

DELEGATED FILE NOTE

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

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

24/01460/LDCP

Insertion of rear L-shaped box dormer window with Juliet balcony and 3no rooflights to front elevation. Single storey front porch extension with pitched roof.

29 Dacre Road
Hitchin
Hertfordshire
SG5 1QJ

Submitted Plan Nos

22244-100

1.0 Policies

2.0 Site History

2.1 24/00698/FPH - Single storey rear extension. CP 07/05/2024.

2.2 Permitted development rights do not appear to have been removed.

3.0 Representations

n/a

4.0 Planning Considerations

4.1 Site and Surroundings

4.1.1 Terraced house located on the west side of Dacre Road.

4.2 Proposal

4.2.1 A certificate of lawfulness (proposed) is sought for “*Insertion of rear L-shaped box dormer window with Juliet balcony and 3no rooflights to front elevation. Single storey front porch extension with pitched roof.*”

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.

Assessment of Proposed Dormer

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 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 property is a terraced house. The proposed cubic content does not exceed 40 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;**

None of the above apply. The proposal therefore meets this criterion.

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

The application site is not within 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 proposal will be clad in hanging tiles similar to the existing roof tiles or rendered in a colour to give a similar visual appearance to the existing roof. 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.**

No side windows are proposed. The proposed plans note that any window inserted in a side elevation shall meet the above criteria. The development complies with this condition.

Assessment of Proposed Rooflights

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 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; or**

The proposal 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 proposal complies with this criterion.

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

N/a.

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.**

The proposal complies with this condition.

Assessment of Proposed Porch

D. The erection or construction of a porch outside any external door of a dwellinghouse.

D.1 Development is not permitted by Class D 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 ground area (measured externally) of the structure would exceed 3 square metres;

The proposal complies with this criterion.

(c) any part of the structure would be more than 3 metres above ground level; or

The proposal complies with this criterion.

(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.; or

The proposal complies with this criterion.

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

Signed  Tom Rea	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 19 August 2024	

