

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02399/PNAA	Enlargement of detached bungalow by the construction of an additional storey to result in an overall height of 6.45 metres.	The Cottage 73 Park Lane Old Knebworth Hertfordshire SG3 6PP

Submitted Plan Nos

1121 - 01 1121 - 02 1121 - 03 1121 - SK01a 1121 - SK02a 1121 - SK03

- 1.1 The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020, Schedule 2, Part 1, Class AA.

2.0 **Site History**

- 2.1 24/01662/LDCE: Certificate of Lawfulness for the existing use of the outbuilding as a self-contained residential unit. Granted 4/9/2024.

3.0 **Representations**

- 3.1 Knebworth Parish Council : 'No objections'

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 No. 73 is a detached single storey dwelling located on the south side of Park Lane just west of the A1 (M) cutting.

4.2 **Proposal**

- 4.2.1 Prior Approval is sought for the addition of one storey with a pitched gabled roof to the dwelling to result in an overall height of 6.45 metres.

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 AA – enlargement of a dwellinghouse by construction of additional storeys

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

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

The proposal complies with this criterion.

(b) the dwellinghouse is located on—

(i) article 2(3) land; or

(ii) a site of special scientific interest;

The proposal complies with this criterion.

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

It appears that the dwelling complies with this criteria.

(d) the existing dwellinghouse 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;

The proposal complies with this criterion.

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

The total height would be approximately 6.45m. The proposal complies with this criterion.

(f) 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) 3.5 metres, where the existing dwellinghouse consists of one storey; or**
- (ii) 7 metres, where the existing dwellinghouse consists of more than one storey;**

There would be an increase in height of 2.8m. The proposal complies with this criterion

(g) 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;

Not applicable, the house is detached. The proposal complies with this criterion.

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

- (i) 3 metres; or**
- (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;**

The proposal complies with this criterion.

(i)any additional storey is constructed other than on the principal part of the dwellinghouse;

The proposal complies with this criterion.

(j)the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

The proposal complies with this criterion.

(k)the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

The proposal complies with this criterion – The application form advise that no works as set out in (k) would occur.

Conditions

AA.2.—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

(a)the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposal complies with this criterion.

(b)the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

The proposal complies with this criterion.

(c)the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and

The proposal complies with this criterion.

(d)following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

The proposal complies with this criterion.

(3) The conditions in this sub-paragraph are as follows—

(a)before beginning the development, the developer must apply to the local planning authority for prior approval as to—

- (i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;**
- (ii) the external appearance of the dwellinghouse, including the design and architectural features of—**

The applicant advises that the proposed development would be situated circa 30 metres from the nearest neighbouring property Cuckoo Hall, No 73 Park Lane. Given this separation distance it is not considered the proposed development would affect the amenity of neighbouring properties by way of increased overlooking, loss of privacy or loss of light or outlook.

(a)(ii) The subject property is relatively isolated in nature, with the surrounding area comprising of predominantly two-storey dwellings set on substantial plots. The design and architectural features of the proposed development would reflect those of the existing property; including the materials, window positioning and roof slope. The detached nature of the existing property would ensure the proposed development does not appear as an incongruous feature on the property.

Despite the increase in height, the proposed development would not be an unduly dominant feature on the skyline. The positioning of the property significantly set back from Park Lane, and when coupled with the level change with the site, would mean it would not be unduly prominent when viewed from the street. The massing and height would still be less than that of surrounding properties and as such the proposed development would complement the character and appearance of the surrounding area.

The affect on the external appearance of the building would therefore be acceptable and accord with the requirements of paragraph AA.2(3)(a)(ii) of Class AA

Given the distances to other neighbours, matters of light and privacy loss are not considered to be unacceptable. Furthermore, no objections were received from neighbours to the site.

With regards to the design of the proposal, the materiality and built form of the proposal are considered to be sympathetic to the host dwelling and would not appear out of place.

As such, prior approval is not required for these issues.

- (aa) the principal elevation of the dwellinghouse, and**
- (bb) any side elevation of the dwellinghouse that fronts a highway;**

- (iii) air traffic and defence asset impacts of the development; and**
- (iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State;**

These would not be affected. As such, prior approval is not required for this issue.

(b)before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated;

These details have not been provided with this submission but can be submitted to the LPA at a later date and must be prior to commencement.

4.4 Conclusion

- 4.4.1 It is recommended that Prior Approval be **GRANTED** on the basis that the proposed development satisfies criteria in relation to Class AA, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 3 December 2024	