

**SALLY WALTHAM**

BA (Hons) F.C.I.H.  
Director of Housing & Planning Services

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**FILE COPY**

## **Town and Country Planning Act 1990 (Section 191)**

# **Certificate of Lawful Use or Development**

Reference: H14/0640/99

Received: 30-JUN-99

Type: S191 LAWFUL USE CERT

Name: Direct Garden Supplies  
c/o Brown & Co  
Holland House  
16 High Street  
Spalding, Lincs PE11 1TW

Agent: Brown & Co  
Holland House  
16 High Street  
Spalding  
Lincs PE11 1TW

Description: Use for packing storage and distribution

Location : Direct Garden Supplies The Hollies  
Glenside South Pinchbeck, Spalding, Lincs

**South Holland District Council hereby CERTIFY that on the date of the application the use, operations or matter described below was LAWFUL within the meaning of Section 191 for the reasons set out below:**

### **Schedule 1 - Description of use or operation**

Use of buildings. A-C & D on the submitted plan for storage/distribution and use of building B for packing, with ancillary office accommodation within and adjoining buildings A & B, together with ancillary car parking and loading areas to the north and east of the buildings. Use of the area denoted 'T' on the submitted plan for storage and 'growing on' of pot plants and shrubs for onward sale by mail order with additional overspill car parking to the north of area 'T'.

### **Schedule 2 - Land specified**

The land edged red on the attached plan, denoting Buildings A, B, C & D of Area 'T'.

### **Notes:**

This certificate is issued solely for the purpose of Section 191 or 192 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. For a Section 192 Certificate, the lawfulness is only conclusively presumed where there has been no material change in any relevant matter before the use or operations are begun.

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**Reason for Issuing Notice:**

The uses as specified have the benefit of planning permission or have proceeded for a period of 10 years or more, and have, therefore, become lawful within the meaning of Section 171B(03) of the Town and Country Planning Act, 1990.

**The determined plans are:-**

1:2500 location plan received on 9 Sep 99.

**Director of Housing and Planning Services**

**22 OCT 1999**

H14/0640/99

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

ES 2/10

## Town and Country Planning Act etc DRAFT PERMISSION

Reference H14/0640/99

Received: 30-JUN-99

Type: S191 LAWFUL USE CERT

Name: Direct Garden Supplies  
c/o Brown & Co  
Holland House  
16 High Street  
Spalding, Lincs PE11 1TW

Agent: Brown & Co  
Holland House  
16 High Street  
Spalding  
Lincs PE11 1TW

Description: Use for packing storage and distribution

Location : Direct Garden Supplies The Hollies  
Glenside South Pinchbeck, Spalding, Lincs xx

**South Holland District Council hereby give notice  
that permission has been granted (or equiv)  
on the following condition(s):**

### Schedule 1 - Description of use or operation

Use of buildings. A-C & D on the submitted plan for storage/distribution and use of building B for packing, with ancillary office accommodation within and adjoining buildings A & B, together with ancillary car parking and loading areas to the north and east of the buildings. Use of the area denoted as 'T' on the submitted plan for storage and 'growing on' of pot plants and shrubs for onward sale by mail order with additional overspill car parking to the north of area 'T'.

Black line

### Schedule 2 - Land specified

Black line

The land edged red on the attached plan, ~~not denoting~~ Buildings A, B, C, D & Area 'T'.

### Notes:

This certificate is issued solely for the purpose of Section 191 or 192 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. For a Section 192 Certificate, the lawfulness is only conclusively presumed where there has been no material change in any relevant matter before the use or operations are begun.

Director of Housing and Planning Services  
14 OCT 1999

H14/0640/99

Mo 14/10  
22/10

SN1  
~~and to meet plan attached to design.~~

SN1 1/2500 location plan. Received 9/9/99.

SN Reason for Refusing Notice.

The uses as specified have the benefit of planning permission, or have ~~become lawful~~ proceeded for a period of 10 years or more and have therefore become lawful within the meaning of section 171B(63) of the Town & Country Planning Act 1990.