

DELEGATED FILE NOTE

CASE OFFICER: ...Alex Howard.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/00040/LDCP	Insertion of rear dormer and 2 no. front roof lights to facilitate loft conversion. Removal of existing chimney (as amended by plans received 17th February 2026).	56 Chilvers Bank Baldock Hertfordshire SG7 6HT

Submitted Plan Nos

003-100A 003-101A 003-102A 003-103A 003-201A 003-203A 003-202B 003-204B 003-205B

1.0 Policies

2.0 Site History

2.1 25/00846/FPH – Insertion of dormer to existing front roof slope to facilitate conversion of loft space into habitable accommodation.

Refused – Appeal Dismissed

3.0 Representations

3.1 None.

4.0 Planning Considerations

4.1 **Site and Surroundings**

4.1.1 The site is a mid-terraced dwelling located on the west side of Chilvers Bank, Baldock.

4.2 **Proposal**

4.2.1 A certificate of lawfulness (proposed) is sought for the insertion of rear dormer and 2 no. front roof lights to facilitate loft conversion. Removal of existing chimney (as amended by plans received 17th February 2026).

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*', Class C – '*other alterations to the roof of a dwellinghouse*', and Class G – '*chimneys, flues etc on a dwellinghouse*'.

4.3.2 Class B – '*additions etc to the roof of a dwelling house*'

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

The development does not conflict 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 rear dormer would not exceed the existing ridge line. As such, the development does not conflict 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 development does not conflict 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 would be approx. 39.07 cubic metres, which would be below the 40 cubic metres allowed for this terraced property. As such, the development does not conflict 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 development does not include any of the above. As such, the development does not conflict 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 application form states that the proposed external materials are to match the existing property, which has black framed windows now lawful through the passage of time. As such, the development does not conflict 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 development does not conflict 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 development does not conflict with this criterion.

4.3.3 Class C – “other alterations to the roof of a dwellinghouse”.

(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 development does not conflict 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 development does not conflict 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 development does not conflict 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 development does not conflict with this criterion.

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

The development does not conflict 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.

N/A.

4.3.4 Class G – *'chimneys, flues etc on a dwellinghouse'*.

(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 does not conflict with this criterion.

(b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;..

N/A. The chimney is proposed to be removed which is permitted under Class G as per relevant appeal decisions.

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the dwellinghouse; or

N/A.

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

N/A

4.4 **Conclusion**

4.4.1 The proposed insertion of rear dormer and 2 no. front roof lights to facilitate loft conversion, and removal of existing chimney constitutes 'permitted development' by virtue of the Town and Country (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B, Class C and Class G. As such, a certificate of lawfulness can be issued.

5.0 **Recommendation**

5.1 That a certificate of lawfulness be **ISSUED** for the following reason:

Proactive Statement:

A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed insertion of rear dormer and 2 no. front roof lights to facilitate loft conversion, and removal of existing chimney constitutes permitted development by virtue of Classes B, C, and G Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer	
Date: 27 February 2026	