



Hertsmere  
Borough Council

Civic Offices  
Elstree Way, Borehamwood  
Herts WD6 1WA  
Tel: 020 8207 2277  
DX45602 Borehamwood  
www.hertsmere.gov.uk

## Decision Notice

### Town and Country Planning Act 1990 Town and Country Planning (Applications) Regulations 1988

#### AGENT

Mr David Mansoor  
Drawing and Planning Ltd  
Mercham House  
25-27 The Burroughs  
Hendon  
NW4 4AR

#### APPLICANT

Mr Jon Cohen  
22 Holbrook Gardens  
Aldenham  
Watford  
Hertfordshire  
WD25 8AB

#### Application Number:

17/0432/HSE

#### Location of Development:

22 Holbrook Gardens, Aldenham, Watford, Hertfordshire, WD25 8AB

#### Description of Development:

Retention of garage conversion to habitable room. (Part retrospective application).

In pursuance of its powers under the above mentioned Act and the Orders and Regulations for the time being in force there under, the Council hereby **GRANTS Planning Permission** for the development proposed by you in your application received by us on 6 March 2017 and received with sufficient particulars on 6 March 2017 and shown on the plan(s) accompanying such application.

**THIS DECISION IS SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S):**

01. The development hereby permitted shall be carried out in accordance with the following approved plans:

- o HOGAR-E001 (03.03.2017)
- o HOGAR-E002 (03.03.2017)
- o HOGAR-E101 (03.03.2017)
- o HOGAR-E102 (03.03.2017)
- o HOGAR-L001 (03.03.2017)
- o HOGAR-L101 (03.03.2017)
- o HOGAR-P001 (03.03.2017)
- o HOGAR-P004 (03.03.2017)
- o HOGAR-P101 (03.03.2017)
- o HOGAR-P104 (03.03.2017)
- o HOGAR-S001 (03.03.2017)
- o HOGAR-S101 (03.03.2017)

Reason: For the avoidance of doubt and in the interests of proper planning.

**GENERAL REASON(S) FOR GRANTING PERMISSION:**

01. The proposed retention of the garage conversion that incorporates no external alterations would not cause a negative impact on the visual amenity of the host dwellinghouse. In addition the proposal is not considered to harm the openness of the Green Belt, residential amenity and the existing level of off-street car parking, in accordance to that set out within the Hertsmere Parking Standards SPD. As a result this application is considered in accordance with the National Planning Policy Framework (2012), National Planning Policy Guidance, CS22 and CS25 of the Core Strategy (2013), SADM22, SADM26, SADM30 and SADM40 of the Site Allocations Development Management Policies (2016), Part E of the Council's Planning and Design Guide (2006), Parking Standards SPD (2014) and Public Sector Equality Duty (PSED).

## INFORMATIVE

01. This application was determined taking regard for the following policies:

National Planning Policy Framework (2012), National Planning Policy Guidance, CS22 and CS25 of the Core Strategy (2013), SADM22, SADM26, SADM30 and SADM40 of the Site Allocations Development Management Policies (2016), Part E of the Council's Planning and Design Guide (2006), Parking Standards SPD (2014) and Public Sector Equality Duty (PSED)

02. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

03. Building Regulations

To obtain advice regarding current Building Regulations or to submit an application, applicants should contact the Building Control Section Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA, telephone 020 8207 2277. For more information regarding Building Regulations visit the Building Control Section of the Council's web site [www.hertsmere.gov.uk](http://www.hertsmere.gov.uk)

- To obtain Building Regulations Approval the applicant should apply to obtain either:
- Full Plans approval - this will give prior approval to the work or
- Building Notice approval - this requires 48 hours' notice prior to the commencement of work.

Both of these approvals will require the submission of the requisite fee and 2 copies of drawings and relevant calculations. Having applied for Building Regulations approval, the works applied for will be subject to inspection by Building Control Officers at specific stages to ensure compliance. The applicant has a statutory duty to inform the Council of any of the following stages of work for inspection:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Any work that affects a party wall will require approval from the adjoining owner(s). This aspect of the work is a civil matter and does not come within the remit of the Council. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available from the Council Offices, Borehamwood, Hertfordshire. More information is available on the Council's web site or for further information visit the Department of Communities and Local Government website at [www.communities.gov.uk](http://www.communities.gov.uk).

