

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: SmithLoft Designers Ltd
7 Greenwood Cottages
Lawson Way
Ascot
SL5 0LL

Application No: 200981
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Andrew Povey

The Reading Borough Council hereby certify that on **10/07/2020** 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 Incorporating a hip to gable, two rear facing roof windows and a side facing window

Second Schedule: 79 Waverley Road Reading RG30 2QB

Date: 11 September 2020



BCN

Head of Planning, Development
& Regulatory Services

CONDITIONS & REASONS

1. Evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed loft conversion.

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class B and C, Part 1 of 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;

Dwg No 2006-1 Existing & Proposed Elevations & Floor Plans
Dwg No 2006-2 Site Location Plan
Dwg No 2006-3 Block Plan
As received 13 July June 2020

2. The materials to be used in the construction of the external surfaces of the development have been confirmed shall match those used on the existing building. Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed side elevation (south east) window shall be top openable above 1.7m as a minimum when measured from the floor level of the respective rooms, and glazed with obscure glass before occupation of the development hereby approved and shall be permanently maintained as such.

REASON: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019 and the conditions of Class C, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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: 11 September 2020

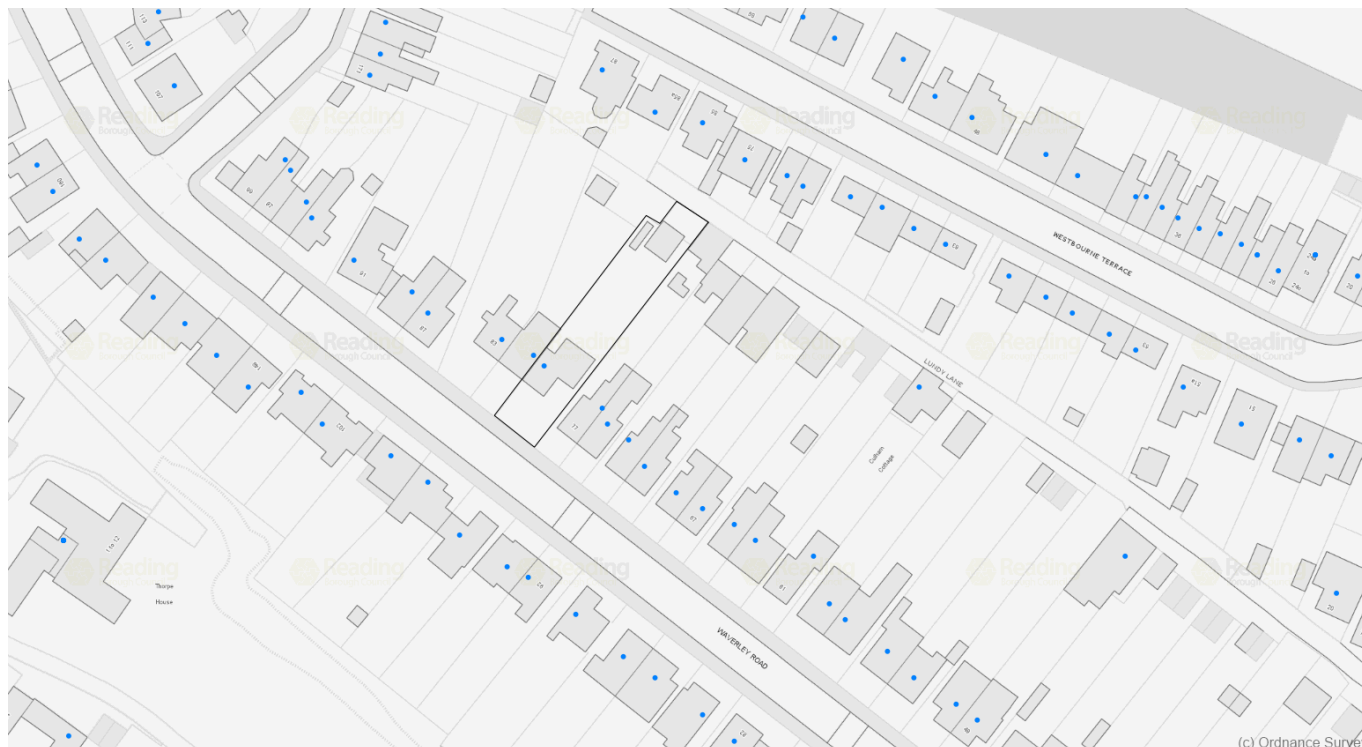


BCN

Head of Planning, Development
& Regulatory Services

SCHEDULE 2

Site Location Plan



Date: 11 September 2020



BCN

Head of Planning, Development
& Regulatory Services

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/>