



**Application Ref: 3/23/0589/COMPN**

Bayles Chartered Surveyors  
Childs Farm  
Baldock Road  
Cottered  
Buntingford  
Hertfordshire  
SG9 9PU

**Town and Country Planning Act 1990 (as amended)  
Prior Notification under Schedule 2, Part 3, Class MA  
Town and Country Planning (General Permitted Development) (England) Order 2015**

## **DECISION NOTICE**

**Conversion of builders' workshop and store to a single storey, four bedroom dwelling house.  
Builders' Workshop And Store Rear Of Lower Farm House Cottered Road Throcking Buntingford**

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby determine for the development proposed in your application received on 23rd March 2023 and registered complete on 27th March 2023 that

**Prior Approval is Required and Refused** for the following reason(s):-

1. It has not been clearly demonstrated that the application building falls within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order. Therefore, the proposed scheme would not fall to be assessed within the scope of be Class MA of Schedule 2, Part 3, Class MA of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposed development does not constitute permitted development, and an application for planning permission is required.
2. It has not been clearly demonstrated that the application building has been vacant for a period of three months immediately prior to the submission of the application. Therefore, the proposed scheme would be contrary to MA.1(1)(a) of Schedule 2, Part 3, Class MA of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposed development does not constitute permitted development, and an application for planning permission is required.
3. The proposed development involves works that would go beyond the provisions of Schedule 2, Part 3, Class MA of Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposed development does not constitute permitted development, and an application for planning permission is required.

**This Decision Relates to Plan Numbers:**

D221201/4 (Elevations - Proposed)  
D221202/1 (Floor Plans - Existing)  
D221202/2 (Elevations - Existing)  
D221202/3 (Floor Plans - Proposed)  
D221202/5 (Location and Site Plan)


**Note:**

1. East Herts District Council would like to know what you think about our Planning Service process. We would be very grateful if you could complete the survey, by using this link <https://www.surveymonkey.co.uk/r/FQMRJR9>. There are only four questions to answer, so it will take no time at all. We want to improve our customer experience, so please take the time to let us know what you think.

Dated: 15th May 2023

On Behalf Of Development Management  
East Hertfordshire District Council  
Wallfields  
Pegs Lane  
Hertford

SG13 8EQ

Signed: 

Maya Cullen

**SEE ATTACHED NOTES**



## TOWN AND COUNTRY PLANNING ACT 1990 Town and Country Planning (General Permitted Development) (England) Order 2015

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990, or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- If this is a decision to refuse to planning permission for a Householder application and you wish to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.
- If you want to appeal against your Local Planning Authority's decision for any other type of application then you must do so within six months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0303 444 5000) or online at [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate).
- The Secretary of State can allow a longer period of giving notice of an appeal, but he will not be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to any provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

### Appeals under the Control of Advertisement Regulations

The same provision relating to rights of appeal against the Local Planning Authority's decision applies to advertisements with the following differences:

- Notice of appeal must be given in writing to the Secretary of State within 8 weeks from the date of this notice.
- The notice of appeal must be accompanied by a copy of the following documents:
  - (a) The application forms
  - (b) All relevant plans and particulars
  - (c) This notice of decision
  - (d) All other relevant correspondence with the Authority

The Secretary of State may require a statement of additional matters from either the applicant or the Local Planning Authority, and may with the agreement of both the applicant and the authority determine the appeal without affording an opportunity to appear before an Inspector.

### Purchase Notices

- If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 169 and related provisions of the Town and Country Planning Act 1971.

