



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 (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

Suffix

Property Name

New House Nursery

Address Line 1

Hospital Drove

Address Line 2

Address Line 3

Town/city

Long Sutton

Postcode

PE12 9EN

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

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

Mr & Mrs

First name

Surname

Andrews

Company Name

Address

Address line 1

New House Nursery

Address line 2

Hospital Drove

Address line 3

Town/City

Long Sutton

County

Spalding

Country

Postcode

PE12 9EN

Are you an agent acting on behalf of the applicant?

Yes
 No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

James

Surname

Burrows

Company Name

Address

Address line 1

7 Nightall Drive

Address line 2

Address line 3

Town/City

March

County

Country

United Kingdom

Postcode

PE15 8SX

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- An existing use
- Existing building works
- An existing use, building work or activity in breach of a condition

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 select the relevant Use Class.

C3 - Dwellinghouses

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

This is a application for a Lawful Development Certificate, seeking the removal of an agricultural occupancy condition attached to New House Nursery, Hospital Drove, Long Sutton, Spalding, PE12 9EN. The dwelling achieved Outline Planning Permission through application H18/1886/88 and following this Full Planning Permission through application H18/0910/89. The initial Outline Planning Approval and subsequent Full Planning approval have an agricultural occupancy condition attached. Please see Planning Statement.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- 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).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

Yes
 No

Reference number

H18/0910/89

Condition number

Unknown

Date (must be pre-application submission)

31/12/1989

Please state why a Lawful Development Certificate should be granted

Please note approval H18/0910/89 is no longer available on the South Holland District Council planning site and therefore I am unable to confirm the condition number and approval date. Please see Planning Statement. The applicants have continually breached the agricultural occupancy condition for a period long enough to render the condition void and unable to be enforced.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

08-01-1999

In the case of an existing use or activity in breach of conditions has there been any interruption?

Yes
 No

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
 No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

Yes
 No

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

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

2127-6973-4712-0345

Date (must be pre-application submission)

06/02/2025

Details of the pre-application advice received

I had written to the council surrounding condition 5 of H18/1886/88 and application H18/0700/01 to ask whether the condition was no longer applicable. Though the Planning Officer was unable to provide a formal confirmation he confirmed it appeared the property no longer has an agricultural habitation clause attached. The applicants have since spoken to someone else in the council who advised otherwise. Therefore we are submitting this application to receive a formal confirmation.

Interest in the Land

Please state the applicant's interest in the land

Owner
 Lessee
 Occupier
 Other

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

Declaration

I/We hereby apply for Lawful development: Existing 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

James Burrows

Date

24/02/2025