

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00921/LDCE	Confirmation of a material start on site of planning permission 21/03372/FP granted 06.04.2022 for conversion of former stables to form one 5-bed dwelling.	Frogmore Stables Frogmore Bottom Road Kings Walden Hitchin Hertfordshire SG4 8NN

Submitted Plan Nos

21.05.02 21.05.03 21.05.01 21.05.04

1.0 Policies

2.0 **Site History**

2.1 **21/03372/FP Conversion of former stables to form one 5-bed dwelling. Conditional Permission granted 05/04/222**

3.0 **Representations**

3.1 None received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site consists of a u-shaped two storey building with stables at ground floor level and two flats at first floor level. The site is situated within the Rural Area beyond the Green Belt.

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 **21/03372/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 **21/03372/FP** is 6 April 2025. This LDCE application form is dated 1 April 2025, and was received by the Council on the 2 April, and made valid on the same day.

4.3.2 The evidence submitted with the application to support the applicant's claim includes photographic evidence showing works to the roof being undertaken which as part of the application it is noted as being removed and replaced. The document supplied with photos shows a material start has been implemented..

4.3.3 The works shown in the photo correlate with the 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 **21/03372/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:

The Council is satisfied that, on the balance of probabilities, sufficient evidence has been provided to establish that the conversion identified in the application commenced before the expiry date of the planning permission 21/03372/FP.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 12 May 2025	

