

**WELWYN HATFIELD BOROUGH COUNCIL  
DIRECTORATE OF STRATEGY AND DEVELOPMENT**

**DELEGATED APPLICATION**

**Application No:** 6/2016/0448/LAWP  
**Location:** Carbone House, Carbone Hill, Northaw, Potters Bar, EN6 4PL  
**Proposal:** Certificate of lawfulness for the proposed erection of single storey side extension  
**Officer:** Mr M Peacock

**Recommendation:** Granted

6/2016/0448/LAWP

Context		
Application Description	Certificate of lawfulness for the proposed erection of single storey side extension.	
Relevant planning History	<p>6/2015/2845/HOUSE - Erection of single storey side extension following demolition of existing extension (Granted)</p> <p>S6/2011/1670/LUP – Erection of proposed swimming pool building (Granted)</p> <p>S6/2004/1427/FP – Demolition of existing garage and erection of single storey side and rear extension, new boundary gates with entrance and exit (Refused)</p> <p>S6/2003/0424/FP – Demolition of existing garage and outhouse and the erection of a replacement garage, car port, swimming pool, pool room with gallery, alteration to front boundary to provide 1.5m security gates and wall with access to refuse store (Refused at dismissed at appeal)</p> <p>S6/2001/0789/FP – Erection of first floor conservatory, and glazed link at ground floor level to adjoining cottage (Granted)</p> <p>S6/1975/0119 – New front porch and alterations to cottage (Granted)</p>	
<b>The main issues are:</b>		
<b>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) (England) Order 2015 as amended</b>		
	Yes / No	To be PD
Have permitted development rights been removed	<b>N</b>	<b>N</b>
Is the property a dwellinghouse	<b>Y</b>	<b>Y</b>
Is it detached?	<b>Y</b>	
Is it semi-detached or terraced?	<b>N</b>	

Is it within a conservation area	<b>N</b>	
(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)	<b>N</b>	N
<b>Development not permitted by Class A</b>		
(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)	<b>N</b>	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	<b>N</b>	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	<b>N</b>	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	<b>N</b>	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	<b>N</b> <b>N</b> <b>N</b>	N
<b>(g) applies only to prior approval (large householder proposals)</b>		
(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	<b>N</b>	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	<b>N (not within 2m)</b>	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	<b>N</b> <b>N</b> <b>N</b> <b>N</b>	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	<b>N</b>	N
<b>A.2</b> In the case of a dwellinghouse on article 2(3) land, development is not permitted if:-	<b>N/A</b>	N
(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;	<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>Y</b>	<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>N/A</b>	<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>N/A</b>	<b>Y</b>

**Conditions:**

1. The development/works shall not be started and completed other than in accordance with the approved plans and details:

771/PD/SP02 & 771/SP1 & 771/LP1 & 771/PD/01 & 771/PD/02 & 771/PD/03 & 771/PD/04 & 771/PD/05 & 771/PD/06 received and dated 17 March 2016.

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

2. The brickwork, roof tile, bond, mortar, detailing, guttering, soffits and other external decorations of the approved extension/alterations must match the existing dwelling/building in relation to colour and texture.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

**Informatives:**

**Determined By:**

Mr W Myers  
16 May 2016