

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

DELEGATED APPLICATION

Application No: 6/2020/0183/LAWP
Location: 2 Waterworks Cottages Northaw Road East Cuffley Potters Bar
 EN6 4RB
Proposal: Certificate of lawfulness for the installation of 1 x dormer with
 Juliet balcony and 3 x roof-lights
Officer: Ms Lois-May Chapman

Recommendation: Granted

6/2020/0183/LAWP

Context		
Application Description	Certificate of lawfulness for the installation of 1 x dormer with Juliet balcony and 3 x roof-lights	
Relevant planning History	<p>Application Number: 6/2017/0905/HOUSE Decision: Refused Decision Date: 29 June 2017 Proposal: Erection of single storey front, side and rear extension, front porch, clipped gable hip roof enlargement, 3x front dormers, 1x rear dormer, 1x side roof light and alterations to openings.</p> <p>Application Number: 6/2019/3003/LAWP Decision: Withdrawn Decision Date: 24 January 2020 Proposal: Certificate of lawfulness for the installation 1 x rear dormer with Juliet balcony and 3 x roof-lights</p> <p>Application Number: 6/2019/3025/HOUSE Decision: Refused Decision Date: 24 January 2020 Proposal: Proposed loft conversion with a hip to gable roof, erection of storm porch and pitched roofs to front bay windows</p>	
The main issues are:		
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		
	Yes / No	To be PD
Have permitted development rights been removed	N	N
Is the property a dwellinghouse	Y	Y
Is it detached or semi-detached?	Y	Y
Is it terraced?	N	N

Is it within a conservation area	N	N
B.1 (a) Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)?	N	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	N	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	N	N
(d) would the cubic content of the resulting roof space exceed the cubic content of the original roof space by more than:- (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case	N	N
<p><i>Calculation here:</i></p> <p>The property has previously been extended with a two storey extension granted under application S6/1990/0620/FP which has increased the original roof with a volume of 35.5m³.</p> <p>Dormer volume: $\frac{1}{2} \times 2.9(\text{depth}) \times 2.5(\text{height}) \times 3.8 (\text{width}) = 14.38\text{m}^3$</p> <p>Total volume increase: 49.88m³</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	N	N
(f) is the dwellinghouse on article 2(3) land (conservation area)	N	N
B.2 Development is permitted by Class B subject to the following conditions:- (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 (b) is the enlargement constructed so that- (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 – (aa) the eaves of the original roof are maintained or reinstated: and (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 (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. (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall 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 Y N/A	Y
B.3 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.		

B.4 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. 6/2020/0183/LAWP.		
Conclusion		
The proposal complies with Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).		
The main issues are:		
Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class C (any other alteration to the roof) of the Town and Country Planning (General 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
(a) Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P, PA or Q of Part 3	N	N
Development not permitted by Class C		
(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;	N	N
(c) would it result in the highest part of the alteration being higher than the highest part of the original roof; or	N	N
(d) would it consist of or include— (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N	N
Conditions		
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— (a) obscure-glazed; and (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.	Y	Y
Conclusion		
The proposal complies with Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).		

Conditions:

1. The proposal complies with Schedule 2, Part 1, Class B and Class C of the Town and Country Planning (General Permitted Development) (England) 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:

Plan Number	Revision Number	Details	Received Date
12537 S002 -B		Existing Plans	24 January 2020
12537 S001-A		Existing Floor	24 January 2020
12537 P007-B		Proposed Plans	24 January 2020

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

Determined By:

Mr Jonathan Murray
1 April 2020