

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00543/LDCP	Hip to gable roof extension. Insertion of rear box dormer and 2 no. front rooflights to facilitate loft conversion to habitable space	3 Westmill Road Hitchin Hertfordshire SG5 2SB

Submitted Plan Nos

Location plan LP/1 LP/2 LP/3 LP/5 LP/7

1.0 Policies

2.0 **Site History**

2.1 None.

2.2 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 semi detached, render and tile dwelling on the west side of Westmill Road.

4.2 **Proposal**

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

“Hip to gable roof extension. Insertion of rear box dormer and 2 no. front rooflights to facilitate loft conversion to habitable space.”

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 B – ‘additions etc to the roof of a dwelling house’, and Class C – ‘other alterations to the roof of a dwellinghouse’.

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 proposed rooflights would extend beyond the plane of the existing roof slope on the principal elevation. The proposal therefore fails this criterion. However, see Class C below.

(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 semi detached house. The proposed cubic content does not exceed 50 cubic metres. The proposal 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 proposal complies with this criterion.

(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 external finishes of the dormer are to match the existing roof tiles. The materials of the hip to gable roof extension are to match the existing roof tiles and rendered brick of the dwelling. The proposed new windows will matching existing. This condition is therefore 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 proposal complies with this condition.

(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.

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;

The proposal complies with this condition.

(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.

N/a.

4.4 Conclusion

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

Signed  Ben Glover	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 13 March 2026	