

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: Peter Rees
4 Orchard Walk
St Athan
Barry
CF62 4NW

Application No: 171236
Application type: Certificate of Lawfulness -
Proposed Development

Applicant: Mr Sharman

The Reading Borough Council hereby certify that on **26/07/2017** the operations described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged red on the plan below 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: Construction of a dormer roof extension to the rear elevation and insertion of roof lights to the front elevation

Second Schedule: 41 Kings Road Caversham Reading RG4 8DS

Date: 15 August 2017



Head of Planning, Development
& Regulatory Services *J.B.M.*



CONDITIONS & REASONS

1. The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Classes B & C Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and it has been confirmed that the proposal would be lawful, on the basis of the following submitted drawings received 24th July 2017:

Drawing No: Location Plan

Drawing No: Existing Plans

Drawing No: Proposed Loft Conversion CG 218

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

2. The window hereby approved on the rear dormer window (on the south east facing side elevation) shall be obscure glazed and non-opening unless the parts of the window

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which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To comply with condition B.2 (C) of the Class B, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

INFORMATIVES

1. The applicant's 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. 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:

<http://www.communities.gov.uk/publications/planningandbuilding/partywall>

3. The construction (and demolition) of the development will be subject to environmental health law.

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>



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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 operations 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 operations described in the First Schedule and to the land specified in the Second Schedule and identified on the above plan. Any operations which are materially different from those described or which relates 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.co.uk>