APPENDIX B

SOUTH HOLLAND DISTRICT COUNCIL

Council Offices
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Spalding
Lincolnshire
PE11 2XE
Admin 01775 764725
DC Officers 01775 764703

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R Longstaff & Co. LLP
5 New Road
Spalding
PE11 1BS

TOWN AND COUNTRY PLANNING ACT 1990
LAWFUL USE CERTIFICATE

Reference: H09-0872-25 **Date of Decision:** 8th December 2025

Applicant: Mr N John
C/O Longstaff & Co. Llp
5 New Road
Spalding
PE11 1BS

Location: Trees Dam Gate Holbeach Spalding

Description: Occupation of dwelling by persons not in agriculture - Condition 6 of H09-0942-87 and to allow the continued use of the garden at 'Trees', for residential use with that property

South Holland District Council hereby give notice that on the date of the application the use, operations or matter described below was LAWFUL within the meaning of Section 191 of The Town and Country Planning Act 1990 for the reasons set out below:

1 Schedule 1 - Description of Use or Operation

Occupation of dwelling by persons not in agriculture - Condition 6 of H09-0942-87 and to allow the continued use of the garden at 'Trees', for residential use with that property.

Schedule 2 - Land Specified

Trees, Dam Gate, Holbeach, Spalding, PE12 8QL (as outlined in red on the attached plan)

Reason for determining the use, operations or other matters to be lawful: From the evidence that has been provided, there has been a continuous breach of Condition 6 attached to planning permission H09-0942-87 as well as the use of land as garden, beyond a period of time where the local planning authority can enforce.

DC_FINAL_DECISION - CODE 14

2 This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 as amended. It certifies that the use, operations or matter specified in Schedule 1 taking place on the land described in Schedule 2 was or would have been lawful on the date of the application, and thus was not or would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

This Certificate applies only to the extent described in Schedule 1 and to the land specified in Schedule 2 and on the attached plan. Any use, operation, or other matter which is materially different from that described, or which relates to other land, may render the owner or occupier liable to enforcement action.

Notes:

The determined plans are:

- Location Plan (Accepted by the Local Planning Authority dated 20.10.2025)
- Planning Statement
- Appendix A - Decision Notice H09-0947-86 and H09-0942-87
- Appendix B - Photographs of Site
- Appendix C - Pension Income Figures
- Appendix D - P60 & HMRC Documents
- Appendix E - Copy of Driving Licence
- Aerial Photograph of Site (2006)
- Aerial Photograph of Site (2016)
- Aerial Photograph of Site (2025)

Phil Norman
Assistant Director - Planning and Strategic Infrastructure
South Holland District Council

BUILDING REGULATIONS:
This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control team for further information on 01775 764557 or bcadmin@sholland.gov.uk

BUILDING REGULATIONS 2010:
The plans given approval as part of this application, may require the provision of additional information or amendment to show compliance the relevant requirements of the Building Regulations 2010. Typical circumstances include, highly glazed extensions achieving compliance with requirement L1 (Conservation of fuel and power) which may influence the areas of glazed elements/ building elevations, or requirement B1 (Means of warning and escape) which may influence an internal layout for fire safety purposes. Please contact the Building Control team for further

information on 01775 764557 or bcadmin@sholland.gov.uk