SOUTH HOLLAND DISTRICT COUNCIL

Chris Simpkins
Chief Executive
Terry Huggins
Director of Customer Services
Bob Atkins
Director of Corporate Services

H18/0629/02

S191 LAWFUL USE CERT

Applicant: **Wingland Internal D B**
Tel: 01553 669500

Agent: **Wingland Internal D B**
01553 669500

Description: Occupation of dwelling occupied by persons not employed in agriculture (Condition 1 of EE132/68)

Case Officer:
L SMITH

Location: **The Bungalow**
Hospital Road
East Bank
Sutton Bridge

VALID DATE: 29-MAY-02

Targets: To case officer	05-JUN-02
Inspected by	12-JUN-02
Extra contacts	19-JUN-02
Refer outstanding	03-JUL-02

TARGET COMMITTEE 10-JUL-02
Report deadline: 26-JUN-02

TERM DATE: 24-JUL-02

Agreed TD Ext:

Listed building:
Conservation Area:

CONSULTATIONS CARRIED OUT

	Sent	Expiry
No Highways objection DBS for DH&P 19 June 2002		

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Telephone: (01775) 761161
Fax: (01775) 711253
Email: Info@sholland.gov.uk

DC RECORD SHEET

Registration H18/0629/02.
Reference
Cross-reference TC - 30/5.

Case Officer CMS.

Directions

Standard: Scale dwg ☐ Surface water ☐ Agric appraisal ☐

Non-standard: Article 3 ☐ Reg 4 ☐ LB (S10) ☐ Advert ☐ Env Assess ☐ LDC ☐ Other ☐

Direction authorised by Senior Officer _____

Further direction authorised by Senior Officer _____

Information satisfactory for DC _____

Fee validation check: ☐ _____

No of copies	Details

No of copies	Details

Amended description

Consultations/Publicity

Acknowledged / Standard Consults / Public register _____

Non-Standard

Press Publicity

Setting of LB ☐ Conserv Area ☐
Public Right of Way ☐ Discretionary ☐
Departure ☐ >> County Planning ☐

Consultations _____

	All	Selected	Viz:	☐
ROW	☐			
T15	☐			
TRA		☐	_____	_____
ENV		☐	_____	_____
EA		☐	_____	_____
DEM	☐			
LB		☐	_____	_____
			_____	_____
ARC		☐	_____	_____
AG		☐	_____	
HAZ		☐	_____	_____
HSC	☐			
PLA		☐	_____	_____
			_____	_____
ADV		☐	_____	
ADJ		☐	_____	

OTHER _____

Senior Officer confirmed: CMS 6.6.02

Extra (Case Officer after inspection)
Specify:

Second Stage (after revalidation)
Reconsult
None ☐
All ☐
Specify

Consult for first time

Residents (Adjacent only)
Addresses :

Deliver/Post

Residents (consult first time)
Addresses :

Deliver/Post

Assessment

Notes for Case Officer

Site Inspection

Bungalow to go on underground
Drainage Rod Plan on Lights to left.
Close to Nene River.
Photos taken.

Accuracy ?
Neighbours ?
Boundaries ?
Features ?

Inspected by JM
Date 2-5-17
Site Notice posted by _____
Date _____
Resident Notices delivered by _____
Date _____

Telephone and Visitor Record

Case Officer Conclusions / Report MG 24/7.

Applicant has demonstrated, on the balance of probabilities, that there has been a breach of the condition in excess of 10yrs.

Recommendation

Approve (or favourable) ☑

Refuse (or adverse) ☐

Signed

Date 24/7

~~Conditions / Reasons~~

Non-Determination	
Permitted development (or equiv)	☐
Non-development (or equiv)	☐
Withdrawn	☐
Other	☐
Confirmed by Senior Officer	

Referral Prior to Issue	
Dept of Environment (LBC)	☐
Dept of Environment (DEP)	☐

1 . Reason for Decision

The use of the dwelling as an unrestricted dwelling has occurred for more than 10 years and is therefore lawful by reason of Section 191 of the Town and Country Planning Act 1990. Planning permission is not therefore required.

Schedule 1 - Description of use or operation

Use of ~~Wyndfield House~~ "The Bungalow" and associated garden without complying with Agricultural Occupancy Condition (Condition No ~~3 of H03/1040/79~~) 1 of EE/32/68).

