

GPDO

Class A

**WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT**

**DELEGATED REPORT**

**APPLICATION No: S6/2014/2287/HH**

**SITE ADDRESS: 23 Fillingham Way Hatfield**

**DESCRIPTION OF DEVELOPMENT: Prior approval for a single storey rear conservatory**

---

**RECOMMENDATION: Refused**

---

**PLANNING HISTORY:** S6/1997/0847/FP - Engineering works to permit the diversion of Ellenbrook W 23/11/1997

S6/2002/1612/DE - Erection of ten new dwellings A(G) 15/09/2003

S6/2005/0872/FP - Variation of condition 2 attached to outline planning permission s6/1999/1064/op to allow an additional 5 years for submission of reserved matters (up to 29/12/2015)

**REPRESENTATIONS:**

**ANALYSIS:**

The main issues are:

- 1. Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class A 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>	N
Is the property a dwellinghouse	<b>Y</b>	Y
Is it detached?	<b>N</b>	
Is it semi-detached or terraced?	<b>Y</b>	

Is it within a conservation area	<b>N</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>	N
Development not permitted by Class A		
(a) would as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)	<b>N</b>	N
(b) would the height of the part of the dwellinghouse enlarged, improved or altered exceed the height of the highest part of the roof of the existing dwellinghouse	<b>N</b>	N
(c) would the height of the eaves of the part of the dwellinghouse enlarged, improved or altered exceed the height of the eaves of the existing dwellinghouse	<b>N</b>	N
(d) would the enlarged part of the dwellinghouse extend beyond a wall which:-  (i) fronts a highway, and  (ii) forms either the principal elevation or a side elevation of the original dwellinghouse	<b>N</b>	N
(e) would the enlarged part of the dwellinghouse have a single storey and:-  (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or  (ii) exceed 4 metres in height	<b>Y</b>	N
<b>Until 30<sup>th</sup> May 2016 (for HH apps only) delete this section for LUs</b>		
(ea) is the development outside of article 1(5) land or outside of a site of special scientific interest	<b>Y</b>	Y
(ea) cont_ would it have a single storey (previous extensions to the rear need to be taken into account)	<b>Y</b>	
(i) Would it extend beyond the rear wall of the original dwellinghouse by up to or the equivalent of 8 metres in the case of a detached	7.4M	

dwellinghouse, or 6 metres in the case of any other dwellinghouse		
(ii) Be less than or equal to 4 metres in height	3.9M	
Have any representations been received from adjoining premises <b>(only)</b>		
(f) would the enlarged part of the dwellinghouse have more than one storey and:-  (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or  (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse	N	N
(g) would the enlarged part of the dwellinghouse be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres	2.2M	N
(h) would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse, and:-  (i) exceed 4 metres in height,  (ii) have more than one storey, or  (iii) have a width greater than half the width of the original dwellinghouse	N	N
(i) it would consist of or include:-  (i) the construction or provision of a veranda, balcony or raised platform,  (ii) the installation, alteration or replacement of a microwave antenna,  (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or  (iv) an alteration to any part of the roof of the dwellinghouse	N	N
<b>A.2</b> In the case of a dwellinghouse on article 1(5) land, development is not permitted if:-  (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;	<b>N/A</b>	N

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;	<b>N/A</b>	N
(c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse	<b>N/A</b>	N
<b>A.3</b> Development is permitted by Class A subject to the following conditions:-  (a) would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse	<b>N/A</b>	Y
(b) would any upper-floor window located in a wall or roof slope forming a side elevation of the dwelling house 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;	<b>N/A</b>	Y
(c) would, where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part, so far as practicable, be the same as the roof pitch of the original dwellinghouse	<b>N/A</b>	Y

## RECOMMENDATION

The proposal **fails to comply** with Schedule 2, Part 1, Class A of The Town and Country (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 for the following reason:

The proposed development would extend beyond the rear wall of the original dwellinghouse by up 7.4 metres due to the proposed extension being attached to the existing detached garage. The dwelling is a terraced property which is permitted an extension only up to 6 metres in depth.

REFUSED DRAWING NUMBERS: 01 & 2 & 03 received and dated 17 October 2014