

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

DELEGATED APPLICATION

Application No: 6/2020/3290/PN8
Location: 86 Bell Lane Hatfield AL9 7AY
Proposal: Prior approval for the erection of a single storey rear extension measuring 4.83m in depth, 3.00m in height and 2.80 to the eaves
Officer: Ms Kirsty Shirley

Recommendation: Refused

6/2020/3290/PN8

Context	
Application Description	<p>The application site is a considerably sizable plot located at the junction of Bell Lane and The Drive and is well screened with vegetation from both roads. The application dwelling is a large detached property.</p> <p>The application forms state that prior approval is for the erection of a single storey rear extension measuring 4.83m in depth, 3.00m in height and 2.80 to the eaves.</p> <p>However, there is a further extension on the plans measuring 6.030m and 3.595m. No indication of the height of this has been provided and no elevations are submitted.</p> <p>The assessment below, is provided entirely on the extension which is proposed within the application forms.</p>
Relevant planning History	<p>Application Number: S6/1981/0611/ Decision: Granted Decision Date: 23 November 1981 Proposal: Detached double garage</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 TWO STOREY FRONT EXTENSION AND SINGLE STOREY REAR EXTENSION</p> <p>Application Number: 6/2020/1740/PN8 Decision: Refused Decision Date: 24 August 2020 Proposal: Erection of single storey rear extension to the rear of the original rear of the building</p>

	Application Number: 6/2020/1714/HOUSE Decision: Refused Decision Date: 08 September 2020 Proposal: Erection of two storey front extension	
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	N	N
Is the property a dwellinghouse	Y	Y
Is it detached?	Y	
Is it semi-detached or terraced?		
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	Y – 4.83m (PN8) however the proposed plans show a greater depth	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)		
(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	
(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 and the rear projection.

Two extensions are proposed which are shown on the proposed plans. No information is provided either within the application form or through the submitted drawings with regard to the height of the extension measuring 6.030m in width and 3.595m in depth. As a consequence, the height of this extension is not known and whether it meets the requirement of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. Accordingly, the application for prior approval is refused.

The deepest part of the proposed extension is shown to be 4.83m on the application forms. However, the proposed floorplans show that this would be a greater depth, due to the design of the property. Consequently inaccurate information is provided with regard to the depth of the extension proposed and does not comply with the conditions set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. An accurate assessment of the proposal is therefore unable to be given.

Accordingly, prior approval is refused for the development.

It is appreciated that consultation of the application expires on the 25 January with neighbours. However, the application is recommended for refusal and a decision has to be made otherwise the applicant would automatically receive approval.

Reasons for Refusal:

- 1. The submitted plans indicate two separate extensions. It is not clear the height of the extension proposed to the rear of the drawing room. Insufficient information has therefore been provided to enable the Local Planning Authority to properly assess the proposals and if the proposal would comply with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

- 2. A.4 (conditions) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 outlines that the developer must provide in writing how far the enlarged part of the dwelling extends beyond the rear of the original dwellinghouse and provide a plan showing the proposed development. However, there is an inconsistency with the proposed plans and the written depth of the proposed extension, which is shown in the application forms to be 4.83m. The proposed plans, show a deeper extension. Accordingly the information provided does not meet the requirements of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended and an accurate assessment is unable to be made.

REFUSED DRAWING NUMBERS

3.

Plan Number	Revision Number	Details	Received Date
SH10		Proposed Block Plan	7 December 2020
SH11		Proposed Ground Floor Plan	7 December 2020
SH1		Location Plan and Existing Block Plan	7 December 2020

Determined By:

Mrs Sarah Smith
15 January 2021