
SPALDING. LINCS.
PE12 6TS.

Tel. No. 0406 371057

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

BRAEMAR, MILL LANE, WHAPLODE, SPALDING, LINCS.
PE12 6TS

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT TO RUN A RETAIL SHOP FROM EXISTING OUTSIDE BUILDING. SELLING SPORTS & LEISURE WEAR.

Please complete

Signed..... Date ...13.-9-.93.....

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

Previous application No.

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

2. **TYPE OF APPLICATION**

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

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

Please state Site Area [ ] (Hectares)

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

Siting [ ] Design [ ] External Appearance [ ]

Means of Access [ ] Landscaping [ ]

Now complete Parts 3 and 5 and an Ownership Certificate.

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

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

Now complete Part 4 only

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

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

Now complete an Ownership Certificate

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

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

Now complete an Ownership Certificate.

TYPE OF DEVELOPMENT

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

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

4. A. Please state site area (in all cases)	hectares
B. If building works are proposed, please state extra floor space to be created:	sq. metres
C. Please state size of any new structure:- (a) max. height:	metres
(b) max. length:	metres
(c) max. width:	metres
D. Please state type and colour of materials for facing external walls:	
E. Please state type and colour of roofing materials.	
F. Has a survey of the site been undertaken? State Yes or No	NO

5. GENERAL INFORMATION Please complete each section

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

CAT BUILDING

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: MILL LANE
Will there be—
Individual access(es)
New estate road

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

PARKING WITHIN THE PROPERTY FOR UP TO SIX CARS

TREES Please tick **one** box

A. The proposal does **not** involve the felling of any trees
B. The proposal does involve the felling of one or more trees ✓ ➡ If so, please show details on plans.

SEE PLAN.

DRAINAGE Please complete

A. Please state how surface water will be disposed of
B. For estate developments, please state how highway surface water will be disposed of
C. Please state whether a land drain will be affected
D. Foul sewerage will be disposed of to:

NOT A N.A.

Mains sewer ☐ Cesspool ☐ Septic tank ☐

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal is in connection with agriculture	NO	➡ If so, **please give details in Part 6**
The proposal affects a listed building	NO	
The proposal affects a public right of way	NO	
The proposal is known to affect contaminated or filled land	NO	
The proposal is for industrial, warehousing, offices, shopping or similar commercial purposes.	YES	➡ 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?	☐	➡ Application No.

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

Continue on separate sheet if necessary.

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

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

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

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

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

This new total includes the following net floorspace:

Retail ☐ sq. m. Office ☐ sq. m. Indistrial ☐ sq. m. Warehousing ☐ sq. m.

Other ☐ sq. m. ➧ If so, please state use:

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

WIDEN ACCESS TO 4M. PROVIDE FOOTWAY FRONTING FOR CUSTOMERS ON FOOT. CUT HEDGES TO 3ft OR REPLACE WITH CONIFER HEDGE TO CONTROL AT 3ft IN HEIGHT.

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

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

2. **OWNERSHIP OF THE SITE**

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

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

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

Signed ..... (Applicant / Agent) Date 13.9.93

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.
Owner's Name:
Address of owner at which notice was served: State Date notice served:

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

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

If the land is not in agricultural use complete Certificate 1.
If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

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

Signed ..... (Applicant / Agent) Date 13.9.93

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

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

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by DMt
Date 23/9

Site Notice posted by
Date
Expiry DMt 23/9

Individual Resident Notices required:

Addresses to be sent to –

[redacted]

Addresses delivered to –

"Carlton", High [illegible]
✓ done 24/9 4/10 ✓

Case Officer Conclusions

RECOMMENDATION/DECISION

NON-DETERMINATION ✓

Permitted Dev (or equiv) .....
Non Development (or equiv) .....
Non Response after Direction .....

Senior Officer confirmed .....

Withdrawn .....

DELEGATED DECISION

Case Officer Recommendation

Approve (or equiv) / Refuse (or equiv)

Signed ..... Date.....

COMMITTEE

Confirmed as agenda ✓ 7/12 .....

SUB-COMMITTEE

Confirmed as agenda .....

DPBCS AUTHORISED

Decision Issue confirmed .....

Notes:

☐ Disabled
☐ Prev conditions
☐ Amended plans –
Dwg no:
Received:

Conditions/Reasons: (cont overleaf)

DC INSTRUCTION SHEET

APPLICATION REF: H23/0880/9

Directions

Art 7 ☐ RM checklist

	Sit	Des	Ext	Acc	Land
Previous					
Current					
Required					

Reg 4 ☑ Scale dwg: Highway S/W: Agric appraisal:

LB ☐ Advt ☐

Non-std: PLAN TO A SCALE OF 1/500 SHOWING
Details OUTBUILDING, ASSOCIATED PARKING
needed AND ACCESS.

Other.....

Direction authorised by Senior Officer.....MM..... Date.....15/9

Revalidation after Direction

Information satisfactory Signed.....MM..... Date.....21/9/93.

Valid date:

Amended description

Reconsultations: All ☐ See below ☐

Unsatisfactory – Further direction:
Signed.....
Senior Off.....

Precise details:

Additional Consultation/Publicity Required

RECONSULTS

Publicity: >>

Departure .....
Setting of LB .....
Public Right of Way .....
Discretionary .....

