



STATEMENT TO ACCOMPANY CERTIFICATE OF LAWFULNESS APPLICATION

AT

1 GEDDES ROAD, BUSHEY WD23 3FL

PROPOSAL

**CONSTRUCTION OF SINGLE STOREY DETACHED OUTBUILDING TO INCLUDE
INDOOR POOL AND HOME GYM. CERTIFICATE OF LAWFUL DEVELOPMENT
(PROPOSED).**

1.0 Introduction

- 1.1 Alan Cox Associates have been instructed by the applicant to submit a Certificate of Lawfulness (Proposed) application for the construction of single storey detached outbuilding to include indoor pool and home gym
- 1.2 This is a resubmission following the refusal of a similar scheme under scheme under ref:- **23/1268/CLP**
- 1.3 This statement and accompanying documents form the formal application.

2.0 Application Ref:- 23/1268/CLP

- 2.1 The previous application was refused for the following reason:-

1. The applicant has failed to demonstrate that the development would be sited within the curtilage of the dwellinghouse. In the absence of such information, the proposed development is found to not fall within Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the development is proposed on a site which is not located within the curtilage of the existing dwelling, and Part 1 only applies to development within the curtilage of a dwellinghouse.

3.0 Conclusion

- 3.1 The officer's report gives huge weight to the characteristics of the area of the site where the outbuilding is to be situated. It is conceded that previously, this area did not form part of the curtilage of the dwelling. However, this part of the application site is now legally under the same title as the entire application site as outlined in red on the submitted location plan. Furthermore, this is proved by the Land Registry title plan and the Land Registry title deeds (HD557790 appended to this document). Therefore, the area of the application where the outbuilding is situated has to be considered to be within the curtilage of the dwelling.

