



Hertsmere
Borough Council

Civic Offices
Elstree Way, Borehamwood
Herts WD6 1WA
Tel: 020 8207 2277
DX45602 Borehamwood
www.hertsmere.gov.uk

Decision Notice

Certificate of Lawful Use or Development Proposed
Town and Country Planning Act 1990: Section 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 39

AGENT

Miss Sharon-lee Bow
The Clubhouse
50 Grosvenor Hill
London
W1K 3QT

Application Number:

22/1283/CLP

Hertsmere Borough Council hereby **CERTIFIES** that on 20 July 2022 the operations 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 to this certificate, **WOULD HAVE BEEN LAWFUL** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

01. The proposed development satisfies the criteria contained in Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). Accordingly, the application for a Certificate of Lawful Development (Proposed) should be granted.

First Schedule (description of operations)

Conversion of garage to form habitable space including alterations to fenestration.
Certificate of Lawful Development (Proposed).

Second Schedule (address or location of site)

INFORMATIVE

01. This determination refers to the following plans:

- Site Location Plan
 - Existing Block Plan
 - Existing Plans
 - Existing Elevations
 - Proposed Block Plan - Proposed Plans
 - Proposed Elevations
- (All Dated 29/06/22)

02. Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at buildingcontrol@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone us for fees guidance on 01438 879990.

We can also be contacted by post at Hertfordshire Building control Ltd., 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in our acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

Party Wall etc. Act 1996

Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Hertsmere Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revisedexplanatory-booklet>

NOTES TO APPLICANT

If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990.

It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and, therefore, would not have been liable to enforcement action under Part 7 of the 1990 Act on that date.

This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which is materially different from that described or which relate to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, 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 are begun, in any of the matters relevant to determining such lawfulness.

If this certificate is a partial certificate (in other words if this certificate does not relate to all the operations specified in the application) and if the applicant is aggrieved by the Council's decision the applicant may appeal to the Secretary of State under section 195 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the District Council a purchase notice requiring the Council to purchase its interest in the land in

accordance with the provisions of Part VI of the Town and Country Planning Act
1990

Date Decision Notice Produced:
14 September 2022

Signed: Ross Whear

A handwritten signature in black ink, appearing to read 'R. Wh', with a long horizontal flourish extending to the right.

Designation: Head of Planning and
Economic Development



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Borough Council

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Planning and Economic Development

Mr David Robey
3 Aldenham Grove
Radlett
Hertfordshire
WD7 7BW

Your Ref:
Our Ref: 22/1283/CLP
Contact: Matt Bailey
Extension: 0208 207 2277 Ext 5685 Email:
matt.bailey@hertsmere.gov.uk
Fax:
Date: 14 September 2022

Dear Mr David Robey

**Certificate of Lawful Use or Development Proposed
Town and Country Planning Act 1990: Section 192 (as amended by
section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (General Development Procedure)
Order 2015: Article 24**

Application Number: 22/1283/CLP

Site Location: 3 Aldenham Grove, Radlett, Hertfordshire, WD7 7BW Site

Description: Conversion of garage to form habitable space including alterations to fenestration. Certificate of Lawful Development (Proposed).

I would like to advise you that after consideration of all the relevant issues the council decided to Grant Certificate (Proposed development) 14 September 2022.

The Decision Notice detailing the conditions/reasons attached to this decision have been forwarded to your agent.

An appeal against the local planning authority decision can be lodged with the Secretary of State for Communities and Local Government under section 78 of the Town and Country Planning Act 1990. Appeals must be made on a form which is obtainable from Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or submitted online at <https://acp.planninginspectorate.gov.uk>

Yours sincerely

Matt Bailey- Planning Officer