

TW/484

6th June 2025



Mr Shaun Greaves
Development and Conservation Manager
Development Management
North Hertfordshire District Council
Gernon Road
Letchworth Garden City
Herts
SG6 3JF

town and country
planning consultants

Dear Sir / Madam,

Application for a Lawful Development Certificate, Car Port and Office Building at 75 Weston Way, Baldock, SG7 6HB

I have today submitted an application for a Certificate of Lawful Existing Development, on behalf of my Clients, Mr and Mrs L Sharman. The building to which this application refers is a car port and office, and is identified on the Site Plan, Drawing 484/101. The evidence which is submitted with this application confirms that this building was built and substantially completed over 4 years ago and it has therefore become lawful, in accordance with the Town and Country Planning Act 1990 (Section 191), as amended by the Planning Compensation Act 1991.

We note that the Levelling Up and Regeneration Act 2023 (LURA 2023) resulted in a number of changes to the Town and Country Planning Act 1990. This included abolishing the 4-year rule, and making all breaches of planning control subject to the 10-year rule. However, this change included the allowance for a transitional period, and the now 10-year rule only applies where operational development was substantially completed on or after 25th April 2025. Where operational development was completed before that date, as is the case in this instance, the 4-year rule remains the relevant time period.

This application follows contact by North Herts Council's Planning Enforcement Team, who are investigating the above-mentioned development. We are therefore providing the necessary evidence to demonstrate that the development became lawful over the passage of time.

This application is accompanied by supporting evidence which includes a photographic timeline of the build, a collection of invoices, bank statements and signed declarations, as follows:

- Site Location Plan, Drawing 484/001
- Existing Site Plan, Drawing 484/101
- Signed Declarations
 - Mrs Lucy Sharman (incorporating the Photographic Timeline, the List of Invoices and the Invoices for Simon Spriggs Labour)
 - Mr Paul Martin (incorporating evidence of wages paid)

Suite C
19-25 Salisbury Square
Old Hatfield
Herts, AL9 5BT

01707 538037
info@wallerplanning.com
wallerplanning.com

Tim Waller BA(Hons) MSc PgDip MRTPI, *Director*

Registered in England & Wales (No. 9462061) at
College Farm, 88 High Street, Wrestlingworth, SG19 2EJ

VAT No. 234 4124 40

- Mr Craig Martin
- Mr Peter Wright
- Mr George Farrell (incorporating evidence of wages paid)
- Mr Iain Robinson (incorporating evidence of wages paid)
- Mr Scott Grant
- Mr Steve Broadbent
- Mr Simon Spriggs (incorporating invoices)
- Photographic Timeline of the build comprises of dated Instagram posts
- Collection of Invoices for the purchase of building materials and tools

Site Plan

Drawing 484/001 identifies the property of 75 Weston Way by the red line boundary. Drawing 484/101 shows the roof of the car port and office building, identifying its position within the green edged area, which is the area in which the Applicants carried out improvement to the front garden and driveway, as well as constructing the building.

Signed Declarations

A number of declarations have been provided. A statutory declaration has been provided by Mrs Lucy Sharman, one of the Applicants, and an owner and resident of 75 Weston Way, Baldock. Mrs Sharman's account of the works carried during the construction of the building are corroborated by photographs that she posted on Instagram, which are date stamped at each stage of the build. Evidence is also referred to in the form of invoices for building materials, skip hire and labour. The evidence provided indicates that the clearance of the ground started in December 2018, and that during the Covid-19 pandemic when Mr and Mrs Sharman were unable to work, they focussed their time into completing the build of the car port and office building.

In May 2020, the timber frame had been started and the concrete base of the building was poured. By the end of June 2020 the majority of the walls were up. The final two Instagram photographs show the nearly completed building in September, and that it has been completed by 25th October 2020.

The other declarations have been signed by people who worked on the build. This includes a few who worked throughout the whole period of the build, or who were contracted to carry out particular parts of the construction, such as the roofing and electrics. They all confirm the dates that they worked on the construction of the building, and corroborate the timeline set out in Mrs Sharman's statutory declaration.

Photographic Timeline

The photographic timeline is made up on photographs and stills of videos taken by Mrs Lucy Sharman which were posted on Instagram. Instagram keeps a record of the date that these images and videos were posted, and these dates are shown in the top left-hand corner of each picture. This

provides clear evidence of when the building in question was being constructed and when it was substantially completed, being September 2020. Whilst this photographic timeline is appended to Mrs Sharman's statutory declaration, we have also provided it as a separate PDF, to ensure that the details within the images are suitably clear.

Collection of Invoices

A collection of invoices relating to the building work has been provided, in a chronological order. This starts with skip hire, the purchase of tools, hardcore and gravel in January 2019, and finishes with the purchase of roofing materials in July 2020. These invoices are referred to in Mrs Sharman's Statutory Declaration, along with the invoices for labour from Simon Spriggs.

The Building Today

The building was built for the purposes of providing a home office for Mr and Mrs Sharman's business, Sharman Fencing & Landscapes Ltd. They required a separate space away from the family home to undertake the office work and administration of the business. Once the building was completed, in September/October 2020, they furnished it with office equipment, and have continued to use it as a home office. To the rear of the office is an attached car port, where they park one of their vehicles. I took the photographs at Figures 1 and 2 below when visiting the property on 27th May 2025.



Figure 1: The office and car port at 75 Weston Way, Baldock. The new front garden area and landscaping can also be seen to the rear that was constructed at the same time as the building.



Figure 2: views of the building's interior

Concluding Thoughts

We note that the National Planning Practice Guidance states the following on the subject of determining an application for Lawful Development Certificates for Existing Use:

"In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability."¹

We have provided detailed documentary and photographic evidence, which demonstrates that the construction of the car port and office building at 75 Weston Way was completed by October 2020. I consider that this evidence clearly meets the necessary test of demonstrating that, on the balance of probability, the building has been substantially complete for more than 4 years. As such, it is now lawful development, and immune from enforcement action, in accordance with the above-mentioned legislation.

I look forward to your confirmation that this application has been registered.

Yours sincerely,

Tim Waller MRTPI
Director
tim@wallerplanning.com

¹ NPPG, Reference ID 17c-006-20140306