Consultations:

County .....
E Heritage .....
Societies ..... G ROW

Press
PC
WM
Residents

Extra Consultations:

WP Note –
G Group available
G* Group essential (longer expiry)

Transport	D/Transp A15	..... G* T15	
TRA	D/Transp A18	.....	
	B Rail	.....	
Environment/ Drainage	Env Services	.....	
	NRA	.....	
WAT	IDB	.....	
	Env Assess	..... G ENV	Specify:
Conservation	LB Demolish	..... G* DEM	
LB	Archaeology	..... G ARC	Specify:
	Eng Heritage	.....	
	Consultant	.....	Order No:
	Other	.....	Specify:
Hazards	HSC Group	..... G* HAZ	
	Specific	.....	Specify:
Other PLA		.....	Specify:

Case Officer: DAVID GEDNEY

Senior Officer Confirmed ..... MM Date.....15/9 Recorded DC....

ADMIN RECORD SHEET

Initial

Submitted Fee £ NIL

Receipt No

Date first Rec'd 15 SEP 1993

Registration

Reference H23/0880/93

Cross-Ref R

Date 15-SEP-93 LAC

Validation

TYPE FULL

Site area
No of dwellings
Floorspace

Earlier permission – Ref:
New/Redevelop/Use/Ext/Alt/Works

Description to be recorded: change of use of outbuilding to sui sports + Leisurewear

Invalid — Site plans ☐ Certificate ☐ — Fee ☐ Fee (not free) ☐ — Inaccurate ☐ Incomplete ☐ Unclear ☐

Fees — Correct fee £ NIL — Nil fee ☐ Discounted ☐ — Previous app – ref: Type of app Reason:

Additional £ Refund £ — Receipt No Voucher No — Date Date

Information

Index sheet 108 OS Plots
Grid ref 5 [illegible] 3 [illegible]

Ward 2 Parish [illegible]

Inside IBD YES Inside LP area NO

Constraints:

CA Cons Area ☐
LB Listed – Grade: ☐
ARC Archaeology ☐
AM Ancient Mon ☐
SSI Special Int ☐

TR Rural ☐
BP TR proposed 67m ☐
LC Level Cross ☐
FP Footpath ☐
TPO Tree Pres ☐

Hazards –
HAZ Site ☐
AIR Safeguard ☐
LIN Elect ☐
PIP Pipe ☐
CON Waste/contamin ☐

Linked to site Ref ☐ Dist Bound
Linked to property Ref ☐ Other:

Planning Records:
Earlier apps

B Reg Records:
Already submitted – Ref:
Request needed
Requested

G36/93
24/85
134.4.83

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

GM

H23/0880/93

FULL

Applicant: P G & C L Frith
Tel: 0406 371057

Agent: P G & C L Frith
0406 371057

Description: Change of use of outbuilding to sell sports and leisure wear

Location: Braemar
Mill Lane
Whaplode
Spalding Lincs

Valid date:	21-SEP-93	Terminal date:	16-NOV-93
Target dates:		Target Committee:	26-OCT-93
To case officer	28-SEP-93	Report deadline:	12-OCT-93
Inspected by	05-OCT-93	Agreed TD Ext:	
Extra contacts	12-OCT-93	Case Officer:	
Report if not clear by	26-OCT-93		D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Owner/Occupier, Carbret, High Rd	4 OCT ~~24-SEP~~-93	25 ~~15~~-OCT-93
Owner/Occupier, Peverell, Mill Lane	24-SEP-93	15-OCT-93
Owner/Occupier, Norwood House, High Rd	24-SEP-93	15-OCT-93
Site/Press Advert MIN	23 ~~24~~-SEP-93	14 ~~15~~-OCT-93
Clerk to Whaplode PC 0406 26739	21-SEP-93	05-OCT-93
Cllr A Biggadike	21-SEP-93	28-SEP-93

L-C-C -- Obs Attached /cc 30/9/93

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

CDM

H23/0880/93

FULL

Applicant: P G & C L Frith
Tel: 0406 371057

Agent: P G & C L Frith
0406 371057

Description: Change of use of outbuilding to sell sports and leisure wear

Location: Braemar
Mill Lane
Whaplode
Spalding Lincs

Valid date:	21-SEP-93	Terminal date:	16-NOV-93
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Report if not clear by 26-OCT-93		D M GEDNEY	

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area:

Other Constraints:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Site/Press Advert MIN	23 ~~24~~-SEP-93	14 ~~15~~-OCT-93
Clerk to Whaplode PC 0406 26739	21-SEP-93	05-OCT-93
Cllr A Biggadike	21-SEP-93	28-SEP-93

c c Planlaker CS 23/9/93

APPLICATION REFERENCE: H23/0880/93 DATE RECEIVED: 16-NOV-93

TYPE: Full

DESCRIPTION: Change of use of outbuilding to sell sports and leisure wear

LOCATION: Braemar, Mill Lane, Whaplode

APPLICANT: P G & C L Frith AGENT:

REPORT

At the Plans Sub-Committee Meeting held 29 November 1993 it was resolved that the Director of Planning and Building Control Services be authorised to grant permission subject to, inter alia, the applicants first entering into a Section 106 Planning Obligation to ensure the use of the outbuilding for the sale of sport and leisure wear is permanently tied to the occupiers of the existing house upon the site.

However, the Halifax Building Society (who have an interest in the land) have indicated that the terms of the planning obligation are unacceptable to them, and that in the circumstances the agreement cannot be completed. Consequently, I formally approached the applicants to determine whether the Section 106 Planning Obligation could possibly be amended in some way to satisfy all parties. However, no response has been received, despite a reminder.

RECOMMENDATION

That the application be non-determined.

