



**North
Herts
Council**

Correspondence address:

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Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,
including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

30

Suffix

Property Name

Address Line 1

Glebe Road

Address Line 2

Address Line 3

Hertfordshire

Town/city

Letchworth Garden City

Postcode

SG6 1DR

Description of site location must be completed if postcode is not known:

Easting (x)

522453

Northing (y)

233534

Description

Applicant Details

Name/Company

Title

Mr

First name

Kent

Surname

Atkinson

Company Name

Glebe Kids Ltd.

Address

Address line 1

5 Penfold Close

Address line 2

Address line 3

Town/City

Baldock

County

Hertfordshire

Country

Postcode

SG7 6UT

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

07949880780

Secondary number

Fax number

Email address

Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- ☒ An existing use
☐ Existing building works
☐ An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

This application seeks a Lawful Development Certificate (LDC) to confirm the continuous and established use of 30 Glebe Road, Letchworth Garden City, as a day nursery (Use Class E(f)). The property has operated as a nursery for 20 years under the business name Glebe Kids Ltd. This application aims to formalise this established use, providing the nursery with the necessary legal recognition for its ongoing operation.

Background and Historical Context of Property Use

Original Use (1905–1989):

Built as Norton Dairy, the property initially served as a dairy with a main house and outbuildings. After the dairy closed, it was used solely as a private residence.

Transition to Nursery Use (1989):

In 1989, the then-owners obtained planning permission from North Hertfordshire District Council to convert part of the property for nursery use, establishing Glebe Kindergarten.

Continuous Nursery Use Since 2004:

In 2004, Glebe Kids Ltd purchased the property with a commercial mortgage, initially registering the title deeds in the company name to reflect its business function. Due to high mortgage costs, the title deeds were transferred to my personal name in 2005 to secure a more affordable residential mortgage, but the property continued operating as a nursery without interruption. This continuous nursery use is evidenced by the documents provided.

Evidence of Continuous Nursery Use

Planning Permissions and Approvals:

1989 NHDC Approval: Granted for initial nursery use.

2005 NHDC Expansion Approval: Granted for conversion of the coach house into additional nursery space, confirming continued lawful nursery use.

Ofsted Reports (2005–2023): Regular Ofsted inspection reports confirm continuous and compliant nursery operations at this address.

Annual Accounts (2005–2023): Abbreviated accounts filed with Companies House under Glebe Kids Ltd, establishing consistent business operation over the past 20 years.

Title Deeds History:

2004 Deeds in the name of Glebe Kids Ltd: Reflecting initial business ownership for nursery use.

Transfer to Personal Name (2005): Transferred solely for mortgage purposes, with uninterrupted nursery use.

LGCHF Business Licence Approval and Invoices:

January 2005 Licence Approval Letter from LGCHF: Formal approval from the LGCHF allowing operation as a kindergarten under specific conditions, reinforcing the lawful nature of nursery use at 30 Glebe Road.

Recent Business Licence Invoices (Last 3 Years): Invoices confirming ongoing legal operation.

Email from Mark Coles, LGCHF Executive Director of Property, confirming current business licence and advising on future Change of Use.

Valuation Office Agency (VOA) Business Rates Assessment (2009): Document from VOA confirming business rates classification, further supporting commercial use.

Site Plan: Annotated layout showing nursery-designated rooms, play areas, and facilities, supporting visual evidence of continuous use as a nursery.

Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- ☒ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☐ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The use as a single dwelling house began more than four years before the date of this application
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- ☐ Yes
- ☒ No

Please state why a Lawful Development Certificate should be granted

A Lawful Development Certificate should be granted to formally recognise the continuous, established use of 30 Glebe Road as a day nursery (Use Class E(f)) for the past 20 years. Glebe Kids Nursery has been operating at this address since 2004, providing essential childcare services to the local community. Evidence supporting this application includes Ofsted reports, planning permissions, business licences from the Letchworth Garden City Heritage Foundation, and business rate assessments from the Valuation Office Agency. This certificate will formalise the property's longstanding function and ensure its designation aligns with its established use.

Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01-11-2004

In the case of an existing use or activity in breach of conditions has there been any interruption?

- ☐ Yes
- ☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

- ☐ Yes
- ☒ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed?

- ☐ Yes
- ☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
- ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Carl Kent Atkinson

Date

11/11/2024