Schedule 2 - Land specified

The Bungalow and associated gardens, Hospital Road, East Bank, Sutton Bridge. As outlined in red on the attached plan.

NOTES		
Disabled	☐	
Section 106 / 278	☐	
Demolition	☐	
LB Demolition	☐	
Amended Plans	☐	Received
		Drawing nos

Validation Record Sheet

Reference 1718/0629/02

Submitted Fee £ 220 Fees

Receipt No P17656 **Correct fee** £ 110 Nil / discount Reason:

Date received 2 MAY 2002 Additional £ Receipt No

VALID ____ Refund £ 110 Voucher No

KP 31.5.

Invalid ☐ Reminder

Fees ☐

Site plans ☐ Cancelled

Certificate ☐

Other ☐

Type : 191

Description : (if different from form)

Occupation of Dwelling occupied by persons not employed in agriculture (condition 1 of E8132/68)

New / Redevelop / Use / Ext / Alt / Works

Site area

No of dwellings

Floorspace

Earlier permission reference

GRID REFERENCE 548907 322760

Building Control records:

Already submitted - Ref

Request needed

N/A

NOTES

Planning Application Plotting Check
SPATIAL INFORMATION

Land Charges entries include Reference; Description; Date of notice; Date registered; Part of LLC Register
Other entries contain descriptions or references only

Wards

Sutton Bridge 46348831 C J T H Brewis
Mrs J J Rowe

Code U

Parish Boundary

ADMINID ONS_CODE FC HA COUNT
005419 SUTTON BRIDGE CP 3903 5169.870 0

Planning Constraints and Hazards

HAZMOD 56439 547363 325117

Planning Applications from1998

H18/0629/02 857 548907 322760 0

Beacon Council 2003-2004 Supporting the Rural Economy

SOUTH HOLLAND DISTRICT COUNCIL

Council Offices
Priory Road
Spalding
Lincolnshire PE11 2XE

tel: 01775 761161
fax: 01775 710772
www.sholland.gov.uk

Destination:.....Ward Gethin.....

Fax Number:....01553 766857

Your Ref/Contact:.IRG/CF/E01..... No of Pages...1...of...3

Our Ref/Contact:....Karen Porter Date:....3-11-05

Subject:....The Bungalow, Hospital Road Sutton Bridge

FAX MESSAGE

Please find enclosed decision for certificate of lawful use. This effectively means that although the clause has not been removed anyone can now live there lawfully without the authority taking enforcement action. I hope this clarifies things.

PLEASE INFORM US IMMEDIATELY IF THE MESSAGE IS INCOMPLETE OR UNCLEAR

Terry Huggins Chief Executive
Tim Leader Director of Corporate Services Andrew Petcher Director of Rural Services

WardGethin

SOLICITORS

9-12 Tuesday Market Place, Kings Lynn, Norfolk PE30 1JJ
DX 57001 Kings Lynn Tel: 01553 660333 Fax: 01553 766853
www.wardgethin.co.uk

IRG/CF/E01322-3-3

South Holland District Council

FAO Mrs Porter

FAX only 01775 710772

2 November 2005

SHDC
Planning & Development
02 NOV 2005
Ref:

Dear Sirs

Our Clients : **Mr & Mrs M England**
Property : **The Bungalow, Hospital Road, Sutton Bridge**

We understand our Clients have spoken with you today and there is an agricultural restriction on the above mentioned property. The restriction has been amended and we would appreciate you confirm the terms of the restriction as amended so that we may reassure our Clients' prospective purchasers.

We look forward to hearing from you with this information, needless to say our Clients now appreciate the importance of the local search which they did not allow us to carry out when they purchased the property.

Yours faithfully

WARD GETHIN

on all correspondence@wardgethin.co.uk

LawNet

I LESLIE VICTOR WRIGHT, Clerk of the Wingland Internal Drainage Board (hereinafter called "the Board") whose office is at Kettlewell House Austin Fields Industrial Estate King's Lynn Norfolk do solemnly and sincerely declare as follows:

1. The Board is a member of the King's Lynn Consortium of Internal Drainage Boards (hereinafter called "the Consortium") and I have been employed for 35 years by the Consortium, for the last 15 years of which I have held the position of Clerk of the Board

2. In my capacity of Clerk of the Board I have in my possession the records of the land and property of the Board and of the use of the various individual items of such property and one such item of property comprises a bungalow and curtilage known as The Bungalow Hospital Road East Bank Sutton Bridge Spalding Lincolnshire which is referred to below as "the Bungalow" and is shown edged red on the attached plan which is now produced and shown to me marked "LVW1"