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date - 6 DEC 1994

Mr P G & Mrs C L Frith
"Braemar"
Mill Lane
Whaplode
Spalding
Lincs

Mr D M Gedney

DMG/JK/d23/0880/93

10 November, 1994

Dear Sir & Madam

Planning Application H23/0880/93 - Change of Use of Outbuildings to Sell Sports and Leisure Wear, "Braemar", Mill Lane, Whaplode

I refer to my letter dated 6 October, 1994 (copy enclosed) in respect of the above and look forward to a response as soon as possible.

If I do not hear from you within the next 14 days, it will be assumed that you do not wish to proceed with the application and it will therefore be non-determined.

Yours faithfully

N R MIDLEN
Principal Planning Officer (Development Control)

Encl.

Mr P G & Mrs C L Frith
Braemar
Mill Lane
Whaplode
Spalding
Lincs

Mr D M Gedney

DMG/LAC
H23/0880/93

6 October 1994

Dear Sir and Madam

Planning Application H23/0880/93 - Change of Use of Outbuildings To Sell Sports and Leisure Wear, Braemar, Mill Lane, Whaplode.

I refer to the above application submitted by yourselves.

As you are no doubt aware, at the Plans Sub-Committee Meeting held 29 November 1993 it was resolved that permission be granted with conditions. This was also subject to yourselves first entering into a Section 106 Planning Obligation to ensure that the use of the outbuildings for the sale of sports and leisure wear is permanently tied to the occupiers of the existing house (Braemar).

Further to the above, however, the Director of Administration has informed me that the Halifax Building Society are not prepared to enter into the above Planning Obligation because the terms are unacceptable to them.

I would therefore be most grateful if you could provide more precise details why this is the case, so that the matter can be referred back to the Planning Committee. Also, would the Halifax be prepared to accept some form of amendment to the wording which would be more acceptable to them?

I look forward to your response in respect of the above as soon as possible.

Yours faithfully

N R Midlen
Principal Planning Officer
Development Control

Site inspected 3/11.
No evidence that use has commenced.
DMG

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

FROM: Director of Administration

TO: Director of Planning and Building Control Services

OUR REF: JMB/LDS/PL.740

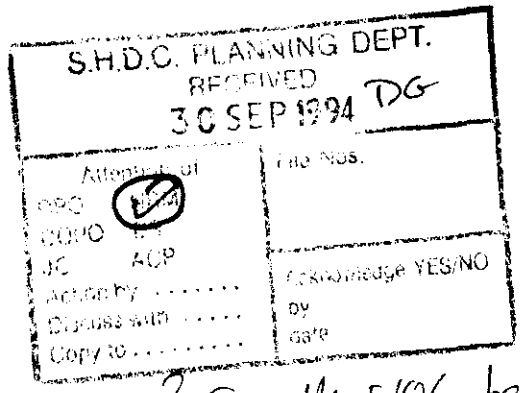
YOUR REF: DMG/SJS H23/0880/93

DATE: 28th September 1994

SUBJECT: BRAEMAR, MILL LANE, WHAPLODE (MR. P.G. AND MRS. C.L. FRITH) CHANGE OF USE OF OUTBUILDING TO SELL SPORTS AND LEISURE WEAR

Further to the above matter I would advise you that the Halifax Building Society have confirmed that the terms of the planning obligation are unacceptable to them, and in the circumstances the agreement cannot be completed. No doubt you will arrange for the item to be referred back to the Planning Committee, if appropriate.

Director of Administration



Why? Can the S106 be amended to satisfy all parties?

20/9

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

OUR REF: DMG/SJS H23/0880/93

YOUR REF:

DATE: 13 December 1993

SUBJECT: Planning Application H23/0880/93 - Change of use of outbuilding to sell sports & leisure wear - Braemar, Mill Lane, Whaplode - P G & C L Frith

As you are no doubt aware, at the Plans Sub-Committee Meeting held on the 29 November 1993, it was resolved that the Director of Planning and Building Control Services be authorised to grant the above application subject to a Section 106 Planning Obligation tying the business to the dwelling and also the revocation of planning permission H23/1344/88.

In order to enable you to prepare the necessary Planning Obligation I therefore enclose a copy of the application form, plus six copies of the relevant plan. A letter from the applicants' agreeing to the Planning Obligation will be forwarded when received.

Regarding the revocation of planning permission H23/1344/88, this would no longer appear to be necessary because the relevant permission has since expired (2 December 1993).

Director of Planning and Building Control Services

Enclosures

P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding
Lincolnshire

D M Gedney

DMG/SJS
H23/0880/93

9 December 1993

Dear Sir/Madam

Planning Applicaiton H23/0880/93 - Change of use of outbuilding to sell sports and leisure wear - Braemar, Mill Lane, Whaplode

I refer to the above application submitted by yourselves.

At the Plans Sub-Committee Meeting held on the 29 November 1993 it was resolved that the Director of Planning and Building Control Services be authorised to grant permission subject to a Section 106 Planning Obligation tying the proposed business to the occupants of Braemar. Could you please, therefore, confirm (or otherwise) that you would be prepared to enter into such a Planning Obligation.

Yours faithfully

N V Midlen
Principal Planning Officer
(Development Control)

Minutes of a meeting of the **PLANS SUB-COMMITTEE** held in Meeting Room 1, Council Offices, Priory Road, Spalding on Monday, 29th November, 1993.

PRESENT

Councillors:

Mr. B. Alcock - Chairman
Mr T. Bray - Vice-Chairman

Mr. C.J.T.H. Brewis	Mrs. E.O. Hall-Patch	Mr. T.G.M. Tyler
Mrs. P.J. Buffham	Mr. N.P. Judge, M.B.E	Mr. R.C. West
Mrs. D.F. Davies	Mr. A.E. Naylor	Mr. M.C. White
Mr. E.N. Davies	Mr. J.R. Pearl	

The Deputy Director of Planning and Building Control Services, the Deputy Director of Administration and the Deputy Director of Environmental Services.

