

DELEGATED REPORT

Ward: Southcote Ward

App Ref: PL/24/1536/CLP

Address: 5B PARKSIDE ROAD, READING, RG30 2DA

Proposals: Certificate of lawfulness for proposed garage conversion and additional hard standing at the front of the property

Case Officer: Sian Hickey

Applicant: Mr Kulraj Bhachu

Date Received (valid from): 18/11/2024

Decision Date (ext): 22/01/2025

Introduction and Proposal

The application site contains a two-storey, terrace dwelling on the southern side of Parkside Road. The application building is not listed, nor is it located in a conservation area. Permitted development rights relating to garage conversions or hard surfaces have not been removed by way of a condition attached to the original planning consent for the dwelling. The surrounding area is predominantly residential.

The proposal is to convert the existing garage into habitable use to create a bedroom. The proposal does not include enlarging the footprint of the dwelling. The existing front garage door will be replaced with a window and brickwork to match the existing.

The proposal also includes additional hard standing at the front of the property to create more space for parking.

The application form states that the property is currently used as C4 small HMO for 5 persons. It is proposed to convert the existing garage into an additional bedroom retaining the use as a C4 HMO but for 6 persons rather than 5. However, for the Council to confirm the lawful use as a C4 HMO would require a separate Certificate of Lawfulness.

This application relates to the garage conversion and the additional hard standing only. As a small HMO and a dwellinghouse benefit from the same permitted development rights, the certificate of lawfulness proposal has been assessed within the same context. The granting of this certificate, however, is not lawful confirmation of the use of the property and an informative is included in the decision to make this clear.

Plans/documents Submitted

Drawing No. 001 – Location and Block Plan

Drawing No. 002 - Existing Ground Floor and First Floor Plans

Drawing No. 003 – Existing Second Floor and Roof Plans

Drawing No. 004 - Existing Front and Rear Elevations

Drawing No. 005 – Proposed Ground Floor and First Floor Plans

Drawing No. 006 – Proposed Second Floor and Roof Plans

Drawing No. 007 - Proposed Front and Rear Elevations

Planning Statement

Relevant Planning History

020978: Demolition of 4 houses and erection of 26 no 1 and 2 bed flats and 22 no 2-, 3-, and 4-bedroom houses. Permitted subject to Legal Agreements

021033: Demolition of four houses and erection of 48 one and two bed flats and 2-, 3-, and 4- bedroom houses. Refused

021388: Demolition of five houses and erection of 59 one and two bed flats and two, three, four-

bedroom houses. Permitted subject to Legal Agreements

030765: Demolition of five houses and erection of 74 one and two bed flats and two, three, four-bedroom houses. Permitted subject to Legal Agreements

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 September 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 proposal must be assessed to ensure that it complies with the conditions of Classes A and F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relate to the 'enlargement, improvement or other alteration of a dwellinghouse' and 'hard surfaces incidental to the enjoyment of a dwellinghouse'.

The relevant conditions of the GPDO are as follows:

Garage conversion

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); **complies**

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; **complies**

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; **complies**

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

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, **complies** or (ii) exceed 4 metres in height; **complies**

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, **complies** or (ii) exceed 4 metres in height; **complies**

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, **complies** or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse; **complies**

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; **complies**

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, **complies** (ii) have more than a single storey, **complies** or (iii) have a width greater than half the width of the original dwellinghouse; **complies** or

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

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**

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** and

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**

Hard standing for additional parking

This provides permitted development rights within the curtilage of a house for -

(a) the provision of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; **complies** or

(b) the replacement in whole or in part of such a surface **complies**

F.1 Development is not permitted by Class F if permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA, or Q of Part 3 of this Schedule (change of use)

Conditions

F.2 Development is permitted by Class F subject to the condition that where -

(a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, **complies** and

(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres, **complies**

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. **Complies, in an email from the agent dated 15/01/2025, the agent confirmed that the materials**

to be used for the creation of the additional parking space are to match the existing and be porous/permeable, constructed in Marshalls Driveline Priora block paving or similar.

Recommendation

Evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed garage conversion and additional hard standing at the front of the property.

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Classes A and F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. It can be confirmed that the proposal would be lawful for planning purposes on the basis of the drawings received 18th November 2024:

Drawing No. 001 – Location and Block Plan

Drawing No. 002 - Existing Ground Floor and First Floor Plans

Drawing No. 003 – Existing Second Floor and Roof Plans

Drawing No. 004 - Existing Front and Rear Elevations

Drawing No. 005 – Proposed Ground Floor and First Floor Plans

Drawing No. 006 – Proposed Second Floor and Roof Plans

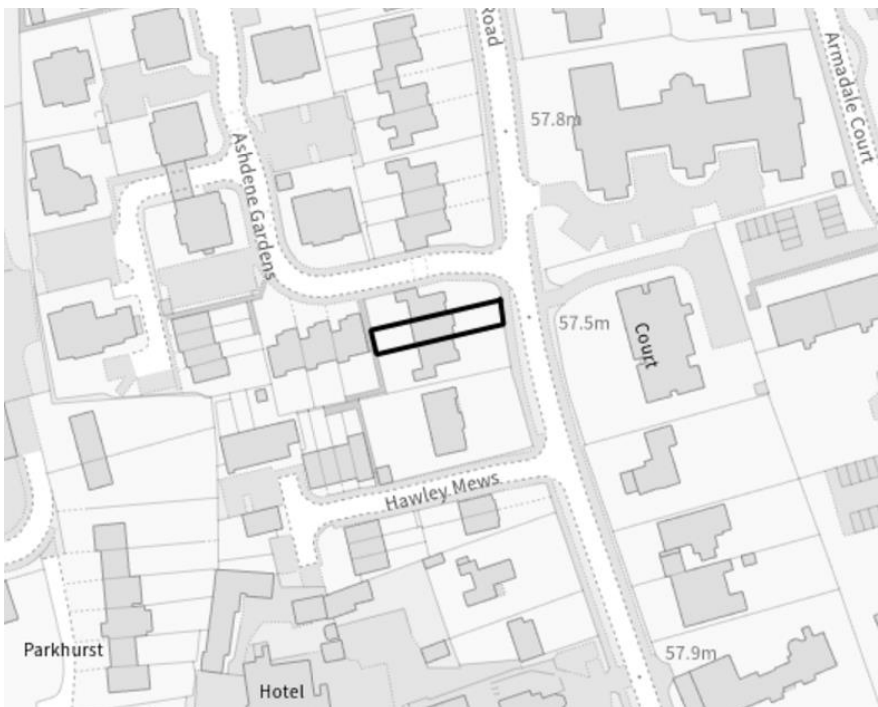
Drawing No. 007 - Proposed Front and Rear Elevations

And an email from the agent dated 15/01/2025 confirming that the materials to be used for the creation of the additional parking space are to match the existing and be porous/permeable.

Therefore, the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

Informatives

- Building Control
- Construction and demolition
- Confirmation of the lawful use as a C4 small HMO would require the submission of a Certificate of Lawfulness.



Location Plan (not to scale)