

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

DELEGATED APPLICATION

Application No: 6/2020/1740/PN8
Location: 86 Bell Lane Hatfield AL9 7AY
Proposal: Erection of single storey rear extension to the rear of the original rear of the building
Officer: Mr Tom Gabriel

Recommendation: Refused

6/2020/1740/PN8

Context	
Application Description	<p>The application site comprises a detached dwelling in a large, irregularly shaped plot at the junction of Bell lane and The Drive.</p> <p>The application is for the prior approval for the erection of a single storey rear extension.</p>
Relevant planning History	<p>Application Number: S6/1988/0808/FP Decision: Withdrawn Decision Date: 20 October 1988 Proposal: Extension to existing garage to form granny annexe</p> <p>Application Number: S6/1988/1076/FP Decision: Approval subject to s106 Decision Date: 13 February 1990 Proposal: Two storey side extension</p> <p>Application Number: S6/2001/0056/FP Decision: Granted Decision Date: 26 March 2001 Proposal: Erection of a two storey front extension and single storey rear extension</p> <p>Application Number: 6/2019/2375/PA Decision: Refused Decision Date: 20 February 2020 Proposal: Pre application advice for the erection of 9 apartments following demolition of existing building</p> <p>Application Number: 6/2020/1714/HOUSE Decision: Concurrent application Decision Date: Proposal: Erection of two storey front extension</p>
The main issues are:	
<p>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)</p>	

(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?	N	
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, PA 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
(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)	Y	
(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	N – 8.5m	
(ii) (ii) Be less than or equal to 4 metres in height	Y	
Have any representations been received from adjoining premises	N	
(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 being enlarged which is opposite the rear wall of that dwellinghouse;	N	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	N	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)	N	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	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;	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

The known history of the property (referenced above) includes a detached double garage granted permission in 1981 and a two storey side extension incorporating an annexe granted in 1988. No other history of the property has been found and therefore, the single storey side projection indicated as part of the kitchen on the submitted plans is taken to be part of the original dwelling.

On this basis, the deepest part of the proposed extension would be 8.5m, greater than the permitted 8m. Moreover, the extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would exceed half the width of the dwellinghouse. Consequently, the proposal would fail to comply with paragraphs (g)(i) and (j)(iii) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Reasons for Refusal:

1. The deepest part of the proposed extension would be 8.5m and the extension would extend beyond a wall forming a side elevation of the original dwellinghouse and would exceed half the width of the dwellinghouse. Consequently, the proposal

would fail to comply with paragraphs (g)(i) and (j)(iii) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

- The applicant has not confirmed that the external walls of the extension would be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. Consequently, the development would not accord with condition A.3(a) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
SH1		Location Plan and Existing Block Plan	15 July 2020
SH2		Existing Ground Floor Plan	15 July 2020
SH3		Existing First Floor Plan	15 July 2020
SH4		Existing Second Floor Plan	15 July 2020
SH5		Existing Roof Plan	15 July 2020
SH6		Existing Front Elevation	15 July 2020
SH7		Existing Side Elevation	15 July 2020
SH8		Existing Rear Elevation	15 July 2020
SH9		Existing Side Elevation	15 July 2020
SH10		Proposed Location & Block Plan	15 July 2020
SH11		Proposed Ground Floor Plan	15 July 2020
SH12		Proposed First Floor Plan	15 July 2020
SH13		Proposed Second Floor Plan	15 July 2020
SH14		Proposed Roof Plan	15 July 2020
SH15		Proposed Side Elevation	15 July 2020
SH16		Proposed Rear Elevation	15 July 2020
SH17		Proposed Side Elevation	15 July 2020

Determined By:

Mr Michael Robinson
24 August 2020