	NORTH HERTFORDSHIRE DISTRICT COUNCIL Town and Country Planning Act 1990 Section 191 (As amended by Section 10 of the Planning and Compensation Act 1991) Town and Country Planning General Development Procedure Order 2015 : Article 24 **CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT**	Town Planning Ref.No. 18/00825/LDCP

Correspondence Address:
Mr Mark Newstead
100 Benslow Lane
Hitchin
SG4 9RA

Applicant:
Mr Mark Newstead

Date of Receipt of Application: 22.03.2018

Site: **106 Benslow Lane, Hitchin, Hertfordshire, SG4 9RA,**

Description of development: Insertion of ground floor window on the front elevation following removal of garage door to facilitate conversion of existing integral garage to reception room. Infill extension to form front entrance porch.

The North Hertfordshire District Council, in pursuance of their powers under the above-mentioned Act and the associated Orders and Regulations, hereby CERTIFY that on the date of receipt of the application the matter described above in respect of the afore-mentioned land and edged in red on the plan attached hereto, would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended).

The reason for this determination is as follows :-

The proposed use of the garage as habitable accommodation does not constitute development as defined under Section 55 of the Town and Country Planning Act 1990. The proposed replacement of the garage door with facing brickwork and a casement window and the infill extension to form the front porch does involve development and, by virtue of Section 57 of the said Act, requires planning

permission. However, the proposed extension would benefit from the general planning permission granted under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 since it meets the relevant provisions, limitations and conditions of Part 1, Class A and Class D of that Order.

Signed:



Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Simon Ellis
Development & Conservation Manager

Date: 12 April 2018

NOTES

1. The 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 matter specified taking place on the land described 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 matter described and to the land specified and identified on the attached plan. Any matter which is/are materially different from that/those described or which relate(s) 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 operations begun, in any of the matters relevant to determining such lawfulness.