Reading Borough Council
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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: Loftplan Designs LTD
Saturn House, Unit 1
Calleva Park
Aldermaston, Reading
RG7 8HA

Application No: 200607
Application type: Certificate of Lawfulness - Proposed Use or Development

Applicant: Mr & Mrs Baldwin

The Reading Borough Council hereby certify that on **27/04/2020** 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: Loft conversion including installation of 2No pitched roof dormers to the side elevation and 1No L-shaped crown roof dormer to the rear/side elevation, including front and rear windows.

Second Schedule: 32 Albert Road Caversham Reading RG4 7PE

Date: 30 June 2020

BCN
Head of Planning, Development
& Regulatory Services

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CONDITIONS & REASONS

1. The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A and Class B, 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 27th April 2020:

Location Plan
Existing Floor Plans and Elevations
Proposed Floor Plans and Elevations

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed installation of two pitched roof dormers to the side elevation and one L-shaped crown roof dormer to the rear/side elevation, including front and rear windows.

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

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.

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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.

3. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:
https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

4. Work on a loft or roof may affect bats. The applicant will need to consider protected species when planning work of this type. A survey may be needed, and if bats are using the building, a licence may be required. To view specific information regarding bats use the following link: https://www.gov.uk/wildlife-licences

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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/

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