

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

DELEGATED APPLICATION

Application No: 6/2017/2263/LAWP
Location: 35 Carbone Hill Northaw Potters Bar EN6 4PN
Proposal: Certificate of lawfulness for the erection of a poolhouse, detached garage, gym building and home office
Officer: Mr D Elmore

Recommendation: Granted

6/2017/2263/LAWP

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|----------------------------------|---|
| Context | |
| Application Description | Certificate of lawfulness for the erection of detached outbuildings, including: a garage, a pool house, gym and home office. |
| Relevant planning History | <p>Application Number: 6/2017/1778/LAWP Decision: Refused Decision Date: 03 October 2017 Proposal: Certificate of Lawfulness for the erection of a pool house, detached garage, gym building and home office</p> <p>Application Number: S6/2014/1921/FP Decision: Granted Decision Date: 29 October 2014 Proposal: Erection of first floor extension</p> <p>Application Number: S6/1997/0515/FP Decision: Granted Decision Date: 29 July 1997 Proposal: Erection of front porch</p> <p>Application Number: S6/1991/0121/FP Decision: Granted Decision Date: 15 April 1991 Proposal: Erection of rear conservatory</p> <p>Application Number: S6/1987/0673/FP Decision: Refused Decision Date: 27 August 1987 Proposal: Two storey side extension to provide accommodation for dependent relative.</p> <p>Application Number: S6/1987/0443/FP Decision: Refused Decision Date: 03 July 1987 Proposal: Two storey and single storey side extension</p> <p>Application Number: S6/1983/0397/ Decision: Granted Decision Date: 20 July 1983 Proposal: Single storey rear extension</p> <p>Application Number: S6/1976/0322/ Decision: Granted Decision Date: 09 July 1976 Proposal: Two storey and ground floor side and rear</p> |
| The main issues are: | |

| 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 | | |
|--|-----------------|-----------------|
| | Yes / No | To be PD |
| Is the property a dwellinghouse | Y | Y |
| Have permitted development rights been removed | N | N |
| Is it within a conservation area | N | |
| Is the proposed use incidental to the use of the dwellinghouse | Y | Y |
| Development not permitted | | |
| E.1 Development is not permitted by Class E if— | | |
| (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 | N | N |
| (b) the total area of ground covered by buildings, enclosures and containers within the curtilage (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 | 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 | N |
| (f) the height of the eaves of the building would exceed 2.5 metres; | N | N |
| (g) the building, enclosure, pool or container would be situated within the curtilage of a listed building; | N | N |
| (h) it would include the construction or provision of a verandah, balcony or raised platform; | N | 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 deliberately excluded | | |
| 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 | N |

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 |
|--------------------|------------------------|---------------------|----------------------|
| 131_PD01 | | Location Plan | 4 October 2017 |
| 131_PD08 | A | Proposed Block Plan | 4 October 2017 |
| 131_PD02 | | Existing Block Plan | 4 October 2017 |
| 131_PD03 | | Proposed Poolhouse | 4 October 2017 |
| 131_PD05 | A | Proposed Gym | 4 October 2017 |
| 131_PD07 | A | Proposed Garage | 4 October 2017 |

| | | | |
|----------|---|----------------------------------|----------------|
| 131_PD06 | A | Proposed Home Office | 4 October 2017 |
| 131_PD04 | | Proposed Poolhouse Elevations | 4 October 2017 |

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

Determined By:

Mr B Owusu
3 November 2017