

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

**APPLICATION No:** S6/2014/2447/LUP

**SITE ADDRESS:** 8 Carbone Hill, Northaw

**DESCRIPTION OF DEVELOPMENT:** Certificate of lawfulness for the proposed erection of a single storey side and two storey rear extension

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**RECOMMENDATION:** CERTIFICATE APPROVED

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**DESCRIPTION OF PROPOSAL:**

Certificate of lawfulness for the proposed erection of a single storey side and two storey rear extension

**PLANNING HISTORY:**

S6/2014/1982/FP - Erection of single storey rear extension and new porch following demolition of existing sun room, approved 03/11/2014

S6/2013/2225/FP - Extensions and alterations to existing dwelling to include front and rear two storey extensions, and first floor balcony (Refused and dismissed on appeal)

S6/1993/0226/FP – Alterations to elevations and new front porch (re-submission), approved, approved 10/5/1992

S6/1992/0144/FP – Extensions and alterations to existing dwelling; alterations to vehicular access, approved 21/4/1992

S6/1974/495/FP – Basement extension (Granted)

S6/1973/5564/FP – Two storey side extension (Granted)

S6/1973/3715/FP – Two storey side extension to form elderly relations cottage (Refused)

S6/1973/791/FP – Two storey chalet extension to outbuilding to form old person's annex (Refused)

S6/1958/1462 – Site for residential development (Granted)

S6/1955/459 – Additional vehicle access (Granted)

**REPRESENTATIONS:** N/A

**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>Y</b>	
Is it semi-detached or terraced?	<b>N</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>N</b>	N
(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	<b>N</b>	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	<b>N</b>	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,	<b>N</b>	N

(ii) have more than one storey, or (iii) have a width greater than half the width of the original dwellinghouse		
(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	<b>N</b>	<b>N</b>
<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>	<b>N</b>
(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;	<b>N/A</b>	<b>N</b>
(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>	<b>N</b>
<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>Y</b>
(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>Y</b>
(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>Y</b>

## CONCLUSION

## RECOMMENDATION

The proposal complies 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 and Consequential Provisions) (England) Order 2014 and **prior approval is not required**. The following conditions are applicable to the development<sup>1</sup>:

<sup>1</sup> Conditions may only be attached where they reasonably relate to the impact of the development on the amenity of adjoining premises.

1. The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

REASON: In order to comply with A.3 (a) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

2. C.13.3 – in accordance with plans and drawings: 732/LP1A & 732/LP1 & PD01 & PD02 & 732/SP3 & 732/SP1 received and dated 05 November 2014
3. The development hereby permitted shall be completed on or before the 30<sup>th</sup> May 2016.
4. The developer shall notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.

### **Informatives**

Development is not permitted by Class A where –

1. The property is not a dwellinghouse.
2. Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 (refer SI 2014 564).
3. 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) exceeds 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).
4. The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.
5. The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.
6. The enlarged part of the dwellinghouse would extend beyond a wall which:-
  - (i) fronts a highway, and
  - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse.
7. The enlarged part of the dwellinghouse would 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.
8. The enlarged part of the dwellinghouse would 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.
9. The enlarged part of the dwellinghouse would 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.
10. 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.
11. In the case of a dwellinghouse on conservation area (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) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
  - (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.
12. Please note that the proposal has not been assessed against the above criteria. If you would like a formal decision to confirm whether it complies, please apply for a Certificate of Lawful Development.

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