

DELEGATED FILE NOTE

CASE OFFICER: ...Kayleigh Abery.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01641/LDCP	Insertion of box dormer to existing side elevation roofslope to facilitate conversion of loftspace into habitable accommodation.	18 Mowbray Gardens Hitchin Hertfordshire SG4 9HF

Submitted Plan Nos

01 02 03A 04A

1.0 Policies

2.0 **Site History**

2.1 None.

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 dwelling located on the south-west side of Mowbray Gardens, Hitchin. It is adjacent to an access road leading to Blackhorse Close allowing a separation to the neighbouring rear properties of The Paddock as the closest properties in the vicinity.

4.2 **Proposal**

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

Insertion of box dormer to existing side elevation roofslope to facilitate conversion of loftspace 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, Class B.

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, including the rooflight projecting 0.15m from the flat roof, would not exceed the existing ridge line. 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 property has a pitched roof design, and the development would not extend beyond the existing roof slope. 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 total additional volume does not exceed 50 cubic metres permitted for this property. 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 does not include any of the above. The proposal complies 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 03A shows that the proposed external materials are to be similar to the existing property, by using UPVC windows and hanging tiles. 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.

There are two side windows shown on the submitted plans, both are labelled as obscure glazed and show openings are 1.7m from finished floor level. The proposal complies with this criterion.

4.4 Conclusion

4.4.1 The proposed insertion of box dormer to existing side elevation roofslope to facilitate conversion of loftspace into habitable accommodation constitutes 'permitted development' by virtue of the Town and Country (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B. As such, a certificate of lawfulness is **ISSUED**.

Informative/s:

Bats and roof work Informative:

The applicant is advised that all species of bat and their roosts are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). As roof works have the potential to affect bats and their roosts, the applicant should remain vigilant throughout the works. Should bats, or evidence of bats, be discovered at any stage, all work in the affected area must cease immediately and advice should be sought from a suitably qualified ecologist before works recommence. The granting of planning permission does not remove the applicant's legal responsibilities under the relevant wildlife protection legislation.

Signed  Melissa Tyler	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 21 August 2026	