



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

**DELEGATED APPLICATION**

**Application No:** 6/2022/0583/LAWP  
**Location:** Coverack 50 The Ridgeway Cuffley Potters Bar Hertfordshire EN6  
4BA

**Proposal:** Certificate of lawfulness for two single storey side extensions  
**Officer:** Ms Elizabeth Mugova

**Recommendation:** Refused

6/2022/0583/LAWP

Context	
Application Description	The applicant seeks certificate of lawfulness for the erection of two single storey side extensions.
Relevant planning History	<p>Application Number: 6/2022/0322/HOUSE Decision: Granted Decision Date: 03 May 2022 Proposal: Erection of single and two storey front, side and rear extensions</p> <p>Application Number: 6/2022/0697/HOUSE Decision: Awaiting decision Decision Date: Proposal: Erection of front extension</p> <p>Application Number: 6/2022/0854/PN27 Decision: Awaiting decision Decision Date: Proposal: Prior approval for the construction of an additional storey to facilitate the enlargement of the dwellinghouse to a maximum of approximately 10m in height</p> <p>Application Number: E6/1956/0913/ Decision: Granted Decision Date: 24 September 1956 Proposal: Site for one detached house.</p> <p>Application Number: E6/1959/0297/ Decision: Granted Decision Date: 23 April 1959 Proposal: Erection of chalet bungalow and garage.</p> <p>Application Number: S6/2002/0059/FP Decision: Granted Decision Date: 20 February 2002 Proposal: Two storey side extension with front dormer windows (re-submission following S6/2000/1481/FP)</p>

<b>The main issues are:</b>		
<b>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</b>		
	Yes / No	To be PD
Have permitted development rights been removed	<b>N</b>	N
Is the property a dwellinghouse	<b>Y</b>	Y
Is it detached?	<b>Y</b>	
Is it semi-detached or terraced?		
Is it within a conservation area	<b>N</b>	
(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);	<b>N</b>	N
<b>Development not permitted by Class A</b>		
(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)	<b>N</b>	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	<b>N</b>	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	<b>N</b>	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	<b>N</b>	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	<b>N</b>	N
(g) is the development outside of article 2(3) land (conservation area) or outside of a site of special scientific interest	<b>Y</b>	Y
(g) cont_ would it have a single storey (previous extensions to the rear need to be taken into account)	<b>Y</b>	
(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	<b>N</b>	
(ii) Be less than or equal to 4 metres in height	<b>N</b>	
Have any representations been received from <b>adjoining</b> premises	<b>N/A</b>	
(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	<b>N</b>	N

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	<b>Y - the proposed single storey side extensions (combined) would have a width greater than half the width of the original dwellinghouse</b>	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	
(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
<b>A.2</b> 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	
<b>A.3</b> 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	<b>N - the applicant has not stated where this would be the case within the submitted plans</b>	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	N/A	Y

opened are more than 1.7 metres above the floor of the room in which the window is installed;		
(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.	<b>N/A</b>	Y
<b>Discussion</b>		
The development is not permitted because it fails to meet conditions and limitations within Schedule 2, Part 1, Class A. General Permitted Development Order 2015, as amended.		
The width of the proposed extensions (combined) would be greater than half the width of the original dwellinghouse and consequently fails to comply with the Schedule 2, Part 1, Class A.1 (j) GPDO.		
<b>Conclusion</b>		
It is considered that the proposed development would not constitute permitted development for the reasons discussed above, therefore, it is recommended that this application be refused.		

### **Reasons for Refusal:**

1. The proposed development fails to comply with the Schedule 2, Part 1, Class A.1(j) of the General Permitted Development Order 2015, as amended. The reason for this is because the proposed extension would have a width greater than half the width of the original dwellinghouse.

### **REFUSED DRAWING NUMBERS**

2.

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
1467_301		Existing Block Plan	14 March 2022
1467_310		Existing Floor Plans and Elevations	14 March 2022
1467_320		Proposed Floor Plans and Elevations	14 March 2022
1467_300		Site Location Plan	14 March 2022

### **Determined By:**

Ms Becky Rousell  
6 May 2022

