

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

**DELEGATED APPLICATION**

**Application No:** 6/2018/1395/PN8  
**Location:** 6 Worcester Road Hatfield AL10 0DX  
**Proposal:** Prior approval for the erection of single storey rear extension measuring 5m in depth, 3.3m in height, 2.3m to the eaves  
**Officer:** Ms Emily Stainer

**Recommendation:** Refused

6/2018/1395/PN8

Context		
Application Description	Prior approval for the erection of a single storey rear extension measuring 5m in depth, 3.3m in height and 2.3m to the eaves. The property benefits from a conservatory which was granted in 1993 under the reference H/1993/5405/EM, however looking at the plans submitted this would be replaced by the proposed extension.	
Relevant planning History	Application Number: E6/1953/1181/ Decision: Granted Decision Date: 29 December 1953 Proposal: Use of land for residential development.  Application Number: H/1993/5405/EM Decision: Granted Decision Date: 20 December 1993 Proposal: Erection of rear conservatory	
The main issues are:		
<b>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</b>		
	Yes / No	To be PD
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>	
(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
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	<b>N</b>	N

of the original dwellinghouse)		
(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>Y</b> see (g)	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	<b>Y</b>	Y
(g) cont_ would it have a single storey (previous extensions to the rear need to be taken into account)	<b>Y</b>	
(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	<b>Y – 5m</b>	
(ii) (ii) Be less than or equal to 4 metres in height	<b>Y – 3.3m</b>	
Have any representations been received from <b>adjoining</b> premises	<b>N – See discussion below</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 – 2.3m</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>	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)	<b>N</b>	N
(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	<b>N</b>	N
<b>A.2</b> 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	<b>N/A</b>	N

tiles;		
(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	
<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	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;	N/A	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	N/A	Y

### **Discussion**

Paragraph A.4 (2) (c) of Class A of the General Permitted Development Order, 2015 (as amended) states that before beginning the development, the developer must provide a plan indicating the site and showing the proposed development, as well as the addresses of any adjoining premises. The local planning authority may refuse an application where, in the opinion of the authority, the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A. The site location plan provided fails to highlight the flats of Walsingham Close which borders the rear of the application site, nor does the application form identify these neighbours. Subsequently, a number of adjoining premises were not notified and it has not been possible to establish if there are any concerns from these addresses in regards to loss of light, privacy or overlooking.

### **Conclusion**

The proposed development fails to meet the requirement for a larger home extension as the details provided within the submitted application form and site location plan fail to comply with the requirement to provide the addresses of all of the adjoining premises to the property. Accordingly, the application for prior approval is refused under the terms of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended using the powers transferred to the Local Planning Authority under Paragraph A.4(3)(b) of that Order as the development fails to comply with the conditions, limitations or restrictions applicable to development permitted by Class A.

**Reasons for Refusal:**

1. The proposed development fails to meet the requirement to provide the addresses of all of the adjoining premises to the property. Accordingly, the application for prior approval is refused under the terms of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended using the powers transferred to the Local Planning Authority under Paragraph A.4(3)(b) of that Order as the development fails to comply with the conditions, limitations or restrictions applicable to development permitted by Class A.

**REFUSED DRAWING NUMBERS**

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
		Existing Ground Floor	21 May 2018
1		Site Location	11 June 2018
2		Existing Floor Plan - redacted	11 June 2018
3		Proposed Floor Plan - redacted	11 June 2018
		Block Plan - redacted	14 June 2018

**Determined By:**

Mr Mark Peacock  
25 July 2018