

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Certificate of Lawful Existing Use

Name and Address of Applicant

Mr Robert Beaumont
The Oaks
Main Street
Botcheston
Leicester
Leicestershire
LE9 9FF

Name and Address of Agent (if any)

Mr James Mattley
J J M Planning Ltd
4 Smisby Road
Ashby De La Zouch
LE65 2JL

Part I - Particulars of Application

Date of Application	Application No.
22 May 2023	23/00502/CLE

Particulars and location of development:

Continued use of land as residential garden and retention of machinery shed and summer house

The Oaks Main Street Botcheston Leicester Leicestershire

Part II - Particulars of decision

In pursuance of its powers under Section 191 of the Town and Country Planning Act 1990 as substituted by Section 10 of the Planning and Compensation Act 1991, Hinckley and Bosworth Borough Council hereby issues a Certificate of Lawful Existing Use in respect of the development and land use referred to in Part I above for the following reason(s):-

There is sufficient evidence submitted by the applicant that, on the balance of probabilities, the existing machinery store and summer house has been in situ for a period of over four years, and that the land within the red line shown on the Site Location Plan received by the local planning authority on 25th May 2023 has been used as residential garden under Use Class C3 of The Town and Country Planning (Use Classes) Order 1987 (as amended) for a period of over 10 years up to the date of this application. As such, the development is considered to be immune, as set out in section 171B of the Town and Country Planning Act 1990.

The application has been determined with consideration to the following submitted documents:

- Site Location Plan
- Site Layout Plan Drg No. JJM1
- Planning Statement
- Statutory Declaration



Christopher Brown MRTPI
Planning Manager (Development Management)

Date : 18 July 2023