



# B O S T O N BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

Town and Country Planning Act 1990: sections 191 and 192,  
and the Town and Country Planning (Development Management Procedure) (England) Order  
2015: Article 39

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## CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

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**Application Reference: B/23/0118**

**Applicant:** Jill and James Laplain  
29 West End Road  
Wyberton  
Boston  
PE21 7LR

**Agent:** Mr Michael Hyde  
MH Planning Associates  
63, West Princess Street  
Helensburgh  
G84 8BN

### First Schedule

**Application for a Lawful Development Certificate to confirm if the proposed siting of a caravan to be used ancillary to the host dwelling would be lawful**

### Second Schedule

**at 29, West End Road, Wyberton, Boston PE21 7LR**

The Boston Borough Council hereby certify that on 22-May-2023 the use described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged red on the plan attached, **is lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) for the following reasons:-**

1. The application seeks to determine whether the proposed siting of a 'garden lodge' (caravan unit) within the garden of '29, West End Road' for use as additional accommodation, is lawful and would not require planning permission. Based on the information provided on 28-Mar-2023, it is concluded that:
  - The proposed unit would be sited in a manner that would not result in 'permanent attachment' or a 'permanent building';
  - The proposed unit conforms to the size, constructional and mobility criteria set out within the legal definition of a caravan;
  - The lawful use of the site is that of a residential one, and the proposed mobile unit would be incidental to this use.

Therefore, the Council is satisfied that the proposals would not constitute development under the provisions of Section 55 of the Town and Country Planning Act 1990 and planning permission is not required.

2. This Certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).



3. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule is lawful, on the specified date and, thus was not liable to enforcement action under Section 172 of 1990 Act on that date.
4. This Certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupied liable to enforcement action.

Dated: 22-May-2023



**Mike Gildersleeves**  
**Assistant Director – Planning & Strategic Infrastructure**  
**Boston Borough Council, East Lindsey District Council and South Holland District Council**

<p><b>THIS IS A LEGAL DOCUMENT - PLEASE RETAIN IN A SAFE PLACE, PREFERABLY WITH YOUR TITLE DEEDS</b></p>
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