

DELEGATED FILE NOTE

CASE OFFICER: ...Tabitha Kaye.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00816/LDCP	Erection of detached carport to include garden storage.	Field House 18A Newnham Way Ashwell Baldock Hertfordshire SG7 5PN

Submitted Plan Nos

SC 10 SC 11 SC12 SC 13

1.0 Policies

2.0 **Site History**

- 2.1 **15/01712/1:** Erection of 1no. four bedroom detached dwelling with associated parking and amenity space at the rear of 18 Newnham Way (Arbury House) including alterations to existing access drive (as amended by plans received on 5 August 2015). **Refused (Appeal allowed 02.06.2016).**

3.0 **Representations**

- 3.1 No consultation required.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site accommodates a detached, 1.5 storey dwelling situated on a back-land plot along Newnham Way, Ashwell. Permission for the dwelling was allowed at appeal in 2016. Permitted development rights have not been removed for the property.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for erection of detached carport to include garden storage.

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) (England) Order 2015, Schedule 2, Part 1, Class E, as amended.

4.3.2 Class E – buildings etc incidental to the enjoyment of a dwellinghouse

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.*

Development not permitted

E.1 Development is not permitted by Class E 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);*

Complies.

- (b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*

Complies.

- (c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;*

Does not comply – the carport would be situated forward of the principal elevation of the dwellinghouse (as shown on plan SC-10, and confirmed by the accompanying Supporting Statement).

- (d) the building would have more than a single storey;*

Complies.

- (e) the height of the building, enclosure or container would exceed—*

- (i) 4 metres in the case of a building with a dual-pitched roof,*
- (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or*
- (iii) 3 metres in any other case;*

Complies.

- (f) the height of the eaves of the building would exceed 2.5 metres;*

Complies.

(g) *the building, enclosure, pool or container would be situated within the curtilage of a listed building;*

Complies.

(h) *it would include the construction or provision of a verandah, balcony or raised platform;*

Complies.

(i) *it relates to a dwelling or a microwave antenna;*

Complies.

(j) *the capacity of the container would exceed 3,500 litres; or*

Complies.

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

Complies.

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

(a) an area of outstanding natural beauty;

(b) the Broads;

(c) a National Park; or

(d) a World Heritage Site,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

Complies.

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Complies.

4.4 Conclusion

4.4.1 A Certificate of Lawfulness (proposed) cannot be issued on the basis that the proposal does not constitute permitted development by virtue of Schedule 2, Part 1, Class E of

the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

1. A Certificate of Lawfulness (proposed) cannot be issued on the basis that the proposal does not constitute permitted development by virtue of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Signed  Ben Glover	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 21 May 2026	