

DELEGATED APPLICATION REPORT

Ward: Caversham Heights Ward

App Ref: PL/25/0122 Lawful development: Proposed use

Address: 25 BLAENANT, EMMER GREEN, READING, RG4 8PH

Proposal: Certificate of Lawfulness for external changes to the front elevation

Applicant: Will Davey

Received date: 24/01/2025

Target Decision date: originally 26/03/2025; EOT agreed until 22/08/2025

Case Officer: James Schofield

Introduction and Proposal

The site is a three-storey semi-detached dwelling with integral garage located on the south east side of Blaenant. The ground floor is a garage while the first and second floors are the house. The property is not listed and nor is it within a Conservation Area. The applicant has stated verbally that the use of the garage for the last four years has been a music studio out of which he runs a full-time music teaching business.

The proposal is for replacement of garage door with window and door

Plans Submitted

The applicant supplied the following;

- Dwg No: 2787-01 Rev B - Existing Ground Floor Plan
- Dwg No: 2787-02 Rev B - Proposed Ground Floor Plan
- Dwg No: 2787-03 Rev A - Existing Upper Ground Floor Plan
- Dwg No: 2787-04 Rev B - Existing Elevations
- Dwg No: 2787-05 Rev B - Proposed Elevations
- Dwg No: 2787-06 Rev B - Proposed Section A-A
- Dwg No: 2787-07 Rev B - Location Plan & Block Map
- Dwg No: 2787-08 Rev B - Construction Notes

As received 8th of June 2023

Relevant Planning History

211668/CLP Certificate of Lawfulness for Garage conversion.

Summary of Consultations

The Council's Solicitors have indicated that this application for the certificate could be granted exclusively on the basis of the external changes proposed. The certificate will not confirm any change of use using the GDPO.

The Planning Officer has advised the agent of the applicant that this is the case.

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 A, 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 external changes to the ground floor for a dwelling which is not Listed, in a Conservation Area, or Article 4 are as follows:

With regard to external changes to the ground floor:

Permitted Development

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

Applicable. You can replace a garage door with a wall, window, and door in this instance using this class. The rest of the class and its conditions is not relevant due to the scope of the proposed changes.

This application relates solely to proposed operational development and the operational development itself is considered to be covered by Schedule 2 Part 1 Class for the reasons given above. If a material change of use from a C3 dwellinghouse to a mixed use has occurred, then planning permission would be required.

Recommendation

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A, 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:

24th of January 2025

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed.

PLEASE NOTE:

This application relates exclusively to the external changes and not any change of use, you are encouraged to seek permission for this change.

Informatives

Building Regulations

Encroachment and Party Wall Act

Construction and Demolition