



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 (GENERAL DEVELOPMENT PROCEDURE) ORDER  
1995

ARTICLE 24  
CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

**PLANNING DECISION NOTICE – REFUSAL**  
**For Planning Application No. S6/2009/0008/LU**

**AGENTS NAME AND ADDRESS**

MR A ARCHIBALD  
98 LINDEN CRESCENT  
ST ALBANS  
HERTFORDSHIRE  
AL1 5DD

**APPLICANTS NAME AND ADDRESS**

MR JOHN ZENONOS  
SPINNEY COTTAGE  
WELL ROAD  
NORTHAW  
EN6 4NJ

The Welwyn Hatfield Council hereby certify that on 5<sup>th</sup> January 2009 the matter 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 is **NOT** lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:-

1. The proposed works do not comply with the provisions of Schedule 2, Part 1, Class E (f) of the Town and Country Planning (General Permitted Development) Order 1995 as amended.

**First Schedule:** Erection of outbuilding

**Second Schedule:** Spinney Cottage, Well Road, Northaw, Hertfordshire EN6 4NJ

A handwritten signature in black ink, appearing to read 'Chris Conway'.

Chris Conway  
Chief Planning Officer

**Date: 23 February 2009**

**Refused Plan Numbers:** 1:2500 Site location plan & 1:500 block plan and P3018./01,  
received and dated 5 January 2009

**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 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, 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 operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described or which relate 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 is only conclusively presumed where there has been no material change, before the use is instituted or the operation began, in any of the matters relevant to determining such lawfulness.

**GENERAL NOTE**

1. 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.

**REFUSAL TO ISSUE A LAWFUL DEVELOPMENT CERTIFICATE**

2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse to issue a Certificate of Lawful Development in whole or in part, (including modifying or substituting the description of the application of the use, operations or other matter in question then the applicant may appeal to the Secretary of State for the Environment, in accordance with Section 195 and 196 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act, 1991) within six months of receipt of this notice.
3. Appeals must be made on a form which is available from The Planning Inspectorate, Robert Carey, Room 11/11(6), Tollgate House, Houlton Street, Bristol BS2 9DJ (Telephone 01179878075 Fax 01179878782) or at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk).