

DELEGATED FILE NOTE

CASE OFFICER: ...Thomas Howe.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01523/LDCP	Insertion of rear box dormer window and 2no front rooflights to facilitate loft conversion into habitable accommodation.	2D Meadow Way Offley Hertfordshire SG5 3AX

Submitted Plan Nos

2975-ELA-17-A 2975-ELA-14-A 2975-ELA-13-A - 2975-ELA-6-A 2975-ELA-3-A 2975-ELA-2-A 2975-
ELA-1-A

1.0 Policies

2.0 **Site History**

- 2.1 88/00172/1 - Erection of 4 terraced houses with parking spaces and vehicular accesses. – Conditional Permission

3.0 **Representations**

- 3.1 None.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site is a mid-terrace, two storey dwelling off Meadow Way, Great Offley. Unfortunately it was not possible to access the decision notice for the original construction of the dwelling, however, based on its age, I consider that the permitted development rights are likely retained.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness is sought for the insertion of a rear dormer window and two front rooflights to facilitate a loft conversion into habitable accommodation.

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.

- ☐ The rear dormer extension is considered against the criteria set out by Part 1, Class B.
- ☐ The front rooflights are considered against the criteria set out by Part 1, Class C.

4.3.2 **Development is not permitted by Class B if —**

- a) ***permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use)***

N/A.

- b) ***any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof***

The proposed work complies with this criterion.

- c) ***any 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***

N/A

- d) ***the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than -;***
- i. ***40 cubic metres, in the case of a terrace house***
 - ii. ***50 cubic metres in any other case***

The proposed work seeks to add approximately 15.8m³ of roof space and therefore complies with this criterion.

- e) ***it would consist of or include –***
- i. ***the construction or provision of a verandah, balcony or raised platform, or***
 - ii. ***the installation, alteration or replacement of a chimney, flue or soil and vent pipe***

The proposed work would not include any of these and is therefore compliant with the criterion.

- f) ***the dwellinghouse is on article 2(3) land***

N/A.

4.3.3 **Conditions**

B.2 Development is permitted by Class B subject to the following conditions -

- a) ***the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse***

The applicant states the proposed materials are to be hanging tiles to be similar to or match the existing roof materials of the dwelling.

These materials are sympathetic to the dwelling and would be similar in appearance to the existing and would therefore comply with this criterion.

- b) ***the enlargement shall be constructed so that –***
- i. ***other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –***
 - (aa) ***the eaves of the original roof are maintained or reinstated; and***
 - (bb) ***the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and***
 - ii. ***other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse***

The proposed work complies with this criterion.

- c) ***any window inserted on a wall or roof slope forming a side elevation of the***

dwellinghouse shall be -

- i. obscure-glazed, and*
- ii. non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed*

N/A.

4.3.4 C.1 Development is not permitted by Class C if –

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use)**

N/A

- b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof**

The proposed work complies with this criterion.

- c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or**

The proposed work complies with this criterion.

- d) it would consist of or include-**
 - i. the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - ii. the installation, alteration or replacement of solar photovoltaics or solar thermal equipment**

N/A

4.3.5 Conditions

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be –

- a) obscure-glazed; and**
- b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed**

N/A

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the rear dormer window and front rooflights constitutes permitted development by virtue of Classes B & C, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.**

Signed <i>Alex Howard</i> Alex Howard Determining Officer Date: 5 August 2024	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF