

## **DELEGATED APPLICATION REPORT**

**Ward:** Caversham Heights Ward

**App Ref:** PL/25/0270 Lawful development: Proposed use

**Address:** 47 KIDMORE ROAD, CAVERSHAM, READING

**Proposal:** Wall & Chimney Removal

**Applicant:** Mr Samuel Brian

**Received date:** 20/02/2025

**Target Decision date:** 17/04/2025

**Case Officer:** James Schofield

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### **Introduction and Proposal**

The proposal site is semidetached dwelling which was previously subdivided but has been returned to its former use as a dwellinghouse. The site is not listed or in a conservation area.

### **Proposal**

The proposal includes removal of walls internal to the dwelling, which does not require permission, as well as the removal of the chimney. It also includes the changing of windows to doors at the ground floor. The applicant supplied the following;

Dwg No. MAB-C5079-001 - Existing Location Plan

Dwg No. MAB-C5079-111 - Existing Plans

Dwg No. MAB-C5079-180 - Existing Elevations

Dwg No. MAB-C5079-211 - Proposed Plans

Dwg No. MAB-C5079-280 - Proposed Elevations

As received 20<sup>th</sup> of February 2025

### **Relevant Planning History**

**App Ref:** PL/24/0436/FUL

**Proposal:** Proposal to change the dwelling from 3 flats back to one single family home.

**Decision:** Permitted, 19 June 2024

**Relevant conditions:** None

### **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 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 G, 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 removal of chimney and changes to the elevations, which is not listed or in a conservation area, are as follows:

**With regard to the removal of the chimney:**

Permitted development

**G.** The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

**Applicable.**

Development not permitted

**G.1** Development is not permitted by Class G 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) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

**Complies, is 0.5 metres taller than the highest part of the roof.**

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

**Not Applicable, not on article 2(3) land.**

(i) fronts a highway, and

(ii) forms either the principal elevation or a side elevation of the dwellinghouse.; or

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

**Not Applicable, dwellinghouse not built under Part 20.**

**With regard to the changes to the doors/windows:**

Permitted Development

**A.** The enlargement, improvement or other alteration of a dwellinghouse.

**Applicable, the changes to windows to doors on the lower ground floor level are covered by Class A. No conditions or other subsections are relevant.**

**Recommendation**

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

**20<sup>th</sup> of February 2025**

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