

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: The Arquitect
32 Berkeley
Avenue
Reading
RG1 6JE

Application No: 160594
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Ms Pauline McIntosh

The Reading Borough Council hereby certify that on **08/04/2016** 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: Certificate of lawfulness for proposed single storey rear extension (allowed under prior approval 141039/HPA).

Second Schedule: 112 Dee Road Tilehurst Reading RG30 4BL

Date: 23 May 2016



Head of Planning, Development
& Regulatory Services

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CONDITIONS & REASONS

1. Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness for the proposed single storey rear extension with a maximum depth of 5m from the rear of the existing dwelling, a maximum height of 3.6m and 2.8m in height to eaves level should be granted.
2. This certificate of lawfulness relates only to the following drawings, received on 7th April 2016:
Drawing No: 091602-PL-01 - Location Plan
Drawing No: 091602-PL-03 - Proposed GF FF & Roof
Drawing No: 091602-PL-04 - Ground Floor Layout
Drawing No: 091602-PL-05 - First Floor & Roof
Reason: to ensure the completion of the development is in accordance with the approved plans and details.

INFORMATIVES

1. The applicants 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. Householder Prior approval was granted under application reference 141039/HPA (01/08/2014) for a rear extension with a maximum depth of 5m, with a maximum height of 3.6m and 2.8 m in height to eaves level. This CLP is obtaining confirmation that that proposal is lawful.
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:
www.communities.gov.uk/publications/planningandbuilding/partywall



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4. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to:
<http://beta.reading.gov.uk/environmentalprotection>

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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:

<http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/ldc>

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