

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00582/LDCE	Two storey side and rear extension and single storey rear extension.	76 Shott Lane Letchworth Garden City Hertfordshire SG6 1SE

Submitted Plan Nos

Location Plan SU-01 Rev A SU-02 Rev A SU-03 Rev A

1.0 Policies

2.0 **Site History**

- 2.1 **25/00584/FPH-** Raising roof of existing rear element to facilitate thermal installation, part first floor rear extension and alterations to fenestration at ground floor rear elevation. Conversion of garden store, thermal upgrades including raising of flat roof and first floor rear extension.

Concurrent Application.

3.0 **Representations**

- 3.1 None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises an end terrace, two storey dwelling on the east side of Shott Lane in a residential part of Letchworth. The site is within the Letchworth Conservation Area.

4.2 **Proposal**

- 4.2.1 An application under Section 191 of the Town and Country Planning Act 1990 has been submitted, seeking a Certificate of Lawfulness for an Existing Use or Development for a two storey side extension and single storey rear extension.
- 4.2.2 The grounds for the application are that the applicant claims that the works were substantially completed more than 4 years before the date of the application (03/03/25), and therefore that it is lawful development through the passage of time.

4.3 **Key Issues**

- 4.3.1 It is important to distinguish from the outset the date from which the 4 year period applies. This application was submitted on 3rd March 2025 and therefore the 4 year period should start on the 3rd March 2021.
- 4.3.2 The extension the subject of this application has been completed, therefore the key issue is whether, on the balance of probability, sufficient evidence has been provided to demonstrate that the extension was completed more than 4 years before the date of the application.
- 4.3.3 The documents submitted with the application are an application form, site location plan, floor and elevation plans, google street view images dating back to 2009, a number of LGCHF letters between 2010 and 2014.

- 4.3.7 On the basis of the submitted evidence, it is considered that the development the subject of this application was completed by 15 April 2014 which significantly predates the 3rd March 2021. On the balance of probabilities, it can be demonstrated that the development was completed more than 4 years from the date of the application.

5.0 **Conclusion**

- 5.1 I consider a certificate of lawfulness should be granted as the evidence provided by the applicant relating to the completion of the development does demonstrate on the balance of probability that this development was substantially completed more than 4 years before the date of the application.

6.0 **Recommendation**

- 6.1 That a certificate of lawfulness be **GRANTED** for the following reason:

The Council is satisfied that, on the balance of probabilities, sufficient evidence has been provided to establish that the two storey side extension and single storey rear extension identified in the application was substantially completed more than four years before the date of this application.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 April 2025	