

Delegated Application Report

Target Date: 01/10/2021 (extension of time on decision agreed with agent).

Address: 276 Hemdean Road, Reading, RG4 7QT

Application No: 211041

Proposal: Certificate of Lawfulness for Proposed Loft conversion. Three rooflights to the front roof slope. One rooflight to the rear roof slope. Boiler flue to rear roof slope. (Amended Description)

Case Officer: David Brett

Introduction and Proposal

The proposal seeks the conversion of existing loft space, and insertion of three rooflights to the front roof slope, one roof light and a boiler flue to the rear roof slope. The proposal site is a two-storey middle terraced dwelling located on Hemdean Road, Caversham.

Plans Submitted

The agent supplied the following:

- Site Location Plan
- ~~Plans & Sections - 0046-927~~

Received on 23/06/2021

- Existing Elevations
- ~~Proposed Elevations~~

Received on 22/09/2021

- Proposed Elevations
- Plans & Sections - 0046-927

Received on 28/09/2021

Relevant Planning History

201575 - Proposed Single Storey Rear and Side Extension, Plus Internal Alterations - Application Withdrawn on 201575

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 Classes C and G, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to ‘additions etc to its roof’.

In terms of the rear dormers proposed, the relevant conditions of the GPDO for the enlargement of a house consisting of an addition or alteration to its roof are as follows:

In terms of the three rooflights proposed on the front roof slope, and one rooflight to the rear roof slope, these are considered against Class C. More specifically, development is not permitted by Class C if—

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

(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
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(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
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(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or	Complies
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(d) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or	Complies - The proposed boiler flue pipe is covered under Class G
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(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	Complies
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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—

(a) obscure-glazed; and	N/A
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(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
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In terms of the proposed boiler flue to the rear roof slope, this is considered against Class G. More specifically, development is not permitted by Class G if—

G.1 Development is not permitted by Class G if -

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use)	Complies
(b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or	Complies
(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-	
(i) fronts a highway, and	Complies
(ii) forms either the principal elevation or a side elevation of the dwellinghouse.	Complies

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Classes C and G, 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 operation would be lawful for planning purposes on the basis of the following drawings:

- Site Location Plan

Received on 23/06/2021

- Proposed Elevations
- Plans & Sections - 0046-927

Received on 28/09/2021

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

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

I12: Bats & works to roofs

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>

