

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01945/LDCE	Replacement of roof fascias, soffits and bargeboards. Replacement of existing render finishes. Replacement of windows.	41 The Avenue Hitchin Hertfordshire SG4 9RQ

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 and Surroundings**

4.1.1 41 The Avenue is a large detached dwelling of relatively modern construction. The property is situated within the Hitchin Conservation Area.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness (existing) is sought for the replacement of roof fascias, soffits and bargeboards. Replacement of existing render finishes. Replacement of windows.

Materials include:

Roof: Existing timber fascias, soffits and bargeboards to existing house and garage replaced with new uPVC. White.

New bargeboards to be straight, rather than scalloped as existing.

Walls: Existing render removed and replaced with new through-coloured render.

Windows: Existing timber windows to house and garage be replaced with new uPVC, white. Fenestration patterns as existing.

4.3 **Key Issues**

4.3.1 The key issues for consideration are whether the existing works 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 existing 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) exceeds 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

N/A.

(c) the height of the part of the dwellinghouse enlarged, improved or altered exceeds the height of the highest part of the roof of the existing dwellinghouse;

The existing development is compliant with this criterion.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered exceeds the height of the eaves of the existing dwellinghouse;

The existing development is compliant with this criterion.

(e) the enlarged part of the dwellinghouse extends 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 existing development is compliant with this criterion.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse has a single storey and—

(i) extends 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;

N/A.

(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse has 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) exceeds 4 metres in height;

N/A

(h) the enlarged part of the dwellinghouse has more than a single storey and—

(i) extends 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

(i) the enlarged part of the dwellinghouse is within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part exceeds 3 metres;

The existing development is compliant with this criterion.

- (j) the enlarged part of the dwellinghouse extends beyond a wall forming a side elevation of the original dwellinghouse, and—
 - (i) exceeds 4 metres in height,
 - (ii) has more than a single storey, or
 - (iii) has a width greater than half the width of the original dwellinghouse; or

N/A

- (k) it consists of or includes—
 - (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 existing 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 consists of or includes 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 extends 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 application site is within Article 2(3) land therefore the rendering fails this condition

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 existing 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 existing 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 existing development is compliant with this condition.

4.4 **Conclusion**

4.4.1 A Certificate of Lawfulness (existing) can not be issued

1. A Certificate of Lawfulness (existing) cannot be issued on the basis that dwellinghouse is on article 2(3) land, therefore the development is not permitted by Class A as it would consist of or include the cladding of any part of the exterior of the dwellinghouse with render.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 25 October 2024	