

DELEGATED FILE NOTE

CASE OFFICER: ...Vicki Wood.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/02498/LDCP	Roof extension to form gable end. Insertion of rear box dormer window including Juliet balcony and 4no front rooflights to facilitate loft conversion.	69 Periwinkle Lane Hitchin Hertfordshire SG5 1TY

Submitted Plan Nos

069/PER/002/A 080/CAR/0S

1.0 Policies

2.0 **Site History**

24/02499/FPH - Single storey side extension and front porch. Decision Pending.

21/02072/FPH - Single storey rear extension following demolition of existing rear elevation element. Conditional Permission.

3.0 **Representations**

3.1 N/A

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site comprises of a two-storey semi-detached residential dwelling located on the west side of Periwinkle Lane. A detached garage exists to the rear of the dwelling with garden to rear and hardstanding to the front former garden. The dwelling is set back from the highway.

4.2 **Proposal**

4.2.1 A Certificate of Lawfulness (proposed) is sought for the erection of a roof extension to form gable end. Insertion of rear box dormer window including Juliet balcony and 4 no. front rooflights 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 (as amended).

4.3.2 ***B. Additions etc to the roof of a dwellinghouse.***

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

The application complies 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 application 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 application 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, or

(ii) 50 cubic metres in any other case;

The application site relates to a semi-detached dwelling and therefore additions to the roof can exceed the original roof space of the dwelling by no more than 50 cubic metres. The existing roof is considered to be the original roof. The volume of the proposed roof additions would be approx. 42.3m³.

The application 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 proposal involves the formation of a Juliet balcony; however a Juliet balcony does not have a platform and does not allow for the functioning of a useable space.

The application complies with this criterion.

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

The application site is not on article 2(3) land and so complies with this criterion.

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

(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).

The application complies with this criterion.

Conditions

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 agent has confirmed that the hip to gable extension would be built using bricks to match the existing dwelling and the dormer would be clad in concrete plain tiles to match the existing roof tiles of the existing dwelling.

The application complies 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

(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

(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 application includes a hip to gable enlargement and the agent has confirmed that the window to the side flank gable would be obscure glazed and non-opening below 1.7m above the finished floor level.

The application complies with this criterion.

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

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);

The application complies 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 application 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;

The application 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; or

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

The application complies with this criterion.

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.**

The proposal complies with this criterion.

4.4 Conclusion

- 4.4.1 A Certificate of Lawfulness (proposed) can be issued on the basis that the proposed *'roof extension to form gable end. Insertion of rear box dormer window including Juliet balcony and 4no. front rooflights to facilitate loft conversion'* **would** constitute permitted development by virtue of Class B and Class C of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Signed  Naomi Reynard	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 22 November 2024	