

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

DELEGATED APPLICATION

Application No: 6/2020/2153/PN8
Location: 53 Clover Way Hatfield AL10 9FN
Proposal: Prior approval for proposed single storey rear extension to existing residential house.
Officer: Mr Tom Gabriel

Recommendation: Prior Approval Refused

6/2020/2153/PN8

Context	
Application Description	The application seeks the Council's prior approval for a single storey rear extension, 5.35m deep, 5.26m wide and 3.9m high, 2.65m high at the eaves.
Relevant planning History	<p>Application number: S6/1999/0884/FP Decision: Granted (PD rights removed - Classes A, B, D or F of Part 1 or Classes A or B of Part 2 to Schedule 2 in the interest of in the interest of visual and residential amenity, and highway safety) Decision date: 30 June 2000 Proposal: Residential development comprising 370 dwellings, new roads, cycleways, footpaths, landscaping and public open space visual and residential amenity and highway safety)</p> <p>Application number: S6/2001/0577/FP Decision: Granted (PD rights removed - Classes A, B, D or F of Part 1 or Classes A or B of Part 2 to Schedule 2 in the interest of visual and residential amenity, and highway safety) Decision date: 26 March 2002 Proposal: Residential development comprising 370 dwellings, new roads, cycleways, footpaths, landscaping and public open space (revision of S6/1999/0884/FP - Total number of dwellings, housing mix, number and location of affordable dwellings, highway and pedestrian infrastructure and public open spaces, the proposals are identical to those already approved. The one area of change is that of substitution of house types for the open market housing, where David Wilson designs have been substituted for the original Rialto versions).</p> <p>Application number: S6/2001/1338/FP Decision: Granted (PD rights removed - Classes A, B, D or F of Part 1 or Classes A or B of Part 2 to Schedule 2 in the interest of visual and residential amenity, and highway safety) Decision date: 28 March 2002 Proposal: Residential development comprising of 200 dwellings, new road, cycle ways, footpaths, landscaping and public open space. (Revisions to planning permissions S6/1999/0884/FP and S6/2001/0577/FP)</p>

	Application Number: S6/2013/0567/LUP Decision: Returned To Agent Decision Date: 14 May 2013 Proposal: Certificate of lawfulness for conversion of garage into study room	
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	Y	N
Is the property a dwellinghouse	Y	Y
Is it detached?	Y – linked detached	
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	Y – 5.35m	
(ii) (ii) Be less than or equal to 4 metres in height		
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	N	N

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;		
(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,	N/A - conser vatory	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

Reasons for Refusal:

1. Permitted development rights under Classes A, B, D or F of Part 1 & Classes A or B of Part 2 to Schedule 2 of the General Permitted Development Order 1995, or any subsequent order, were removed by condition of planning permission reference S6/2001/1338/FP granted 28 March 2002. The proposed works therefore require planning permission and are not 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.

REFUSED DRAWING NUMBERS

2.

Plan Number	Revision Number	Details	Received Date
01		Existing and Proposed Ground Floor Plan	24 August 2020
02		Elevations Block and Location plans	24 August 2020

Determined By:

Mr Mark Peacock
15 October 2020