

DELEGATED FILE NOTE

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

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
26/01121/LDCP	Insertion of rear box dormer and front rooflights to facilitate conversion of loft into habitable accommodation.	109 Nightingale Road Hitchin Hertfordshire SG5 1RH

Submitted Plan Nos

Location Plan 4179-26A2-01 4179-26A2-02A

1.0 Policies

2.0 **Site History**

2.1 **16/00168/1HH:** Dormer window in rear roofslope and rooflight in front roofslope to facilitate conversion of loft to habitable accommodation; front entrance porch.
Conditional Permission.

2.2 **92/00455/1:** Single storey rear extension. **Conditional Permission.**

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, terraced dwelling situated on Nightingale Road, Hitchin.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness (proposed) is sought for the insertion of rear box dormer and front rooflights to facilitate conversion of loft 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) (England) Order 2015, as amended (GPDO). Schedule 2, Part 1, Class B considers dormer extensions, while Class C considers rooflights.

4.3.2 Dormer extensions are considered under Schedule 2, Part 1, Class B of the GPDO:

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

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 M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);*

N/A.

- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;*

Complies.

- (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;*

Complies.

- (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;

Complies.

- (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;

Complies.

- (f) the dwellinghouse is on article 2(3) land;*

N/A.

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

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.

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;*

Complies.

- (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

- (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*

Complies.

- (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.

Complies.

4.3.3 The proposed dormer extension therefore complies with Schedule 2, Part 1, Class B of the GPDO.

4.3.4 Roof lights are considered under Schedule 2, Part 1, Class B of the GPDO:

Permitted development

C. *Any other alteration to the roof of a dwellinghouse.*

Development not permitted

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);*

N/A.

(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;*

Complies.

(c) *it would result in the highest part of the alteration being higher than the highest part of the original roof;*

Complies.

(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*

Complies.

(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.*

Complies.

4.3.5 The proposed roof lights therefore comply with Schedule 2, Part 1, Class C of the GPDO.

4.4 Conclusion

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

Signed Intan Keen Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 2 June 2026	