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

Suffix

Property Name

Ladysmith House

Address Line 1

Cranmore Lane

Address Line 2

Holbeach

Address Line 3

Lincolnshire

Town/city

Spalding

Postcode

PE12 7HU

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

Easting (x)

534784

Northing (y)

323681

Description

Applicant Details

Name/Company

Title

MRS

First name

DEBRA

Surname

FISHER

Company Name

Address

Address line 1

Ladysmith House Cranmore Lane

Address line 2

Holbeach

Address line 3

Town/City

Spalding

County

Lincolnshire

Country

Postcode

PE12 7HU

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Applicant Contact Details

Primary number

Secondary number

Fax number

Email address

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

Agent Details

Name/Company

Title

First name

ian

Surname

ashworth

Company Name

i-lid design ltd

Address

Address line 1

8 SUTCLIFFE ROAD

Address line 2

WITTERING

Address line 3

peterborough

Town/City

County

Country

GB

Postcode

PE8 6AY

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

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

Application for a Lawful Development Certificate regarding the use of a house (Class C3a) as a children's home for up to three children, with a manager and two carers who would sleep overnight, working on a rota basis (C2).

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

C3a

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

It is accepted, following the case of North Devon District Council v The Secretary of State (2003) EWHC 157 Admin, that the proposed use falls within Use Class C2 and hence the change of use from C3 is not an automatic permitted change. However, it is nevertheless argued that there is little material difference between the current and proposed use, meaning that planning permission is not required.
In SSETR and Waltham Forest LBC [2002] EWCA Civ 330, it was held that unless the old and new uses fell within the same use class, Section 192 requires a comparison between the proposed use and the actual previous use, rather than a hypothetical range of activities. Determining whether there has been or will be a material change of use is a question of fact and degree and the focus of the investigation must be the character of the use (East Barnet UDC v British Transport Commission (1962) 2QB 484). In cases where the old and new uses are residential in nature, the decision maker should access the planning impact of the change, particularly on neighbouring properties (Devonshire CC v Allens Caravans (Estates) Ltd (1962) 14P&CR).

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

Location Plan
Floor Plans
Elevations
Planning Statement (to follow)
Management Plan (to follow)

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.

C2A - Secure residential institutions

Is the proposed operation or use

- [x] Permanent
- [ ] Temporary

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

It is accepted, following the case of North Devon District Council v The Secretary of State (2003) EWHC 157 Admin, that the proposed use falls within Use Class C2 and hence the change of use from C3 is not an automatic permitted change. However, it is nevertheless argued that there is little material difference between the current and proposed use, meaning that planning permission is not required.
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Site Visit

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

- [x] Yes
- [ ] No

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

- [x] 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

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

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

ian ashworth

Date

11/06/2026