



Planning and Regeneration

The Forum, Marlowes, Hemel Hempstead, Herts, HP1 1DN

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www.dacorum.gov.uk

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

Mr

First name

Rupert

Surname

Poulson

Company Name

Address

Address line 1

The Valiant Trooper Trooper Road

Address line 2

Address line 3

Hertfordshire

Town/City

County

Country

United Kingdom

Postcode

HP23 5RW

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

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

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

Permission was granted in November 1983 for change of use of part to restaurant. (4/0892/83 and 4/0947/83LB). This permission confirms a use class of A3 pre 2020), post the change of Use Class Order in 2021 the class became 'E'.

This information was found after applications 22/02387/FUL and 22/02388/LBC were submitted to 'convert the restaurant wing to a farmshop and deli (to include change of use to Class E)'. Given the restaurant wing already had approved class E use, no change of use was required.

Planning Officer Andrew Parrish in his email dated 3rd November 2022:

Mark,

Apologies for the delay.

I have now managed to get a copy of the historic FUL application you refer to 4/0892/83.

Permission was granted for Single storey front extension, change of use of part to restaurant, alterations and addition of pitched roof and windows.

I would agree that this change of use from pub which would have fallen under Class A4 as of 31st August 2020, would now appear to fall under Class E(b) of the Use Classes Order 2020 from 1st September 2020. By the same token the pub would now fall under Sui Generis.

I would also agree that change of use of the restaurant to deli shop would not appear to be required given it also falls within Class E.

Regarding permitted development for extensions or alterations, by my reading, Class A, Part 7 of Schedule 2 of the GPDO would not permit these because the development would be within the curtilage of a listed building. Therefore planning permission would still be required.

You will appreciate that this is an officer opinion. Should you require a formal determination you should apply for a Lawful Development Certificate to determine if the works would / would not require planning permission.

Please follow this link:

https://www.planningportal.co.uk/info/200187/your_responsibilities/37/planning_permission/3

I hope this is helpful.

Regards

Andrew Parrish

Lead Planning Officer Development Management

Dacorum Borough Council

01442 228334

(Please note I work compressed hours and my normal non-working day is Friday)

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

Town and Country Planning ref 4/0892/83 and 4/0947/83LB

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

E - Commercial, Business and Service

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Information about the proposed use(s)

Select the use class that relates to the proposed use.

E - Commercial, Business and Service

Please note that following changes to Use Classes on 1 September 2020: The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- Permanent
 Temporary

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

To confirm the use as Class E as per permissions 22/02387/FUL and 22/02388/LB

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

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

Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and 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 options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

mark battram

Date

14/02/2023