

28 February 2024



Reading
Borough Council
Working better with you

Title	PLANNING APPLICATION REPORT
Ward	Caversham Heights
Planning Application Reference:	231708/CLP
Site Address:	38 Stuart Close, Emmer Green, Reading, RG4 8RE
Proposed Development	Certificate of Lawful Proposed Development for Hip to gable at the rear of the property with a loft conversion including a rear dormer and ground floor rear extension
Applicant	
Report author	James Schofield
Deadline:	19/01/2024 – extended to 1 March 2024
Recommendations	This request for a Certificate of Lawfulness for a proposed development complies with the conditions of Classes A, B, and C, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and as such the certificate should be granted.
Conditions	<ol style="list-style-type: none">1. Subject to submitted plans and details being adhered to2. Bat habitat awareness information followed
Informatives	<ol style="list-style-type: none">1. Building Control2. Complaints about construction3. Encroachment

1. Executive summary

- 1.1. The purpose of the application is to have confirmation that the proposed extension and alterations to the roof of the dwelling would meet the requirements set out in the General Permitted Development Order 2015 (as amended – GDPO) to be confirmed “permitted development.
- 1.2. The assessment does not engage any consideration of the merits of the works proposed against adopted Local Plan policies. The decision is based on whether the works, if carried out as presented in the plans and associated information meets the criteria set out in the GDPO.
- 1.3. The application is presented to Planning Applications Committee in accordance with the scheme of delegations, which requires applications submitted by serving councillors or their close family to be determined by this committee.

2. Introduction and site description

- 2.1. The proposal site is a semi-detached dwelling with a conservatory and detached garage on a reasonably large plot. The dwelling has a hipped roof and two chimney stacks.

Site location plan:



3. The Proposal

- 3.1 The proposed works are to convert the roof from a hipped to a gable-end design, to build a loft for nearly the full width of the roof at the rear, and to demolish and replace the existing conservatory with a rear extension to a similar depth but for nearly the full width of the rear of the dwelling.

- 3.2 Submitted Plans and Documentation:

Dwg No: S.PP-01 Existing Ground Floor Plan
Dwg No: S.PP-02 Existing Floor Plan
Dwg No: S.PP-03 Existing Loft Plan
Dwg No: S.PP-04 Existing Elevations
Dwg No: S.PP-05 Proposed Ground Floor Plan
Dwg No: S.PP-06 Proposed First Floor Plan
Dwg No: S.PP-07 Proposed Loft Plan
Dwg No: S.PP-08 Proposed Elevations
Dwg No: S.PP-09 Location Plan
Dwg No: S.PP-10 Block Plan
Received 27th of November 2023

- 3.3 Community Infrastructure levy (CIL):
In relation to the community infrastructure levy, the applicant was not required to complete a CIL liability form.

4. Planning history

- 4.1. None

5. Consultations

- 5.1. There is no statutory requirement for statutory, non-statutory or neighbour consultations to be carried out for this type of application.

6. Legal context

- 6.1. 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.
- 6.2. 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.
- 6.3. The certificate is not a planning permission. The planning merits of the use, operation or activity in the application are not relevant. 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 confirm if the proposed change of use had occurred, or the proposed works had commenced, on the application date, would it have been lawful for planning purposes.
- 6.4. Officers have considered the National Planning Practice Guidance, The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) and the Permitted development rights for householders – Technical Guidance - April 2017.

7. Appraisal

- 7.1. The only considerations in this case are whether the proposed works meet the requirements for the various class of works applied for to be confirmed as permitted development by virtue meeting criteria set out in the relevant classes of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015:
 - Class A relates to the 'enlargement, improvement or other alteration of a dwellinghouse'.
 - Class B, relates to the 'additions etc to the roof of a dwellinghouse'.
 - Class C, relates to other alterations to the roof such as the installation of roof lights/windows.

I) Class A

- 7.2. If built as shown on the submitted plans using materials of a similar appearance to those used on the exterior of the existing house the proposed rear extension, with at depth of 3.7 metres, a height of 3 metres across almost the full width of the ground floor, would meet the conditions of Class A.

II) Class B

- 7.3. If built as shown on the submitted plans and using materials of a similar appearance to those used on the exterior of the roof of the existing house the proposed roof alterations, including a roof conversion from hipped to gable and a rear loft of approximately 37 cubic metres, meets the conditions of Class B.

III) Class C

- 7.2. If built as shown on the submitted plans the proposed skylight, including one skylight in the roof of the front elevation protruding no more than 5 cm beyond the plane of the slope of the original roof, meets the conditions of Class C.

