

Town and Country Planning Act 1990:
Section 191 as amended by section 10
of the Planning and Compensation Act 1991)

**TOWN AND COUNTRY PLANNING
(GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995: ARTICLE 24**

**North
Lincolnshire
Council**

**CERTIFICATE OF LAWFUL USE
OR DEVELOPMENT**

APPLICATION NO: PA/2024/1181

Address/Agent:

Mr Nayan Gandhi, Laister Planning Limited
Oddfellows Hall
Ground Floor
London Road
Chipping Norton
Oxfordshire
OX7 5AR

Applicant: Elegant Lifestyle Parks Limited

North Lincolnshire Council hereby certify that on 16/10/2024 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and outlined in red on the Site Location Plan (Dwg No. Figure 1) attached to this Certificate would have been lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

It is considered that the applicant has provided sufficient evidence in the form of supporting statements, Council Tax data, photographs and aerial images, signed declarations and email confirmations as well as photograph comparisons to demonstrate that the area outlined in red on the attached site location plan has been in use as a residential caravan site and as such benefits from the 1991 Planning Permission Ref 7/113/1991.

It should be noted that Appletree Lodge, as outlined in pink on Drawing ref. Appletree Lodge, Dwg No. Figure 1, as attached to this certificate, is excluded from this certificate. A change of use has occurred on this unit to a commercial use. It should be noted that the change of use of this single lodge to a commercial use does not prevent the rest of the site from operating as a residential caravan site under the 1991 permission.

First Schedule: Application for a Lawful Development Certificate for confirmation that the site benefits from the 1991 Planning Permission Ref 7/113/1991 dated 3rd December 1991 for 'remove condition 2 of planning permission BA/3/72B and 7/RET/16/80 to allow all year round residential use of the existing caravan site.

Second Schedule: Humber Bridge Country Hotel, Westfield Lakes, Barton Upon Humber, DN18 5RG

Dated: 22/05/2025

Signed:



**PP Rebecca Brown
Development Management Lead**

NOTES

1. This Certificate is issued solely for the purpose of Sections 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies the use/operations/matter specified in the First Schedule taking place on the land described in the Second Schedule was/would have been lawful, on the specified date and, thus, was not/would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
5. Where an application has been made under section 191, the statement in a lawful development certificate of what is lawful relates only to the state of affairs on the land at the date of the certificate application. The key statutory framework for such applications and their determination is set out in sections 191-193 of the Town and Country Planning Act 1990 (“the Act”)

