



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

DELEGATED APPLICATION

Application No: 6/2022/0854/PN27
Location: Coverack 50 The Ridgeway Cuffley Hertfordshire EN6 4BA
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
Officer: Ms Elizabeth Mugova

Recommendation: Prior Approval Required and Granted

6/2022/0854/PN27 These applications are for an assessment as to whether prior approval of those matters detailed within the legislation is required from the Council. However, other matters have been considered, but are not referred to as part of the decision letter. The contents of matters other than the prior approval considerations cannot be relied on as to the development's lawfulness. These require confirmation, if required by the developer, through the submission of an application for a Certificate of Lawful Use.

Context	
Application Description	Prior approval for the construction of an additional storey to facilitate the enlargement of the dwellinghouse to a maximum of approximately 10m in height.
Relevant planning History	<p>Application Number: 6/2022/0697/HOUSE Decision: Awaiting decision Decision Date: Proposal: Erection of front extension</p> <p>Application Number: 6/2022/1041/PN8 Decision: Awaiting decision Decision Date: Proposal: Prior approval for 8m deep single storey rear extension to the width of the original dwelling</p> <p>Application Number: 6/2022/1099/LAWP Decision: Awaiting decision Decision Date: Proposal: Certificate of lawfulness for the erection of a single storey side extension</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> <p>Application Number: 6/2022/0637/PN8 Decision: Refused</p>

	<p>Decision Date: 26 April 2022 Proposal: Prior approval for an 8m rear extension from the kitchen and dining room to form a family room measuring 8 metres in depth and 3 metres to the eaves</p> <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: 6/2022/0583/LAWP Decision: Refused Decision Date: 06 May 2022 Proposal: Certificate of lawfulness for two single storey side extensions</p>
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The main issues are:

1. Whether the proposed works are permitted development by virtue of Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

Part 20: Construction of New Dwellinghouses

Part AA: the enlargement of a dwellinghouse by construction of additional storeys

Development is Not Permitted be Class A if -		
	Yes / No	To be PD
The permission to use any of the property been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule?	N	N
The dwelling house is located on – i. article 2(3) land; or ii. A SSSI	N	N
The dwellinghouse was constructed before 1 July 1948 or after 28 March 2018	N	N
The existing house has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise	N	N
Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18m	N	N
Following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than i. 3.5m, where the existing dwellinghouse consists if one storey; or ii. 7m, where the existing dwellinghouse consists of more than one storey	N	N
the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres— i. in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or ii. in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;	N/A	N
the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—	N	N

<p>i. 3 metres; or ii. the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;</p>		
<p>any additional storey is constructed other than on the principal part of the dwellinghouse;</p>		N
<p>the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development</p>		N
<p>the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.</p>	N	N
<p>Conditions that the development must apply for Prior Approval for:</p>		
<p>The impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;</p>	See below	
<p>the external appearance of the dwellinghouse, including the design and architectural features of— (aa)the principal elevation of the dwellinghouse, and (bb)any side elevation of the dwellinghouse that fronts a highway;</p>	See below	
<p>Air traffic and defence asset impacts of the development</p>	See below	
<p>Whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to protected views dated 15 March 2012 (3) issued by the SofS</p>	See below	
<p>Discussion where matters require prior approval</p>		
<p>Impact on Amenity</p>	<p>In accordance with section AA.2 (3) (a) (i) of Schedule 2, Part 1, Class AA of The Town and Country (General Permitted Development) Order 2015 (as amended), the local planning authority shall consider the impact on the amenity of any adjoining premises. Loss of light, overlooking and loss of privacy are relevant concerns in regard to assessing the impact of a development on the amenity of the occupiers of adjoining premises, and a discussion on this follows.</p> <p>The site comprises of a two storey detached dwellinghouse which sits on a generously sized plot. Due to the positioning of the dwelling within its plot, it is some distance from neighbouring properties such that the proposal would not have an adverse impact upon their amenity.</p>	
<p>External Appearance</p>	<p>In accordance with section AA.2 (3) (a) (ii) of Schedule 2, Part 1, Class AA of The Town and Country (General Permitted Development) Order 2015 (as amended), the local planning authority shall consider the external appearance of the dwellinghouse, including the design and architectural features of the following:</p> <p>(aa)the principal elevation of the dwellinghouse, and</p> <p>(bb) any side elevation of the dwellinghouse that fronts a highway.</p> <p>All exterior materials for the resultant dwelling would be of a similar appearance to those of the existing dwellinghouse.</p>	

	The surrounding area is residential in character and includes generally large houses set in spacious plots which are quite diverse in architectural style, form, layout and size, therefore the resultant dwelling would not appear out of character. There are no objections raised in this regard.
Air traffic and defence impacts	The dwelling would have minimal impact on air traffic and defence assets.
Whether because of the siting of the building, the development will impact on a protected view	The development would not impact on a protect view identified in the Directions Relating to Protected Vistas.
RECOMMENDATION	
Prior approval required and granted	
The proposal has been assessed against Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended and prior approval is required and approved subject to the inclusion of a condition requiring a Construction Method Statement to be submitted to the Council.	

Conditions:

1. Prior to the commencement of the development hereby permitted, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - a) the proposed development working hours of operation; and
 - b) how any adverse impact of noise, dust and vibration and traffic on occupiers of the new building and adjoining owners or occupiers will be mitigated.

REASON: To ensure any adverse impacts of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated in accordance with paragraph AA.2 (3) (b) of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

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
1569_300		Site Location Plan	8 April 2022
1569_301		Existing block plan	8 April 2022
1569_310		Existing plans & Elevations	8 April 2022

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

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.
2. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at www.hertfordshirebc.co.uk

Determined By:

Mr Derek Lawrence
1 June 2022