SOUTH HOLLAND DISTRICT COUNCIL

Application for a Lawful Development Certificate for an Existing Use or Operation or Activity, including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number: 181

Suffix:

Property Name: The Willows

Address Line 1: North Road

Address Line 2: Gedney Hill

Address Line 3: Lincolnshire

Town/city: Spalding

Postcode: PE12 0NU

Description of site location must be completed if postcode is not known:

Easting (x): 534810

Northing (y): 313416

Description

Bungalow

Applicant Details

Name/Company

Title

Mrs

First name

Joan

Surname

Hudson

Company Name

John Hudson

Address

Address line 1

The Willows

Address line 2

181 North Road

Address line 3

Gedney Hill

Town/City

Spalding

County

Lincs

Country

United Kingdom

Postcode

PE12 0NU

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

***** REDACTED ******

Secondary number

***** REDACTED ******

Fax number

Email address

***** REDACTED ******

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ◯ An existing use
- ⊘ Existing building works
- ◯ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

Following discussion with Katherine Sutton, need Lawful Development Certificate - existing reference our conservatory built at the rear constructed in 2022. Size 3.8m deep, has eaves lower than the highest part of the house, covers less than 50% area of property and less than 50% land property is on. Old utility demolished and new conservatory built - additional size 3.8x5.7m.
Buyer's solicitor wants official exemption from Planning to complete on our house sale - as explained to Katherine this is desperately urgent as it is holding up completion, so anything you can do to expedite issue of certificate would be very much appreciated! Exchange 15th Jan latest, so any help to fast track would be a life saver.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- ☐ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The use as a single dwelling house began more than four years before the date of this application
- ☑ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought on 'Other' grounds please give details

Our house buyer's solicitor wanting proof conservatory didn't need planning permission when installed by Omega Lifestyle, conservatory manufacturer and installer in2022. We have exemption certificate for building regulations and understood at the time planning was not required due to new conservatory being within planning criteria for conservatories. This is holding up our sale and we are in fear of it falling through, so really desperate that this doesn't happen!

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

◯ Yes
⊘ No

Please state why a Lawful Development Certificate should be granted

Conservatory is at the rear with depth is 3.8m, it is less than 50% of the area of the bungalow, and is less than 50% of the area of the large garden. Eaves are much lower than the highest part of the bungalow.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

20-10-2022

In the case of an existing use or activity in breach of conditions has there been any interruption?

◯ Yes
⊘ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

◯ Yes
⊘ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

◯ Yes
⊘ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

◯ Yes
⊘ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

◯ The agent
⊘ The applicant
◯ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

⊘ Yes
◯ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

By phone

Date (must be pre-application submission)

23/12/2024

Details of the pre-application advice received

From information I gave on our conservatory she said it sounded as if it met requirements for a Lawful Development Certificate - Existing, so to submit application and fee on line to have it assessed. Said would do her best to have it dealt with asap bearing in mind our house sale situation.

Interest in the Land

Please state the applicant's interest in the land

- [x] Owner
- [ ] Lessee
- [ ] Occupier
- [ ] Other

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- [ ] Yes
- [x] No

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Joan.hudson119btinternet.com Hudson

Date

24/12/2024