

CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OFFICER REPORT

Ward: Caversham Heights

App Ref: 240754/CLP

Address: 7a Dellwood Park, Caversham, Reading RG4 7NX

Proposal: Changes to existing doors and windows

Case Officer: Louise Coveney- Fuller

Applicant: Mr & Mrs Bell

Date received (valid from): 12/06/2024

Target Decision date: 13/08/2024

Site visit date: 23/07/2024

Site visit photo:



Application Site

Number 7a Dellwood Avenue consist of a two-storey detached dwelling located within a residential area. The application site does not lie within a conservation area. is not subject to an article 4 direction. The site itself does benefit from permitted development rights.

Proposal

A Certificate of Lawfulness for proposed alterations to the existing fenestration arrangements with external alterations has been submitted as it is considered that the proposed work falls within the parameters of Schedule 1 Class A of the GPDO order 2015 (as amended) and is therefore permitted development.

This application seeks to make changes to the fenestration and other external alterations.

Plans

As part of the application, the following plans have been submitted:

DP7a-006 rev-(P1)- Existing and Proposed Elevations, KG07-004 - Proposed Ground Floor Alterations & KG07-005 - Proposed Ground Floor Alterations with 1st Floor Overlay and DP7a-001 rev -Block Plan and Location Plan - (1) all dated March 2024.

Date: «Aaa_date»



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Relevant Planning History

No relevant planning history

(Officer Note: The permitted development rights remain intact for the application site they have not been removed by any previous applications involving the application site).

Case Officer Assessment

Section 55 (2) of the Town and Country Planning Act 1990 (as amended) states: The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land/ (a) the carrying out for the maintenance, improvement or other alteration of any building of works which (i) affect only the interior of the building, or (ii) do not materially affect the external appearance of the building. The proposed internal alterations therefore do not constitute development in accordance with Section 55 (2) of the Town and Country Planning Act 1990 (as amended)

The proposal involves fenestration alterations and other external alterations and has therefore assessed against the requirements of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 below:

Class A

Class A covers the enlargement, improvement, or alterations to a house such as rear or side extensions as well as general alterations such as new windows and doors.

A.1 Development is not permitted by Class A if:

A.1 (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**

A.1 (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); **N/A**

A.1 (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse; **N/A**

A.1 (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse; **N/A**

A.1 (e) the enlarged part of the dwellinghouse would extend beyond a wall which (i) forms the principle elevation of the original dwellinghouse; **N/A** or (ii) fronts a highway and forms a side elevation of the original dwellinghouse; **N/A**

A.1 (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, **N/A** or (ii) exceed 4 metres in height; **N/A**

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A.1 (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, **N/A**

or (ii) exceed 4 metres in height; **N/A**

A.1 (h) the enlarged part of the dwellinghouse would have more than a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, **N/A** or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse; **N/A**

A.1 (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres; **N/A**

A.1 (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would - (i) exceed 4 metres in height, **N/A** (ii) have more than a single storey, **N/A** or (iii) have a width greater than half the width of the original dwellinghouse; **N/A** or

A.1 (k) it would consist of or include - (i) the construction or provision of a verandah, balcony or raised platform, **N/A** (ii) the installation, alteration or replacement of a microwave antenna, **N/A** (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, **N/A** or (iv) an alteration to any part of the roof of the dwellinghouse. **N/A**

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if:

A.2 (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles; **N/A**

A.2 (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; **N/A** or

A.2 (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse. **N/A**

Conditions

Development is permitted by Class A subject to the following conditions:

A.3 (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the dwellinghouse; **complies, these are annotated on the submitted drawings references DP7a-004 rev-(1) & DP7a-005 rev-(1) and DP7a-004 rev-(1) dated 12/6/24**

A.3 (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be (i) obscure-glazed, **N/A** and (ii) 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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A.3 (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse. **N/A**

Conclusion

The proposed fenestration changes and external alterations would constitute permitted development by virtue of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As a result, a certificate of lawfulness may be given.

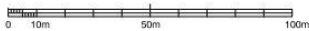
This is based on the following Plans:

DP7a-006 rev-(P1)- Existing and Proposed Elevations, KG07-004 - Proposed Ground Floor Alterations & KG07-005 - Proposed Ground Floor Alterations with 1st Floor Overlay and DP7a-001 rev -Block Plan and Location Plan - (1) all dated March 2024.

LOCATION PLAN



LOCATION PLAN 1:1250



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Assistant Director of Planning, Transport and
Public Protection Services