## NOTES TO APPLICANT

### Community Infrastructure Levy

This development may be considered chargeable development for the purposes of the Community Infrastructure Levy Regulations 2010, as amended ('CIL Regulations'). The forms of development that may incur a CIL Liability are; Residential (excluding householder extensions), Hotels, Specialist accommodation for the elderly and/or disabled people and Retail.

A person or party must assume liability to pay the levy using the Assumption of Liability form which should be submitted, unless it has already been submitted as part of the planning application, to the Planning Department at: [CIL@hertsmere.gov.uk](mailto:CIL@hertsmere.gov.uk) or Planning (CIL), Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Hertfordshire, WD6 1WA.

If nobody assumes liability to pay the Levy, this will default to the Land Owner.

Where applicable, the Council will issue a CIL Liability Notice and Demand Notice in due course. The notice will contain details of any financial sums owed, the collection process and details of relief that may be applicable.

#### **IMPORTANT**

**You should be aware that a failure to submit a CIL commencement notice prior to beginning development on any site liable for CIL, will result in the full CIL amount having to be paid immediately. It is essential that any relief or exemption is applied for, and approved by the Council, using the relevant exemption or relief forms prior to the commencement of development. Any exemption or relief lapses if works commence on the chargeable development prior to the Council's notification of its decision on the exemption or relief claim. Relief cannot be claimed on any retrospective applications.**

Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to appeal and may also incur fines/surcharges.

For more details, please view the relevant parts of the Council's website at [www.hertsmere.gov.uk/cil](http://www.hertsmere.gov.uk/cil) and/or the Planning Portals website at

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

## **Building Control**

If this proposal involves demolition of buildings, your attention is drawn to the need to serve notice under section 80 of the Building Act 1984 of intended demolition at least six weeks prior to demolition works commencing. It should be noted that, where asbestos may be present, a survey by a specialist company will be required to determine whether it is present. If asbestos is found the specialist company will be required to submit a method statement to the Health and Safety Executive with a copy to the Council's District Surveyor indicating how the asbestos is to be safely disposed of.

## **Right of Appeal**

If the applicant wishes to have an explanation of the reasons for this decision it will be given on request and a meeting arranged if necessary.

If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990,

If this is a decision to refuse planning permission for a householder application or to grant permission subject to conditions for a householder application and if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. Unless the following notes are applicable:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within; 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period of time for giving notice of an appeal but will not normally 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 the Secretary of State that the local planning authority could not have been granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State and the owner claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the District Council a purchase notice requiring the Council to purchase its interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

Date Decision Notice Produced:  
27 April 2017

Signed: Christine Lyons

A handwritten signature in black ink, appearing to be 'CL', written in a cursive style.

Designation: Head of Planning and  
Economic Development



Hertsmere  
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## Planning and Economic Development

Mr Jon Cohen  
22 Holbrook Gardens  
Aldenham  
Watford  
Hertfordshire  
WD25 8AB

Your Ref:  
Our Ref: 17/0432/HSE  
Contact: Saffron Frost  
**Extension:** 020 8207 2277 ext 5135  
Email: saffron.frost@hertsmere.gov.uk  
Fax:  
Date: 27 April 2017

Dear Mr Jon Cohen

### **Town and Country Planning Act 1990 Town and Country Planning (Applications) Regulations 1988**

**Application Number: 17/0432/HSE**

**Site Location: 22 Holbrook Gardens, Aldenham, Watford, Hertfordshire, WD25 8AB,**

**Site Description: Retention of garage conversion to habitable room. (Part retrospective application).**

I would like to advise you that after consideration of all the relevant issues the council decided to Grant Permission on 27 April 2017.

The Decision Notice detailing the conditions/reasons attached to this decision have been forwarded to your agent.

An appeal against the local planning authority decision can be lodged with the Secretary of State for Communities and Local Government under section 78 of the Town and Country Planning Act 1990, within 12 weeks of the date of this notice. Unless the following notes are applicable:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within; 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or submitted online at <https://acp.planninginspectorate.gov.uk>

Yours sincerely

**Saffron Frost- Planning Officer**