DELEGATED FILE NOTE

CASE OFFICER: …Jo Cousins……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/00604/LDCP	Works to existing garage to facilitate conversion into habitable space.	11 Curlew Close Letchworth Garden City Hertfordshire SG6 4TG

Submitted Plan Nos

1.0 Policies

NONE None Relevant

1.1 Section 55 (2)(a) of the Town and Country Planning Act 1990

1.2 Article 3, Part 1, Class A, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

2.0 **Site History**

2.1 None relevant.

3.0 Representations

3.1 Consultation not required.

4.0 Planning Considerations

4.1 **Site & Surroundings**

4.1.1 The house is a mid-terraced dwelling on the northern side of the road.

4.2 **Proposal**

4.2.1 See description above.

4.3 **Key Issues**

4.3.1 The works to the interior of the building do not constitute development by virtue of the provisions of Section 55 (2)(a) of the Town and Country Planning Act 1990.

4.3.2 The relevant section of the Town and Country Planning (General Permitted Development) (England) Order 2015 for insertion of the window (and brickwork) flush with the walls, is Schedule 2 Part 1 Class A. The materials used in the exterior work would be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse as indicated on the plans. The new window would be flush with the front wall of the house, other than a cill to match those on the existing house. A window on the side elevation would be replaced with a door to match an existing door in this elevation. Given the submitted details and as the front window would not be a bay window, in my view the proposals comply with Class A. All the other requirements of the Town and Country Planning (General Permitted Development) Order 1995, Schedule 2 Part 1 Class A are met in this proposal. This property has not had its permitted development rights removed.

4.4 **Conclusion**

4.4.1 I conclude that planning permission is not required for this application:

The works to the interior of the building do not constitute development by virtue of the provisions of section 55 (2)(a) of the Town and Country Planning Act 1990.

The installation of the window and brickwork flush with the walls would be permitted development by virtue of Town and Country Planning (General Permitted Development) (England) Order 2015.

5.0 **Recommendation**

5.1 That a lawful development certificate be granted.

1. The proposed use of the garage as habitable accommodation does not constitute development as defined under Section 55 of the Town and Country Planning Act 1990. The proposed replacement of the garage door with facing brickwork and a casement window does involve development and, by virtue of Section 57 of the said Act, requires planning permission. However, the proposed extension would benefit from the general planning permission granted under Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 since it meets the relevant provisions, limitations and conditions of Part 1, Class A of that Order.

Signed	Development Management North Hertfordshire District Council

 Simon Ellis Determining Officer	Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 19 March 2018	