



Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

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.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	14
Suffix	
Property Name	
Address Line 1	The Crescent
Address Line 2	
Address Line 3	Lincolnshire
Town/city	Spalding
Postcode	PE11 1AE

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
524707	322566
Description	

Applicant Details

Name/Company

Title

Mrs

First name

Nicole

Surname

Hallam

Company Name

Little Berries Cafe LTD

Address

Address line 1

14 The Crescent

Address line 2

Units 2 & 3

Address line 3

Town/City

Spalding

County

Lincolnshire

Country

Postcode

PE11 1AE

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Applicant Contact Details

Primary number

[REDACTED]

Secondary number

[REDACTED]

Fax number

[REDACTED]

Email address

[REDACTED]

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☐ Yes
☒ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☒ Yes
☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

Site & Existing Use

Premises: Former carpet shop, currently vacant.

Existing Use Class: Class E(a) – Retail.

Proposed Use - Play Café combining:

Café element (Class E(b)) – serving food and drink for consumption on the premises.

Indoor play element (Class E(d)) – safe parent-supervised play facilities for children.

The proposal is intended to remain as Class E use.

We aim to carry out works to a vacant carpet shop premises in The Crescent, Spalding (Unit 2-3 (14)) into a play café.

The intended use combines a café element (serving food and drink for consumption on the premises) with an indoor play space for children.

We believe this falls within Class E of the Use Classes Order (England), specifically Class E(b) and slightly into E(d). However, we would appreciate confirmation from the Local Planning Authority as to whether the proposal would be considered to stay within Class E use.

We will be fitting a kitchen area, cooking equipment, with kitchen counters and storage. We will be putting in a disabled use toilet. There will be play area which will consist of around a quarter of the floor space of the café. Children will be able to play whilst their parents enjoy drinks and food from the café. No change will be made to the front of the property, excluding the sign that will fall under permitted development as it will not be illuminated and will be of the same style as the previous tenants.

We aim to open Monday-Sunday 0900-1700 however will close possibly one day in the week which is the quietest.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The Carpet shop vacated the property on the 14th November 2025.

Has the proposal been started?

- ☐ Yes
☒ No

Grounds for Application

Information about the existing use(s)

Please explain 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

As previously stated the property has been used as a carpet shop for many years, we are wishing to bring something beneficial to the local area for the community of Spalding - in line with the councils aim and objectives to improve the town centre.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Site Location Plan
Existing floor plans
Proposed floors plans.

Select the use class that relates to the existing or last use.

E(a) - Display/Sale of goods other than hot food

Information about the proposed use(s)

Select the use class that relates to the proposed use.

E(b) - Sale of food and drink for consumption mostly on the premises

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

1. The proposal falls within permitted development rights

The intended use and any associated physical works fall within the scope of development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015. The proposal does not exceed any of the relevant thresholds or limitations, and no conditions within the Order are breached.

2. The proposed use does not constitute a material change of use

A play café typically operates as an E class type use (light refreshments, seating, and small children's play). This falls within the same broad use class as a standard café or similar commercial premises, or that of previous use. Because the dominant character of the use remains within the same use class, it does not amount to a material change of use requiring planning permission.

3. No operational development requiring permission is proposed

Any internal alterations, safety features, or layout changes are non structural and fall outside the definition of "development" under section 55 of the Act. The proposal includes only a small, domestic grade extractor to support basic ventilation for low risk food preparation. This is not a commercial extraction system, does not materially alter the external appearance of the building, and does not generate significant odour or noise. As such, it does not constitute operational development requiring planning permission.

4. The evidence submitted demonstrates compliance

The application is supported by clear plans, a detailed description of the intended use, and confirmation that the proposal aligns with the relevant provisions of the GPDO. On the balance of probability—the legal test for LDCs—the evidence shows that the use would be lawful if begun today.

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?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ 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):

Officer name:

Title

First Name

Oscar

Surname

Patman

Reference

H16-1290-25

Date (must be pre-application submission)

19/12/2025

Details of the pre-application advice received

Assessment

As outlined previously, uses may be changed within a Use Class without necessarily requiring a planning application. Broadly, Policy 24 supports town centre development within the town centre of Spalding. Further weight would be given in favour of the potential redevelopment under Policy 25, which encourages the use of currently vacant premises. On this basis, broadly, the principle of development of a play cafe may be supported.

It is advised that in most circumstances, movement between uses that each comprise a Class E use, would not require a formal planning application. Therefore, reasonably movement between two Class E uses could occur; for instance a professional office to a restaurant, could be achieved without requiring an application for consent.

Please note that the only way to receive formal confirmation of a proposed/existing use or whether a change of uses would constitute permitted development would be to submit a Lawful Development Certificate.

In conclusion, the Planning Authority cannot formally confirm via a pre-application what the proposed or existing use of a site would be. Examining the proposal on its planning merits, irrespective of use class, the proposal would broadly align with the principles of the Local Plan; and therefore, may be supported when viewed in broad principle.

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

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

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
- ☒ Lessee
- ☐ Occupier
- ☐ Other

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

Peter Wright, he was made aware during exchange of lease contracts.

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, 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.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Nicole Hallam

Date

06/02/2026

Amendments Summary

Taken out reference to extractor fan. Full planning to be submit if required.

