

DELEGATED FILE NOTE

CASE OFFICER: ...Kayleigh Aberly.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01779/LDCP	Insertion of rear box dormer with Juliet balcony and front rooflights to facilitate loft conversion into habitable accommodation.	9 Manor Crescent Hitchin Hertfordshire SG4 9LY

Submitted Plan Nos

1.0 Policies

2.0 Site History

2.1 09/01371/1HH: Single storey rear extension. 08.09.2009 – **Conditional permission**

2.2 10/00604/1HH: Rear conservatory. 17.05.2010 - **Conditional permission**

2.3 23/00616/FPH: Single storey rear extension and replacement side porch canopy following demolition of existing rear conservatory. 25.04.2023 - **Conditional permission**

3.0 Representations

3.1 No consultation required.

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 The site is a semi-detached bungalow located on the west side of Manor Crescent, Hitchin. It is a corner plot adjacent to Poplar Close and the rear of the property overlooks a double set of garages and faces the side elevation of the neighbour in Poplar Close.

4.2 Proposal

4.2.1 A Certificate of Lawfulness (proposed) is sought for the following:

Insertion of rear box dormer with Juliet balcony and front rooflights to facilitate 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, Classes B, C and G.

Part 1 Development in the curtilage of a dwellinghouse

4.3.2 Dormer extension

Class B: additions etc to the roof of a dwellinghouse

Permitted development:

B. The enlargement of a dwellinghouse consisting of an 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 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 planned rear dormer would not exceed the existing ridge line. However, the chimney would exceed the highest part of the existing roof. Therefore, the proposal fails to comply 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 planned rear dormer would not exceed the existing ridge line. 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—

1.0 40 cubic metres in the case of a terrace house, or

2.0 50 cubic metres in any other case;

The total additional volume is below the 50 cubic metres allowed for this property. Therefore, the proposal 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 development includes a 'Juliet' balcony, which does not include an external platform, the balcony cannot be stepped onto and is compliant with this criteria. However, the proposal also includes the alteration of the location of the chimney. Therefore, the development overall does not comply with this criterion.

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

The property is not located on article 2(3) land and is compliant with this criterion.

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

The dwellinghouse is not a new house and is compliant 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 dwellinghouse has not been enlarged by additional storeys and therefore complies with this criterion.

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;

The accompanying plan ELA/5rev A shows that the proposed external materials are to match the existing property. The proposal complies with this criterion.

(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**

The proposal complies with this criterion.

(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 side elevation window is proposed to be obscure glazing and non-opening. The proposal therefore complies with this criterion.

4.3.3 Front rooflights

Class C: other alterations to the roof of a dwellinghouse.

Permitted development:

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 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 proposed plans show the rooflights to protrude no more than 0.15m beyond the original roof. The proposal 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 proposed development 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 proposed insertion of rooflights does not include the above. Therefore, the development complies with this criterion.

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

The proposed development complies with this criterion.

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 rooflights are to the roof slope on the front elevation. The proposed development complies with this criterion.

4.4 Conclusion

4.4.1 The proposed insertion of rear box dormer with Juliet balcony and front rooflights to facilitate loft conversion into habitable accommodation does not constitute 'permitted development' by virtue of the Town and Country (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B.1 (b) and (e) (ii). As such, a certificate of lawfulness is REFUSED.

1. The proposed insertion of rear box dormer with Juliet balcony and front rooflights to facilitate loft conversion into habitable accommodation does not constitute 'permitted development' by virtue of the Town and Country (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B.1 (b) and (e) (ii). As such, a certificate of lawfulness is REFUSED.

Signed  Intan Keen	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 7 September 2026	