In attendance: The Press.

Apologies for absence were received from or on behalf of Councillors J. Clark, J.A. Dobney and W.D. Skells.

786. MINUTES

The Minutes of the meeting held on 8th November, 1993 were signed by the Chairman as a correct record.

787. PLANNING APPLICATIONS

(a) Determinations following Site Inspections

The following applications were determined as indicated following an inspection of each site:-

Plan No. & Applicant	Proposal
H16/0700/93 Allison Homes	Residential development - 20 dwellings comprising of 2 and 3 bed detached, semi-detached and terraced units at land off St Annes Way, Spalding.

RESOLVED: Consideration of the above-mentioned application be deferred to enable the Director of Planning and Building Control Services to negotiate with the applicant/local highway authority and report back upon (a) a better alignment of properties in the south-eastern corner of the site, (b) the provision of traffic calming measures notwithstanding the highway authority's initial advice and (c) confirmation that the Pinchbeck Road/Woolram Wygate junction can deal with the additional traffic this development will generate.

H23/0880/93 P G & C L Frith	Change of use of outbuilding to sell sports and leisure wear at Braemar, Mill Lane, Whaplode.

787. PLANNING APPLICATIONS (Continued)

(a) Determinations following Site Inspections (Continued)

RESOLVED: Subject to (a), 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 use of the outbuilding for the sale of sports and leisure wear is permanently tied to the occupiers of the existing house on the site, and (b) the unopposed revocation of planning permission (H23/0241/89) for a two bedroomed bungalow on part of the site and (c) appropriate conditions including one requiring the lowering of brick pillars to the height of the existing wall on the site, the Director of Planning and Building Control Services be authorised to grant planning permission for the above development, contrary to his recommendation:-

Plan No. & Applicant		Proposal
H05/0901/93 Mr B J Lynn	O.A.	Single storey dwelling at 15 Branches Lane, Holbeach.

RESOLVED: Consideration of the above-mentioned application be deferred to enable the applicant to have the opportunity to submit indicative plans to demonstrate how the plot could be satisfactorily developed, such plans to take account of the fact that the Council might take away permitted development rights.

H01/0910/93 Mr & Mrs S W Sewell	O.A.	Dwelling with garage including details of means of access at Barrier Bank, Cowbit.

RESOLVED: Planning permission be refused for the above development in accordance with the recommendation of the Director of Planning and Building Control Services.

H23/0915/93 Laburnham Estates		Change of use to workshop and store at Stockwell Gate, Holbeach.

RESOLVED: The Director of Planning and Building Control Services be authorised to grant planning permission for the above development contrary to his recommendation, subject to appropriate conditions, and to the concern of the Director of Environmental Services regarding the amenity of nearby residents being overcome.

H09/0918/93 R English Esq	O.A.	Dwelling in rear garden of 13 Cranmore Lane, Holbeach.

RESOLVED: Planning permission be granted for the above development contrary to the recommendation of the Director of Planning and Building Control Services, subject to appropriate conditions, including one restricting the development to a single storey dwelling.

(Councillor T.G.M. Tyler declared an indirect interest in the above application and left the meeting during consideration thereof. It was also reported that Councillor Tyler had declared an interest when the site was inspected, and had remained on the coach during the inspection. It was also explained that at the Planning Committee meeting Councillor T.G.M. Tyler was not aware that he might have an interest in this matter.)

29th NOVEMBER 1993 PLANNING SUB-COMMITTEE PLANNING APPLICATIONS POST COMMITTEE INSTRUCTIONS

Application Number/ Applicant	Case Offr	Instructions/ Decision
H16/0700/93 Allison Homes	PJU	Deferred for further negotiations to loosen up the SE corner of development. Speak to highways re increased traffic calming measures within site and whether Pinchbeck Road/Woolram Wygate Junction will be able to cope with additional traffic generated.
H09/0865/93 Hey & Croft	JB	Deferred to full plans committee for decision. Verbal report on 7 Dec cttee saying sub-cttee happy with layout but cannot support house types. Check whether house types were mentioned in DoE Appeal decision letter and whether they have been altered in the new application, and situation with regard to sewerage.
H23/0880/93 PG & CL Frith	DMG	DPBCS Auth subject to section 106 agreement tying business to dwelling and revokation of planning permission for bungalow. Conditions to include height of pillars on either side of access being reduced to the same level as the lowest part of the garden wall.
H05/0901/93 Mr D J Lynn	DMG	Deferred. Request indicative plans showing how development will take place. Plans to show landscaping/access details and have sufficient detail to assess relationship with boundary and existing dwellings.
H01/0910/93 Mr & Mrs S W Sewell	DJR	Refused as recommended.
H23/0915/93 Laburnham Estates	DMG	Grant permission against recommendation. Seek advice from Env Svc with regards to condition to protect adjacent dwellings from noise.
H09/0918/93 R English Esq	DMG	Grant permission against recommendation. Conditions to include restriction to single storey building.
H01/0958/93 B Johnson	PJU	Refuse permission in accordance with recommendation "B". Report back to sub-committee with advise on enforcement action/negotiations to achieve removal of wall. Liaise with Admin Dept.
H02/0993/93 Miss P Steele	PJU	Grant permission as recommended.