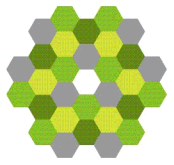
APPENDIX A
LAND REGISTRY INFORMATION

No. 25

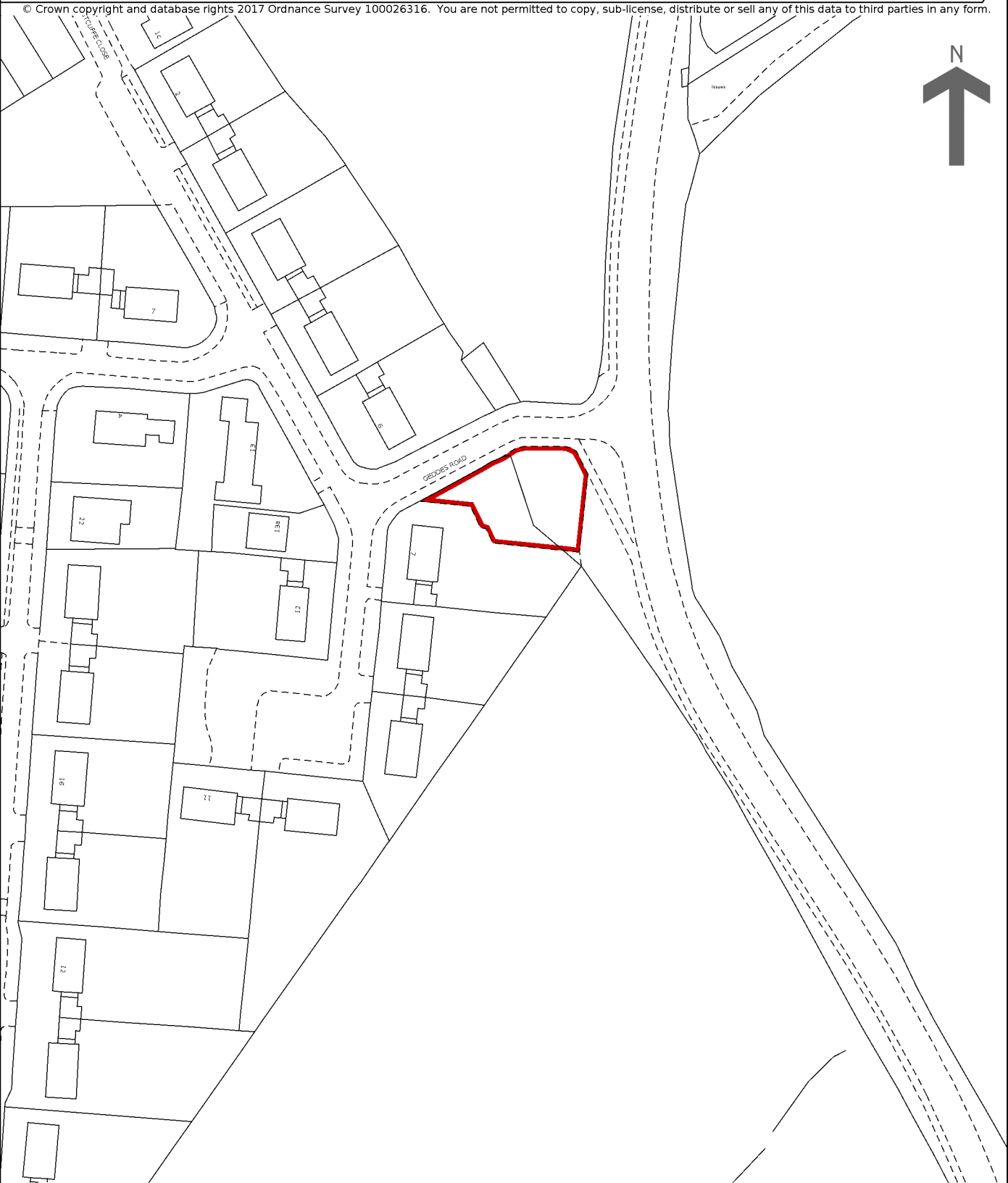
HM Land Registry

Official copy of title plan

Title number **HD557790**
Ordnance Survey map reference **TQ1496SW**
Scale **1:1250**
Administrative area **Hertfordshire :**
Hertsmere



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Official copy of register of title

Title number HD557790

Edition date 26.11.2021

- This official copy shows the entries on the register of title on 09 Dec 2021 at 10:50:00.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 09 Dec 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry Leicester Office.

A: Property Register

This register describes the land and estate comprised in the title.

HERTFORDSHIRE : HERTSMERE

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being 1 Geddes Road, Bushey (WD23 3FL).
- 2 (27.01.2009) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 8 December 2008 referred to in the Charges Register.
- 3 (17.02.2012) The Transfer dated 8 December 2008 referred to above contains a provision as to light or air and boundary structures and a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.
- 4 (17.02.2012) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 9 February 2012 referred to in the Charges Register.
- 5 (17.02.2012) The Transfer dated 9 February 2012 referred to above contains provisions as to light or air and boundary structures.
- 6 (07.10.2016) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 2 September 2016 made between (1) Mehdi Ali Nami and Fatima Nami and (2) Mannan Haq but is subject to any rights that are reserved by the said deed and affect the registered land.

NOTE: Copy filed.
- 7 (07.10.2016) By a Deed dated 2 September 2016 referred to in the Charges Register the rights granted and reserved by the Transfer dated 9 February 2012 referred to above were expressed to be released but the validity of the release has not been determined.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

B: Proprietorship Register continued

- 1 (03.12.2019) PROPRIETOR: NEW HOUZZ CONSTRUCTION LIMITED (Co. Regn. No. 12271576) of The White House, 25 West Riding, Bricket Wood, St. Albans AL2 3QS.
- 2 (03.12.2019) The price stated to have been paid on 25 November 2019 was £325,000.
- 3 (03.12.2019) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (27.01.2009) A Transfer of the land in this title and other land dated 8 December 2008 made between (1) The Secretary Of State For Defence and (2) Annington Property Limited contains restrictive covenants.

NOTE: Copy filed under HD489551.

- 2 (17.02.2012) A Transfer of the land in this title and other land dated 9 February 2012 made between (1) Annington Property Limited and (2) Mehdi Ali Nami and Fatima Nami contains a reservation of a rentcharge as therein mentioned.

The said Deed also contains covenants.

NOTE: Copy filed under HD515142.

- 3 (07.10.2016) By a Deed dated 2 September 2016 made between (1) Annington Property Limited and (2) Mehdi Ali Nami and Fatima Nami the provisions contained in the Transfer dated 9 February 2012 referred to above were expressed to be released as therein mentioned.

NOTE:-Copy filed.

- 4 (07.10.2016) By a Deed dated 2 September 2016 made between (1) Annington Property Limited and (2) Mehdi Ali Nami and Fatima Nami the covenants contained in the Transfer dated 9 February 2012 referred to above were expressed to be released.

NOTE: Copy filed.

- 5 (02.10.2019) Confirmatory Deed of Release dated 24 September 2019 made between (1) Annington Property Limited (2) Mostyn Road Bushey Residents Company Limited and (3) Wakefield House Ltd relating to the Deed of Release dated 2 September 2019 firstly referred to above.

NOTE: Copy filed.

End of register