



**Hinckley & Bosworth
Borough Council**

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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

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)

Northing (y)

Description

Applicant Details

Name/Company

Title

Mr

First name

Anthony

Surname

Benney

Company Name

Address

Address line 1

The Tack Room, Help Out Mill

Address line 2

Shackerstone Lane

Address line 3

Shackerstone

Town/City

Leicester

County

Country

United Kingdom

Postcode

CV13 0BT

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

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.

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

The 'existing use' refers to deviations from the original planning permission authorised in 2004. Mr Paul Grundy, Planning and Conservation Officer at HBBC has helpfully summarised these following an on-site meeting earlier in January 2025. The following is an extract from the guidance notes he provided:

To ensure the development is lawful and in compliance with both consents the development should have been implemented in accordance with the details provided on the approved plan reference 04/01896/04C (a copy of the plan is attached). Anthony, being the applicant for the permissions and current owner of the buildings, confirmed verbally that the building operations to implement the development were undertaken during the period 2005-2007, but that some additional development and alterations to the approved plan had occurred.

From my observations on the site visit, the following additional development and alterations to the approved plan consists of:

Front elevation B-B

- Insertion of an additional window at first floor level within the new two storey extension
- The new storey extension being constructed with a marginally higher roof eaves and ridge level
- Reduced width of glazed doors and screens to the inner hall on the converted single storey range, with two sections of brick infill flanking the central entrance door

Rear elevation

- Installation of two flues from the roof plane of the converted single storey range
- Insertion of an additional small window on the converted single storey range

Side elevation facing garden

- Insertion of two roof lights within the new single storey extension

Other courtyard elevation

- Insertion of a door and window at ground floor level within the new two storey extension (it is noted that the door is shown on the proposed floor plan – so it considered that this is not an additional work but instead a drawing error)

Works affecting all (or majority of) elevations

- Erection of a single storey ancillary building (constructed of brick and tile and partially timber clad), attached to the new single storey extension. A roof light has also been inserted on the rear elevation
- Erection of two chimneys at ridge level within the converted single storey range

Number of residential units

- The approved plan was for 1.no 4 bedroom residential unit to be created with the conversion. However, Council tax records and the Council's Land and Property Gazetteer indicates that there are 3.no residential units within the converted and extended buildings, namely:
 - o The Tack Rooms, Help Out Mill, Shackerstone, CV13 0BT (came into effect for Council Tax purposes on 29 September 2007)
 - o The Cart House, Help Out Mill, Shackerstone, CV13 0BT (came into effect for Council Tax purposes on 8 September 2007)
 - o The Courtyard Studio, Help Out Mill, Shackerstone, CV13 0BT (came into effect for Council Tax purposes on 14 January 2012)

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

Please state why a Lawful Development Certificate should be granted

I understand that the additional development and alterations beyond the works consented by 04/01508/LBC, as listed above, have not affected the special interest of the listed building Help Out Mill, and as such no retrospective listed building consent will be required to regularise the additional development and alterations.

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)?

01-01-2005

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

Email - Additional developments at Help Out Mill

Date (must be pre-application submission)

21/01/2025

Details of the pre-application advice received

As set out above.

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

Anthony Benney

Date

17/03/2025

Amendments Summary

As requested, I have uploaded a set of three 'production drawings' which were referred to in the supporting notes produced on site by Paul Grundy (Planning Officer, HBBC) during the course of of consultations prior to submitting this application. These supporting notes have previously beed uploaded.