

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00981/LDCP	Side and rear extensions (as amended by plans received on 19/05/2025 and 22/05/2025).	165 Weston Way Baldock Hertfordshire SG7 6JG

Submitted Plan Nos

CH-2237-PL001-B CH-2237-PL003 CH-2237-PL010 CH-2237-PL002 Rev D CH-2237 PL200 Rev A CH-
2237 PL203 Rev B CH-2237 PL205 Rev B CH-2237 PL210 Rev B

1.0 Policies

2.0 **Relevant Site History**

- 2.1 24/00265/FP - Conversion of existing 3-bed house into two single level independent apartments (two one 1-bed). Erection of one 1-bed adjoined house and creation of 3 additional parking spaces and one garage (as a resubmission of planning reference 23/00392/FP) (as amended by plans received 21st May 2024). Refused. Appeal Dismissed.
- 2.2 23/00392/FP - Conversion of existing 3-bed house into two single level independent apartments (one 2-bed and one 1-bed). Erection of one 1-bed adjoined house and creation of 4 additional parking spaces (as amended by plans received 17th May 2023). Refused. Appeal Dismissed.
- 2.3 20/02500/FP - Conversion of existing dwelling into two 1-bed apartments and erection of one 2-bed attached dwelling. Refused. Appeal Dismissed.
- 4
- 2.3 14/02904/1 - Erection of a 2 bedroom attached dwelling, with two associated car parking spaces, use of existing vehicular access onto Weston Way, landscaping and ancillary works. Refused.

3.0 **Representations**

- 3.1 N/A

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises an end of terrace dwelling on the east side of Weston Way in Baldock. The existing dwelling enjoys a large triangular plot, mirrored by the detached neighbouring property no. 2 William Way. This plot has a large amount of space to the front and side, with a small rear garden.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for the erection of side and rear extensions.
- 4.2.2 The application has been amended to reduce the proposed rear extension to 3 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 as amended.

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

The proposal 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 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 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 proposal 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

The proposal complies with this criterion.

(ii) exceed 4 metres in height;

The proposal 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

The proposal complies with this criterion.

(ii) exceed 4 metres in height;

The proposal 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 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 proposal 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 the 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 complies with this criterion.

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

The proposal 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 proposal 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

The proposal complies with this criterion.

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

The proposal complies with this criterion.

(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).

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 proposal complies with this criterion.

(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 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 side and rear extensions constitute 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).

Signed <i>Alex Howard</i> Alex Howard Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 23 May 2025	