



East Herts Council  
 Wallfields, Pegs Lane  
 Hertford, Herts  
 SG13 8EQ  
 Tel: 01279 655261

## Application for a Lawful Development Certificate for a Proposed Use or Development

### Town and Country Planning Act 1990 (as amended)

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

## Applicant Details

### Name/Company

Title

Mr

First name

John

Surname

Milne

Company Name

John Milne

### Address

Address line 1

The Elms

Address line 2

Pipers End

Address line 3

Town/City

HERTFORD

County

Country

United Kingdom

Postcode

SG14 2PB

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

## Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

Yes

No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

Proposed Extensions for Orchard Cottage

1 A Certificate of Lawful Use was granted for Orchard Cottage on 18 January 2023 under ref 3/22/2446/CLXU.

2. Permission is now sought for a side and rear extension to the existing dwellinghouse within the constraints of the GPDO. The extensions would provide vital additional floorspace and permit internal rearrangement of cramped conditions.

3. Construction of the rear extension will require demolition of the southern (bedroom) end of the existing building and its replacement with a 4 metre wide extension slightly narrower than the existing southern elevation of the main part of the building. This is in order to achieve a clear separation between the rear and side extensions.

3. The purpose of this application is to ensure that our interpretation of the rules is correct and to obtain a Certificate of Lawful Development before obtaining Building Regulations approval for the proposed works.

4. A site plan is included which identifies the land to which the application relates in addition to drawings of the existing building and proposed extensions. Please note that unless otherwise noted, existing and proposed drawings are 1:50 at A4.

5. A checklist is also included which demonstrates that the proposed extension complies with restrictions specified in the Technical Guidance Manual for Householder Permitted Development.

8. On the basis of the information supplied with this application we respectfully request that a Certificate of Lawfulness for Proposed Development be issued by East Herts.

John & Helen Milne

Does the proposal consist of, or include, a change of use of the land or building(s)?

Yes

No

Has the proposal been started?

Yes

No

## Grounds for Application

### Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

A Certificate of Lawful Use was granted for Orchard Cottage on 18 January 2023 under ref 3/22/2446/CLXU.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

Please refer to Certificate 3/22/2446/CLXU.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

**Please note that following changes to Use Classes on 1 September 2020:** The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

### Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

**Please note that following changes to Use Classes on 1 September 2020:** The list includes the now revoked Use Classes A1-5, B1, and D1-2 that should not be used in most cases. Also, the list does not include the newly introduced Use Classes E and F1-2. To provide details in relation to these or any 'Sui Generis' use, select 'Other' and specify the use where prompted. See help for more details on Use Classes.

Is the proposed operation or use

- Permanent  
 Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

The proposed developments comply with Permitted Development Rights for Householders Technical Guidance regulations as follows:

Class A – enlargement of a dwellinghouse

- a) N/A
- b) The total ground area covered by the extensions would not exceed 50% of the curtilage.
- c) The height of the extensions would not exceed the height of the highest part of the dwellinghouse.
- d) The height of the extension eaves would not exceed the eaves height of the dwellinghouse eaves.
- e) N/A
- f) the enlarged part of the dwellinghouse would have a single storey and not extend beyond the rear wall of the dwellinghouse by more than 4 metres nor exceed 4 metres in height.
- g) N/A
- h) N/A
- i) No enlarged part of the dwellinghouse within 2 metres of the boundary of the curtilage of the dwellinghouse would have an eaves height of more than 3 metres.
- j) The enlarged part of the dwellinghouse extending beyond a wall forming a side elevation of the dwellinghouse
  - i) would not exceed 4 metres in height
  - ii) would not have more than a single storey
  - iii) would not have a width greater than half the width of the original dwellinghouse

Please note: Because the side and rear extensions do not meet, the rear extension has no effect on the width of the side extension and vice-versa.

Conditions A.3

- the external walls of the extensions would be constructed of materials that provide a similar visual appearance to the materials used in the existing house walls
- pitched roofs on the extensions would be clad in tiles that give a similar visual appearance to those used on the existing house roof (clay tiles rather than slate)

Class B - additions to the roof

- a) N/A
- b) No part of the extension roofs would be higher than the highest part of the dwellinghouse roof.
- c) The extensions would not extend beyond the plane of the dwellinghouse roof slope.
- d) The cubic content of the extension roof spaces would not exceed the cubic content of the dwellinghouse roofspace by more than 50 cubic metres.

Conditions B2

- a) The materials used in all exterior work for the extensions would be of similar appearance to those used in the construction of the exterior of the dwellinghouse.
- b/aa) The eaves of the original roof would be maintained or reinstated.

Class D - porches

- a) N/A
- b) the ground area of the structure would not exceed 3 square metres.
- c) no part of the structure would be more than 3 metres above ground level.
- d) no part of the structure would be within 2 metres of any boundary or the curtilage.

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
- No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
- The applicant
- Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
- No

## Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
- No

## Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

## Declaration

I / We hereby apply for Lawful development: Proposed use as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

John Milne

Date

03/04/2023