

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

DELEGATED APPLICATION

Application No: 6/2020/2509/LAWP
Location: 9 Gorseway Hatfield AL10 9GS
Proposal: Certificate of lawfulness for garage conversion into habitable room and change of garage door to a window
Officer: Mr Antoine Commenville

Recommendation: Granted

6/2020/2509/LAWP

Context		
Application Description	Certificate of lawfulness for garage conversion into habitable room and change of garage door to a window	
Relevant planning History	<p>Application number: S6/1999/1115/OP Decision: Granted Decision date: 30 April 2002 Proposal: Residential development (Outline) including access to public highway</p> <p>Application number: S6/2001/1045/DE Decision: Granted Decision date: 21 May 2002 Proposal: Erection of 111 houses and 20 flats, together with garaging, parking areas, access roads, footways / cycleways and public open space (Reserved matters application following S6/1999/1115/OP)</p> <p>Application number: S6/2003/0656/DE Decision: Granted Decision date: 26 February 2004 Proposal: Erection of 88 new dwellings with associated access roads, garages and parking areas (Reserved matters application following S6/1999/1115/OP)</p> <p>Application number: 6/2020/0392/HOUSE Decision: Granted Decision date: 10 July 2020 Proposal: Erection of a single storey rear extension.</p>	
The main issues are:		
<p align="center">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</p>		
	Yes / No	To be PD
Have permitted development rights been removed	N	N
Is the property a dwellinghouse	Y	Y

Is it detached?	N	
Is it semi-detached or terraced?	Y	
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/A	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)	N/A	
(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/A	
(ii) Be less than or equal to 4 metres in height	N/A	
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 being enlarged which is opposite the rear wall of that dwellinghouse	N/A	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/A	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/A	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/A	
(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	N	N

vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse		
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
Conclusion		
The garage conversion with insertion of front window would be permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) Order 2015 or as amended.		

Conditions:

1. The garage conversion with insertion of front window would be permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) Order 2015 or 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
		Location Plan	30 September 2020
GLA-032L		Existing Elevations	1 October 2020
GLA-04L		Proposed Floor Plans	1 October 2020

GLA-05L	Proposed elevations	1 October 2020
GLA-01L	Block Plan	1 October 2020
GLA-02L	Existing Ground Floor	1 October 2020

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

Determined By:

Mr Mark Peacock
25 November 2020