

Evidence To Verify an Application for Certificate of Lawfulness (Proposed) at 51 Ickleford Road, Hitchin, SG5 1TR

Introduction

A Certificate of Lawfulness (Proposed) is sought for the erection of a rear L-shaped dormer roof extension, the insertion of rooflights within the principal (front) roof slope, and the construction of a single-storey garden studio (outbuilding) within the rear curtilage of the property. The proposed roof extension has been designed to follow the established form of the adjoining property, thereby achieving a coherent and balanced appearance within the roofscape.

Site Context

No. 51 comprises a two-storey semi-detached dwelling situated on the western side of Ickleford Road, within a predominantly residential area of Hitchin. The property benefits from an existing two-storey rear outrigger and a single-storey rear projection.

The adjoining neighbouring property features an existing L-shaped dormer extension within the rear roof slope, together with rooflights within the principal (front) roof slope facing the street.

The character of this section of Ickleford Road is defined by a consistent pattern of semi-detached dwellings of similar design, scale, and appearance to that of the application site.

Roof extensions, single-storey rear extensions, garden rooms, and similar domestic outbuildings form a well-established pattern of development within the surrounding area, including properties along Ickleford Road, York Road, and Periwinkle Lane.

Permitted Development

Permitted development rights allow householders to undertake certain forms of development without the need to apply for full planning permission, provided that the works comply with the relevant limitations and conditions set out within the legislation.

This assessment has been undertaken with reference to the *Ministry of Housing, Communities and Local Government: Permitted Development Rights for Householders – Technical Guidance*.

In order to be lawful, a proposal must comply with all relevant limitations and conditions set out under the applicable Classes of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It is therefore necessary to consider the proposed development in the context of the permitted development provisions as a whole.

This supporting statement demonstrates that the proposed development complies with the relevant criteria and limitations for permitted development, and as such, constitutes lawful development for which planning permission is not required.

Class B – Additions etc. to the Roof

Class B permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

B.1 Limitations

Development is not permitted by Class B if:

a) Permission to use the dwellinghouse has been granted only by virtue of Classes M, N, P, PA or Q of Part 3 (change of use).

The application property does not benefit from permission under these Classes.

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 development would not exceed the height of the existing roof.

c) Any part of the dwellinghouse would extend beyond the plane of any existing roof slope forming the principal elevation and fronting a highway.

The proposed development does not extend beyond the plane of the principal (front) roof slope fronting the highway. The roof alterations are confined to the rear roof slope.

d) The cubic content of the resulting roof space would exceed:

(i) 40 cubic metres (terraced houses), or

(ii) 50 cubic metres (other houses).

The application property is a semi-detached dwelling; therefore, the 50 cubic metre limit applies. The proposed L-shaped dormer would result in an increase of approximately 33 cubic metres, which is within the permitted threshold.

e) The development would consist of or include:

(i) a verandah, balcony or raised platform; or

(ii) alterations to a chimney, flue, or soil and vent pipe.

No such works are proposed.

f) The dwellinghouse is on Article 2(3) land.

The site is not located within Article 2(3) land (e.g. Conservation Area, AONB, National Park).

B.2 Conditions

a) Materials must be of similar appearance to the existing dwelling.

The proposed materials will match those of the existing dwellinghouse.

b) The enlargement shall be constructed so that:

- *The eaves of the original roof are maintained or reinstated;*
- *The edge of the enlargement is set at least 0.2m from the eaves (where applicable); and*
- *No part of the enlargement extends beyond the outer face of the external walls of the original dwellinghouse (subject to standard interpretations under Class B.4).*

The proposed development complies with these requirements. The eaves are maintained, the dormer is set appropriately above the eaves, and no part extends beyond the external wall face.

c) Any side-facing windows must be obscure glazed and non-opening below 1.7m.
No side-facing windows are proposed.

Class C – Other Alterations to the Roof

Class C permits alterations to the roof that do not result in enlargement, including the installation of rooflights.

C.1 Limitations

- a) *The dwellinghouse must not originate from change of use Classes M, N, P, PA or Q.*
This limitation does not apply.
- b) *The alteration must not protrude more than 0.15m beyond the plane of the roof slope.*
The proposed rooflights will project no more than 0.15m beyond the roof plane.
- c) *The alteration must not exceed the height of the highest part of the original roof.*
The proposed development complies.
- d) *The works must not include chimneys, flues, or solar equipment (unless permitted elsewhere).*
No such works are proposed.

C.2 Condition

Side-facing rooflights must be obscure glazed and non-opening below 1.7m.
No side-facing rooflights are proposed.

Class E – Outbuildings

Class E permits outbuildings within the curtilage for purposes incidental to the enjoyment of the dwellinghouse.

A single-storey garden studio is proposed within the rear garden, on an existing hardstanding.

E.1 Limitations

- a) *The dwelling must not originate from change of use Classes M, N, P, PA or Q.*
This does not apply.
- b) *Total coverage must not exceed 50% of the curtilage (excluding the original dwelling).*
The proposal complies with this requirement.
- c) *No development forward of the principal elevation.*
The outbuilding is located to the rear and complies.
- d) *The building must be single storey.*
The proposed structure is single storey.
- e) *Height limits:*
- *Max 2.5m if within 2m of a boundary*
The proposed outbuilding has a maximum height of 2.5m and is located within 2m of the boundary, therefore compliant.

f) Eaves height must not exceed 2.5m.

The proposal complies.

g) Must not be within the curtilage of a listed building.

The site is not listed.

h) No verandas, balconies, or raised platforms.

None are proposed.

i-j) Restrictions relating to antennas and storage containers.

Not applicable.

E.2 & E.3

The site is not within a World Heritage Site, National Park, AONB, the Broads, or other Article 2(3) land.

Conclusion

The proposed development complies with the relevant limitations and conditions set out under Classes B, C, and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Accordingly, the proposals constitute lawful development for which planning permission is not required, and a Certificate of Lawfulness should therefore be granted.

Feneley Studio

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Aerial view of developments to Ickleford Road, York Road, Bearton Road



Aerial view of neighbouring properties - Images courtesy of Google