

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: STAAC LTD
1A Fairlight Road
Eastbourne
BN22 7NY

Application No: 181818
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Mr Sam Owondukwe

The Reading Borough Council hereby certify that on **18/10/2018** 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: Single storey side extension and loft conversion with rear box dormer and two front roof lights

Second Schedule: 78 Hatford Road Reading RG30 3HP

Date: 29 November 2018



Head of Planning, Development
& Regulatory Services

CONDITIONS & REASONS

1. The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A, Class B and Class C, 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 18th October 2018:

Drawing No: SLP01 - Location Plan

Drawing No: BP01 - Block Plan

Drawing No: P04 - Proposed Elevations

Drawing No: E02 - Existing Roof Plan

Drawing No: E01 - Existing Floor Plans

Drawing No: E04 - Existing Elevations

Drawing No: E03 - Existing Elevations

Drawing No: P03 - Proposed Elevations

Drawing No: P02 - Proposed Floor Plans

Drawing No: P01 - Proposed Floor Plans

2. Sufficient evidence has been provided to allow the Local Planning Authority to issue the applicant with this Certificate of Lawfulness for the proposed single storey side extension, loft conversion with rear box dormer and two front roof lights.

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.

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. 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>

5. The plans indicate 6 bedrooms at this property with 1 in the proposed side extension and 2 in the proposed roof conversion. Permitted development rights to convert from a dwellinghouse (C3 use) to a house in multiple occupation (C4 - small HMO) only allows the property to be used by 3-6 unrelated persons sharing at least one basic amenity. Case law has been established that “persons” include children.



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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/>