3. Notwithstanding that by virtue of a conditional planning permission granted to Mr P J Noble (per P Parker & Sons (Builders) Ltd) on behalf of the Board on 9th May 1969 by South Holland District Council under reference number EK132/68 the Bungalow is subject to a condition that its occupation should be limited to a person employed or last employed locally in agriculture as defined by Section 221 (1) of the Town and Country Planning Act 1962 or Forestry or a dependent of such a person residing with him (but including a Widow or Widower of such a person) it is apparent that the Bungalow has not been so occupied for a period in excess of 10 years last past

4. The records of the Board show that the Bungalow was let from the beginning of March 1992 to one Peter Atkins who had then retired from his former employment by another member of the Consortium being the Gaywood Internal Drainage Board as Supervisor of the Gaywood Drainage District. The records of the Board show that

Peter Atkins occupied the Bungalow with his Wife Jane Atkins from the date of the commencement of his tenancy until his death in May 1998 whereupon his Wife Jayne Atkins succeeded to the tenancy and has continued to occupy the Bungalow until the present time

5. In my capacity as Clerk of the Board and of the Gaywood Internal Drainage Board it is clearly within my knowledge that both in his capacity as Supervisor of the Gaywood Drainage District and in the previous employment Peter Atkins was not employed in agriculture or forestry and the occupation of the Bungalow by him and his Wife accordingly did not comply with the condition contained in the conditional planning permission referred to above

6. I am able to depose as to the former employment and the retirement of Peter Atkins because in my capacity of Clerk of the Gaywood Internal Drainage Board I also have in my possession the records of that board including the records of its employees with full details of their employment and retirement

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

Declared at Wood Cottage
3-12 Tuesday Market Place
King's Lynn.
Norfolk

This 28th day of May 2002

Before me, Marian Hardy

A Commissioner for Oaths / ~~Solicitor~~

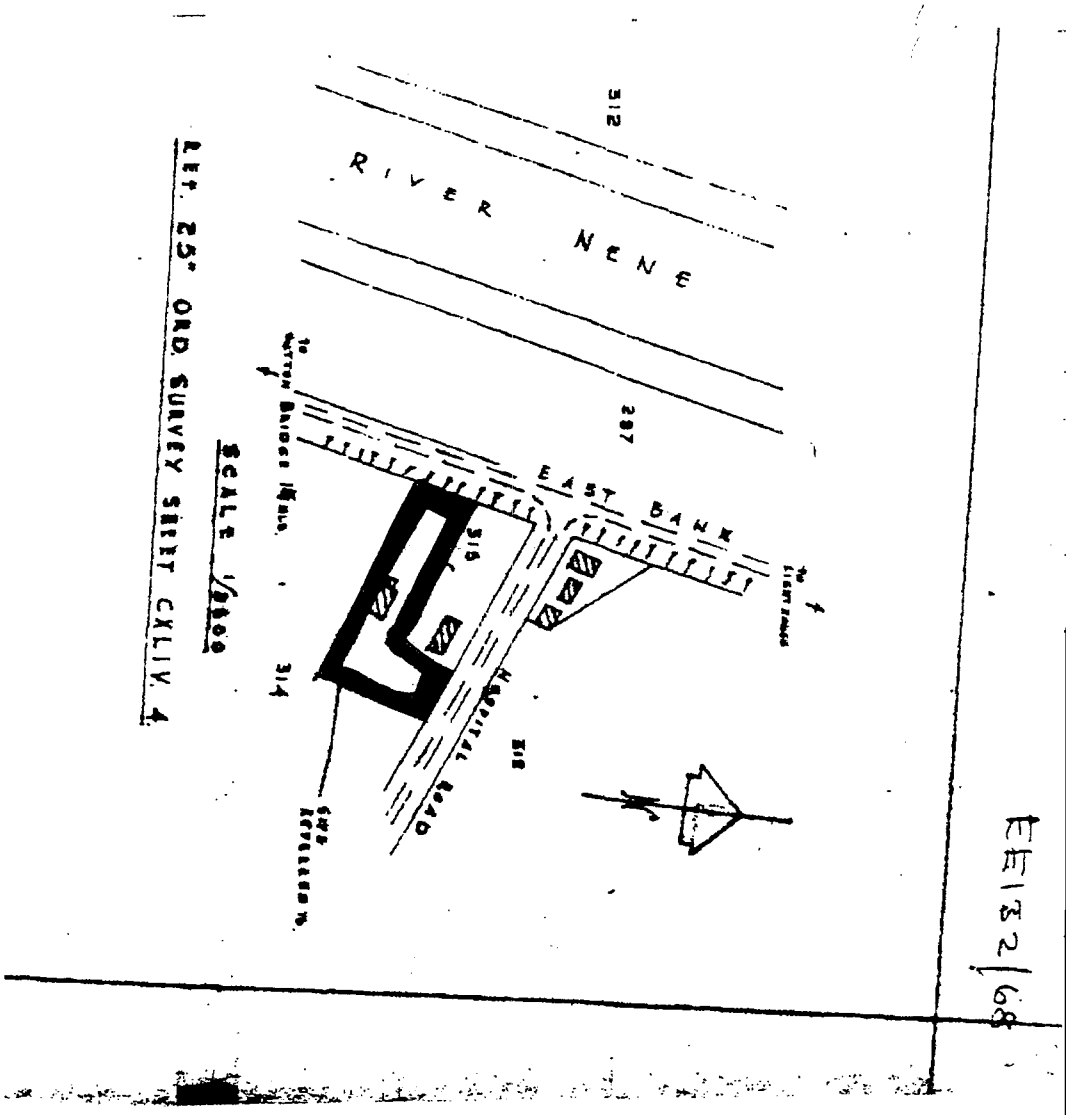
M. HARDY F.Inst. LEx.

