



**North
Herts
Council**

Correspondence address:

PO Box 10613, Nottingham, NG6 6DW

Telephone: 01462 474000

Application for a Lawful Development Certificate for a Proposed Use or Development

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

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x) Northing (y)

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

- ☒ Yes
☐ No

Contact Details

Primary number

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

Samuel

Surname

Shemi

Company Name

Ubuntu Heritage Ltd

Address

Address line 1

17 Woodfield Lane

Address line 2

Lower Cambourne

Address line 3

Town/City

Cambridge

County

Country

United Kingdom

Postcode

CB236FD

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☐ Yes
- ☒ No

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☒ Yes
- ☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

Application for a Lawful Development Certificate re: use of a C3b dwelling as a children's home for a maximum of three children, with up to three carers, two of whom will sleep/ be awake overnight, working on a rota basis (C2)

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

C3b

Has the proposal been started?

- ☐ Yes
- ☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The proposed change of use from Class C3 (residential dwelling houses) to Class C2 (residential institutions) does not automatically qualify as permitted development. However, due to minimal material differences in operational use, environmental impact, and community integration, planning permission may not be required. Supporting evidence includes compliance with regulations, comparative analysis of impacts, and similar precedents. Final confirmation should involve consulting local planning authorities.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

1. Planning Permission: Relevant past planning permissions for the property.
2. Site Plans/Layouts: Annotated site plans showing current structures - NO proposed changes.
3. Supporting Planning Design and Access Statement comprising of:
 - 3.1. Design Considerations
 - 3.2. Operations and Compliance
 - 3.3. Planning Assessment
 - 3.4. Incorporated Solutions and Mitigations
 - 3.5. Addressing concerns about increased noise or disruptions
 - 3.6. Responding to arguments about property values or neighbourhood character
 - 3.7. Considering apprehensions about safety
4. Precedents: Case Studies of similar cases supporting the change from Class C3 to Class C2.
5. Design Drawings: Showcase architectural plans demonstrating compliance with safety and accessibility standards.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C2 - Residential institutions

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

A Lawful Development Certificate should be granted for this proposal because the change of use from Class C3 (residential dwelling houses) to Class C2 (residential institutions) meets the criteria of lawfulness based on the following points:

1. Minimal Material Difference: The proposed use closely aligns with the existing use in terms of residential nature, community integration, and environmental impact.
2. Compliance with Regulations: The property adheres to building standards and safety requirements, ensuring suitability for the proposed use without additional permissions.
3. ****Precedents****: Similar cases of transitions between residential uses have been approved, demonstrating the acceptability of such changes without requiring formal planning permission.
4. Supporting Evidence: Planning permissions, site plans, community impact statements, and architectural designs substantiate the lawfulness of the proposal.

These factors collectively support the argument that the change does not represent a significant departure from the current use and should be granted lawful recognition.

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

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

Surname

Reference

Date (must be pre-application submission)

Details of the pre-application advice received

1. Whether the proposed use falls under the C2 (Residential Institutions) or requires any additional planning permission.

You will require planning permission to change the use from C3 to C2 – because you are proposing shift pattern working this use would fit under C2 and not any other residential use in my informal opinion. You can search a number of application we have dealt with regarding childrens home on our website to give you a better understanding of what is required. [Search Results](#)

2. Any specific requirements or restrictions that apply to the proposed site.

We don't have any specific policies that deal with C2 uses. However please see our local Plan on our website for general policies. North Herts Local Plan 2011-2031 | North Herts Council As above please look at other application we have deal with to see what issues we look at. [Search Results](#)

3. Guidance on the process for submitting an application, if required.

You can submit a planning application on the Planning Portal website [Planning Portal](#). More information can be found here: [Submit a planning application | North Herts Council](#)

I should advise you that the above is an informal Officer opinion and does not constitute a formal decision of the Council.

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

Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
- ☐ Lessee
- ☒ Occupier
- ☐ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED *****

Declaration

I/We hereby apply for Lawful development: Proposed 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

Samuel Shemi

Date

17/04/2025