

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

**DELEGATED APPLICATION**

**Application No:** 6/2017/0771/LAWP  
**Location:** 5 Firs Wood Close Northaw Potters Bar EN6 4BY  
**Proposal:** Certificate of lawfulness for the erection of a hip to gable loft extension with rear dormer to include juliet balcony and 3 rooflights.  
**Officer:** Ms L Hale

**Recommendation:** Granted

6/2017/0771/LAWP

<b>Context</b>	
<b>Application Description</b>	Certificate of lawfulness for the erection of a hip to gable loft extension with rear dormer to include Juliet balcony and 3 rooflights.
<b>Relevant planning History</b>	<p>Application Number: S6/2005/0726/FP      Decision: Refused      Decision Date: 04 August 2005          Proposal: PROPOSED LOFT CONVERSION AND HIP TO GABLE ROOF</p> <p><i>Reason for refusal:</i></p> <ol style="list-style-type: none"> <li><i>The site is located within the Metropolitan Green Belt where the Council seeks to restrict the size and scale of extensions to residential properties in the interests of maintaining the rural character and visual amenity of the Green Belt. By reason of its size and massing, and a previously undertaken extension, the extension would be a bulky and a visually intrusive addition adversely affecting the rural character of the area and reducing the openness of the Green Belt contrary to Policy RA3 of the Welwyn Hatfield District Plan 2005 as well as Government guidance in PPG2, Green Belts.</i></li> <li><i>The proposed extension, by way of its height, depth, width and design, would be an overly bulky, visually discordant and incongruous addition harmful to the character and appearance of the dwelling and the wider locality; in particular it would interrupt the simple and well-balanced roof over this existing row of dwellings. As such the proposal would be contrary to policy D1, and D2 of the Welwyn Hatfield District Plan 2005 and the Council's Supplementary Design Guidance.</i></li> </ol>
<b>The main issues are:</b>	
<ol style="list-style-type: none"> <li><b>Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class B (consisting of an addition or alteration to its roof) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended</b></li> <li><b>Whether the proposed works are permitted development by virtue of Schedule 2,</b></li> </ol>	

<b>Part 1, Class C (any other alteration to the roof) of the Town and Country Planning (General Development) (England) Order 2015 as amended</b>		
	<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>N</b>	
Is it semi-detached or terraced?	<b>Y</b>	
Is it within a conservation area	<b>N</b>	
<b>B.1</b> (a) Has permission to use the dwellinghouse as a dwellinghouse 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) would any part of the dwellinghouse, as a result of the works, exceed the height of the highest part of the existing roof	<b>N</b>	N
(c) would any part of the dwellinghouse, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway	<b>N</b>	N
(d) would the cubic content of the resulting roof space exceed the cubic content of the original roof space by more than:- (i) <b>40 cubic metres in the case of a terrace house, or</b> (ii) 50 cubic metres in any other case	<b>N</b>	N
<p><i>Dormer: 4.10x4.00x2.50 = 21.32 cubic metres</i>  <i>Hip to gable: 8.00x2.70x1/2=10.80 cubic metres</i>  <i>1/3 x 10.80 x4.50 = 16.19 cubic metres</i></p> <p><i>Hip to gable + dormer (21.32 + 16.19) =</i>  <b>Total: 37.51 metres</b></p>		
(e) would it consist of or include:- (i) the construction or provision of a veranda, balcony or raised platform, or (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe	<b>N</b>	N
(f) is the dwellinghouse on article 2(3) land (conservation area)	<b>N</b>	N

<p><b>B.2</b> Development is permitted by Class B subject to the following conditions:-</p> <p>(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse</p> <p>(b) is the enlargement constructed so that-</p> <p>(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –</p> <p>(aa) the eaves of the original roof are maintained or reinstated: and</p> <p>(bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and</p> <p>(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.</p> <p>(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be –</p> <p>(i) obscure-glazed, and</p> <p>(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</p>	<p>Y</p> <p>Y</p> <p>Y</p>	
<p><b>B.3</b> For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this class or not (refer (c) above).</p>		
<p><b>B.4</b> For the purposes of paragraph B.2(b)(ii), roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not be considered part of the development.</p>		
<p>Development not permitted by Class C</p>		
<p>(b) would the alteration protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;</p>	<p>N</p>	<p>N</p>
<p>(c) would it result in the highest part of the alteration being higher than the highest part of the original roof; or</p>	<p>N</p>	<p>N</p>
<p>(d) would it consist of or include—</p> <p>(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or</p> <p>(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.</p>	<p>N</p>	<p>N</p>
<p>Conditions</p>		
<p>C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—</p> <p>(a) obscure-glazed; and</p> <p>(b) 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.</p>	<p>N/A</p>	<p>Y</p>

**Conditions:**

1. The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

REASON: To ensure compliance with Section B.2(a) of Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

## DRAWING NUMBERS

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
II		Block Plan	18 April 2017
I		Location Plan	18 April 2017
5FWC - 01		Existing & Proposed Elevations	20 April 2017
5FWC - 02		Existing & Proposed Floor Plans	20 April 2017

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

### **Determined By:**

Mr B Owusu  
12 June 2017