This is the plan marked "LVW1" referred to in the Declaration of LESLIE VICTOR WRIGHT made the 28th day of May 2002

Before me,

M. HARDY F.Inst. LEx.

A Commissioner for Oaths / ~~Solicitor~~



SOUTH HOLLAND DISTRICT COUNCIL - CHEQUE REQUISITION

PAYABLE TO: Wingland IDB

ADDRESS : Kettlewell House
Austin Fields
Kings Lynn
Norfolk

POST CODE : _____

CREDITORS NO: _____ (IF KNOWN)

N.B. IF CREDITOR NO. IS KNOWN ONLY THE FIRST LINE OF THE ADDRESS IS REQUIRED.

DATE: 31-5-02

DUE DATE : _____	REQUISITION IN RESPECT OF:	AMOUNT
	REFUND OF PLANNING/~~BUILDING REGULATION/NOTICE~~/FEE	110 00
	REFERENCE: H18/0629/02	
	APPLICANT: Wingland IDB	
	FEE RECEIVED: £220.00	
	RECEIPT NO: P17656 DATE: 29-5-02	
	FEE REQUIRED: £110.00	
	REASON FOR REFUND: OVERPAYMENT/EXEMPT FROM VAT	
ENCS: YES / NO	SEPERATE CHEQUE ☐	TOTAL: 110 00

Please return cheque to : ..... Extn : .....

ALLOCATION/CERTIFICATION

PART A - To be completed in all cases.

PART B - Complete only if Computerised Order NOT u of if FMS allocations differ from Order.

ORDER No/MIN REF. _____

CHECKED:GOODS RECEIVED SJ Seymour

TICK IF PREVIOUS YEAR: ☐

TICK IF NOT FINAL PAYMENT: ☐

CERTIFIED FOR PAYMENT K J Porter
AUTHORISED OFFICER

ALLOCATION			AMOUNT	
OBJ	SUBJ	COST	£	p
			110	00
		VAT		
		TOTAL	110	00

Ve Co

PART C - EXCHEQUER USE ONLY

RECEIVED FINANCE DEPT.

VOUCHER NO.

SOUTH HOLLAND DISTRICT COUNCIL

Chris Simpkins
Chief Executive
Terry Huggins
Director of Customer Services
Bob Atkins
Director of Corporate Services

OFFICIAL RECEIPT - APPLICATION FEES

VAT Reg No 121 5277 01

Receipt Number: P17656
Date Received : 29-MAY-02

Received From : Wingland Internal D B

Address : The Bungalow
Hospital Road
East Bank
Sutton Bridge

Fee paid	:	£	220.00
VAT	:	£	0.00
Total received	:	£	220.00

Cash/Cheque : Cheque

Signed..... K Porter (Authorised Collector)

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Telephone: (01775) 761161
Fax: (01775) 711253
Email: Info@sholland.gov.uk