HUNTINGDONSHIRE DISTRICT COUNCIL

25/01057/CLPD

OFFICER REPORT

Case No: **25/01057/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Application for a Lawful Development Certificate for a Proposed loft conversion with dormer extension to rear and rooflights to front**

Location: **11 York Close Godmanchester Huntingdon**

Applicant: **Mr & Mrs Panteli**

Grid Ref: **524920 270453**

DESCRIPTION OF SITE AND APPLICATION

The application site at 11 York Close is occupied by a two-storey semi-detached dwellinghouse located within a residential area in Godmanchester. The application site is located adjacent to the Godmanchester Conservation Area, with Listed Building in the vicinity. The site also falls within Flood Zone 2 of the Environment Agency's Flood Map for Planning.

A Certificate of Lawful (Proposed) Development is sought for works relating to a loft conversion with dormer extension to rear and rooflights to front.

NATIONAL GUIDANCE

The Town and Country Planning Act 1990

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

RELEVANT PLANNING HISTORY

None relevant.

CONSULTATIONS

No consultations - Certificate of lawful permitted development

REPRESENTATIONS

None

SUMMARY OF ISSUES

The internal conversion of a loft space would not be defined as development under section 55 of the Town and Country Planning Act 1990, however the addition of a dormer and rooflights would involve operational development that would be considered development under the Act.

Therefore, the addition of a rear dormer and front rooflights must be assessed against The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) to determine whether the proposals are 'permitted development' or would require an application to be submitted for planning permission.

*Addition of Dormer

Schedule 2 - Part 1 - Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof, subject to certain criteria set out within the Order. The proposed development of a loft conversion with dormer extension to the rear roof slope to the dimensions indicated on the submitted plans received by the Local Planning Authority on 11th of June 2025, would be permitted as it falls within the definition of the enlargement of a dwellinghouse consisting of an addition or alteration to its roof and because the following additional tests are satisfied:

(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);

Officer Assessment: Compliant

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

Officer Assessment: Compliant

(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;

Officer Assessment: Compliant

(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;

Officer Assessment: Compliant - as per the submitted proposals, the dormer is 23.67m³.

(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;

Officer Assessment: Compliant

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

Officer Assessment: Compliant

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

Officer Assessment: Compliant

(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)

Officer Assessment: Compliant

Development under Schedule 2 - Part 1 - Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) are subject to 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;

Officer Assessment: Compliant - whilst the type of tile proposed differs from the existing roof tiles, it is noted that pantiles cannot be hung vertically. The proposed plain tiles, which can be hung vertically, are confirmed by the agent to match the existing roof tiles in texture and colour, therefore are acceptable in this regard.

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;

Officer Assessment: Compliant

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.

Officer Assessment: Compliant

Therefore, the proposed development of a loft conversion consisting of a rear dormer as shown in the submitted proposed plans received by the Local Planning Authority on the 11th of June 2025 would fall within the definition and conditions attached to Schedule 2 - Part 1 - Class B.

* Addition of roof lights to front and rear roof slopes

Schedule 2 - Part 1 - Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits other alterations to the roof of a dwellinghouse subject to certain criteria set out within the Order. The proposed addition of three roof lights to the front roof slope as indicated by the submitted proposed plans received by the Local Planning Authority on the 11th of June 2025 would be permitted as it falls within the definition of any other alteration to the roof of a dwellinghouse and because the following additional tests are satisfied:

a) The dwellinghouse was not granted by virtue of Class G, M, MA, N, P, PA or Q of Part 3

Officer Assessment: Compliant

b) The proposed development would not result in any protrusion of 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;

Officer Assessment: Compliant

c) The height of the proposed development would not exceed the highest part of the roof of the existing roof

Or

(d) 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.

Officer Assessment: Compliant

Development under Schedule 2 - Part 1 - Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) are subject to 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 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.

Officer Assessment: Compliant - The proposed development does not include any windows located on a roof slope forming a side elevation.

Therefore, the proposed development of rooflights to the front roof slope as shown in the submitted proposed plans received by the Local Planning Authority on the 11th of June 2025 would fall within the definition and conditions attached to Schedule 2 - Part 1 - Class C.

CONCLUSION

The proposed loft conversion with dormer and rooflights as shown in the submitted proposed plans accords with the criteria and conditions set out in Schedule 2, Part 1, Class B and Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The development is considered to be permitted development and is therefore granted planning permission by virtue of Article 3 of this Order.

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CONTACT OFFICER:
Enquiries about this report to **Josh France**