

GPDO

Class A

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

DELEGATED REPORT

APPLICATION No: S6/2014/2572/LUP

SITE ADDRESS: 22 Kingswell Ride Cuffley Potters Bar EN6 4LH

DESCRIPTION OF DEVELOPMENT: Certificate of lawfulness for a garage extension

RECOMMENDATION: Certificate of lawfulness given

DESCRIPTION OF PROPOSAL:

The application seeks a certificate of lawfulness for the erection of an extension to the existing garage. The proposed extension extends beyond the rear of the garage, and to the side of the original dwelling.

PLANNING HISTORY:

S6/1975/0348/ - Single storey rear extension A(G) 29/09/1975

S6/1990/0407/FP - Demolition of existing single storey rear extension and erection of replacement with pitched roof A(G) 06/07/1990

S6/1990/0821/FP - Single storey rear extension (revision to previous planning permission Ref: S6/0407/90/FP) A(G) 22/10/1990

S6/2011/0970/FP - Installation of two side dormer windows and alterations to rear elevations. Proposed covered porch area to rear A(G) 14/07/2011

S6/2011/1869/FP - Retention of two side dormers (amendment to planning application S6/2011/0970/FP) A(G) 24/11/2011

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**

	Yes / No	To be PD
Have permitted development rights been removed	N	N
Is the property a dwellinghouse	Y	Y
Is it detached?	Y	
Is it semi-detached or terraced?	N	
Is it within a conservation area	N	
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
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)	N	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	N	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	N	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	N	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	N	N
(f) would the enlarged part of the dwellinghouse have more than one	N	N

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		
(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	2.9M	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	Y N N 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
A.2 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;	N/A	N
(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;	N/A	N
(c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse	N/A	N
A.3 Development is permitted by Class A subject to the following	Y	Y

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) 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;	N/A	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	N/A	Y

CONCLUSION

RECOMMENDATION

The proposal complies with Schedule 2, Part 1, Class A of The Town and Country (General Permitted Development) Order 1995 (as amended). The following conditions are applicable to the development¹:

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: 1114-1/1 & 1114-1/2 & 1114-1/3 received and dated 04 December 2014.

Informatives

Development is not permitted if –

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).

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

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.