

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/03085/LDCP	Single storey front and side extensions following demolition of existing conservatory and porch. Raising of roof height over existing garage. Insertion of front first floor window, side box dormer with Juliet balconies and rooflights to create habitable space at first floor level.	3 Alpine Close Hitchin Hertfordshire SG4 9DZ

Submitted Plan Nos

LD01 LD02 LD03 LD04 LD05 LD06 LD07 LD08 LD09 LD010 LD011 LD012

1.0 Policies

2.0 **Site History**

2.1 91/00474/1 - Two storey rear extension. CP 20/06/91.

2.2 25/01623/FPH - Single storey front and side extensions including balcony area with lass balustrade above following demolition of existing conservatory. Insertion of front first floor window, side box dormer and rooflights to create habitable space at first floor level. CP 05/08/2025.

2.3 Permitted development rights do not appear to have been removed.

3.0 **Representations**

3.1 Neighbour notification is not a statutory requirement as part of the Lawful Development Certificate process.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 No 3 is a detached bungalow with a pitched roof. The property has an existing 1.5 storey rear extension. The site is in a residential cul-de-sac of similar detached bungalows and chalet bungalows.

4.2 **Proposal**

4.2.1 A certificate of lawfulness (proposed) is sought for:

“Single storey front and side extensions following demolition of existing conservatory and porch. Raising of roof height over existing garage. Insertion of front first floor window, side box dormer with Juliet balconies and rooflights to create habitable space at first floor level.”

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 Class A, Class B and Class C.

Class A – The enlargement, improvement or other alteration of a dwellinghouse.

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

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

The proposal complies with this criterion.

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The proposal complies with this criterion.

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The proposal complies with this criterion.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The height of the eaves of the proposed dormer would exceed the height of the eaves of the existing dwellinghouse. The proposal fails this criterion. See class B below.

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The proposed front extension and plus the alteration of the side projection/garage and the 'porch' extend beyond the principal elevation of the original dwelling house (the principal elevation is any elevation forming the front elevation and includes both the front elevation of the property and the front elevation of the garage). The proposal fails this criterion.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

N/a.

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

N/a.

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

**(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres,
or**

**(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being
enlarged which is opposite the rear wall of that dwellinghouse;**

N/a.

**(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the
curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would
exceed 3 metres;**

Part of the side extension is within 2m of the boundary of the curtilage of the dwelling house. Due to the change in ground levels at the property, the eaves at this part of the side extension towards the rear exceed 3m. The proposal fails this criterion.

**(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side
elevation of the original dwellinghouse, and would—**

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse;

The proposal complies with this criterion.

**(ja) any total enlargement (being the enlarged part together with any existing enlargement
of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits
set out in sub-paragraphs (e) to (j);**

The proposal complies with this criterion.

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

**(iii) the installation, alteration or replacement of a chimney, flue or soil and vent
pipe, or**

(iv) an alteration to any part of the roof of the dwellinghouse.; or

The proposal includes new steps from the proposed side extension towards the rear. The steps are in excess of 0.3m and are therefore considered to be a raised platform. A raised

platform is a platform with a height greater than 0.3m. The proposal also includes alterations to the roof of the dwelling house. The proposal fails this criterion. See class B and C below.

The Juliet balcony style opening windows does not fall within the category of balcony as there is no floorspace to step out onto.

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

N/a

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

The proposal is not on article 2(3) land.

Conditions A.3

Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposed materials include timber cladding and brick to match the existing. However, no details of the proposed windows and doors are included on the plans (annotated TBC by client). This condition is therefore not met.

(b) any upper-floor window located in 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; and

Three windows are proposed in the side facing elevation of the dormer. The two Juliet style balcony windows are shown to open. None are shown as obscure glazed. Four rooflight are

shown on the roofslope facing towards no 4. One is shown as obscure glazed. Details of openings and height above finished floor level are not included. This condition is therefore not met.

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

N/a.

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

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

The proposal 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 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 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 property is a detached house. The proposed cubic content of the dormer is approximately 42.5 cubic metres (using the Planning Portal dormer window calculator). The original dwelling has already extended the roof space under consent 91/00474/1. The combined total is in excess of 50 cubic metres.

Furthermore, the proposal also includes raising the roof height of the existing garage. Clarification has not been sought from the applicant regarding the degree of increase in volume resulting from the raising of the garage roof as other criterion are not met and the proposal fails elsewhere.

The proposal fails 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;**

No verandah, raised platform or balcony are proposed as part of the additions to the roof.

The Juliet balcony style opening does not fall within the category of balcony as there is no floorspace to step out onto.

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

The application site is not on article 2(3) land. This criterion is therefore met.

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

N/a.

(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).

N/a.

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 proposed materials include timber cladding and brick to match the existing. However, no details of the proposed windows and doors are included on the plans (annotated TBC by client). This condition is therefore not met.

(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 20 centimetres 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

The eaves of the original roof do not appear to be maintained as the roof of the existing garage is proposed to be raised higher than the existing eaves. Insufficient details have been provided to confirm whether this criterion has been met. Clarification has not been sought from the applicant as other criterion are not met and the proposal fails elsewhere. Therefore, the proposal fails 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.

Three windows are proposed in the side facing elevation of the dormer. The two Juliet style balcony windows are shown to open. None are shown as obscure glazed. Four rooflights are shown on the roofslope facing towards no 4. One is shown as obscure glazed. Details of openings and height above finished floor level are not included. This condition is therefore not met.

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

The proposal complies with this condition.

(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;

No details of the depth of the proposed rooflights has been provided. Insufficient details have been provided to confirm whether this criterion has been met. Therefore, the proposal fails this criterion.

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

The proposal complies with this condition.

(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 proposal complies with this condition.

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

The proposal complies with this condition.

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.

Four rooflights are shown on the roofslope facing towards no 4. One is shown as obscure glazed. Details of openings and height above finished floor level are not included. This condition is therefore not met.

4.3.2 Note on the Porch

The proposed plans include an area marked as 'porch' which falls within the proposed front extension. As this is not a standalone element but attached to the front extension, it is not possible to assess it independently. However, to be considered permitted development, the ground area of a porch measured externally should not exceed 3 square metres and be more than 3m above ground level.

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) cannot be issued on the basis that the proposed development does not constitute permitted development under Class A, Class B or Class C, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed <i>S. Kasparian</i> Sarah Kasparian	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 19 January 2026	