

DELEGATED PLANNING APPLICATION REPORT

Ward: Katesgrove

App Ref: 230978/CLP

Address: 46 Waldeck Street, Reading, RG1 2RE

Proposals: Request for a Certificate of Lawfulness to confirm a rear extension at a depth of 3 meters.

Case Officer: James Schofield

Date received (valid from): 13 July 2023

Target Decision date: 7 September 2023

Introduction and Proposal

Site is not in a conservation area, Article 4 area relevant to the proposal, and has no planning history indicating PD rights have been removed.

Site visit date: 29/08/2023

Site visit photos:

Existing rear extension to the end of the outrigger appears on the 2006 Ordinance Survey map which means its lawfulness is established due to the 10 year rule.



Plans Submitted

The applicant supplied the following;

Dwg No: 2869-002P6 - Existing Plans and Elevations

~~Dwg No: 2869-003P6 - Proposed Plans and Elevations (Superseded)~~

Dwg No: 2869-004P2 - Proposed Block Plans

As received 3rd of August 2023

Dwg No: 2869-003P7 - Proposed Plans and Elevations

As received 5th of August 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

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 A, 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 rear extension:

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

Complies

(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);

Complies, coverage would be around 36% (up from 23%).

(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;

Complies, is a ground floor rear extension.

(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;

Complies.

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—
(i) forms the principal elevation of the original dwellinghouse; or

Complies.

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Complies.

(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

Complies, approximately 3 meters.

(ii) exceed 4 metres in height;

Complies, approximately 3 meters at highest point.

(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

Complies, approximately 3 meters.

(ii) exceed 4 metres in height;

Complies, approximately 3 meters at highest point.

(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

Not applicable, only a single storey proposed.

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

Not applicable, only a single storey proposed.

(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;

Complies, eaves height proposed to be 3 meters.

(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,

Complies, approximately 3 meters at highest point.

(ii) have more than a single storey, or

Complies, extension only single-storey.

(iii) have a width greater than half the width of the original dwellinghouse; or

Complies, extension would be around 1.5 meters wide and site is approximately 3.6 meters wide.

(ja) 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 (e) to (j);

Complies.

(k) it would consist of or include—

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

N/A

(ii) the installation, alteration or replacement of a microwave antenna,

N/A

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

N/A

Complies, as the proposed works to the chimneys are outside of the scope of the application for a rear extension.

(iv) an alteration to any part of the roof of the dwellinghouse.; or

Complies.

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

Complies, is not part of a demolition and rebuild of the house.

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;

Not applicable, not on article 2(3) land.

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

Not applicable, not on article 2(3) land.

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

Not applicable, not on article 2(3) land.

(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).

Not applicable, not on article 2(3) land.

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;

Complies.

(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

Not applicable.

(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

Not applicable.

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable

A.4— (1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

Not applicable, the rest of A.4 has been omitted.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A, 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 2023 & 5th of September 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