30th November 1993

Signed: _____
Principal Planning Officer

APPLICATION REFERENCE: H23/0880/93 DATE RECEIVED: 21-SEP-93

TYPE: Full

DESCRIPTION: Change of use of outbuilding to sell sports and leisure wear

LOCATION: Braemar, Mill Lane, Whaplode.

APPLICANT: P G & C L Frith AGENT:

REASON FOR COMMITTEE CONSIDERATION

Recommendation of refusal

SOUTH HOLLAND DISTRICT COUNCIL
REPORT TO PLANNING COMMITTEE
Date 17 NOV 1993

RECOMMENDATION

Refuse Permission.

1 *Having regard to the general retail nature of the use proposed it is the opinion of the Local Planning Authority that the development would, if permitted, adversely affect the amenities of adjoining residential properties by virtue of noise and general disturbance.*

COMMENTS

1 Previous refusal (H23/0636/93) on highway and amenity grounds.

2 Adjacent garden currently has planning permission for two bedroomed bungalow (H23/0241/89). However, the applicants are prepared to have this revoked.

3 Since the previous refusal the existing leylandii hedge along the site's frontage has been removed. County Highways Authority now raise no objections subject to conditions.

4 If permission granted, it would be for a use within Class A1 (Shops). Such a use would be detrimental to the amenities of the locality by virtue of noise and general disturbance - a factor of importance given that once approved the Authority would not be in a position to control the type of shop. It has been suggested to the applicants that the residential amenity of neighbouring property may be affected to a lesser degree if the car parking area were to be relocated, but they have declined to do this.

REPRESENTATIONS

Parish Council: No objections in principle and do not wish to prevent this small business, but are concerned about on-street parking on this section of Mill Lane.

Applicant: (Summarised)

- Prepared to widen access and provide footway. Any hedging along the frontage will be restricted to 3 feet in height.
- Have no plans to build a bungalow on adjacent land and would be prepared to have planning permission revoked.
- Shop will be open part-time. Have other job (31 hours per week) and will open sometime between 9.00 am to 5.00 pm to fit around this. Presently work between either 8.00 am to 1.00 pm or 4.30 pm to 9.30 pm at a nursing home.

From: NAME Cllr Biggadyke

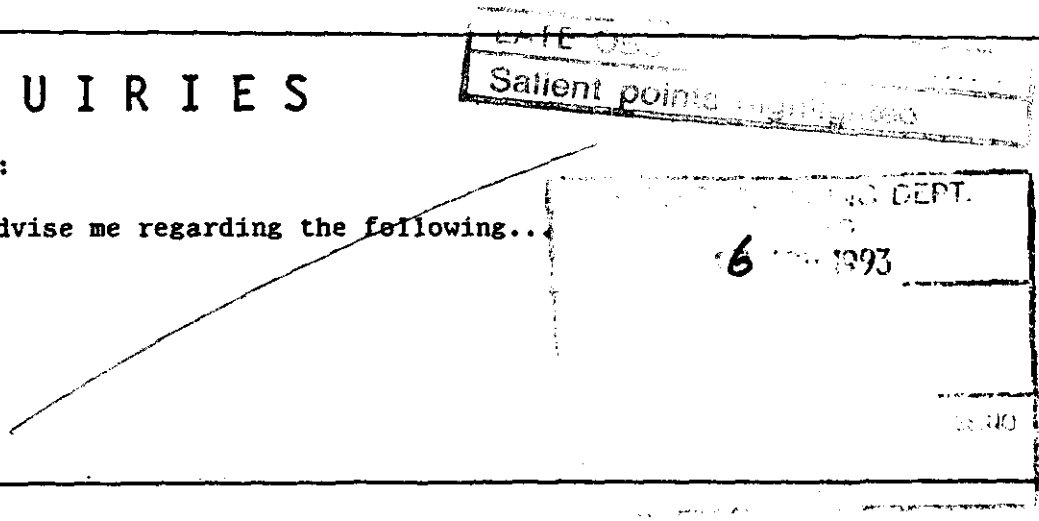
ADDRESS

Tel no 16/11/93

Planning
Reception

MESSAGES

ENQUIRIES



SUBJECT :

Please advise me regarding the following..

COMMENTS ON APPLICATION

APPLICATION NO : 1123/0880/93

SUBJECT : Braemer application. (Not able to attend meeting)

My comments are as follows...

(1) Support application since it will be an asset to the village.

(2) Not too close to residential property and the County Highways Authority raise no objections.

(3) There are other shops within residential areas in the village.

APPOINTMENTS

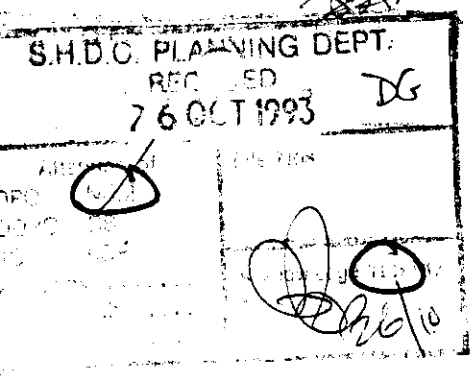
You must leave a telephone no for the office to contact you.

Please make an appointment for me to come and discuss the following with an officer of the department.

SUBJECT :

State any times or dates when you will not be able to visit the office :

H23/880/93



Mrs. L. L. Frith
Braemar,
Mill Lane,
Whaplode,
Spalding
Lincs

Dear Sir,

I am writing to explain that the shop I am hoping to run will be open part-time. I work 31 hours per week and will open between the hours of 9 to 5. I work from 8-1 or 4.30 - 9.30. at a Nursing home.

