

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. S6/2014/1782/LUP**

**Agent Name and Address**

Portess & Richardson  
193 Lincoln Road  
Peterborough  
PE1 2PL

**Applicant Name and Address**

Mr T Kelly  
Netherfield  
Vineyards Road  
Northaw  
Potters Bar  
EN6 4PH

**First Schedule: Certificate of lawfulness for conversion of a single storey garage to residential accommodation**

**Second Schedule: Netherfield Vineyards Road Northaw Potters Bar EN6 4PH**

The Welwyn Hatfield Council hereby certify that on 08/08/2014 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 proposal does not represent a material change of use of the building from a domestic outbuilding and the internal alterations do not constitute development within the meaning of Section 55 of the Town and Country Planning Act 1990.

The proposed alterations to the external appearance of the building comply with Schedule 2, Part 1, Class E of The Town and Country (General Permitted Development) Order 1995 (as amended) and is therefore permitted development, subject to the following conditions and informatives:

1. The development/works shall not be started and completed other than in accordance with the approved plans, details and informatives  
1:1250 site location plan & P02 & S02 & P01 & P03 & S03 received 13 August 2014.

**REASON:** To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

**INFORMATIVE:**

This application has been determined on the basis that the proposed garage/annexe shall used for purposes incidental to the enjoyment of the main dwellinghouse. For avoidance of doubt, use of the building as a separate dwellinghouse would not be permitted by this certificate and would represent a breach of planning control unless a separate planning permission has been granted.

**Date: 06/10/2014**



**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.