

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

DELEGATED APPLICATION

Application No: 6/2017/2646/PN8
Location: Manor Cottage Vineyards Road Northaw Potters Bar EN6 4PQ
Proposal: Prior approval for the erection of a single storey rear extension measuring 8m in depth, 2.8m in height and 2.541m to the eaves.
Officer: Mr David Elmore

Recommendation: Prior Approval Refused

6/2017/2646/PN8

Context	
Application Description	Prior approval for the erection of a single storey rear extension measuring 8m in depth, 2.8m in maximum height and 2.541m to the eaves.
Relevant planning History	<p>Application Number: 6/2017/2664/LAWP Decision: Under Consideration Proposal: Certificate of Lawfulness for the erection of 2x single storey side extensions, erection of outbuilding and the installation of dormer window</p> <p>Application Number: S6/2009/1131/FP Decision: Refused Decision Date: 04 September 2009 Proposal: ERECTION OF TWO STOREY SIDE EXTENSION AND NEW FRONT GABLE TO ROOF</p> <p>Application Number: E6/1969/0499/ Decision: Granted Decision Date: 27 March 1969 Proposal: Extension to bungalow.</p> <p>Application Number: E6/1968/0856/ Decision: Refused Decision Date: 13 June 1968 Proposal: Extension to form living room, 4 bedroom and bathroom.</p> <p>Application Number: E6/1957/1479/ Decision: Granted Decision Date: 23 January 1958 Proposal: Extension to bungalow.</p>

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) (England) Order 2015 as amended

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

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	N	N
until 30th May 2019		
(g) is the development outside of article 2(3) land (conservation area) or outside of a site of special scientific interest	Y	Y
(g) cont_ would it have a single storey (previous extensions to the rear need to be taken into account)		
(i) (i) Would it extend beyond the rear wall of the original dwellinghouse by up to or the equivalent of 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse	Y	Y
(ii) (ii) Be less than or equal to 4 metres in height	Y	Y
Have any representations been received from adjoining premises		
(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	Y	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	N	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	Y	N
(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)	Y	N
<u>Discussion</u> <i>The proposed single storey rear extension would be attached to a non-original front and side 'wrap-around' extension (Planning reference: E6/1969/0499/). As such, the total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) would exceed</i>		

<i>the limits set out in sub-paragraphs h & j.</i>		
(k) 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
(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c)	N/A	
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 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;		Y
(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse	Y	Y
<u>Conclusion</u>		
The proposed single storey rear extension would be attached to a non-original front and side extension to the subject dwelling (Planning reference: E6/1969/0499/). As such, the total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) would exceed the limits set out in Schedule 2, Part 1, Class A, A.1, h, j and ja of the Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2017. Therefore, the development proposed is not lawful.		

Reasons for Refusal:

1. The proposed single storey rear extension would be attached to a non-original front and side extension to the subject dwelling. As such, the total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) would exceed the limits set out in Schedule 2, Part 1, Class A, A.1, h, j and ja of the Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2017.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
Existing Elevations		Existing Elevations	10 November 2017
MC-R00-EX-104		Existing 3D Views	10 November 2017
MC-R00-EX-102		Existing Plans	10 November 2017
MC-R00-PR-101		Location Plan	16 November 2017
MC-R00-PR-102		Proposed Floor Plans	10 November 2017
MC-R00-PR-103		Proposed Elevations	10 November 2017
MC-R00-PR-104		Proposed 3D Views	10 November 2017
MC-R00-PR-100		Site Plan	16 November 2017

Determined By:

Mr Chris Carter
22 December 2017