DELEGATED FILE NOTE

CASE OFFICER: ...Jo Cousins.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01213/LDCP	Removal of an existing secondary rear chimney, removal of an existing derelict timber lead to shed, removal of the existing PVC kitchen window and uninsulated timber door, replacement with new timber framed replacement doors and windows. Formation of a new flue to the rear wall of the property and installation of a new extract grille to the rear wall and roof pitch.	31 Glebe Road Letchworth Garden City Hertfordshire SG6 1DS

Submitted Plan Nos

1.0 Policies

2.0 **Site History**

2.1 None.

3.0 Representations

3.1 No consultation required.

4.0 Planning Considerations

4.1 **Site & Surrounding**

4.1.1 31 Glebe Road is a mid-terrace property, situated in the Letchworth Conservation Area.

4.2 **Proposal**

4.2.1 The application seeks a Certificate of Lawfulness for the following:-

1. Removal of an existing secondary rear chimney, removal of an existing derelict timber lead to shed, removal of the existing PVC kitchen window and uninsulated timber door.
2. Replacement with new timber framed doors and windows.
3. Formation of a new flue to the rear wall of the property and installation of a new extract grille to the rear wall and roof pitch.

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 The removal of the chimney, shed windows and doors would not constitute development. The replacement windows and door are considered to be works that would not 'materially affect' the external appearance of the dwellinghouse, in my view. There is some debate as to whether the proposed works constitute development as defined by Section 55 of the Town and Country Planning Act 1990. That said, the proposed works are compliant with the various requirements and conditions of Class A of the order.

4.3.3 With regard to the flue and extract grilles these would comply with the requirements of Class G of the GPDO as they would not exceed the highest part of the roof by one metre or more and (being in a Conservation Area) would not be on a wall or roof slope that fronts a highway and forms either the principle elevation or a side elevation of the dwellinghouse.

4.4 **Conclusion**

4.4.1 The proposal would be compliant with Schedule 2, Part 1, Class A and Class G of

the GPDO and would therefore constitute permitted development. As a consequence it is my view that the Lawful Development Certificate is **GRANTED**.

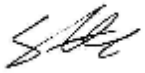
5.0 Recommendation

5.1 That the Lawful Development Certificate is **GRANTED**.

Proactive Statement:

The proposed removal of an existing secondary rear chimney, removal of an existing derelict timber lead to shed, removal of the existing PVC kitchen window and uninsulated timber door, replacement with new timber framed replacement doors and window would not materially affect the external appearance of the building and would be lawful by virtue of Section 55(2)(a) of The Town and Country Planning Act 1990. In addition, the proposed alterations would benefit from the general planning permission granted under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 since they meet the relevant provisions, limitations and conditions of Part 1, Class A of that Order.

The formation of a new flue to the rear wall of the property and installation of a new extract grille to the rear wall and roof pitch benefit from the general planning permission granted under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 since they meet the relevant provisions, limitations and conditions of Part 1, Class G of that Order.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 27 June 2018	