Yours Sincerely
Mrs L Frith

P G & C L Smith
Braemar
Mill Lane
Whaplode
Spalding
Lincs

Mr P M Godfrey

DMC/LAC
H23/0880/91

19 October 1993

Dear Sir and Madam

Planning Application H23/0880/91 - Change of Use Of Cutting Building To Sell Sports and Leisure Wear, Braemar, Mill Lane, Whaplode.

I refer to the above planning application submitted by yourselves.

In my opinion the proposal may be more acceptable with the new parking area located on the eastern side of the driveway within the front section of what is presently garden (the area immediately in front of the house could then remain garden). The occupants of the semi-detached dwelling to the west would then be affected to a lesser degree by noise and general disturbance associated with vehicles parking on that particular section of the site.

Additionally, it is noted that the submitted plans make reference to a leylandii hedge along the site's frontage. This appears to have been removed and I will therefore be pleased if you could amend the plans accordingly.

I look forward to your response in respect of the above as soon as possible and I enclose the relevant amendment forms for you to complete and return with new plans. Finally I must inform you that this advice is given without prejudice in respect of any future recommendation by myself and/or decision by the Planning Committee.

Yours faithfully

N P McGlen
Principal Planning Officer (Development Control)

Enc

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H23/0880/93

Applicant: P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding Lincs PE12 6TS

Agent: P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding Lincs PE12 6TS

Description: Change of use of outbuilding to sell sports and leisure wear

Location: Braemar Mill Lane
Whaplode Spalding Lincs

Type: FULL

Date received: 21-SEP-93

21-SEP-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 05-OCT-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Whaplode PC
Parish Council Office
2 Spalding Road, Holbeach
Spalding, Lincs

FOR PARISH COUNCIL USE ONLY

Comments:

AS PER PREVIOUS OBSERVATIONS NAMELY ON STREET PARKING.

Signed:

S.H.D.C. PLANNING DEPT.
RECEIVED
- 4 OCT 1993
DG

LINCOLNSHIRE COUNTY COUNCIL
DEPARTMENT OF HIGHWAYS AND PLANNING

FORM NO: H/A/3B

To: South Holland District Council Application Reference H23/0332/93

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		

2. Address or location

BRAEMAR, MILL LANE, WHAPLODE

3. Name, classification and number of road

UC

4. Date application referred 23-9-93

5. State whether outline, detailed application etc.

FULL

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

CHANGE OF USE OF OUTBUILDING TO SELF CONTAINED UNIT

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: 27-9-93. 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

(1) Before the use is commenced the existing vehicular access onto Mill Lane shall be widened to 4.25m.

(2) Before the use is commenced a footway shall be provided along the site frontage, 2m either side of the access in accordance with details to be approved

(3) ~~Before commenced.~~ Before the site is commenced to be used the existing wall/hedge shall for the whole site frontage be lowered to a height not exceeding 1m above the lowest level of the adjoining carriageway and so maintained thereafter

(4) A minimum of 3 customer car parking spaces shall be provided within the site at all times the premises are in use.

Delete as appropriate

(i) REASONS FOR a, b, or c overleaf

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

(1) B6

(2) To allow customers to wait clear of the carriageway when leaving the site

(3) B4

(4) F4

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

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

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

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H23/0880/93

Applicant: P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding Lincs PE12 6TS

Agent: P G & C L Frith
Braemar
Mill Lane
Whaplode
Spalding Lincs PE12 6TS

Description: Change of use of outbuilding to sell sports and leisure wear

Location: Braemar
Mill Lane
Whaplode
Spalding Lincs

SOUTH HOLLAND D.C.
PLAN DEPT
21 SEP 1993
REF VALID

Type: FULL

Date received: 13-SEP-93

16-SEP-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

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

The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:

Four plans to a scale of 1:500 showing outbuilding, associated parking and access.

Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is J BLACKLOCK

Yours faithfully

Principal Planning Officer

REF. H23/0636/93.

Mr P.G. Mrs L.J. Frith
Braemar,
Hall Lane,
Whaplode,
Spalding
Lincs

13-9-93

SOUTH HOLLAND D.C.
PLAN DEPT.
13 SEP 1993
REF 0636/93

Dear Sir or Madam,

I am writing regarding planning permission for the erection of a bungalow on our property. When we purchased the property in Dec 1992 we where told by the owners that the planning permission had run out.

We have no plans or have never had plans to build on this land. And would like to have the planning permission dissolved

as from now.

Yours Faithfully

Mrs Mrs P. G. Fitt.

749. PLANNING APPLICATIONS (Continued)

(d) Kart Racing Track including ancillary buildings, landscaping and access requirements at Welland Bank, Deeping St Nicholas (H03/0637/93) (Continued)

RESOLVED: That the Director of Planning and Building Control Services continue to negotiate the provision of the required landscaping with the National Rivers Authority, but that the requirement for such hedging be removed if agreement cannot be reached within a period of 6 weeks from the date of the meeting.

(Councillor T Barker requested that his vote against the above decision be recorded.)

(Councillor C J T H Brewis entered the meeting during consideration of the above item and Councillor J T Davis left the meeting following consideration of the item.)

(e) Non-Determination

The undermentioned application be not determined in accordance with the recommendation of the Director of Planning and Building Control Services:-

Plan No. and Applicant	Proposal
H23/0880/93 P G & C L Frith	Change of use of outbuilding to sell sports and leisure wear at Braemar, Mill Lane, Whaplode.

