

Place Shaping and Corporate Performance
Watford Borough Council
Town Hall, Watford
WD17 3EX

H Sond
21 Brook Drive
Harrow
HA1 4RT

7th Feb 2024

Planning Portal Ref: **PP-12772759**

Dear Sir/Madam

Certificate of lawfulness for change of use of property from 3 bed residential unit (C3) to small HMO under used class C4 at 109a St Albans Road, Watford, WD17 1RD.

I write on behalf of the owner of the above property (the applicant), to submit an application for a certificate of lawfulness for the following work under permitted development.

“Change of use of property from 3 bed flat under use class C3 to a small House in Multiple Occupation (HMO) comprising 4 no. bedrooms / 4 no. occupants under use class C4.

Proposal

The proposal comprises the change of use of the property from a 3-bed flat under use class C3 to 4 bed House of Multiple Occupation (HMO).

Confirmation, by way of a certificate of lawfulness is sought by the applicant for this change of use of the property.

Relevant Legislation

Schedule 2, Part 3, Class L (para b) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows under permitted development:

“Development consisting of a change of use of a building—

(b)from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.”

Relevant Planning History and Neighbouring Applications

109a St Albans Road

- 12/01047/COU - Change of use of first and second floors from business use to 3-bed flat. The application was granted conditional planning approval (subject to a s106 agreement) on 27th November 2012.

107 St Albans Road

- 22/00180/LDC - Lawful Development Certificate for change of use from C3 - dwellinghouse to C4 - House in Multiple Occupation (4no. bedrooms / 4no. occupants). The application was approved (LDC granted) on 1st April 2022.

Assessment and Conclusion

The property has been in use as a 3-bed flat since receiving permission in November 2012.

The use of the property under use class C3 is supported by a copy of the decision notice granting the change of use of the property from business used to residential use under WBC ref. 12/01047/COU (see Appendix A of this letter).

Additionally, confirmation of its council tax status as falling under residential Band C since November 2012 is evidenced under Appendix B. Finally, a letter from the estate agent overseeing the sale of the property in August 2022, confirming the use of the property as a flat since at least January 2014 can be seen under Appendix C.

On this basis, there should be no reason to for the Watford Borough Council (WBC) to dispute the use of the property as a 3-bed flat under C3. Given that permitted development rights for this property have not been revoked/removed either through condition or by way of an Article 4 Direction, the applicant considers the change of use lawful under Schedule 2, Part 3, Class L (para b) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows under permitted development.

Application Documentation

In addition to this cover letter which acts as a planning statement, the following documents have been submit with the application:

- Application Form
- CIL Form
- Site Location Plan ref. 109A-PL-01-B
- Block Plan ref. 109A-PL-02-B
- Existing Floor Plans ref. 109A-PL-03-B
- Existing Elevations ref. 109A-PL-04-Alt-B

- Proposed Floor Plans ref. 109A-PL-05-B
- Proposed Elevations ref. 109A-PL-06-Alt-B
- Appendix A to this letter (Decision Notice for Change of Use to C3)
- Appendix B to this letter (VOA council tax band confirmation)
- Appendix C to this letter (letter from estate agency)

A fee of £129 plus £64 service charge has been paid by the applicant via the planning portal.

I trust the additional information accompanying plans and documents are sufficient for validation of the application, however, please do not hesitate to contact me on the details below should you have any further queries.

Yours Sincerely,



Harman Sond BSc (Hons) MSc MRTPI
Planning and Development Services
E: harman.sond@gmail.com
T: 07878054201

