DELEGATED FILE NOTE

CASE OFFICER: …Melissa Tyler……

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01052/LDCP	Single storey rear extension following demolition of existing lean-to conservatory and single storey garage outbuilding.	11 Earls Hill Gardens Royston Hertfordshire SG8 9DA

Submitted Plan Nos
Location Plan; 11:1

1.0 Policies

2.0 **Site History**

2.1 None

3.0 **Representations**

3.1 None

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application property is a semi-detached dwellinghouse located on the southern side of Earls Hill Gardens. The property has an existing single storey conservatory and garage with which this proposal will replace. The property has its permitted development rights.

4.2 **Proposal**

4.2. The single storey rear extension would measure 4 metres in depth and 4 metres in width and would be 3.6 metres high at the top of the roof, the eaves have a height of 2.4 metres.

4.3 **Key Issues**

4.3.1 This dwelling has not had its permitted development rights removed. This means that a specific planning permission is not required for certain forms of development which comply with the Town and Country Planning (General Permitted Development) Order 2015.

4.3.2 The relevant section of the Town and Country Planning (General Permitted Development) Order 2015 for the single storey rear extension, is Schedule 2 Part 1 Class A. The proposal fails to constitute "permitted development" as:

1.0 the single storey extension would extend beyond the rear wall of the original dwellinghouse by more than 3 metres

4.3.3 Therefore the requirements of the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2 Part 1 Class A are not met in this proposal.

4.4 **Conclusion**

4.4.1 The erection of the single storey rear extension does not constitute "permitted development" by virtue of Article 3, Part 1, Class A of the 2nd Schedule of the Town and Country Planning (General Permitted Development) Order 2015 and therefore planning permission is required for this proposed single storey extension.

5.0 **Recommendation**

5.1 That the Lawful Development Certification be **REFUSED**

1. The reason for the determination is as follows:-

The erection of the single storey rear extension does not constitute "permitted development" by virtue of Article 3, Part 1, Class A of the 2nd Schedule of the Town and Country Planning (General Permitted Development)(England) Order 2015 and therefore planning permission is required for this proposed single storey extension.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF

Date: 16 May 2018	