(f) Applications Approved Subject to Planning Obligations

Subject to the applicants first entering into a planning obligation under the provisions of Section 106 of the Town and Country Planning Act 1990 for the reasons indicated, the Director of Planning and Building Control Services be authorised to grant planning permission for the undermentioned developments in accordance with his recommendations, as amended, where indicated:-

Plan No. and Applicant	Proposal
H16/0870/94 Lincoln Co-operative Society	Extension to existing supermarket and formation of new shop units to Winsover Road frontage at Lincoln Co-operative Society, Winsover Road, Spalding.

(To ensure that (i) immediately the temporary access to be provided by the development is available for use, New Bond Street is not used for vehicular access or egress direct from or to Winsover Road; (ii) immediately the new spine road and permanent access road have been constructed, to use that permanent access and close the temporary access; (iii) any land in the applicant's ownership or rights in such land forming part of Station Approach required for the construction of the spine road be dedicated free of charge for highway use; and (iv) the development is not commenced until the legal documentation has been completed granting a vehicular right of way to the applicant over land at Station Approach to enable the temporary access to be provided.)

APPLICATION REFERENCE: H23/0880/93 DATE RECEIVED: 16-NOV-93

TYPE: Full

DESCRIPTION: Change of use of outbuilding to sell sports and leisure wear

LOCATION: Braemar, Mill Lane, Whaplode

APPLICANT: P G & C L Frith AGENT:

REPORT

At the Plans Sub-Committee Meeting held 29 November 1993 it was resolved that the Director of Planning and Building Control Services be authorised to grant permission subject to, inter alia, the applicants first entering into a Section 106 Planning Obligation to ensure the use of the outbuilding for the sale of sport and leisure wear is permanently tied to the occupiers of the existing house upon the site.

However, the Halifax Building Society (who have an interest in the land) have indicated that the terms of the planning obligation are unacceptable to them, and that in the circumstances the agreement cannot be completed. Consequently, I formally approached the applicants to determine whether the Section 106 Planning Obligation could possibly be amended in some way to satisfy all parties. However, no response has been received, despite a reminder.

RECOMMENDATION

That the application be non-determined. ✓

Check to see whether this has started.

12-12-94 - Planner checked — no evidence of change of use.

6th DECEMBER 1994 PLANNING COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

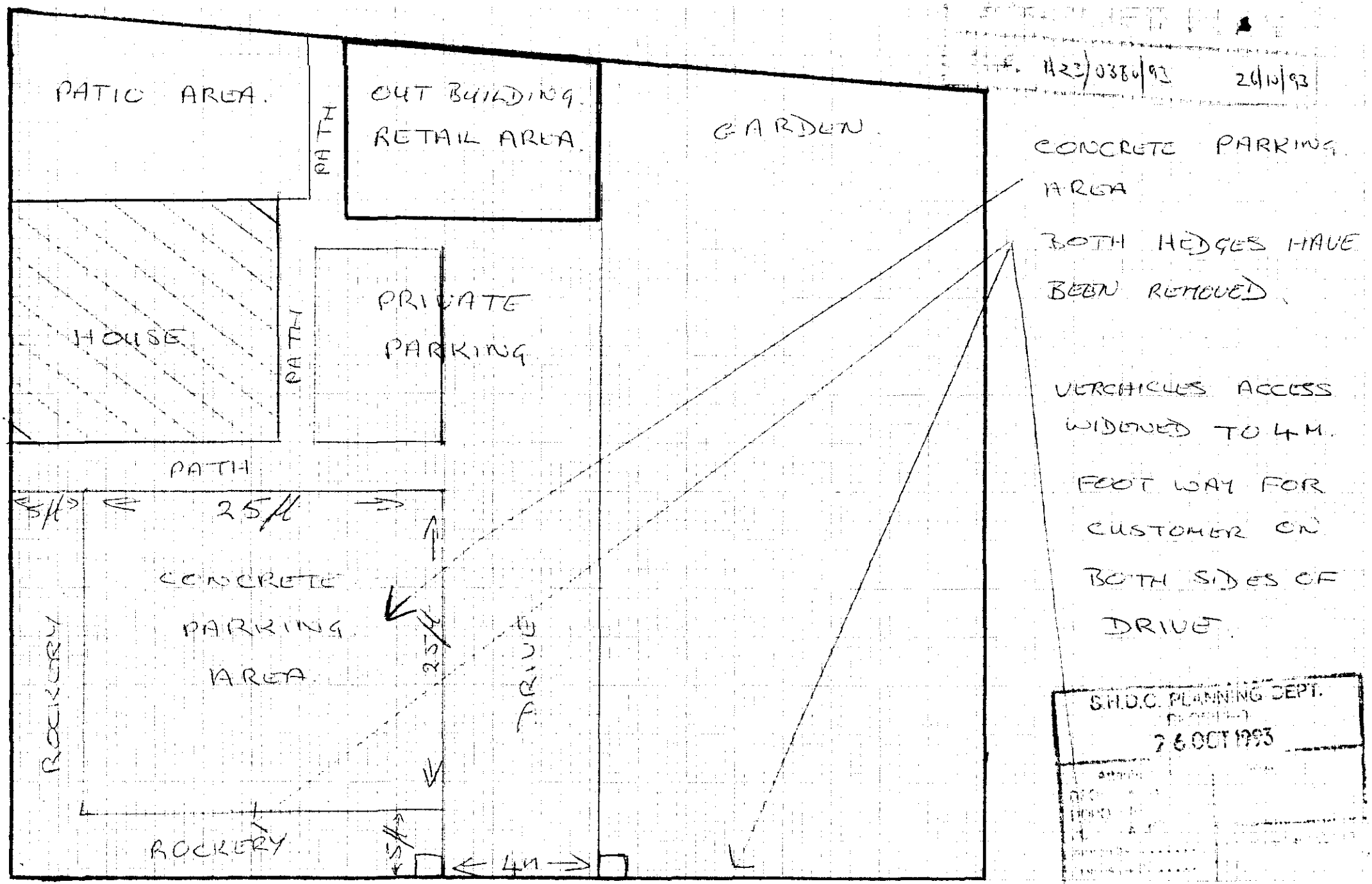
Page No	Application Number	Case Offr	Instructions/ Decision
1	H03/0637/93 Mr P Coupland	DJR	AWAIT MINUTES.
3	H23/0880/93 P G & C L Frith	DMG	Non-determined as recommended. Enf Offr to check to ensure change of use has not occured.
4	H14/0796/94 P A Moerman Ltd	PJU	Grant as recommended. Amend condition 3 to take account of objections raised. Check why transparancy not as requested.
7	H03/0794/94 Turners Turkeys	PJU	Grant as recommended on page 10.
11	H16/0870/94 Lincoln Co-Op	DJR	DPBCS Auth subject to section 106 obligation as recommended.
14	H13/0884/94 Mr B Frisby	JB	Deferred for site visit. Check transparancy to ensure both objectors are shown.
16	H18/0895/94 Broadgate Bldrs	JB	DPBCS Auth subject to section 106 obligation as recommended.
19	H09/0902/94 Wrights of Holbeach	JB	Refused as recommended.
21	H09/0903/94 Mr A Rulewski	JB	Deferred for site visit.
23	H02/0912/94 Persimmon Homes	DJR	DPBCS Auth subject to section 106 obligation and further discussions as recommendations A, B, & C.
28	H13/0935/94 E J & I Hooper	DMG	Refused as recommended.
30	H06/0950/94 DGM Properties	JB	Grant as recommended.
32	H05/0951/94 Mr & Mrs Ould	DMG	Refused as recommended.
33	H06/0952/94 DGM Properties	JB	Grant as recommended.
36	H06/0953/94 Mr & Mrs Baker	DMG	Grant as recommended. Amend condition 6 to ensure that hedge is maintained at a height of not less than the roof height of the portacabin.
39	H16/0954/94 Mr & Mrs Paul	PJU	Grant as recommended.
40	H13/0965/94 G Smith	DMG	Grant as recommended. Amend application number in note to read "H13/0809/89"
42	H14/0977/94 Mr H Boyall	PJU	Deferred for site visit. Will require permission to enter both applicants and objectors property.

