

# DELEGATED DECISION REPORT

## APPLICATION NUMBER

### 193268

Castle Lands Farm, Ewyas Harold, Hereford, HR2 0HH

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**CASE OFFICER:** Ms Laura Smith

**DATE OF SITE VISIT:** .....

**Relevant Development Plan Policies:**     **The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended – May 2019)**

**Relevant Site History:**     **023713/F – Extensions and alterations – Approved with conditions**

**021102/F – Kitchen extension, construction of bay window, construction of balcony dormer, installation of roof windows. – Approved with conditions**

### CONSULTATIONS

	Consulted	No Response	No objection	Qualified Comment	Object
Local Member	X				

### PLANNING OFFICER'S APPRAISAL:

#### Site description and proposal:

This application seeks a Certificate of Lawfulness for the proposed installation of new 28kw log gasification boiler in back room of existing detached garage/workshop to provide house heating and domestic hot water. With the boiler being installed by MCS approved installer.

#### Representations:

Local Member informed

#### Pre-application discussion:

N/A

Constraints:

N/A

Appraisal:

The application seeks the authority's formal opinion as to whether the proposed development is permitted development. The proposed development is for the installation of a new 28kw log gasification boiler in the back room of an existing detached garage/workshop to provide house heating and domestic hot water. Following a search of the property's planning history, this has not shown that permitted development rights have been previously removed or restricted. The installation is therefore assessed against the criteria and limitations set out by Part 14 Class E of the General Permitted Development Order.

Class E – installation or alteration etc of flue for biomass heating system on domestic premises

Permitted development

E. The installation, alteration or replacement of a flue, forming part of a microgeneration biomass heating system, on a dwellinghouse or a block of flats.

Development not permitted

E.1 Development is not permitted by Class E if—

(a) the height of the flue would exceed the highest part of the roof by 1 metre or more; or  
**It does not at 600mm above the highest part of the roof ridge**

(b) in the case of land within a conservation area or which is a World Heritage Site, the flue would be installed on a wall or roof slope which fronts a highway. **The site is not in a conservation area or a World Heritage Site**

Based upon the criteria of Class E, the proposal would appear to meet the criteria of permitted development. It has been confirmed the height of the flue would protrude the roof by 900mm of which 600mm is above the highest part of the roof ridge therefore complying with Class E of the General permitted development order. Therefore a certificate can be issued.

**RECOMMENDATION:**    **PERMIT** ☒    **REFUSE** ☐

**CONDITION(S) & REASON(S) / REASON(S) FOR REFUSAL:**  
*(please note any variations to standard conditions)*

- The development is considered to be lawful and constitutes permitted development with regards to the limitations of the Town and Country Planning (General Permitted Development) (England) Order 2015, Part 14 Class E as amended (May 2019)

### Informatives

1 – This application has been assessed against the information submitted on 17 September 2019.

Signed: 

Dated: 12 November 2019

#### TEAM LEADER'S COMMENTS:

DECISION:

PERMIT ☒

REFUSE ☐

Signed: 

..... Dated: 13/11/19