

Delegated Application Report

Ward: Redlands

App Ref: 200855/CLP

Address: 241 Newcastle Road, Reading, RG2 7TW

Proposals: Certificate of Lawfulness for Proposed removal of existing single storey rear extension and replacement with full width extension measuring 3.0m deep, and new single storey side extension to existing dwelling

Case Officer: Mr David Brett

Applicant: Mrs Mazif Khan

Date received: 19/06/2020

Valid from: 22/06/2020

Target Decision date: 17/08/2020

Introduction and Proposal

The proposal site is two storey end terraced dwelling on Newcastle Road. The surrounding area is predominantly residential and consists of similarly designed two storey terraced dwellings.

Although the front of the property (north) is only accessible by foot, with a highway to the rear, it is clear from the character of the surrounding area that the front elevation of the property (and this terrace of properties) is certainly the north elevation and the rear is the south elevation. The certificate has been assessed on this basis, within the acknowledged potential ambiguity as to what constitutes the front/rear elevation / fronts a highway etc.

Plans Submitted

The agent supplied the following:

- Site Block Plan - KH241:101
- Site Location Plan - KH241:102
- Existing Elevations - KH241:104
- Existing and Proposed Floor Plans - KH241:105
- Proposed Elevations - KH241:106

Received on 19/06/2020

Relevant Planning History

200550 - Proposed removal of existing single storey rear extension and replacement with full width extension measuring 3.0m deep, and new double storey side extension to existing dwelling. - Application withdrawn on 12/06/2020

201009 - Proposed removal of existing single storey rear extension and replacement with full width extension measuring 3.0m deep, and new single storey side extension to existing dwelling. - Application in progress, to be determined on 08/09/2020.

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 September 2019

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 'enlargement, improvement or other alteration of a dwellinghouse'.

In terms of the single storey rear extension, and single storey side extension proposed, the relevant conditions of the GPDO for the enlargement of a proposed removal of existing single storey rear extension and replacement with full width extension measuring 3.0m deep, and new single storey side extension (2.64m in width, in comparison with the existing house width of 5.296m, and 3m at eaves height and up to 4m in total height) to existing dwelling are as follows:

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

A.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
A.1 (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
A.1 (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
A.1 (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
A.1 (e) the enlarged part of the dwellinghouse would extend beyond a wall which (i) forms the principle elevation of the original dwellinghouse; complies or (ii) fronts a highway and forms a side elevation of the original dwellinghouse;	Complies
A.1 (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, complies or (ii) exceed 4 metres in height;	Complies
A.1 (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, complies or (ii) exceed 4 metres in height;	Complies
A.1 (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, complies or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;	Complies
A.1 (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
A.1 (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, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse; or	Complies
A.1 (k) it would consist of or include - (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse.	Complies

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if:

A.2 (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
A.2 (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;	N/A
A.2 (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

Conditions

Development is permitted by Class A subject to the following conditions:

A.3 (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 dwellinghouse;	Complies - Materials to match existing specified on application form.
A.3 (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 (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
A.3 (c) where the enlarged part of the dwellinghouse has more than a single storey, 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

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 (as amended).

It can be confirmed that the proposed operations would be lawful for planning purposes on the basis of the following drawings:

- Site Block Plan - KH241:101
- Site Location Plan - KH241:102
- Existing and Proposed Floor Plans - KH241:105
- Proposed Elevations - KH241:106

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Therefore the Local Planning Authority will, on this occasion, issue the applicant with a Certificate of Lawfulness for the proposed development.

IF6: Building Control

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.

IF7: Complaints about construction

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.

IF8: Encroachment

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: www.communities.gov.uk/publications/planningandbuilding/partywall