44	H04/0990/94 Dray Building Ltd	PJU	Deferred. Require amended plans to show access to rear gardens and security lighting for car park.
47	H09/0994/94 Mr & Mrs Blake	DMG	Refused as recommended. No Parish Council comments on agenda although file shows comments received on 18th Nov 94.
49	H16/0998/94 Mrs P Hudson	DMG	DPBCS Auth subject to section 106 obligation as recommended. Amend date block to read location as "Locksmill Farm"
51	H19/1005/94 Mr J Whitwell	DMG	DPBCS Auth as recommended. NRM to produce report on issues of abandonment.
53	H02/1008/94 Mr & Mrs Ord	PJU	Grant as recommended.
54	H05/1036/94 Dr & Mrs Breese	JB	Deferred for site visit.
58	H16/1040/94 H16/1041/94 Spalding Insurance Services	DJR	Refused as recommended. Refused as recommended.
60	H07/1043/94 Ashwood Homes	DMG	Grant as recommended.
61	H02/0991/94 Welland Holiday Hire	PJU	Grant as recommended. Cllr Alcock pointed out that he was a Director of the company and not the Owner.

Date: 7th Dec 94

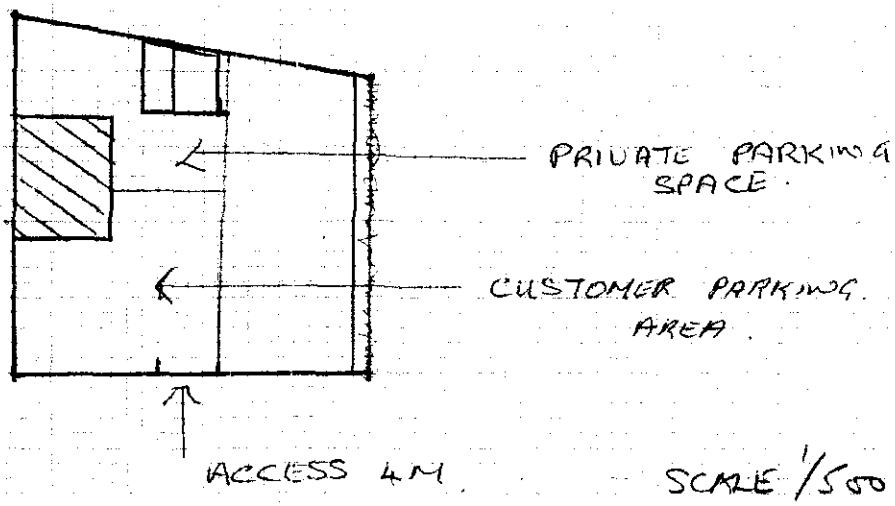
Signed: .....

N Midlen
Principal Planning Officer



A.23/0380/93 26/10/93

S.H.D.C. PLANNING DEPT.
26 OCT 1993



SOUTH HOLLAND D.C.
PLAN DEPT
21 SEP 1993
REF 0880/93