

DELEGATED FILE NOTE

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

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

26/01469/LDCP

Single storey rear extension. Extension
to rear patio.

30 Pirton Road
Hitchin
Hertfordshire
SG5 2BD

Submitted Plan Nos

P001 P003 P004(A) P002 P005 P004(B) P006 (B) P006(A)

1.0 Policies

2.0 **Site History**

2.1 None on file.

2.2 Permitted development rights have not been removed.

3.0 **Representations**

3.1 Neighbour notification is not a statutory requirement as part of the Lawful Development Certificate process.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 Number 30 is a detached, two storey dwelling located on the north side of Pirton Road, Hitchin.

4.2 **Proposal**

4.2.1 A certificate of lawfulness (proposed) is sought for a single storey rear extension and extension to rear patio.

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 A and Class F.

Class A – The enlargement, improvement or other alteration of a dwellinghouse.

A.1 Development is not permitted by Class A 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 proposed development complies with this criterion.

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The proposed development complies with this criterion.

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The proposed development complies with this criterion.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The proposed development complies with this criterion.

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The proposed development complies with this criterion.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

The proposed development complies with this criterion.

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

The proposed development complies with this criterion.

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

The proposed development complies with this criterion.

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The proposed development complies with this criterion.

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse;

The proposed development complies with this criterion.

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

The proposed development complies with this criterion.

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.; or

The proposal includes a step at the rear of the extension as part of the patio. However, this does not exceed 0.3m and is not therefore a 'raised platform'. The proposed development complies with this criterion.

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

N/A

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

The proposed development is not on article 2(3) land. A2 is therefore not applicable.w

Conditions A.3

Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposed materials will match existing. This condition is met, and the development complies with this criterion.

(b) any upper-floor window located in 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; and

N/A

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

N/A.

Class F – hard surfaces incidental to the enjoyment of a dwellinghouse

F. Development consisting of

(a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or

(b) the replacement in whole or in part of such a surface.

The proposed development complies with this criterion.

F.1 Development is not permitted by Class F if—

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

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

The proposed development complies with the F.1 criterion.

Conditions

F.2 Development is permitted by Class F subject to the condition that where—

(a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and

(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Th conditions are not applicable due to the hardstanding being located at the rear of the dwellinghouse.

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 A and Class F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

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