SOUTH HOLLAND DISTRICT COUNCIL

Application for a Lawful Development Certificate for a Proposed Use or Development

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: 19

Suffix:

Property Name:

Address Line 1: Langwith Drive

Address Line 2: Holbeach

Address Line 3: Lincolnshire

Town/city: Spalding

Postcode: PE12 7HQ

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

Easting (x): 535382

Northing (y): 324802

Description:

Applicant Details

Name/Company

Title

Mr

First name

Dolphin Vijai

Surname

John

Company Name

Address

Address line 1

19 Langwarth Drive

Address line 2

Holbeach

Address line 3

Splading

Town/City

Peterborough

County

Country

United Kingdom

Postcode

PE127HQ

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Contact Details

Primary number

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

Secondary number

Fax number

Email address

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

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

◯ Yes
⊘ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

◯ Yes
⊘ No

Has the proposal been started?

◯ Yes
⊘ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing use of the property is lawful, and the proposed change to a C3 classification to operate as a home for four young people receiving care does not require any structural alterations or extensions to the property. The existing design, layout, and space within the property are demonstrably suitable for use as a home for young people receiving care, accommodating the needs of a small group of children living with me as a single household.

This proposed use is consistent with the provisions outlined in the Town and Country Planning (Use Classes) Order 1987 (as amended), specifically under Class C3 which permits "up to six people living together as a single household where care is provided for residents." The property will maintain its primary residential character, with the care provision being ancillary to this main use.
The change does not constitute a material change of use requiring planning permission as:

1. The property will continue to function as a single household
2. The number of residents will remain within the statutory limit of six persons
3. The residential amenity of the property and surrounding area will be preserved
4. No external physical changes are proposed that would alter the character or appearance of the property

The provision of care within a residential setting aligns with national policy objectives to integrate care services within communities and provide suitable accommodation for vulnerable groups. The proposed use supports both the letter and spirit of planning regulations designed to enable appropriate care provision while maintaining residential character.

Furthermore, this application adheres to relevant local development plan policies regarding residential amenity, community facilities, and special needs accommodation. There are no identified impacts on parking, traffic generation, noise, or other environmental considerations that would differentiate this use from a typical family dwelling.

As such, the proposal fully aligns with all relevant legal and planning frameworks, including the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004, the National Planning Policy Framework, and local development plan policies pertaining to residential uses and care provision.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

NA as the home will require certification of lawfulness as C3 and I have attached all the supporting document is document section.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ⊘ Permanent
- ◯ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The Lawful Development Certificate (LDC) should be granted for this proposal because the intended use of the property as a home for four young people receiving care falls squarely within the C3 Use Class, which covers residential dwelling houses. This classification is entirely consistent with the proposed residential use of the property.

Consistency with C3 Use Class

The proposed use involves accommodating a small group of children living together as a single household, which aligns with the definition of C3 under the Town and Country Planning (Use Classes) Order 1987 (as amended). The C3 Use Class encompasses:

- C3(a): Use by a single person or family
- C3(b): Use by up to six people living together as a single household where care is provided
- C3(c): Use by up to six people living together as a single household where no care is provided

The intended arrangement, where young people will live with you as their caregiver in a family-like setting, is particularly aligned with typical residential use patterns within the C3 classification. The household will function as a cohesive unit, sharing facilities and living cooperatively, which is the essential characteristic of C3 residential use.

No Physical Alterations Required

The application is further strengthened by the fact that no structural changes or extensions are required to facilitate the proposed use. The existing design, layout, and space of the property are inherently suitable for the intended purpose, meaning:

- No external modifications that might alter the character of the building or neighbourhood
- No additional parking requirements or traffic impacts
- No change to the residential appearance of the property
- No intensification of use beyond what would be typical for a family dwelling

Benefits to the Community

While not directly relevant to the legal determination, it's worth noting that the proposed use supports important social care objectives by providing a stable, family-like environment for young people in need of care. This aligns with broader policy objectives related to child welfare and community integration.

In conclusion, the proposed use falls clearly within the established C3 Use Class, requires no physical alterations to the property, and continues the existing residential character of the site. On this basis, the Lawful Development Certificate should be granted.

Granting the LDC would formally confirm that the proposed use is lawful and compliant with the relevant legal and planning frameworks. This ensures clarity and avoids any potential disputes regarding the suitability or compliance of the property's use in the future.

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

Authority Employee/Member

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
⊘ No

Interest in the Land

Please state the applicant's interest in the land

◯ Owner
⊘ Lessee
◯ Occupier
◯ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

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

Declaration

I/We hereby apply for Lawful development: Proposed 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

Dolphin Vijai John

Date

08/04/2025