

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02400/LDCP	Erection of single storey side and rear extension	The Cottage 73 Park Lane Old Knebworth Hertfordshire SG3 6PP

Submitted Plan Nos

1121 - SK20a 1121 - SK21a 1121 - SK22 1121 - 01 1121 - 02 1121 - 03

1.0 Policies

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 PC: 24/02400/LDCP - The Committee objected to this application on the basis that it was disproportionate to the existing building. The Committee queried if this was Permitted Development and approved.

Note: Footnote 19 on page 65 of the Council Constitution (as updated 25th July 2024) advises that the Planning Control Committee should not determine notifications to the Council for development that would fall under the Town and Country Planning (General Permitted Development) (England) Order 2015

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 No. 73 is a detached bungalow located on the south side of Park Lane, Knebworth.
- 4.1.2 The Class A permitted development rights appear to be retained.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for the erection of a single storey side and rear extension.

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 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 or Q of Part 3 of this Schedule (changes of use);

The proposed development is compliant 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 proposed development is compliant 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 proposed development is compliant 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 proposed development is compliant 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 development is compliant 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 development is compliant 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;

N/A

- (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 opposite the rear wall of the dwellinghouse;

N/A – The development does not comprise more than a single storey.

- (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 development is compliant 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 proposed side extension would be single storey, have a maximum height of 2.65 metres and would have a maximum width of 2.66 metres, less than half the width of the original dwellinghouse. The proposed extension would not exceed any of the limits set out in paragraphs (e) to (j)

- (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.

N/A

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.

N/A The application site is not set on article 2(3) land.

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;

The proposed development is compliant with this condition.

- (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

N/A

- (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.

N/A

4.4 **Conclusion**

4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed single storey side and rear extension constitutes permitted development by virtue of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. It is therefore recommended that a Certificate of Lawfulness be **GRANTED**.

Signed  Alex Howard Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 26 November 2024	