

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT  
DELEGATED REPORT**

**APPLICATION No: S6/2014/951/LUP**

**SITE ADDRESS: 21 Firs Wood Close, Northaw**

**DESCRIPTION OF DEVELOPMENT: Certificate of lawfulness for proposed dormer to rear roofslope and rooflights to front roofslope**

**RECOMMENDATION: APPROVE CERTIFICATE**

**DESCRIPTION OF PROPOSAL:**

The application seeks a certificate of lawfulness for a dormer window to the rear elevation and two rooflights to the front elevation. The property is a terraced dwelling that forms part of a larger residential development set within landscaped grounds.

**PLANNING HISTORY:**

S6/1987/0171/FP – Change of use of existing racing assn hq to residential comprising conversion & extensions to form 38 dwellings & car park & 5 detached houses & garages. Granted 31 July 1987.

**DISCUSSION:**

The main issues are:

- Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class B (consisting of an addition or alteration to its roof) of the Town and Country Planning (General Permitted Development) Order 1995 as amended**

	Yes / No	To be PD
Have permitted development rights been removed	N	N
Is the property a dwellinghouse	Y	Y
Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class IA or MB of Part 3 (refer SI 2014 564)	N	N
Is it detached?	N	
Is it semi-detached or terraced?	Y	
Is it within a conservation area	N	
(a) would any part of the dwellinghouse, as a result of the works, exceed the height of the highest part of the existing roof	N	N
(b) would any part of the dwellinghouse, 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	N	N

(c) would the cubic content of the resulting roof space 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	<b>N</b>	<b>N</b>
<b>Dormer:</b> (3.9m x 2.6m x 3.8m)/2 = 38.5m <sup>3</sup>		
(d) would it 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	<b>N</b>	<b>N</b>
(e) is the dwellinghouse on article 1(5) land (conservation area)	<b>N</b>	<b>N</b>
<b>B.2</b> 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	<b>Y</b>	<b>Y</b>
(b) is the enlargement constructed so that- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension – (aa) the eaves of the original roof are maintained or reinstated: and (bb) 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, measured along the roof slope from the outside edge of the eaves; and (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.	<b>Y</b>	<b>Y</b>
<b>B.3</b> 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 (refer (c) above.	-	
<b>B.4</b> For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not be considered part of the development.	-	

**2. Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class C (any other alteration to the roof) of the Town and Country Planning (General Permitted Development) Order 1995 as amended**

	<b>Yes / No</b>	<b>To be PD</b>
Have permitted development rights been removed	<b>N</b>	<b>N</b>
Is the property a dwellinghouse	<b>Y</b>	<b>Y</b>

Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class IA or MB of Part 3 (refer SI 2014 564)	<b>N</b>	<b>N</b>
Development not permitted by Class C		
(a) would the alteration protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;	<b>N</b>	<b>N</b>
(b) would it result in the highest part of the alteration being higher than the highest part of the original roof; or	<b>N</b>	<b>N</b>
(c) would it consist of or include— (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	<b>N</b>	<b>N</b>
Conditions		
C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be— (a) obscure-glazed; and (b) 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.	<b>Y</b>	<b>Y</b>

## RECOMMENDATION

The proposed development **complies** with Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is therefore permitted development, subject to the following conditions and informatives:

### Conditions:

1. 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.
2. 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.
3. 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.
4. C.13.3 – In accordance with approved plans and drawings: AT479-01 & AT479-02 & AT479-03 & AT479-04 & AT479-05 received and dated 1 May 2014

### Informatives:

1. Whilst Class B of Part 1 of Schedule 2 to the Town and Country (General Permitted Development) Order 1995 (as amended) permits “The enlargement of a dwellinghouse consisting of an addition or alteration to its roof” in particular cases, it does not permit the demolition or substantial demolition of the dwellinghouse roof and the erection of a new roof structure.”

2. Any part of the dwellinghouse shall not, as a result of the works, exceed the height of the highest part of the existing roof.
3. Any part of the dwellinghouse shall not, 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.
4. The cubic content of the resulting roof space shall not 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.
5. The development shall not 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 (iii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
6. The dwellinghouse shall not be on conservation area (article 1(5) land).
7. The roof light shown on the front roof slope shall not protrude more than 150mm beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

**Signature of author**.....

**Date**.....