

**WELWYN HATFIELD BOROUGH COUNCIL  
ASSISTANT DIRECTOR (PLANNING)**

**DELEGATED APPLICATION**

**Application No:** 6/2023/1284/LAWP  
**Location:** 178 Dragon Road Hatfield AL10 9NZ  
**Proposal:** Certificate of lawfulness for the proposed conversion of garage to habitable use, to include 2 no. rooflights to the front roof slope and 1 no. rooflight to the rear roof slope and new porch to the front elevation.  
**Officer:** Mrs Kerrie Charles

**Recommendation:** Granted

6/2023/1284/LAWP

Context		
Application Description	This application is for a Certificate of Lawful Development for a proposed garage conversion, which includes insertion of two rooflights to the front roof slope and one rooflight to the rear roof slope. The development also proposes a new front porch.	
Relevant planning History	<p>Application Number: S6/1999/1064/OP            Decision: Approval Subject to s106            Decision Date: 29 December 2000            Proposal: Demolition of existing (unlisted) buildings, removal of runway and other hard standing areas and redevelopment for the following purposes: as a business park comprising uses within use class B1, B2, B8 and sui generis use; housing; new university campus (use class D1 and D2) to include replacement De Havilland sports and social club and associated playing fields; two hotels; primary school and associated facilities; district centre; works of conversion to enable recreation use of existing listed hangar; aviation heritage centre. together with associated highway, transport and service infrastructure (including a strategic transport corridor), landscaping and open space, diversion of Ellenbrook. means of access to be determined</p> <p>Application Number: S6/2001/1152/DE            Decision: Granted            Decision Date: 15 May 2003            Proposal: Erection of 74 dwellings with garaging, parking and infrastructure</p>	
The main issues are:		
<p><b>1. Whether the proposed works are permitted development by virtue of Schedule 2, Part 1, Class A (enlargement, improvement or alteration), Class D (consisting of the erection or construction of a porch outside any external door of the dwellinghouse) and Class C (any other alteration to the roof) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended</b></p>		
	Yes / No	To be PD
Have permitted development rights been removed	<b>N</b>	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 <b>adjoining</b> premises	N/A	
(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	
(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,	N	N

(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		
<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;	<b>N/A</b>	N
(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;	<b>N/A</b>	N
(c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse	<b>N/A</b>	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).	<b>N/A</b>	
<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>Y</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 opened are more than 1.7 metres above the floor of the room in which the window is installed;	<b>N/A</b>	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.	<b>N/A</b>	Y
<b>D.1</b> Development is not permitted by Class D if:-		
(a) Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P, PA or Q of Part 3	<b>N</b>	N
(b) would the ground area (measured externally) of the structure exceed 3 square metres;	<b>N</b>	N
(c) would any part of the structure be more than 3 metres above ground level; or	<b>N</b>	N
(d) would any part of the structure be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway	<b>N</b>	N
<b>Development not permitted by Class C</b>		
(b) would the alteration protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;	<b>N</b>	N
(c) would it result in the highest part of the alteration being higher than the highest part of the original roof; or	<b>N</b>	N
(d) would it consist of or include— (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	<b>N</b>	N
<b>Conditions</b>		
<b>C.2</b> Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be— (a) obscure-glazed; and	<b>Y</b>	Y

(b) 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.		
<b>Conclusion</b>		
The proposed works are permitted development by virtue of Schedule 2, Part 1, Class A (enlargement, improvement or alteration), Class D (consisting of the erection or construction of a porch outside any external door of the dwellinghouse) and Class C (any other alteration to the roof) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.		

**Conditions:**

1. The proposed works are permitted development by virtue of Schedule 2, Part 1, Class A (enlargement, improvement or alteration), Class D (consisting of the erection or construction of a porch outside any external door of the dwellinghouse) and Class C (any other alteration to the roof) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

**DRAWING NUMBERS**

2. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
E101	2	Existing front elevation	14 August 2023
E102	2	Existing rear elevation	14 August 2023
E103	2	Existing ground floor plan	14 August 2023
E104	2	Existing first floor plan	14 August 2023
E105	2	Existing roof plan	14 August 2023
E106	2	Proposed front elevation	14 August 2023
E107	2	Proposed rear elevation	14 August 2023
E108	2	Proposed ground floor plan	14 August 2023
E109	2	Proposed roof plan	14 August 2023
		Location plan	20 June 2023

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](mailto: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](http://www.hertfordshirebc.co.uk)

**Determined By:**

Mr Mark Peacock  
14 August 2023