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| <b>DELEGATED FILE NOTE</b> |
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**CASE OFFICER:** ...William Thompson.....

| APPLICATION<br>REFERENCE | BRIEF DESCRIPTION OF<br>DEVELOPMENT                                                                                                                                                                                                             | APPLICATION SITE                                                 |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| 25/02701/LDCP            | Insertion of No.2 rooflights to existing front roofslope and insertion of box dormer and No.1 rooflight to existing rear roofslope to facilitate conversion of loftspace into habitable accommodation following demolition of existing chimney. | 45 Heath Lane<br>Codicote<br>Hitchin<br>Hertfordshire<br>SG4 8YE |

**Submitted Plan Nos**

6237-E01 6237-OS1 6237-ORD-3-LOFT 6237-P02-LOFT

**1.0    Policies**

2.0        **Site History**

2.1        None relevant.

3.0        **Representations**

3.1        No consultation required

4.0        **Planning Considerations**

4.1        **Site and Surroundings**

4.1.1     The application site accommodates a semi-detached dwelling situated on Heath Lane, Codicote.

4.2        **Proposal**

4.2.1     Insertion of No.2 rooflights to existing front roofslope and insertion of box dormer and No.1 rooflight to existing rear roofslope to facilitate conversion of loftspace into habitable accommodation following demolition of existing chimney.

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 as amended.

4.3.2     **Class B – Development B - Insertion of a dormer window to the existing rear roof slope.**

4.3.2     **B.** Additions etc to the roof of a dwellinghouse.

**B.1** 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 or Q of Part 3 of this Schedule (changes of use);**

          The property was originally built as a residential dwelling and so complies with this criterion.

**(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 proposal does not exceed the height of the of the highest part of the existing roof and so the proposal 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;**

The proposal would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway and so complies with this criterion.

**(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, or**
- (ii) 50 cubic metres in any other case;**

The total additional cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres and so 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 removal of the chimney would comply with all criteria in Class G, Part 1. The proposal complies with this criterion.

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

The dwellinghouse is not on article 2(3) land and so complies with this criterion.

**(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) or**

The dwellinghouse was not built under Part 20 of this Schedule and so complies with this criterion.

**(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).**

The existing dwellinghouse has not been enlarged in reliance on the permission granted by Class AA and so complies with this criterion.

## **Conditions**

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

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**
- (b) the enlargement must 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 is, so far as practicable, 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; and**

**(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must 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.**

The proposal complies with these criteria.

#### **4.3.3 C. Any other alteration to the roof of a dwellinghouse.**

**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, MA, N, P, PA] or Q of Part 3 of this Schedule (changes of use);**

The property was originally built as a dwellinghouse and so complies with this criterion.

**(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 alteration would not 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 and so 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;**

The rooflights would not exceed the highest part of the original roof. As such, the proposal 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; or**

The removal of the chimney would comply with all criteria in Class G, Part 1. The proposal complies with this criterion.

**(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).**

The dwellinghouse was not built under Part 20 of this Schedule and so complies with this criterion.

### **Conditions**

**C.2** 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 must 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.**

The proposal complies with these criteria.

#### **4.3.4 Class G – chimney, flues etc**

**G.1** Development is not permitted by Class G 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)**

The proposal complies with this criterion.

**(b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or**

The proposal complies with this criterion.

**(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-**

**(i) fronts a highway, and**

**(ii) forms either the principal elevation or a side elevation of the dwellinghouse.**

The application site is not situated within an article 2(3) area. The proposal complies with this criterion.

#### **4.4 Conclusion**

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

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| <p>Signed</p>  <p>Ben Glover</p> | <p>Development Management<br/>North Hertfordshire District Council<br/>Council Offices<br/>Gernon Road<br/>Letchworth<br/>Herts<br/>SG6 3JF</p> |
| <p>Determining Officer</p> <p><b>Date:</b> 1 December 2025</p>                                                    |                                                                                                                                                 |