TOWN AND COUNTRY PLANNING ACT 1990,
sect. 192 (as amended)
Town and Country Planning General Development
(Amendment) Order 1992

For the Council's use only
Application No H14/0566/95
Date received 24 MAY 1995

APPLICATION FOR A CERTIFICATE OF LAWFULNESS for a *proposed* use or development

1 Applicant *(in block capitals)*

Name: COMBIFLORA LTD (IN ADMINISTRATIVE RECEIVERSHIP)

Address: C/O TOUCHE ROSS & CO
ST JOHN'S HOUSE, EAST STREET
LEICESTER Post Code LE1 6NG

Tel. No:

2 Agent *(if any)*

Name: -WALTER'S- COMMERCIAL

Address: 1 MINT LANE
LINCOLN
Post Code LN1 1UD

Tel. No: (01522) 525454

3 (1) **Nature of applicant's interest in the land** *(eg owner, lessee, occupier)*: OWNER

(2) If you do not have an interest:-

(a) give name(s) and address(es) of anyone you know who has an interest in the land;

N/A

(b) state the nature of their interest *(if known)*;

(c) state whether they have been informed about this application YES ☐ NO ☐

4 **Address or exact location of the land to which this application relates:**

WAREHOUSE & OFFICE PREMISES, WARDENTREE LANE, PINCHBECK, SPALDING

Describe here and enclose [4] copies of an OS-based plan showing the boundary of the land edged in red

5 Has the proposal been started?

YES ☐ NO ☐ EXISTING USE

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10 If you consider the **proposed** use is within a "use class" in the Town and Country Planning (Use Classes) Order 1987, state which one:

Not applicable.

11 Is the proposed operation or use temporary or permanent?

If temporary, give details:

Permanent and existing.

12 State why you consider that a Lawful Development Certificate should be granted for this proposal *(continue on a separate sheet if necessary)*

The site as shown edged red on plan T1 has been utilised for storage & distribution/general industrial use since 1981. The previous use of the site as in horticulture ceased in June 1981 as Combiflora Ltd, ceased growing crops and commenced packing and distribution of horticultural produce. The operation of the site has continued unbroken since 1981 in packing, storage & distribution. The emerging Local Plan indicates that the entire site is located within an industrial area.

The sworn statement of two separate employees of the company Combiflora Ltd further proves the continuance of the existing use within the bounds of the entire site for a period in excess of ten years.

This application is made in the absence of formal planning history to establish the lawfulness of the existing use. The use as general industrial/ storage & distribution is proven to be established by the documentary evidence presented. Local Planning Policy further supports the existing use as being within Use Classes B2 & B8.

I/We hereby apply for a lawful use or development certificate under section 192 of the Town and Country Planning Act 1990 in respect of the proposed use, operations or activity described in this application and the documents, drawings and plans which accompany it.

I/We enclose the appropriate fee of £ 80.00

Signed: -Walter's- -Walter's- Commercial Date: 23rd May 1995

[on behalf of Combiflora Ltd (In Administrative Receivership)]
(insert name(s) of applicant(s) if signed by agent)

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 Council to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.**

6 If the proposal consists of, or includes, carrying out building or other operations give a detailed description of *all** such operations and attach such plans or drawings as are necessary to show their precise nature. *(In the case of a proposed building the plans should indicate its precise siting and exact dimensions.)*

DOES NOT APPLY

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7 If the proposal relates to a change of use of the land or building(s):-

(1) give a full description of the scale and nature of the proposed use, including the processes to be carried on, any machinery to be installed, and the hours the proposed use will be carried on;

The use of the site is existing as a storage & distribution centre/general industrial site.

(2) describe fully the existing use or the last known use, with the date when this use ceased.

(continue on a separate sheet if necessary)

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8 Explain briefly 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. *(You can use section 12 of this application to state your case more fully.)*

The use of this land as a storage & distribution centre and general industrial site within Use Classes B2 and B8 has been existing since 1981.

Specify the supporting documentary evidence (such as a planning permission) which accompanies this application.

1. Planning consent H14/958/77 25th October 1977.
2. Planning consent H14/1239/78/5904 13th December 1978.
3. Statutory declaration by Shiela Moore, employee of Combiflora Ltd.
4. Statutory declaration by Aart Alders, Managing Director of Combiflora Ltd, with company accounts and report.
5. Extract plan South Holland District Council Local Plan.
6. Plan T1.

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9 If you consider the **existing**, or last, use is within a "use class" in the Town and Country Planning (Use Classes) Order 1987, state which one:
The existing use is within Use Classes B2 & B8.

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* includes the need to describe any proposal to alter or create a new access, lay out any new street, construct any associated hardstandings, means of enclosure or means of draining the land/buildings.