

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2010/0659/LU
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NOTATION:

The site lies within Cuffley and the greenbelt as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The application dwelling is detached bungalow, which has accommodation within the roofspace, incorporating a front and rear dormer. The original dwelling was granted planning permission in 1953 and comprised a single storey bungalow with a detached garage.

DESCRIPTION OF PROPOSAL:

The proposal incorporates alterations and additions to the roof including two new dormers one either side of the dwellinghouse. The main roof of the dwellinghouse is also proposed to extend at the rear by 4.2 metres from the ridgeline to form a gable demolishing the existing rear dormer and placing a Juliette balcony on the rear elevation of the new roof.

PLANNING HISTORY:

S6/2010/0270/LU – Certificate of lawfulness for proposed single storey rear & side extensions. Alteration of existing rear hip to main roof to form a gable end and two side dormer windows. Refused 26th March 2010.

S6/2009/1909/PA – Alterations to roof including side extension, ground floor side extension and replacement of existing garage.

S6/2009/0704/FP – Erection of side extension replacing garage with proposed alterations to roof, Refused 18th June 2009

S6/2008/0247/PA – Erection of detached dwelling following demolition of existing bungalow

E/2342-65 - Infill extensions to front elevation and rebuild of garage – Approved

E/732-53 – Plot 15, The Ridgeway, Cuffley – New Bungalow and detached garage – Approved

SUMMARY OF DEVELOPMENT PLAN POLICIES:

Not applicable

CONSULTATIONS

Not applicable

TOWN/PARISH COUNCIL COMMENTS

Not applicable

REPRESENTATIONS

Not applicable

DISCUSSION:

The main issues are:

1. Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008

Class B

Permitted Development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if:-

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof

The proposal would not exceed the height of the highest part of the existing roof

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway

The proposal does not extend beyond the plane of any existing roof slope forming the principal elevation of the dwellinghouse, fronting the highway

(c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than:-

- (i) 40 cubic metres in the case of a terrace house, or
- (ii) 50 cubic metres in any other case

- Western elevation dormer window: $(2.1m \times 5.7m \times 2m) / 2 = 12m^3$

- Eastern elevation dormer window: $(2.1m \times 5.7m \times 2m) / 2 = 12m^3$

- Extension to main roof $(8.5m \times 4.15m \times 3.9m) / 6 = 22.9m^3$

- Retained front dormer $(2.9m \times 1.5m \times 1.4m) / 2 = 3m^3$

Total additional roof space equates to 49.9m³

(d) it would consist of or include:-

- (i) the construction or provision of a veranda, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposal does incorporate a 'Juliette' balcony, within the roofscape to the rear of the property, with doors to open inward and toughened glass guarding to prevent access to the flat roof. 'Juliette' balconies are generally considered permitted development provided there is no platform and therefore no external access. The proposal is considered to comply with Class B (d) (i).

The proposal does not include the installation, alteration or replacement of a microwave antenna, chimney, flue or soil and vent pipe.

(e) the dwellinghouse is on article 1(5) land

The dwellinghouse is not on article 1(5) land.

B.2 Development is permitted by Class B subject to the following conditions:-

(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

The application drawings indicate that materials to be used in any exterior work on the proposal will match that of the existing roof.

(b) other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof

The enlargement closest to the eaves of the original roof is no less than 20 centimetres from the eaves of the original roof

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be:-

- (i) obscure-glazed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

The application drawings do not show that the windows within the proposed dormers will be obscure glazed and non opening below 1.7 metres. However this is a condition attached and applicable to any approval and must be complied with in order to be lawful.

Interpretation of Class B

B.3 For the purposes of Class B "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this class or not.

CONCLUSION:

The proposed development complies with Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 as amended by

the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008. It is therefore recommended that a certificate of lawfulness be **APPROVED** for this development.

RECOMMENDATION:

The proposed development complies with Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

INFORMATIVES:

None

DRAWING NUMBERS:

Site Location Plan (1:2500) & 320/45 & 320/42 & 320/43 & 320/44 & 320/39 & 320/40 & 320/41 received and dated 14th April 2010

Signature of author..... Date.....