SOUTH HOLLAND DISTRICT COUNCIL

H09-0908-09

20 NOV 2009

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: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.

Town and Country Planning (General Development Procedure) Order 1995

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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.

1. Applicant Name, Address and Contact Details

Title: Mr & Mrs | First name: K & J | Surname: Evans

Company name:

Street address: The Rose & Crown, Low Road, Holbeach Hurn

Town/City: Spalding

County: Lincs

Country:

Postcode: PE12 8JN

	Country Code	National Number	Extension Number
Telephone number:			
Mobile number:			
Fax number:			

Email address:

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

2. Agent Name, Address and Contact Details

Title: Mr | First Name: John | Surname: Maxey

Company name: Maxey & Son

Street address: 1-3, South Brink

Town/City: Wisbech

County:

Country: United Kingdom

Postcode: PE13 1JA

	Country Code	National Number	Extension Number
Telephone number:		01945 583123	
Mobile number:			
Fax number:		01945 589440	

Email address: jmaxey@maxeyandson.co.uk

3. Site Address Details

Full postal address of the site (including full postcode where available)

House: Suffix:

House name: THE ROSE & CROWN PH

Street address: LOW ROAD

HOLBEACH HURN

Town/City: SPALDING

County: LINCS

Postcode: PE12 8JN

Description of location or a grid reference
(must be completed if postcode is not known):

Easting: 539564

Northing: 327336

Description:

Caravan Site to the East of the Rose & Crown Public House

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ◉ No

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: ○ a) Owner ○ b) Lessee ◉ c) Occupier ○ d) Other

If Yes to b) or c), please give details of the owner and state whether they have been informed in writing of this application:

Applicant is the Tenant of the property. Freeholder of the site is Elgood & Sons Ltd who is aware of and cooperating with the application

6. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you? ○ Yes ◉ No

7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

◉ An existing use

○ An existing operation

○ An existing use, operation or activity in breach of a condition

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

Use Classes: Other Other: N/A

8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

Use of the site contrary to Planning Consent references H09/0520/88 and H09/1209/95 for the stationing of 12 caravans for occupation in the period between 1st February and 31st October each year by seasonal workers, in addition to the touring caravan site and storage uses permitted by the above consents but without exceeding the overall site number limit of 43 nor the maximum permitted storage limit of 15

9. 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 of 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 for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number: | Condition number: | Date:

Please state why a Lawful Development Certificate should be granted:

The use has continued for a period in excess of 10 years.
See attached covering letter and statutory declarations, statements and other evidence

10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed? 01/03/1998

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

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Does the application for a certificate relate to a residential use where the number of residential units has changed? ( ) Yes (●) No

11. 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? (Please select only one)

(●) The agent ( ) The applicant ( ) Other person

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. ☒ Date: 19/11/2009

Warning:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.