DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
18/01084/LDCP	Works to existing garage to facilitate conversion into habitable space.	15 Bell Acre Gardens Letchworth Garden City Hertfordshire SG6 2BY

Submitted Plan Nos

Elevations; Floor Plans Location Plan;

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 No 15 Bell Acre Gardens is a detached property that has no previous planning history.

4.2 **Proposal**

4.2.1 Replacement of garage door with brickwork and casement window to facilitate the conversion of the existing double garage to ancillary habitable accommodation. One garage space to remain as a garage.

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.

4.3.2 The garage is proposed to be converted for use as ancillary habitable accommodation. This would not be a material change of use and as such would not fall within the meaning of 'development' as defined by Section 55 of the Town and Country Planning Act 1990. The use of the floorspace is therefore able to proceed lawfully.

4.3.3 The physical alterations required to facilitate the conversion of the garage including the insertion of brickwork and a casement window would be compliant with the requirements and conditions of Class A of the Order.

4.4 **Conclusion**

4.4.1 It is my view that the proposed development would comply with Class A of the GPDO as amended.

5.0 **Recommendation**

5.1 That a certificate of lawfulness be **ISSUED** for the following reason:

Proactive Statement:

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 alterations 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  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 16 May 2018	