

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00499/LDCP	Single storey side extension following demolition of existing conservatory. Insertion of dormer window and rooflight in rear roofslope.	16 Townsend Close Barkway Royston Hertfordshire SG8 8ER

Submitted Plan Nos

ELA / 1 Rev A ELA / 2 Rev A ELA / 4 Rev A ELA / 6 Rev A ELA / 13 Rev A ELA / 14 Rev A ELA / 17 Rev A

1.0 Policies

2.0 **Site History**

2.1 79/01796/1 – Kitchen extension.

3.0 **Representations**

3.1 None.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a detached chalet bungalow dwelling on the east side of Townsend Close in a residential part of Barkway. The dwelling has a link attached garage.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness is sought for a single storey side extension following demolition of existing conservatory and the insertion of a dormer window and rooflight into the rear roofslope.

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.

- ☐ The single storey side extension is considered against the criteria set out by Part 1, Class A,
- ☐ The rear roof dormer extension is considered against the criteria set out by Part 1, Class B,
- ☐ The insertion of front rooflights is considered against the criteria set out by Part 1, Class C.

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

The proposed development is compliant 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 is compliant 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 is compliant 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 is compliant 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 is compliant 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 is compliant 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 is compliant 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 opposite the rear wall of the dwellinghouse;**

N/A as the proposed extension is single storey.

(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 is compliant 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; or**

The dwelling is approximately 9.3m wide, the proposed extension would be 3.75m wide and therefore would comply 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.**

The proposed development is compliant with this criterion.

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)

N/A.

4.3.3 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 development seeks to use matching materials to the dwellinghouse.

(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, 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.

4.3.4 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, N, P, PA or Q of Part 3 of this Schedule (change 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**

The proposed work 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 proposed works 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

ii. 50 cubic metres in any other case

The proposed work seeks to add approximately 6m³ of roof space and 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

The proposed work would not include any of these and is therefore compliant with the criterion.

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

N/A.

4.3.5 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 proposed works seek to use materials that will be similar in appearance to the existing and therefore complies with this criterion.

- 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 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***

The proposed work complies with this criterion.

- 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***

N/A.

4.3.6 **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 M, N, P, PA or Q of Part 3 of this Schedule (change 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**

The proposed work 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 proposed work 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**

N/A

4.3.7 **Conditions**

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 shall 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

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed single storey side extension following demolition of existing conservatory and the insertion of a dormer window and rooflight into the rear roofslope constitutes permitted development by virtue of Classes A,B and C of 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: 24 March 2025	