

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2017/0738/LAWP
Location: 1 Stanborough Mews Welwyn Garden City AL8 6DB
Proposal: Certificate of Lawfulness for the proposed change of use from a garage to habitable room (home office)
Officer: Ms R Collard

Recommendation: Granted

Context		
Application Description	<p>The application site forms the left hand side of a pair of semi-detached dwellings located within a cul-de sac of similar dwelling house types. The streetscene is characterised by modern dwellings, each with off-street parking for multiple vehicles to the front and sides. The properties on Stanborough Mews have a mixture of lawn, hedgerows and planting as part of their frontage.</p> <p>The proposal is for a certificate of lawfulness for the conversion of the existing detached garage to a home office.</p>	
Relevant planning History	<p>6/2016/2730/HOUSE - Erection of extension to existing double garage to form home office- Refused 23 February 2017</p> <p>N6/1999/0777/FP – Residential development of 11 town houses and one other dwelling with associated access and parking – Granted 8th November 1999</p>	
The main issues are:		
<p align="center">1. Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended</p>		
	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	
E.1(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 E		
(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) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	N	N

(d) the building would have more than a single storey;	N/A	N
(e) the height of the building, enclosure or container would exceed— (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case;	N/A	N
(f) the height of the eaves of the building would exceed 2.5 metres;	N/A	N
(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;	N	Y
(h) it would include the construction or provision of a verandah, balcony or raised platform;	N	
(i) it relates to a dwelling or a microwave antenna; or	N	N
(j) the capacity of the container would exceed 3,500 litres.	N	N
E.2 In the case of any land within the curtilage of the dwellinghouse which is within— (a) an area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site, development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	N/A	N
E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	N/A	N

DISCUSSION

The development applied for does not change the dimensions, or amount of storeys within, the existing outbuilding. As a result, it is not considered that limitations E.1(d), (e) or (f) are applicable to this proposal. This view is backed up by appeal decisions referenced APP/R0660/X/11/2153863 and APP/L1765/X/13/2201129.

DRAWING NUMBERS

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

Plan Number	Revision Number	Details	Received Date
JA/201		Site & other plans	12 April 2017
		The location plan	12 April 2017
JA_201_A		JA_201_A	23 April 2017

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

Determined By:

Mr B Owusu
21 June 2017