

DELEGATED FILE NOTE

CASE OFFICER: ...Tabitha Kaye.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01173/LDCP	Insertion of side door and window and installation of steps to existing garage to facilitate conversion into use for storage and home office.	2 Westwood Avenue Hitchin Hertfordshire SG4 9LH

Submitted Plan Nos

DPL.01A DPL.02A DPL.04A

1.0 Policies

2.0 **Site History**

- 2.1 **15/00630/1PUD:** Dormer window in rear roofslope and velux window in front roofslope to facilitate conversion of loft to habitable accommodation. **Granted.**

3.0 **Representations**

- 3.1 No consultation required.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site accommodates a two-storey semi-detached dwelling on Westwood Avenue, Hitchin. The site is within the Hitchin settlement boundary.

4.2 **Proposal**

- 4.2.1 A Certificate of Lawfulness (proposed) is sought for the insertion of side door and window and installation of a ramp to existing garage to facilitate conversion into use for storage and home office.

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 E, as amended. The proposed works constitute development as they would materially affect the external appearance of the building.
- 4.3.2 The existing outbuilding does not meet the requirements of 'permitted development' under Class E. Therefore, the insertion of a side door and window to facilitate its conversion to a home office (also incidental to the main dwellinghouse), as well as the associated steps, cannot be considered under 'permitted development'.

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or**
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.**

The proposal complies with these criteria.

Development not permitted

E.1 Development is not permitted by Class E 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 total area of ground covered by buildings, enclosures and containers within the curtilage (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) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;**

The proposal complies with this criterion.

- (d) the building would have more than a single storey;**

The proposal complies with this criterion.

- (e) the height of the building, enclosure or container would exceed—**

- (i) 4 metres in the case of a building with a dual-pitched roof,**
- (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or**
- (iii) 3 metres in any other case;**

The proposal does not comply with these criteria – the proposal would measure a maximum of 2.8m in height and would be within 2m of the boundary.

- (f) the height of the eaves of the building would exceed 2.5 metres;**

The proposal does not comply – see above.

(g)the building, enclosure, pool or container would be situated within the curtilage of a listed building;

The proposal complies with this criterion.

(h)it would include the construction or provision of a verandah, balcony or raised platform;

The proposal complies with this criterion - the steps would be under 0.3m and therefore would not be considered as a raised platform.

(i)it relates to a dwelling or a microwave antenna;

The proposal complies with this criterion.

(j)the capacity of the container would exceed 3,500 litres;

The proposal complies with this criterion.

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

The proposal complies with this criterion.

4.4 Conclusion

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

1. The proposal constitutes development under Section 55 of the Town and Country Planning Act 1990 and by virtue of Section 57 of the Act requires planning permission. The works do not benefit from the general planning permission granted by Class E (e) and (f) of Part 1, Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and planning permission is required. The height of the building would exceed 2.5 metres, and the building is within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the building would exceed 2.5 metres.

Signed  Naomi Reynard	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 26 June 2026	