

DELEGATED FILE NOTE

CASE OFFICER: ...Melissa Tyler.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

25/02218/LDCP

Insertion of rear box dormer and three front roof lights to facilitate conversion of loft space into habitable accommodation.

31 Lindsay Avenue
Hitchin
Hertfordshire
SG4 9JA

Submitted Plan Nos

Location plan P1 P2

1.0 Policies

2.0 **Site History**

2.1 None

3.0 **Representations**

3.1 None.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 31 Lindsay Avenue is a semi detached dwellinghouse within a residential area of Hitchin.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness is sought for the insertion of dormer window and rooflights into existing roofslope to facilitate loft conversion

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 roof dormer extension is considered against the criteria set out by Part 1, Class B.
- The rooflights are considered against the criteria set out by Part 1, Class C.

4.3.2 **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

N/A

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 less than 50m³ 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 application forms states the proposed materials to match existing roof

These materials are sympathetic to the dwelling and would 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.

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 alterations to existing ground floor rear roof, insertion of second floor window, side dormer extension and rooflights constitutes permitted development by virtue of Class B & C, Part 1 of Schedule 2 of

the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Signed  Paul Chaston Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 14 October 2025	