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North Hertfordshire Council
Council Offices
Gernon Road
Letchworth Garden City
SG6 3JF

Planning Portal Ref: PP-15001218



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Dear Sir/Madam

Application for Certificate of Lawful Proposed Use or Development at No 17 Gray's Lane, Hitchin SG5 2HG.

On behalf of our client Mr Beaumont ("the applicant"), we are pleased to enclose an application seeking a Certificate of Lawful Proposed Use or Development (CLOPUD) under Section 192 (1)(b) of the Town and Country Planning Act 1990 (as amended).

The application demonstrates that the proposed rear extension would be lawful pursuant to Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In addition to this letter, the following documents are enclosed in support of this application:

- Application Form
- Site Location Plan
- Existing Site Plan, Plans & Elevations – Drawing No 2001
- Proposed Site Plan, Plans & Elevations – Drawing No 2002

The requisite application fee has been paid via the Planning Portal.

Site Context

The application site comprising No 17 Gray's Lane is a detached residential dwelling located in Hitchin. It is located on the southern side of Gray's Lane, on a corner plot adjacent to Walsh Close. It is a two-storey property with an existing ground floor

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extension along the western site boundary and separate rear conservatory. There is a large garden to the rear and driveway to the front.

The principal elevation of the property is considered to be the northern elevation which fronts Gray's Lane. The property is not located within a conservation area and is not listed.

Planning History

There are a number of previous planning applications associated with the property:

Application ref	Description	Decision & Date
83/00192/1	Outline application (design, external appearance and landscaping reserved) for erection of detached dwelling	Refused 31 March 1983
88/00635/1	Erection of single storey side and rear extension (as amended by plans received 14 June 1988)	Application approved 16 June 1988
08/00976/1HH	Rear conservatory	Application approved 09 July 2008
14/02996/1HH	Two storey side extension with extension to existing loft space	Application approved 09 January 2015
25/02798/FPH	Single storey rear extension with basement and attached rear pergola following demolition of existing rear extensions. Alterations to fenestration.	Application withdrawn 17 December 2025

Table 1. Planning History

Proposed Development

A Certificate of Lawfulness (Proposed) is sought for the erection of a single storey rear extension to replace the existing rear conservatory. The extension would have a maximum depth of 4 metres, width of 4 metres, eaves height of 3 metres and maximum height of 4 metres.

The proposed extension is situated to the rear of the property and is not on a principal elevation or side elevation fronting a highway. The extension would extend 4 metres from the rear wall of the original dwellinghouse and the total coverage of built form would not exceed more than 50% of the total plot. It does not constitute a side extension as a small element of the original dwellinghouse would be demolished prior to the rear extension being constructed.

Assessment

Schedule 2, Part 1, Class A of the GPDO allows for the following:

"The enlargement, improvement or other alteration of a dwellinghouse."

The following paragraphs demonstrate how the proposed development complies with Class A.

"A.1 Development is not permitted by Class A if –

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

The proposals comply with this criterion. The dwelling was not constructed by virtue of any right under Part 3 of the GPDO.

- (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);"*

The proposals comply with this criterion. The submitted plans clearly show that the proposed works would not result in the total ground coverage by buildings exceeding 50% of the total curtilage of the dwellinghouse.

- (c) *the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;"*

The proposals comply with this criterion. No part of the enlarged dwelling would exceed the highest part of the roof of the existing dwelling.

- (d) *the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;"*

The proposals comply with this criterion. No part of the enlarged dwelling would exceed the height of the eaves of the existing dwelling.

- (e) *the enlarged part of the dwellinghouse would 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;”*

The proposal complies with this criterion. The proposed extension is to the rear of the property which is not the principal elevation of the original elevation nor a side elevation fronting a highway.

- (f) 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;”*

The proposals comply with this criterion. The dwellinghouse is detached and the proposed extension would extend 4 metres beyond the rear wall of the original dwellinghouse. It would also not exceed 4 metres in height.

- (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, 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 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or*
 - (ii) exceed 4 metres in height;”*

This criterion is not relevant as the proposal is for a single storey extension under criterion (f).

- (h) the enlarged part of the dwellinghouse would have more than a single 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 which is opposite the rear wall of that dwellinghouse;”*

This criterion is not relevant as the proposal is for a single storey extension only.

- (i) the enlarged part of the dwellinghouse would 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;”*

The eaves height of the proposed extension would be 3 metres at their highest point, and the proposal would comply with this criterion.

- (j) *the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would -*
- (i) exceed 4 metres in height,*
 - (ii) have more than a single storey, or*
 - (iii) have a width greater than half the width of the original dwellinghouse; or"*

This criterion is not relevant as the proposed extension would not extend beyond the rear of a side elevation of the original dwelling. The single storey element of the existing kitchen would be demolished in advance of the construction of the rear extension, and therefore there would not be any side extension.

- (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)"*

No part of the proposals would exceed the limits set out at sub-paragraphs (e) to (j). The proposed extension does not adjoin any existing extension.

- (k) *it would consist of or include -*
- (i) the construction or provision of a verandah, 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."*

The proposed extension would not include the construction of a veranda, balcony or raised platform, works to a microwave antenna, works to chimney flue or alteration to any part of the roof of the dwellinghouse. The proposals comply with this criterion.

"A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A 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) *the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or*
- (c) *the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.*
- (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)."*

This is not applicable as the dwellinghouse is not situated on article 2(3) land.

"A.3 Development is permitted by Class A subject to the following conditions –

- (a) *the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;"*

The materials used would be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

- (b) *any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must 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; and"*

No part of the extension has more than a single storey.

- (c) *where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse."*

No part of the extension has more than a single storey.

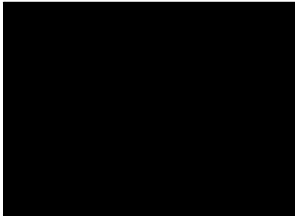
Paragraph A.4 is not relevant as the proposed extension does not exceed the limits in paragraph A.1(f).

Summary

As demonstrated above, the proposed single storey rear extension would comply with the restrictions set out within Schedule 2, Part 1, Class A of the GDPO.

Should you require any further information or wish to discuss the matter, please do not hesitate to contact me.

Yours faithfully,



Lauren Whiteley
Associate