

DELEGATED APPLICATION REPORT

Ward: Whitley Ward

App Ref: PL/25/0625

Address: 40 GREENFIELDS ROAD, READING, RG2 8SF

Proposals: Proposed new outbuilding to the rear of the garden forming a gym room / play room with store room ancillary to the main dwellinghouse as

Case Officer: Mishga Marshall

Applicant: Mrs mandeep kang

Date received (valid from): 25/04/2025

Target Decision date: 20/06/2025

EOT Agreed Decision date: 05/09/2025

INTRODUCTION

The proposal site is a two storey semi-detached dwelling on the northern side of Greenfields Road, in a residential area. The road is characterised by semi-detached dwellings on both sides of the road. It is not a listed building, nor does it fall within a conservation area. No trees will be affected by the proposed development. PD Rights have not been removed for other matters.

PROPOSAL AND SUPPORTING INFORMATION

This proposal is for a Certificate of Lawfulness for the construction of an outbuilding, measuring 2.5m in height, 7.6m in width and 5.8m in depth. The use of the outbuilding would be ancillary to the main dwellinghouse as detailed in the covering letter.

This application initially was proposed with an existing 4 wall structure in place, upon which the applicant proposed to further build the outbuilding. This structure was refused planning permission previously under ref. PL/24/1718. As such, this brick structure formed an unauthorised building, which could be clearly seen. The criteria for permitted development does not allow for this - Article 3 of the Order is clear in this respect that permission granted by Schedule 2 does not apply if *"in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful"*.

As such, in order to proceed with this Certificate of Lawful Proposed Development, the existing walls needed to be demolished in its entirety. As it related to an unauthorised development and could be used as the basis for a new structure / to progress an outbuilding through permitted development rights.

Confirmation was sent by the applicant on 26/08/2025, that all walls in relation to the original structure had been removed.

SITE VISIT

Site visit date: 13/07/2025

Plans and Documents Considered

Received 05/08/2025

1.1250 location plan existing

Received 04/08/2025

40 001 - rev 01

Received 25/04/2025

Block plan

Covering Letter - LDC outbuilding

RELEVANT PLANNING HISTORY

PL/17/0306 - Part single and part two storey rear extensions and alterations to front windows - Approved

PL/24/1718 - Erection of outbuilding with flat roof and skylight with new fenestration. (retrospective) - Refused

PE/24/0211 - Garden building - Closed

CONSULTATIONS

N/A

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

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 UNDER CLASS E

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 outbuilding must be assessed to ensure that it complies with the conditions of Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relate to '*buildings etc incidental to the enjoyment of a dwellinghouse*'.

E.1 Development is not permitted by Class E if:

E.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**

E.1 (b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); **complies**

E.1 (c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse; **complies**

E.1 (d) the building would have more than a single storey; **complies**

E.1 (e) the height of the building, enclosure or container would exceed— (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case; **complies; 2.5m**

E.1 (f) the height of the eaves of the building would exceed 2.5 metres; **complies**

E.1 (g) the building, enclosure, pool or container would be situated within the curtilage of a listed building; **complies**

E.1 (h) it would include the construction or provision of a verandah, balcony or raised platform; **complies**

E.1 (i) it relates to a dwelling or a microwave antenna; **complies**

E.1 (j) the capacity of the container would exceed 3,500 litres **complies**

Interpretation of Class E

E.4. For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

OVERALL RECOMMENDATION

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

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It can be confirmed that the proposed operations would be lawful for planning purposes on the basis of the following

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

Informatives

Building Regulations

Construction and Demolition

Encroachment and Party Wall Act

Ancillary

