



TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 AND 192  
(as amended by section 10 of the Planning and Compensation Act 1991)  
Town and Country Planning (Development Management Procedure) (England)  
Order 2010 (DMPO)

ARTICLE 24

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

**PLANNING DECISION NOTICE – APPROVAL  
For Planning Application No. S6/2014/0951/LUP**

**Agent Name and Address**

Mr A Trigg  
AT Design (Welwyn) Ltd  
22 School Lane  
Welwyn  
AL6 9PH

**Applicant Name and Address**

Ms S Shurlin  
21 Firs Wood Close  
Northaw  
Potters Bar  
EN6 4BY

**First Schedule: Certificate of lawfulness for proposed dormer to rear roofslope and rooflights to front roofslope**

**Second Schedule: 21 Firs Wood Close, Northaw, Potters Bar, EN6 4BY**

The Welwyn Hatfield Council hereby certify that on 30 April 2014 the operations/development described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto 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 reason:-

The proposed development complies with Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is therefore permitted development, subject to the following conditions and informatives:

**CONDITIONS:**

1. The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
2. Other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof.
3. Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
4. The development/works shall not be started and completed other than in accordance with the approved plans and details: AT479-01 & AT479-02 & AT479-03 & AT479-04 & AT479-05 received and dated 1 May 2014.

**INFORMATIVES:**

1. Whilst Class B of Part 1 of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (as amended) permits "The enlargement of a dwellinghouse consisting of an addition or alteration to its roof" in particular cases, it does not permit the demolition or substantial demolition of the dwellinghouse roof and the erection of a new roof structure."
2. Any part of the dwellinghouse shall not, as a result of the works, exceed the height of

- the highest part of the existing roof.
3. Any part of the dwellinghouse shall not, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.
  4. The cubic content of the resulting roof space shall not exceed the cubic content of the original roof space by more than (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case.
  5. The development shall not consist of or include (i) the construction or provision of a veranda, balcony or raised platform, or (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
  6. The dwellinghouse shall not be on conservation area (article 1(5) land).
  7. The roof light shown on the front roof slope shall not protrude more than 150mm beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

**Date: 18 Jun 2014**



Colin Haigh  
Head of Planning

NOTES:

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended)
2. It certifies that the operation/development specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus 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 operation/development described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation/development 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/development is only conclusively presumed where there has been no material change, before the use is instituted or the operation/development began, in any of the matters relevant to determining such lawfulness.