

DELEGATED APPLICATION REPORT

App Ref: PL/24/0779 Lawful development: Proposed use

Address: 16 Bramble Crescent, Tilehurst, Reading, RG30 4TX

Proposal: Proposed hip-to-gable loft conversion with a flat roof rear dormer and front rooflights as shown on the attached drawings.

Applicant: Mrs Lola Brown

Received date: 17th of June 2024

Target Decision date: 19th of August 2024

Case Officer: James Schofield

Introduction and Proposal

Site Description

The application site is a semi-detached dwelling located on the eastern side of Bramble Crescent. Permitted development rights appear to remain intact and the site is not on Article 2(3) land.

Plans Submitted

The applicant supplied the following;

Dwg No. BROWN-0524-01 Existing Floor Plans

Dwg No. BROWN-0524-02 Existing Elevations

Dwg No. BROWN-0524-03 Existing Section A-A

Dwg No. BROWN-0524-04 Proposed Loft Floor Plan

Dwg No. BROWN-0524-05 Proposed First Floor Plan

Dwg No. BROWN-0524-06 Proposed Elevations

Dwg No. BROWN-0524-07 Proposed Section A-A

Dwg No. BROWN-0524-08 Location Plan

Dwg No. BROWN-0524-09 Block Plan

As received 17th of June 2024

Relevant Planning History

Application number: 190766/HPA

Description: Rear extension measuring 4m in depth, with a maximum height of 4m, and 2.5m in height to eaves level. Notification of the construction of an extension under class A Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Decision: Prior approval not required, 17th of June 2019

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 Classes B and C, Part 1, 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'.

The relevant conditions of the GPDO for a hip-to-gable loft conversion, rear dormer and roof lights, which is not listed or in a conservation area, are as follows:

With regard to the hip-to-gable loft conversion and rear dormer:

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, the entire area of the new loft would be approximately 19 m³.

$$2.26 \times 25 = 56.5 \quad 56.6 / 3 = 18.83 \text{m}^3$$

- (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, chimneys to be retained and remain unaltered.

- (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.

- (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
Complies, plans indicate this is to be the case.
 - (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.
Complies, a condition is sufficient to secure this.

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 roof lights:

C.1 Development is not permitted by Class C 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);
- (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
Complies, these are pictured as being flush with the plane of the roof slope.
- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or
Complies.
- (d) it would consist of or include—
 - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
Complies.
 - (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.; or
Complies.
- (e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be—

- (a) obscure-glazed; and
- (b) 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. **Complies**.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Classes B and 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:

17th of June 2024

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