

GPDO

Class A

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

DELEGATED REPORT

APPLICATION No: S6/2015/0622/LUP

SITE ADDRESS: 23 Manor Road Hatfield

DESCRIPTION OF DEVELOPMENT: Certificate of lawfulness for proposed single storey rear extension

RECOMMENDATION: Certificate of lawfulness given

PLANNING HISTORY:

S6/2015/0123/LUP - Certificate of lawfulness for proposed erection of a single storey rear extension – R 18/03/2015 – Proposal extends beyond the curtilage of the dwellinghouse.

S6/2015/0623/HH - Prior approval for proposed single storey rear extension – Not Determined – 06/05/2015

REPRESENTATIONS: None

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 2015**

	Yes / No	To be PD
Have permitted development rights been removed	N	N
Is the property a dwellinghouse	Y	Y
Is it detached?	N	
Is it semi-detached or terraced?	Y	
Is it within a conservation area	N	

(a) Has permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)	N	N
Development not permitted by Class A		
(b) 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) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)	N	N
(c) 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
(d) 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
(e) would the enlarged part of the dwellinghouse extend beyond a wall which:- (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	N	N
(f) would, subject to paragraph (g), the enlarged part of the dwellinghouse would 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	Y (see S6/2015/ <u>0623/HH</u>)	N
Development not permitted by Class A		
(h) 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

(i) 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	2.7M	N
(j) 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
A.2 In the case of a dwellinghouse on article 2(3) 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 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	Y	Y
(b) would any upper-floor window located in a wall or roof slope	N/A	Y

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;		
(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

DISCUSSION

The development has been given prior approval for the larger home extension via a non-determination within the time parameters set within the legislation of an application referenced S6/2015/0623/HH. The proposal has now been assessed against the criteria of the Town and Country Planning (General Permitted Development) Order 2015 and is considered to comply. A certificate is hereby issued to certify that the development is compliant with the limitations of the Town and Country Planning (General Permitted Development) Order 2015.

RECOMMENDATION

The proposal complies with Schedule 2, Part 1, Class A of The Town and Country (General Permitted Development) Order 2015 and certificate of lawfulness is given. 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) must 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 2015.

2. C.13.3 – in accordance with plans and drawings: 1649.S.11 & 1649.S.12 & 1649.S.13 & 1649.S.14 & 1649.S.15 & 1649.S.16 & 1649.S.17 & 1649.P.31 & 1649.P.23 & 1649.P.24 & 1649.P.30 & 1649.P.32 & 1649.P.27 received and dated 23 March 2015.

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