

Delegated Application Report

Target Date: 11 September 2019
Address: 10 Penroath Avenue, Reading, RG30 2ED
Application No: 200879
Case Officer: Mr James Schofield
Proposal: Certificate of Lawfulness for proposed loft conversion

Plans Submitted

The applicant supplied the following;

- Site Location Plan
- Dwg No 01 Existing & Proposed Elevations
- Dwg No 02 Existing & Proposed Elevations
- Dwg No 03 Existing Floor Plans
- Dwg No 04 Proposed Floor Plans
- Dwg No 05 Proposed Section
- Dwg No 06 Proposed Second Floor Plan
- Dwg No 07 Building Regulations
- As received 24 June 2020

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 and C, 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:

B.1 Development is not permitted by Class B if:

B.1 (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);	complies
B.1 (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
B.1 (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
B.1 (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;	complies n/a
B.1 (e) it would consist of or include (i) the construction or provision of a veranda, balcony or raised platform, or (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	complies complies
B.1 (f) the dwellinghouse is on article 2(3) land.	complies

Conditions

B.2 Development is permitted by Class B subject to the following conditions:

B.2 (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.2 (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	complies complies
B.2 (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be (i) obscure-glazed, and	complies

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.

C.1 Development is not permitted by Class C if:

C.1 (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);	complies
C.1 (b) the alteration would protrude 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;	complies
C.1 (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or	complies
C.1 (d) it would consist of or include (i) the installation, alteration, or replacement of a chimney, flue or soil and vent pipe, or	complies
(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	complies

Conditions

C.2 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:

C.2 (a) obscure-glazed; and	n/a
C.2 (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.	n/a

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class B and Class C, 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:

24 June 2020

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

Informatives

Building Regulations

Construction and Demolition