

DELEGATED FILE NOTE

CASE OFFICER: ...Harriet Sanders.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00936/FPH	Insertion of rear L shaped dormer window and roof extension, re-instatement of eaves to rear and side elevations, insertion of two rooflights into front roofslope, following removal of existing front rooflight (development already partly carried out). (Amended plans received 08/05/2026).	34 Gaping Lane Hitchin Hertfordshire SG5 2JQ

Submitted Plan Nos

Location plan 100 - Pre-existing and propopsed site plan 101- Pre-existing elevations 102 - Elevations and floor plans

1.0 Policies

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
SP1	Sustainable development in North Herts
SP9	Design and Sustainability
T2	Parking

2.0 **Site History**

- 2.1 14/01556/FPH: Single storey side extension – Granted August 2014. (Implemented).
- 2.2 25/02266/FPH: Insertion of rear L shaped dormer window and roof extension and insertion of two rooflights into front roofslope following removal of existing front rooflight (development already carried out). Refused 1 December 2025 for the following reason:

1. The rear roof extension, without the eaves set in, appears as a flat roofed, visually bulky, third storey extension harmful to the character of the appearance of the dwelling and the surrounding area, within the context of the row of houses where hipped roofs to rear projections and tiles are the feature. As a result the roof extension is considered to be contrary to the provisions of Local Plan Policies D1 and D2 which require for development to respond positively to a site's local context and to be sympathetic to the original dwelling in form and external materials.

3.0 **Representations**

- 3.1 A site notice was posted and neighbour consultation undertaken. No comments received.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site comprises a two storey mid-terrace dwellinghouse, within the main urban area of Hitchin. The dwellinghouse is not listed and is not located within, or adjacent to a Conservation Area. The site has vehicular access from a rear driveway, accessed from Bedford Street.

4.2 **Proposal**

- 4.2.1 Consent is sought for:

“Insertion of rear L shaped dormer window and roof extension, re-instatement of eaves to rear and side elevations, insertion of two rooflights into front roofslope, following removal of existing front rooflight (development already partly carried out).”

- 4.2.2 The application has been submitted to regularise the existing unlawful dormer and roof extension following refusal of 25/02266/FPH. The differences between the refused application and the current application are:

- re-instating the eaves and soffits back to the original size and position;
- change the current cladding to hanging tiles to match the existing roof.

- 4.2.3 The proposal includes two rooflights to front roofslope, to replace the existing single rooflight and black windows.

4.3 **Key Issues**

- 4.3.1 The key material considerations when assessing the planning merits of the proposal are whether the revisions to the current proposal are sufficient to overcome the previous reason for refusal of 25/02266/FPH.

Reason for Refusal – Harm to Character of the Appearance of the Dwelling and the Surrounding area

- 4.3.2 Policy D1 of the Local Plan requires development to respond positively to a site’s local context. Policy D2 of the Local Plan requires extensions to be sympathetic to the existing house in height, form, proportions, roof type, window details, materials and the orientation of the main dwelling.
- 4.3.3 The previous proposal was refused on the grounds that the rear roof extension, without the eaves set in, appeared as a flat roofed, visually bulky, third storey extension. Furthermore, the external materials of cladding did not relate positively to the host dwelling or the surrounding area. This resulted in a proposal that was harmful to the character of the appearance of the dwelling and the surrounding area, contrary to the provisions of Local Plan Policies D1 and D2.
- 4.3.4 The current application seeks to retain the L shaped dormer and roof extension and reinstate the original eaves including white fascia and soffit boards and replace the cladding with clay peg

tiles to match the existing roof. It is not proposed to reduce the size of the L shaped dormer and roof extension to set it back from the first floor walls of the dwelling. However, the reinstatement of the eaves is an improvement and serves to break up the bulk of the dormer and roof extension and lessen the appearance of a third storey extension.

- 4.3.5 The replacement of the cladding with tiles to match the roof will help the dormer and roof extension to relate more sympathetically to the host dwelling and surrounding area and is an improvement. Whilst the black windows do not match the white windows of the ground and first floor, they will relate adequately to the proposed change of materials to clay tiles to match the existing roof.
- 4.3.6 Even with the proposed amendments, the L shaped dormer and roof extension remains bulky and visually intrusive and does not relate particularly positively to the local context and is not particularly sympathetic to the original dwelling in form. However, consideration should be given to what could be built under permitted development rights. This is discussed below.
- 4.3.7 The proposal does not benefit from a fall-back position in terms of permitted development (PD) rights as the works have already been undertaken. However, it is noted that the proposal would meet the criteria for PD (other than the black windows and the side window which is not obscure glazed).
- 4.3.8 Whilst it would be preferable to see the dormer and roof extension set back from the first floor elevations, *The Ministry of Housing, Communities and Local Government Permitted development rights for householders Technical Guidance (September 2019)* provides guidance on the reinstatement of eaves. The guidance states that in order to be PD:
- “.....eaves that are temporarily removed should be reinstated. The measurement of 0.2 metres should be made along the original roof slope from the outermost edge of the eaves (the edge of the tiles or slates) to the edge of the enlargement.”*
- 4.3.9 The submitted plans show a 0.2m measurement from the outermost edge of the eaves to the enlargement and would therefore fall under PD in this respect.
- 4.3.10 Therefore whilst the extension is considered to be bulky and visually intrusive, it could be built under PD rights (other than the black windows and the side window which is not obscure glazed). It would not therefore be reasonable to refuse the application and it is therefore supported. The black windows are acceptable.
- 4.3.11 The proposed front rooflights are acceptable.

Impact on Neighbour Amenity

- 4.3.12 Policy D3 of the Local Plan permits development that does not result in unacceptable harm to the amenity of neighbouring occupiers and where necessary encourages the use of mitigation measures to reduce these impacts. This is generally reflected by the provisions within the NPPF.

4.3.13 The officer report for the refused scheme 25/02266/FPH provides a detailed assessment of the potential impact on neighbouring amenity. The report concludes that *“the development does not conflict with Policy D3 of the Local Plan which seeks to protect living conditions.”* There is no material change in the current proposal in terms of impact on neighbouring amenity. Acceptable.

4.3.14 Based on the officer’s previous assessment, it is not considered necessary to require the side facing window in the dormer to be obscure glazed. No unacceptable harm is considered to arise from overlooking or loss of privacy.

Other Matters

4.3.15 Sufficient parking to meet the needs of the extended dwelling which is in a very sustainable location close to the town centre and a range of community facilities – acceptable.

4.3.16 The development is a householder scheme which is exempt from the need to provide a 10% Biodiversity net gain.

4.3.17 In terms of climate change the modest scale of the development is such that it has had very little if any impact on local climate change

4.4 **Conclusion**

4.4.1 The proposed amendments are sufficient to overcome the previous reason for refusal as the proposal would now meet the criteria to be PD (other than the black windows and non obscure glazed side facing window which are acceptable).

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The works to reinstate the eaves and replace the external materials (to match the existing roof), of the L shaped dormer and roof extension hereby approved and built on site shall be completed within 4 months of the date of this approval.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

2. The reinstated eaves shall be no less than 0.2m when measured from the outer most edge of the eaves to the edge of the enlargement, and retained as such thereafter.

Reason: To protect the visual amenities of the locality and to comply with Policies D1

and D2 of the North Hertfordshire Local Plan 2011 to 2031.

3. The cladding of the L shaped dormer and roof extension shall be replaced with clay peg tiles with corner creasing tiles to match the existing roof.

Reason: To protect the visual amenities of the locality and to comply with Policies D1 and D2 of the North Hertfordshire Local Plan 2011 to 2031.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 8 July 2026	