

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00808/LDCE	Confirmation that works have begun in accordance with planning permission ref: 21/03527/FP, prior to the expiry of the time limit	Land Rear And Adjacent To 60 Ashwell Road Bygrave Hertfordshire

Submitted Plan Nos

Location Plan

Policies

2.0 Site History

- 2.1 **21/03527/FP** - Conversion of existing detached rear quadruple garage/storage building to one 3-bed dwelling – Approved 01/04/2022.

3.0 Representations

- 3.1 None received.

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The application site comprises a four bay detached single storey garage previously associated with the property at 60 Ashwell Road. The application site is located in Upper Bygrave and lies on the eastern side of Ashwell Road.

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 the construction of a new bungalow.
- 4.2.2 The grounds for the application are that the applicant claims that the works approved under planning permission **21/03527/FP** have commenced, and therefore that development has started before the expiry date of that permission.

4.3 Key Issues

- 4.3.1 The expiry date of the planning permission **21/03527/FP** for the bungalow is 1 April 2025. This LDCE application form is dated 22 March 2025, and was received by the Council on that date, and made valid on 24 March 2025.
- 4.3.2 The evidence submitted with the application to support the applicant's claim includes photographic evidence showing external alterations to the brickwork and door. These alterations include replacement of door with a window and associated brickwork. In addition, invoices were submitted for the purchasing of building materials for the works. A supporting letter and declaration have also been submitted.

4.3.3 The works shown in the photo correlate with the elevation plan of the approved conversion. These works are considered to have commenced before the expiry date of the 2021 application.

4.3.4 On the balance of probability based on the above, it is considered that works approved by planning permission **21/03527/FP** have lawfully commenced before the expiry date of that permission.

5.0 **Conclusion**

5.1 I consider a certificate of lawfulness should be granted as the evidence provided by the applicant relating to the commencement of the development does demonstrate on the balance of probability that it commenced before the expiry date of the application.

6.0 **Recommendation**

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

Proactive Statement:

1. The Council is satisfied that, on the balance of probabilities, sufficient evidence has been provided to establish that the garage conversion identified in the application commenced before the expiry date of the planning permission 21/03527/FP.

Signed  Anne McDonald Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
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Date: 28 April 2025	
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