

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

24/02389/LDCP

Alterations to existing garage to
facilitate partial conversion into
habitable space

2 The Sycamores

Baldock

Hertfordshire

SG7 5BJ

Submitted Plan Nos

2030_YPUK_P002 2030_YPUK_C001(A)_Rev P1 2030_YPUK_C001(B)_Rev P1 2030_YPUK_P001

1.0 Policies

2.0 **Site History**

18/00274/LDCP - Single storey side extension. Granted.

06/00764/1HH - Single storey rear extension. Conditional Permission.

3.0 **Representations**

3.1 No consultation required.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is comprises of a two-storey residential dwelling with detached garage and storage area sited to the southeastern side of the dwelling and alongside the party boundary with no.1 The Sycamores.

4.1.2 The site is within the settlement boundary for Baldock where development is generally acceptable subject to planning policies.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness (proposed) is sought for alterations to existing garage to facilitate partial conversion into habitable space.

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 (as amended).

4.3.3 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);

The proposal complies with this criterion.

(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);

The proposal complies with this criterion.

(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;

The proposal complies with this criterion.

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

The proposal complies with this criterion.

(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;**

There is no increase to the height of the existing building and so the proposal complies with this criterion.

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

There is no increase to the height of the existing building and so the proposal complies with this criterion.

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

The proposal complies with this criterion.

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

The proposal complies with this criterion.

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

The proposal complies with this criterion.

(j)the capacity of the container would exceed 3,500 litres.

The proposal complies with this criterion.

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.

The proposal complies with this criterion.

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.

The proposal complies with this criterion.

E.4 For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse

The proposal would comply with this criterion.

4.4 **Conclusion**

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed alterations to the existing garage to facilitate partial conversion into habitable space constitutes permitted development by virtue of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Signed  Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 12 November 2024	