

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00673/LDCP	Single storey rear orangery extension following removal of existing conservatory	150 Wilbury Road Letchworth Garden City Hertfordshire SG6 4JD
<u>Submitted Plan Nos</u>		
Location plan EM-RS-2A		
1.0	<u>Policies</u>	
2.0	<u>Site History</u>	
2.1	99/01358/1HH - First floor rear extension	Conditional Permission.
2.2	98/01055/1HH - First floor side extension	Refused, Appeal dismissed.

- 2.3 83/00737/1 - Erection of single storey front and side and part two and single storey rear extension

Conditional Permission.

3.0 **Representations**

- 3.1 No consultation required

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The property is a detached two storey dwelling located on the north side of Wilbury Road within a residential part of Letchworth Garden City. The site is within the Letchworth Conservation Area. The dwelling is a mixture of white render and brick cladding.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for the erection of a single storey rear orangery extension following removal of existing conservatory.

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, Class A.

- 4.3.2 **A.** The enlargement, improvement or other alteration of a dwellinghouse

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 M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

The property was originally built as a dwellinghouse and so complies with this criterion.

(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 proposal complies with this criterion.

(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 proposal would not exceed the height of the highest part of the roof of the existing dwellinghouse and so complies with this criterion.

(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 proposal would not exceed the height of the eaves of the existing dwellinghouse and so complies with this criterion.

(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 proposed extension would be to the rear and therefore complies with this criterion.

(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 proposed extension would be approximately 3.3m in depth with a peak height of 3.75m as measured from the highest ground level and therefore complies with this criterion.

(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;**

The proposed extension would be sited within the conservation area and complies with this criterion.

(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 being enlarged which is opposite the rear wall of that dwellinghouse;**

The proposal is single storey and approximately 3.3m in depth and therefore complies with this criterion.

(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 proposed eaves would be 3m in height and therefore complies 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**

The proposal complies with this criterion.

(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);

The proposal complies with this criterion.

(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; or.**

The proposal does not include any of (k) (i)-(iv) and so complies with this criterion.

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

The dwellinghouse was not built under Part 20 of this Schedule and so complies 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;

The existing dwelling is a mixture of white render and brick. The proposed extension would have brick plinth and therefore complies with this criterion.

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

N/A,

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

N/A.

(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).

N/A.

Conditions

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;

Materials seek to match those of the existing dwelling.

(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

The proposal does not involve works to any upper floors of the property and so complies with this criterion.

(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.

The proposal complies with this criterion.

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed Single storey rear extension constitutes permitted development by virtue of Part 1, Class A 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 single storey rear orangery constitutes permitted development by virtue of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Signed  Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts
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Determining Officer Date: 16 April 2026	