

DELEGATED APPLICATION REPORT

Ward: Caversham Heights ward

App Ref: PL/25/1524 Lawful development: Proposed use

Address: 2 CONISBORO WAY, CAVERSHAM, READING, RG4 7HT

Proposal: Application for a Lawful Development Certificate for proposed works to extend an existing dwellinghouse and build two outbuildings. (Prior Approval determined for this development in PL/25/1187)

Applicant: Mark & Sapna Odlin

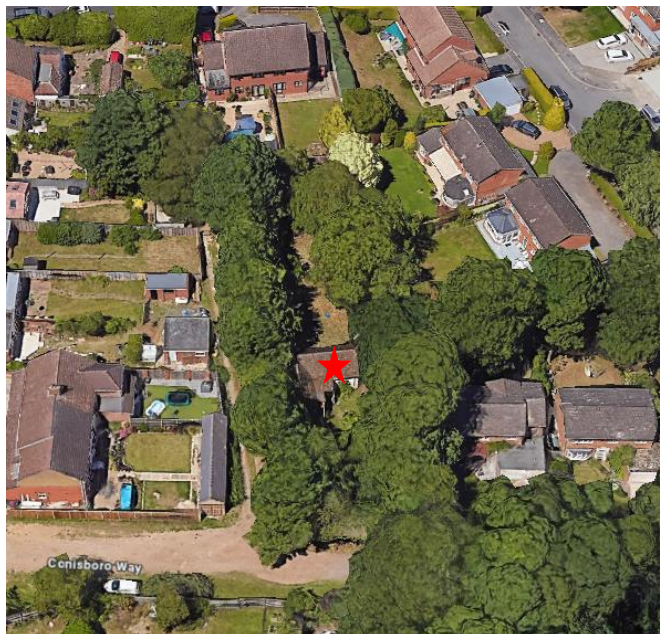
Received date: 23/10/2025

Target Decision date: 07/01/2026 (EOT)

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site comprises a bungalow dwelling on the north side of Conisboro Way, which is a private road. The site has a deep front garden and a large rear garden compared to other dwellings in the immediate area. There is a recent prior approval for an 8m rear extension on the site which has not been implemented yet.



2. PROPOSAL AND SUPPORTING INFORMATION

A Certificate for a lawful proposed development is sought for the following proposed works:

- A side extension measuring 4.4m in width and 4.55m in depth.
- A rear dormer measuring 2m in height, 1.89m in depth and 9.2m in width.
- A front porch measuring 1.75m in width and 1.38m in width.
- An outbuilding within the rear garden, measuring 4m in height, 12.55m in depth at the deepest point and 11.4m in width at the widest point, with an area of 112.16m².
- Another outbuilding to comprise a greenhouse, measuring 2.5m in height, 6.31m in depth and 2.58m in width.



2.1. Information submitted:

2202-6.01-251023-PD Compliance Statement.
2202(21)700B Proposed Plans and Elevations
Received 23 October 2025

2202(21)701E Revised Outbuilding Proposed Plans and Elevations
Received 5 December 2025

3. RELEVANT PLANNING HISTORY

PL/23/0431 - Demolition of existing dwelling house and construction of replacement dwelling house.
Application refused.

PL/23/1590 - Demolition of existing dwelling house and construction of replacement dwelling house.
Application refused and dismissed at appeal due to biodiversity net loss.

PL/25/1187 - Rear extension measuring 8.0m in depth, with a maximum height of 2.83m, and 2.83m 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. PA not required.

4. CONSULTATIONS

No consultations were undertaken as it is not required for an application of this type.

Letters of representation were received from members of the public comprising 6 objection letters citing concerns as follows:

- This application is adding another extension to the side and also a large dormer window to the north which may lead to light pollution to neighbours to the rear and side.

- The larger proposed outbuilding will severely affect the properties and lives of the various households.
- The proposal is asking for far and above permitted development approval. It is asking for permission for a 5 roomed bungalow to become an 11 roomed complex.
- I only have a small back garden and the height of the outbuilding at 4 metres and the proximity to my back fence will make it completely overbearing and spoil my outlook and affect my wellbeing.
- The height of the ridge at 4 metres is excessively high when the outbuilding is so close to our house. It is overbearing. Looking at the proposed development as a whole it appears that the "so called" greenhouse is a disguised link to join what is effectively two parts of one dwelling.
- The application for a lawful development at 2 Conisboro Way goes way beyond what is lawful without planning permission. The proposed outbuilding will have a footprint the size of the extended development of the original house and has six rooms with a height of four metres. This outbuilding is excessive and therefore this development requires formal planning permission at least.
- It is very large, especially in proportion to the main house and has an overbearing impact on its immediate neighbours.

