

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00144/LDCP	Single storey rear extension	30 Shillington Road Pirton Hitchin Hertfordshire SG5 3QL

Submitted Plan Nos

SHIL06-10-001 SHIL06-10-002 SHIL06-10-010 SHIL06-10-011 SHIL06-10-012 SHIL07-10-013 SHIL07-10-014 SHIL07-10-015 SHIL06-10-020 SHIL06-10-021 SHIL06-10-022 SHIL06-10-023 SHIL07-10-024 SHIL06-10-025 SHIL07-10-026 SHIL07-10-027

1.0 Policies

2.0 **Site History**

- 2.1 24/02156/FPH - Single storey rear extension. Removal of two garage doors and replace with windows and insertion of two rooflights to existing garage to facilitate garage conversion into art studio. Alterations to fenestration of main dwelling and garage. Erection of detached shed in side garden – Approved 21/11/24.
- 2.2 24/01316/FPH - Single storey rear and side extensions. Alterations to fenestration of main dwelling and existing garage to facilitate garage conversion into art studio – Approved 08/08/24.
- 2.3 24/01088/FP - Erection of rear shed for agricultural purposes – Approved 11/07/24.
- 2.4 24/00609/LDCP - Erection of rear garden shed – Approved 24/04/24.
- 2.5 22/02484/FPH - Two storey extension to rear and both side elevations including first floor rear balcony and rear Juliette balcony and first floor front extension following demolition of existing detached garage – Approved 16/01/23.
- 2.6 22/01416/FP - Change of use from Agricultural Land to Garden/Residential Land to provide an extended garden to No. 30 Shillington Rd and an extended garden to No. 28 Shillington Rd. Extend the existing building at No.30 Shillington Rd incorporating double storey side and rear extensions including balcony following demolition of existing double garage. Erection of detached double garage, new driveway and widened crossover – Withdrawn.

3.0 **Representations**

- 3.1 No consultation required.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a two storey detached dwelling with a pitched roof. The site is in a Conservation Area.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for a single storey rear extension with a mono-pitched roof.

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. Permitted development rights have not been removed by condition.

4.3.2 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;**

The proposed development is compliant 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 opposite the rear wall of the dwellinghouse;**

The proposed development is compliant 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 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 development is compliant 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.**

The proposed development is compliant 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;**

- (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.**

The proposed development is compliant with these criteria.

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 application form confirms that the external materials of the new external walls will match those of the existing dwelling. 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

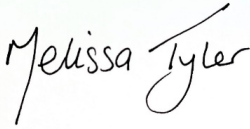
The proposed development is compliant with this condition.

(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.

The proposed development is compliant with this condition.

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed 'Single storey rear extension' **would** 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  Melissa Tyler	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 17 March 2025	