

DELEGATED PLANNING APPLICATION REPORT

Ward: Caversham

App Ref: 240711/CLP

Address: 33 Priest Hill, Reading, RG4 7RZ

Proposals: Certificate of Lawfulness for proposed rear dormer to existing roof and installation of air-source heat pump within curtilage.

Case Officer: James Schofield

Target Decision date: 1 August 2024

Introduction and Proposal

Site Description

The application site is a semi-detached dwelling. Permitted development rights appear to remain intact with the exception of the addition of new windows in the western elevation of any extension resulting from application 240170. The site is not on Article 2(3) land.

Plans Submitted

The applicant supplied the following;

Dwg No: MAP-C4752-501-0 Plans - Location & Site - Existing & Proposed GA
Dwg No: MAP-C4752-511-0 Plans - Basement, Ground & First Level - Existing GA
Dwg No: MAP-C4752-512-0 Plans - Second & Roof Level - Existing GA
Dwg No: MAP-C4752-580-0 Rear Dormer & Air Source Heat Pump
Dwg No: MAP-C4752-611-0 Plans - Basement, Ground & First Level - Proposed GA
Dwg No: MAP-C4752-612-0 Plans - Second & Roof Level - Proposed GA
Dwg No: MAP-C4752-681-0 Elevations - Proposed GA
Dwg No: MAP-C4752-690-0 ASHP - Plans & Elevations - Proposed GA
As received 3rd June 2024

Relevant Planning History

Application number:	99-00046-FUL (992232)
Description:	Erection of conservatory on rear elevation
Decision:	Permitted on 22 nd of February 1999
Application number:	231395
Description:	Two storey side extension, porch replacement, bay window and dormer.
Decision:	Withdrawn on 6 th of December 2023
Application number:	240170
Description:	Two storey side extension, porch replacement, bay window and dormer

Decision: Permitted 3rd of May 2024, PD rights removed for the western elevation of the newly approved extensions.

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 April 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 Class B, Part 1, and Class G, Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to the ‘enlargement, improvement or other alteration of a dwellinghouse’ and ‘installation of air source heat pumps’

The relevant conditions of the GPDO for a rear dormer & air source heat pump, which is not listed or in a conservation area, are as follows:

With regard to the dormer:

Part 1 - Development within the curtilage of a dwellinghouse **Class B - other alterations to the roof of a dwellinghouse**

B.1 Development is not permitted by Class B if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Complies.

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Complies.

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Complies.

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—

- (i) 40 cubic metres in the case of a terrace house, or
- (ii) 50 cubic metres in any other case;

Complies, area is measured at 3.5 metres².

(e) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform, or

Complies.

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

Complies.

(f) the dwellinghouse is on article 2(3) land.; or

Complies.

(g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).; or

Complies.

(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Complies.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Complies, the materials are indicated on the plans to match the dwelling.

(b) the enlargement must be constructed so that—

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, 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.

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4. For the purposes of paragraph B.2(b)(ii)—

- (a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and
- (b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

With regard to the air source heat pump:

Part 14 - Renewable energy

Class G - installation or alteration etc of air source heat pumps on domestic premises

G. The installation, alteration or replacement of a microgeneration air source heat pump—

- (a) on a dwellinghouse or a block of flats; or
- (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage.

Complies.

Development not permitted

G.1 Development is not permitted by Class G unless the air source heat pump complies with the MCS Planning Standards or equivalent standards.

The plans state that the air source heat pump will be in compliance with Microgeneration Certification Scheme Planning Standards.

G.2 Development is not permitted by Class G if—

- (a) in the case of the installation of an air source heat pump, the development would result in the presence of more than 1 air source heat pump on the same building or within the curtilage of the building or block of flats;

Complies.

- (b) in the case of the installation of an air source heat pump, a wind turbine is installed on the same building or within the curtilage of the dwellinghouse or block of flats;

Complies.

- (c) in the case of the installation of an air source heat pump, a stand-alone wind turbine is installed within the curtilage of the dwellinghouse or block of flats;

Complies.

- (d) the volume of the air source heat pump’s outdoor compressor unit (including any housing) would exceed 0.6 cubic metres;

Complies

- (e) any part of the air source heat pump would be installed within 1 metre of the boundary of the curtilage of the dwellinghouse or block of flats;

Complies.

- (f) the air source heat pump would be installed on a pitched roof;

Complies.

- (g) the air source heat pump would be installed on a flat roof where it would be within 1 metre of the external edge of that roof;

Complies.

(h) the air source heat pump would be installed on a site designated as a scheduled monument;

Complies.

(i) the air source heat pump would be installed on a building or on land within the curtilage of the dwellinghouse or the block of flats if the dwellinghouse or the block of flats is a listed building;

Complies.

(j) in the case of land within a conservation area or which is a World Heritage Site the air source heat pump—

Not applicable, not within a conservation area.

(i) would be installed on a wall or a roof which fronts a highway; or

(ii) would be installed so that it is nearer to any highway which bounds the curtilage than the part of the dwellinghouse or block of flats which is nearest to that highway; or

(k) in the case of land, other than land within a conservation area or which is a World Heritage Site, the air source heat pump would be installed on a wall of a dwellinghouse or block of flats if—

(i) that wall fronts a highway; and

Complies, stand-alone unit and not in front of the dwelling.

(ii) the air source heat pump would be installed on any part of that wall which is above the level of the ground floor storey.

Complies, stand-alone unit and not in front of the dwelling.

Conditions

G.3 Development is permitted by Class G subject to the following conditions—

(a) the air source heat pump is used solely for heating purposes;

Complies.

(b) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

Complies, stand-alone unit and not in front of the dwelling and set far away from it.

(c) the air source heat pump is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and

Complies, relatively minimal impact as it would be sited behind outbuildings of 54 St Anne's Road.

(d) the air source heat pump is removed as soon as reasonably practicable when no longer needed.

Not yet installed.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class B, Part 1, and Class G, Part 14 of 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:

Dwg No: MAP-C4752-501-0 Plans - Location & Site - Existing & Proposed GA

Dwg No: MAP-C4752-611-0 Plans - Basement, Ground & First Level - Proposed GA
Dwg No: MAP-C4752-612-0 Plans - Second & Roof Level - Proposed GA
Dwg No: MAP-C4752-681-0 Elevations - Proposed GA
Dwg No: MAP-C4752-690-0 ASHP - Plans & Elevations - Proposed GA
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Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed.

Informatives

Building Regulations

Encroachment and Party Wall Act

Construction and Demolition

Bats