

<b>ITEM NO:</b>	<u>Location:</u>	<b>3 Limekiln Lane Baldock Hertfordshire SG7 6PG</b>
	<u>Applicant:</u>	<b>Mr Ben Glover</b>
	<u>Proposal:</u>	<b>Extension of existing rear dormer and insertion of new window to first floor bedroom to rear</b>
	<u>Ref. No:</u>	20/00374/LDCP
	<u>Officer:</u>	<b>Naomi Reynard</b>

**Date of expiry of statutory period:** 13.04.2020

**Reason for referral to committee**

The applicant is an employee of the Council working in the Planning Department. Paragraph 8.4.5 (i) of Section 8 of the Council's Constitution states that the Planning Control Committee shall determine any application for householder development by an employee of the Planning and Building Control Service or Chief Officer. The Constitution states that householder development includes Planning Applications, Listed Building consents, TCA/TPO's, Certificates of Lawful Use, Certificates of Lawful Development and Conservation Area Consents.

**1.0 Relevant History**

N/277/59 – Erection of pair of semi-bungalows – Plot nos. 3 and 4 Limekiln Lane – Conditional permission granted 20.05.59.

1/1223/83 – Erection of rear dormer extension – Permission Not Required (as 'permitted development') 04.08.83.

**2.0 Policies**

Article 3 and Schedule 2, Part 1, Class B of the Town and Country General Permitted Development) Order 2015 (as amended).

**3.0 Representations**

No consultation.

## 4.0 Planning Considerations

4.1 The proposal is for an extension to the existing rear box dormer and the insertion of a new rear window to serve the first floor bedroom. The proposed new window would replace the existing window in the existing rear dormer. The proposed alterations would increase the floor area of the first floor to facilitate changes to the layout and the creation of a third bedroom. This application is for a Lawful Development Certificate not planning permission. The application is for formal confirmation from the Council that the proposed works fall within 'permitted development'. Therefore, the key issue for consideration is whether the proposed works would require specific planning permission or be considered 'permitted development' in line with the Town and Country Planning (General Permitted Development) Order.

4.2 Permitted development rights have not been removed on this property.

4.3 The proposed works would be 'permitted development' under Class B for the following reasons:

- No part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof.
- No part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.
- The proposal would not increase the cubic content of the dwellinghouse by more than 50 cubic metres.
- The proposal would not include the construction or provision of a veranda, balcony or raised platform. The proposal would not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- The dwellinghouse is not in a Conservation Area.
- The materials used in the exterior work would be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- The eaves of the original roof would be maintained and the edge of the enlargement closest to the eaves of the original roof would be not less than 20cm from the eaves, measured along the roof slope from the outside edge of the eaves.
- No part of the enlargement would extend beyond the outside face of any external wall of the original dwellinghouse. An interpretative provision at paragraph B.4 of Class B clarifies that for these purposes any roof tiles, guttering, fascias, barge boards or other minor roof details which overhang the outer face of the wall should not be considered part of the roof enlargement.

- No windows would be inserted on a wall or roof slope forming a side elevation of the dwellinghouse.

#### **4.4 Conclusion**

As such the proposed works would be 'permitted development' under Article 3 and Schedule 2, Part 1, Class B of the Town and Country General Permitted Development Order 2015 (as amended).

- 4.5 The proposal, also involves new obscure glazing to an existing first floor side window and an existing window to be boarded up internally. These works would not constitute development under Section 55 of the Town and Country Planning Act 1990, as the boarding up of the window would only affect the interior of the building and the new obscure glazing would not materially affect the external appearance of the building.

#### **4.6 Alternative Options**

None applicable.

#### **4.7 Pre-Commencement Conditions**

Not applicable.

#### **4.8 Climate Change Implications**

The proposal would not have any adverse climate change implications.

#### **5.0 Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

#### **6.0 Recommendation**

- 5.1 That a Lawful Development Certificate be GRANTED.