

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192 (as amended by section 10 of the Planning and Compensation Act 1991)

THE TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

To: ADSJ Associates Ltd
68 Norton Road
Woodley
Reading
RG5 4AJ

Application No: 210332
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Mr David Dungan

The Reading Borough Council hereby certify that on **02/03/2021** the use/operations/matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged black on the attached plan would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

First Schedule: Certificate of Lawful Development for proposed garage conversion to create habitable office and gym accommodation.

Second Schedule: 71 Henley Road Caversham Reading RG4 6DS

Date: 10th May 2021



BCN

Head of Planning, Development
& Regulatory Services

CONDITIONS & REASONS

1. The proposed operation would be lawful for planning purposes on the basis of the drawings received 02/03/2021:

Drawing no. 001 - Location and Block Plan
Drawing no. 002 - Existing Floor Plan
Drawing no. 003 - Existing Elevations
Drawing no. 004 - Proposed Floor Plan
Drawing no. 005 - Existing Elevations

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed garage conversion. Therefore, the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

2. The outbuilding shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 71 Henley Road, else enforcement action may be taken.

INFORMATIVES

1. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

2. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.

Date: 10th May 2021



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Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations/matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter which is/are materially different from that/those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
5. If you are aggrieved by the decision of the Council, you may appeal to the Secretary of State under Section 195 of the Town and Country planning Act 1990.

Further information can be viewed at: <https://acp.planninginspectorate.gov.uk/>