5. LEGAL AND PLANNING POLICY CONTEXT

Section 10 of the Planning and Compensation Act 1991 established a procedure that enables anyone who wishes to do so, to apply to the local planning authority to determine whether a proposed use or operation, or an existing operational development or an existing use of land, or any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted, is lawful, and if so, be granted a certificate to that effect.

A Lawful Development Certificate is a legal document stating the lawfulness of past, present or future development. If granted by the local planning authority, the certificate means that enforcement action cannot be carried out to the development referred to in the certificate. However, the certificate will not protect from enforcement action by the planning authority if the specified use or development is then changed 'materially' without a planning application for it.

The certificate is not a planning permission. The planning merits of the use, operation or activity in the application are not relevant. The issue of a certificate depends entirely on factual evidence about the history and planning status of the building or other land and the interpretation of any relevant planning law or judicial authority. The responsibility is on the applicant to provide evidence to support the application.

The NPPG states that "In the case of applications for proposed development, an applicant needs to describe the proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved. In determining an application for a prospective development under section 192 of the Town & Country Planning Act a local planning authority needs to ask "if this proposed change of use had occurred, or if this proposed operation had commenced, on the application date, would it have been lawful for planning purposes."

6. APPRAISAL

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 Classes A, B, D and E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to:

- Class A - This provides permitted development rights for the enlargement, improvement or other alteration of a house.
- Class B - This provides permitted development rights for the enlargement of a house consisting of an addition or alteration to its roof.
- Class D - This provides permitted development rights for the erection of a porch outside any external door of a house.
- Class E - This provides permitted development rights within the curtilage of a house for: (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Class A – Proposed side extension

Development is not permitted by Class A 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); **NO**
- (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);
- (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; **NO**
- (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; **NO**
- (e) The enlarged part of the dwellinghouse would extend beyond a wall which—
 - a. forms the principal elevation of the original dwellinghouse; **NO**
 - b. or fronts a highway and forms a side elevation of the original dwellinghouse; **NO**
- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
 - a. 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, or
 - b. exceed 4 metres in height; **N/A**
- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - c. exceed 4 metres in height, **NO**
 - d. have more than a single storey, or **NO**
 - e. have a width greater than half the width of the original dwellinghouse; or **NO**
- (ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j); **NO**
- (k) It would consist of or include—
 - f. the construction or provision of a verandah, balcony or raised platform,
 - g. the installation, alteration or replacement of a microwave antenna,
 - h. the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - i. an alteration to any part of the roof of the dwellinghouse.; or **NO TO ALL**
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).
NO

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (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 existing dwellinghouse;

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, 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; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Class B – Proposed 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); **NO**
- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof; **NO**
- (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; **NO**
- (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; **NO, volume is 17.56.**
- (e) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or **NO**
- (f) the dwellinghouse is on article 2(3) land. **NO**
- (g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).; or **NO**
- (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). **NO**

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (e) 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;
- (f) 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; **YES**
 - (ii) and other than in the case of an enlargement which joins the original roof to the roof of a rear
- (g) or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, 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.

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.

Class D – Proposed entrance porch

Development is not permitted by Class D 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); **NO**
- (b) the ground area (measured externally) of the structure would exceed 3 square metres; **NO**
- (c) any part of the structure would be more than 3 metres above ground level; or **NO**
- (d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.; or **NO**
- (e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses). **NO**

Class E – Proposed 2x outbuildings

Development is not permitted by Class E 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); **NO**
- (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);
- (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; **NO**
- (d) the building would have more than a single storey; **NO**
- (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;
- (f) the height of the eaves of the building would exceed 2.5 metres;
- (g) the building, enclosure, pool or container would be situated within the curtilage of a listed building; **NO**
- (h) it would include the construction or provision of a verandah, balcony or raised platform; **NO**
- (i) it relates to a dwelling or a microwave antenna; or **NO**
- (j) the capacity of the container would exceed 3,500 litres; or **NO**
- (k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses). **NO**

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.

The applicant is advised that any material change of use of the outbuildings would be unlawful and would require planning permission.

7. CONCLUSION

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Classes A, B, D and E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and it has been confirmed that the proposal would be lawful, on the basis of the following submitted drawings:

2202(21)700B Proposed Plans and Elevations
Received 23 October 2025

2202(21)701E Revised Outbuilding Proposed Plans and Elevations
Received 5 December 2025

Sufficient evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed works. Therefore, the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

8. RECOMMENDATION

GRANT CLP