

DELEGATED FILE NOTE

CASE OFFICER: ...William Thompson.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02345/LDCP	Replacement of 3 No. outbuildings in rear garden following demolition of existing outbuildings	12 Highfield Letchworth Garden City Hertfordshire SG6 3QD

Submitted Plan Nos

LD739-E01 LD739-E02 LD739-P02 LD739-P01A LD739-P03 LD739-E03 LD739-E04

1.0 Policies

2.0 **Site History**

- 2.1 08/03009/1HH - Single storey front extension and addition of pitched roof front canopy following demolition of existing attached single garage and single storey rear extensions.

Conditional Permission

93/00682/1HH - 2 storey rear extension.

Conditional Permission

80/00776/1 - Erection of single storey front extension to garage.

Conditional Permission

3.0 **Representations**

- 3.1 No consultation required

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 12 Highfield comprises of a detached house and 3no. outbuildings in a long, thin garden on the east side of Highfield, in a residential area of Letchworth Garden City.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for the replacement of 3no. outbuildings in the rear garden following the demolition of the existing outbuildings.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are whether the proposed development would require a specific planning permission or be considered 'permitted development' in line with the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1.

4.3.2 **Class E – buildings etc incidental to the enjoyment of a dwellinghouse**

E. The provision within the curtilage of the dwellinghouse of—

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

The proposed outbuilding would consist of uses incidental to the enjoyment of the main dwellinghouse. As such, the proposed development is compliant with this criterion.

E.1 Development is not permitted by Class E if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

The proposed development is compliant with this criterion.

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The proposed development is compliant with this criterion.

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;

The proposed development is compliant with this criterion.

(d) the building would have more than a single storey;

The proposed development is compliant with this criterion.

(e) the height of the building, enclosure or container would exceed—

(i) 4 metres in the case of a building with a dual-pitched roof,

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or

(iii) 3 metres in any other case;

The proposed 3no. outbuildings would all be within 2m of the boundary and would all be below 2.5m in height. As such, the proposed development is compliant with this criterion.

(f) the height of the eaves of the building would exceed 2.5 metres;

The proposed development is compliant with this criterion.

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;

The proposed development is compliant with this criterion.

(h) it would include the construction or provision of a verandah, balcony or raised platform;

The proposed development is compliant with this criterion.

(i) it relates to a dwelling or a microwave antenna; or

The proposed development is compliant with this criterion.

(j) the capacity of the container would exceed 3,500 litres.

The proposed development is compliant with this criterion.

4.4 Conclusion

4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed detached outbuildings constitute permitted development by virtue of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Proactive Statement:

A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed detached outbuildings constitute permitted development by virtue of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed  Naomi Reynard	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 22 November 2024	