H14-0338-24

# 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 (Development Management Procedure) (England) Order 2015

**You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply**

## 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.**

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

## 1. Applicant Name and Address

| | | | | | |
|---|---|---|---|---|---|
| Title: | MR | First name: | John | | |
| Last name: | Bolton | | | | |
| Company (optional): | | | | | |
| Unit: | | House number: | | House suffix: | |
| House name: | oak cottage | | | | |
| Address 1: | small drove lane | | | | |
| Address 2: | west pinchbeck | | | | |
| Address 3: | | | | | |
| Town: | Spalding | | | | |
| County: | Lincolnshire | | | | |
| Country: | England | | | | |
| Postcode: | PE11 2NL | | | | |

## 2. Agent Name and Address

| | | | | | |
|---|---|---|---|---|---|
| Title: | | First name: | | | |
| Last name: | | | | | |
| Company (optional): | | | | | |
| Unit: | | House number: | | House suffix: | |
| House name: | | | | | |
| Address 1: | | | | | |
| Address 2: | | | | | |
| Address 3: | | | | | |
| Town: | | | | | |
| County: | | | | | |
| Country: | | | | | |
| Postcode: | | | | | |

## 3. Site Address Details

Please provide the full postal address of the application site.

| | | | | | |
|---|---|---|---|---|---|
| Unit: | | House number: | | House suffix: | |
| House name: | OAK COTTAGE | | | | |
| Address 1: | SMALL DROVE LANE | | | | |
| Address 2: | WEST PINCHBECK | | | | |
| Address 3: | | | | | |
| Town: | SPALDING | | | | |
| County: | LINCOLNSHIRE | | | | |
| Postcode (optional): | PE11 2NL | | | | |

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

Easting: Northing:

Description:

TO CHANGE THE USE OF THE LAND FROM AGRICULTURAL TO GARDEN UNDER THE 10 YEAR USE RULE

## 4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? [X] 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).

Please tick if the full contact details are not known, and then complete as much as possible: [ ]

Officer name:

DAVID GRANT

Reference:

ENF-338-23-E14

Date (DD/MM/YYYY):
(must be pre-application submission)

28/03/2024

Details of pre-application advice received?

WAS TOLD AFTER WE SEEKED ADVICE THAT A LAWFUL USE CERTIFICATE COULD BE APPLIED FOR

## 5. Lawful Development Certificate - Interest In Land

Please state the applicant's interest in the land:

Owner: [X] Yes [ ] No Lessee: [ ] Yes [ ] No Occupier: [ ] Yes [ ] No

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

| Name | Address | Have they been informed in writing of the application Yes | No |
|---|---|---|---|
| MR JOHN BOLTON | OAK COTTAGE SMALL DROVE LANE WEST PINCHBECK SPALDING PE11 3NL | [X] | [ ] |

If No to all the above, please give name and address of anyone you know who has an interest in the land:

| Name | Address | State the nature of their interest (if known) | State whether they have been informed about this application Yes | No | If No, please explain why not |
|---|---|---|---|---|---|
| | | | [ ] | [ ] | |
| | | | [ ] | [ ] | |
| | | | [ ] | [ ] | |
| | | | [ ] | [ ] | |

## 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 [X] No

If Yes, please provide details of the name, relationship and role

## 7. Description of Use, Building Works or Activity

Please state for which of these you need a lawful development certificate/building works (you must tick at least one option):

An existing use: [X] Yes [ ] No

Existing building works: [ ] Yes [ ] No

An existing use, building work or activity in breach of a condition: [ ] Yes [ ] No

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

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:

TO CHANGE THE LAND FROM AGRICULTURAL TO GARDEN AS IVE ONLY EVER USED THE LAND AS A GARDEN

## 8. Description of Existing Use, Building Works or Activity

What is the existing site use(s) for which the certificate of lawfulness is being sought? Please fully describe each use and state which part of the land the use relates to:

TO CHANGE THE LAND FROM AGRICULTURAL TO GARDEN AS IVE ONLY EVER USED THE LAND AS A GARDEN

## 9. Grounds For Application For A Lawful Development Certificate

Please state under what grounds is the certificate sought (you must tick at least one box):

[X] 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:

If applicable, please give the reference number of any existing planning permission, lawful development certificate or enforcement notice affecting the application site. Include its date and the number of any condition being breached:

Reference Number: | Condition Number: | Date (DD/MM/YYYY): (must be pre application submission)

Please state why a Lawful Development Certificate should be granted:

~~I HAVNT USED THE~~ I HAVE ONLY EVER USED THE LAND AS GARDEN

## 10. Information In Support Of A Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed: 26/4/1990 WELL OVER 20 YEARS (date must be pre-application submission) (DD/MM/YYYY)

In the case of an existing use or activity in breach of conditions has there been any interruption? [ ] Yes [X] No

If Yes, please provide details of the dates, duration and any discontinuance of the development which is the subject of this application. If your application is based on the claim that a use or activity has been ongoing for a period of years, please state exactly when any interruption occurred:

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 [X] No

If Yes please provide details?

## 10. Information In Support Of A Lawful Development Certificate (Continued) - Residential Information

Does the application for a Certificate relate to a residential use where the number of residential units has changed? ☐ Yes ☒ No

If Yes, please complete the following table:

### Proposed Housing

| | Number of Bedrooms | | | | | Total |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4+ | Unknown | |
| **Market Housing** | | | | | | |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Market Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Social Rented Housing** | 1 | 2 | 3 | 4+ | Unknown | 0 |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Social Rented Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Intermediate Housing** | 1 | 2 | 3 | 4+ | Unknown | |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Intermediate Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Key Worker Housing** | 1 | 2 | 3 | 4+ | Unknown | |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Key Worker Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Proposed Housing Grand Total** *(A + B + C + D) =* | | | | | | 0 |

### Existing Housing

| | Number of Bedrooms | | | | | Total |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4+ | Unknown | |
| **Market Housing** | | | | | | 0 |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Market Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Social Rented Housing** | 1 | 2 | 3 | 4+ | Unknown | |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Social Rented Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Intermediate Housing** | 1 | 2 | 3 | 4+ | Unknown | |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Intermediate Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Key Worker Housing** | 1 | 2 | 3 | 4+ | Unknown | |
| Houses | | | | | | 0 |
| Flats & Maisonettes | | | | | | 0 |
| Live-Work Units | | | | | | 0 |
| Cluster Flats | | | | | | 0 |
| Sheltered Housing | | | | | | 0 |
| Bedsit/Studios | | | | | | 0 |
| Unknown | | | | | | 0 |
| **Key Worker Housing Total** *(a + b + c + d + e + f + g) =* | | | | | | 0 |
| **Existing Housing Grand Total** *(E + F + G + H) =* | | | | | | |

**TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total):** 0

## 11. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority (LPA) has been submitted.
The burden or proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided.

The original and 3 copies* of a completed dated application form: [X]

The original and 3 copies* of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North: [X]

The original and 3 copies* of such evidence verifying the information included in the application as you can provide: [X]

The correct fee: [ ]

*National legislation specifies that the applicant must provide the original plus three copies of the form and supporting documents (a total of four copies), unless the application is submitted electronically or, the LPA indicate that a smaller number of copies is required. LPAs may also accept supporting documents in electronic format by post (for example, on a CD, DVD or USB memory stick).
You can check your LPA's website for information or contact their planning department to discuss these options.

## 12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form 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.

Signed - Applicant: MR JOHN BOLTON

Or signed - Agent:

Date (DD/MM/YYYY): 10/04/2024 (date cannot be pre-application submission)

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.

## 13. Applicant Contact Details

Telephone numbers

Country code: [redacted] National number: [redacted] Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

## 14. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

## 15. 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? *(Please select only one)* [ ] Agent [X] Applicant [ ] Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name: MR JOHN BOLTON

Telephone number: [redacted]

Email address: