

DELEGATED PLANNING APPLICATION REPORT

Ward: Battle

App Ref: 231095/CLP

Address: 42 Norfolk Road, Reading, RG30 2EE

Proposals: Internal reconfigurations and rear dormer loft extension.

Case Officer: James Schofield

Date received (valid from): 2 August 2023 Original target Decision date: 27th September 2023, extended to 15th of December 2023

Introduction and Proposal

Plans Submitted

The applicant supplied the following;

Dwg No: 058-02-02-001 Existing Site Location and Site Plan
Dwg No: 058-02-02-002 Proposed Site Plan
Dwg No: 058-02-03-001 Existing Floorplan - GF
Dwg No: 058-02-03-002 Existing Floorplan - 1F
Dwg No: 058-02-03-003 Proposed Floorplan - GF
Dwg No: 058-02-03-004 Proposed Floorplan - 1F
~~Dwg No: 058-02-03-005 Proposed Floorplan - 2F (Superseded)~~
Dwg No: 058-02-04-001 Existing Elevation 01- Front
Dwg No: 058-02-04-002 Existing Elevation 02 - Party Wall NW
Dwg No: 058-02-04-003 Existing Elevation 03 - Rear
Dwg No: 058-02-04-004 Existing Elevation 04 - Party Wall SE
Dwg No: 058-02-04-005 Proposed Elevation 01 - Front
~~Dwg No: 058-02-04-006 Proposed Elevation 02 - Party Wall NW (Superseded)~~
Dwg No: 058-02-04-007 Proposed Elevation 03 - Rear
~~Dwg No: 058-02-04-008 Proposed Elevation 04 - Party Wall SE (Superseded)~~
As received 3rd of August 2023

Dwg No: 058-02-03-005 Rev A Proposed Floorplan - 2F
Dwg No: 058-02-04-006 Rev A Proposed Elevation 02 - Party Wall NW
Dwg No: 058-02-04-008 Rev A Proposed Elevation 04 - Party Wall SE
As received 14th of December 2023

Relevant Planning History

No relevant planning history.

Summary of Consultations

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy and Guidance

National Planning Practice Guidance

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

Permitted development rights for householders - Technical Guidance April 2017

Assessment

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property.

The proposed must be assessed to ensure that it complies with the conditions of Class B, & L, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to the 'enlargement, improvement or other alteration of a dwellinghouse'.

The relevant conditions of the GPDO for a single storey rear extension, which is not listed or in a conservation area, are as follows:

With regard to the changing use from C3 to C4 HMO:

L. Development consisting of a change of use of a building—

- (a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;
- (b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Complies.

L.1 Development is not permitted by Class L if it would result in the use—

- (a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order of any building previously used as a single dwellinghouse falling within Class C4 (houses in multiple occupation) of that Schedule; or
- (b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.

Complies.

With regard to the rear dormer:

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);

Complies.

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

Complies.

(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;

Complies, right up to the ridgeline.

(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

Complies, 15.41 metres².

(ii) 50 cubic metres in any other case;

(e) it would consist of or include—

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

Complies.

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

Complies.

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

Complies.

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

Complies.

(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).

Complies.

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;

Complies.

(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.

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4. For the purposes of paragraph B.2(b)(ii)—

(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and

(b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class B, & Class L Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

It can be confirmed that the proposed operation would be lawful for planning purposes on the basis of the drawings received on:

3rd of August & 14th of December 2023

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed.

Informatives

Building Regulations

Encroachment and Party Wall Act

Construction and Demolition