

Delegated Application Report**Target Date:** 17/01/22**Address:** 129 Whiteknights Road, Reading, RG6 7BB**Application No:** 211876/CLP**Proposal:** Certificate of Lawfulness for proposed side extension and outbuilding, and demolition of garage**Case Officer:** Nathalie Weekes**Introduction and Proposal**

The application site sits on a large plot on the northern side of Whiteknights Road. The University of Reading Whiteknights Campus (Early Gate entrance) is located approximately 50m to the east. At the entrance of the University are a pair of gate houses that are Grade II Listed. They are the entrance to the former historic Estate for Erleigh House. Properties in the vicinity are primarily detached properties with many dating from the 1910- 1930s which are of similar size and scale. The existing property was constructed in the 1920s and was a former Vicarage to the Grade II Listed St. Peters Church, Earley. An adjacent bungalow has recently been granted planning for a rear first floor extension. The application site has recently been granted permission 211552 for Demolition of garage and single storey part of original house, proposed ground floor rear and side extensions and two storey rear extension, increased front canopy, and internal alterations.

The property is not within a conservation area, however it is a non-designated heritage asset.

The proposal is for a proposed side extension, demolition of garage and outbuilding to the rear western side of the main dwelling in the garden. The side extension would be for a family room and the outbuilding would be used for a gym, ancillary to the C3 main dwelling.

Plans Submitted

The agent supplied the following plans:

2822 A001P1 Site location plan

2822 A002P2 Existing plans

2822 A005P3 Proposed plans

2822 A007P2 Block plan

2822 C002P2 Planning letter, Hives Architects, dated 18 November 2021

CIL

As received on 19/11/2021

2807 A004P4 Existing and proposed street elevations

2822 A003P4 Existing and proposed rear and side elevations

As received on 02/02/2022

Relevant Planning History

211552/HOU Demolition of garage and single storey part of original house, proposed ground floor rear and side extensions and two storey rear extension, increased front canopy, and internal alterations. Permitted 20 January 2022

201525 Erection of replacement dwelling with integral garage following demolition of existing buildings. Refused 29 January 2021

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) (as amended)

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 outbuilding must be assessed to ensure that it complies with the conditions of Class A, Part 1 of Schedule 2 and Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to 'buildings etc incidental to the enjoyment of a dwellinghouse'.

The relevant conditions for the enlargement, improvement or other alteration of a dwellinghouse, which is not listed or in a conservation area, are as follows:

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**
The existing curtilage is 1418.5m². The proposed side extension is 71.8m². The proposed side extension would amount to less than the 50% of the total area of the curtilage.

(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**
The height of dwellinghouse to be enlarged would be less than the height of the highest part of the roof of the existing dwellinghouse, at 3m with a 0.5m parapet.

(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**
The side

extension eaves height would not exceed the height of the eaves of the existing dwellinghouse.

(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**
The side extension does not extend beyond a wall which forms the principal elevation of the original dwellinghouse or fronts a highway and forms a side elevation of the original house.

(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**

(ii) exceed 4 metres in height; **complies**

(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**

(ii) exceed 4 metres in height; **complies**

(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 **N/A**

(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; **N/A**

(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**
The side extension is 3m in height with a 0.5m parapet above.

(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**

(ii) have more than a single storey, or **complies**

(iii) have a width greater than half the width of the original dwellinghouse; **complies**
The width of the original house is 13.049m. The width of the proposed side extension is 6.515m. Therefore, the width of the side extension is less than half the width of the original house.

(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, **complies**

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

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

(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**

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; **N/A**

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

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; **N/A**

(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). **N/A**

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 The side extension will be built in brick with the same colour as the original house.**

(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 **N/A**

(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 **N/A**

(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. **N/A**

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).

(2) Before beginning the development the developer must provide the following information to the local planning authority—

(a) a written description of the proposed development including—

(i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse; **8 meters.**

(ii) the maximum height of the enlarged part of the dwellinghouse; **The proposed side extension is 3m in height with a 0.5m parapet above**

The relevant conditions of the GPDO for an outbuilding, which is not listed or in a conservation area, are as follows:

E. The provision within the curtilage of the dwellinghouse of—

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Development not permitted

E.1 Development is not permitted by Class E 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) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); **complies The existing curtilage is 1418.5m². The proposed outbuilding is 41.4m². Therefore, the proposed outbuilding would amount to less than the maximum area that can be built on as permitted development.**

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse; **complies The outbuilding is situated behind a wall forming the principle elevation of the original dwellinghouse.**

(d) the building would have more than a single storey; **N/A**

(e) the height of the building, enclosure or container would exceed—

(i) 4 metres in the case of a building with a dual-pitched roof, **complies**

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or **complies The outbuilding will be 2.490 meters in height.**

(iii) 3 metres in any other case; **N/A**

(f) the height of the eaves of the building would exceed 2.5 metres; **N/A**

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building; **N/A - the building is a non designated heritage asset, it is not a listed building or in a Conservation area.**

(h) it would include the construction or provision of a verandah, balcony or raised platform; **N/A**

(i) it relates to a dwelling or a microwave antenna; **N/A**

(j) the capacity of the container would exceed 3,500 litres **N/A**

(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses). **N/A**

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

(a) an area of outstanding natural beauty; **N/A**

(b) the Broads; **N/A**

(c) a National Park; or **N/A**

(d) a World Heritage Site, **N/A**

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres. **N/A**

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse. **N/A**

E.4. For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse. **Complies**
The outbuilding is proposed to be a gym ancillary to the enjoyment of the dwellinghouse.

Recommendation

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed side extension and outbuilding. Though sizeable in floor area, officers are satisfied that the use of the outbuilding would remain incidental to the enjoyment of the principal dwellinghouse.

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended), Class A and Class E, 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 following drawings:

Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

Materials

Ancillary use only

Informatives

Building Regulations

Encroachment and Party Wall Act

Construction and Demolition

Materials

Bats

Fallback

Enforcement

Plan (not to scale)