8. Equality implications

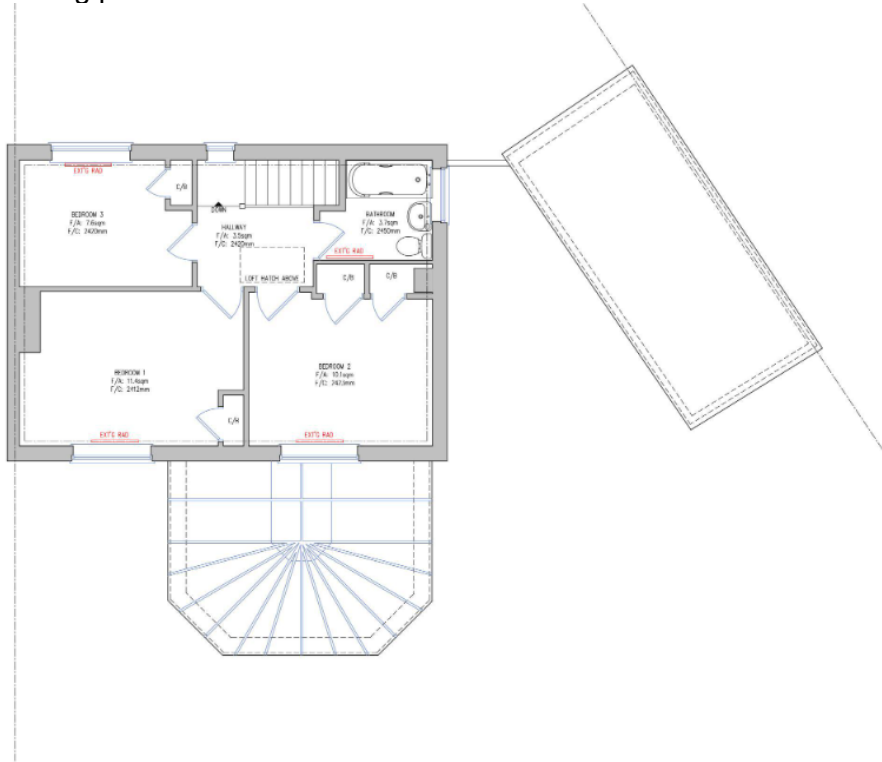
- 8.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. It is considered that there is no indication or evidence that the protected groups have or will have different needs, experiences, issues, and priorities in relation to this particular application.

9. Conclusion

- 9.1 This proposal has been carefully considered in the context of the GDPO 2015, National Planning Practice Guidance, and the Technical Guidance April 2017. The recommendation is to grant a Certificate of Lawfulness for the proposed development.
- 9.2 In accordance with the Technical Guidance and our standard practice, informatives are recommended to provide guidance on being aware of the potential for, and dealing with, bats living in roof areas and being mindful to not encroaching on neighbouring property not to disturb neighbours when carrying out works.

Plans

1. Existing plans and elevations



ELLA ORMEROD
 DESIGN PROPOSAL @
 38 STUART CLOSE
 EMMER GREEN
 RG4 8RE

EXISTING FIRST FLOOR PLAN

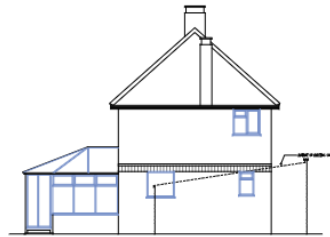
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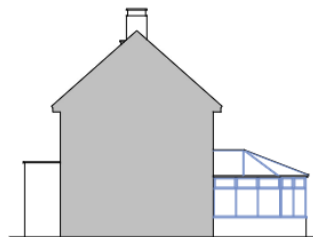
EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION

EXISTING ELEVATIONS

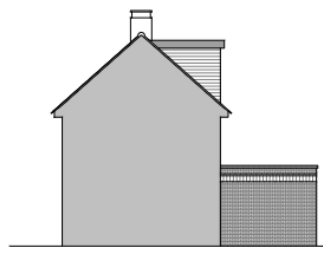
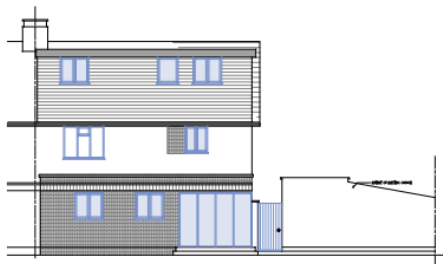
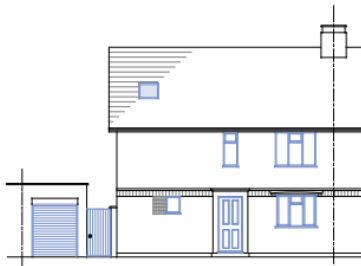
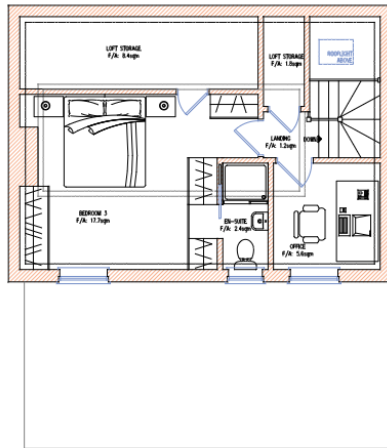
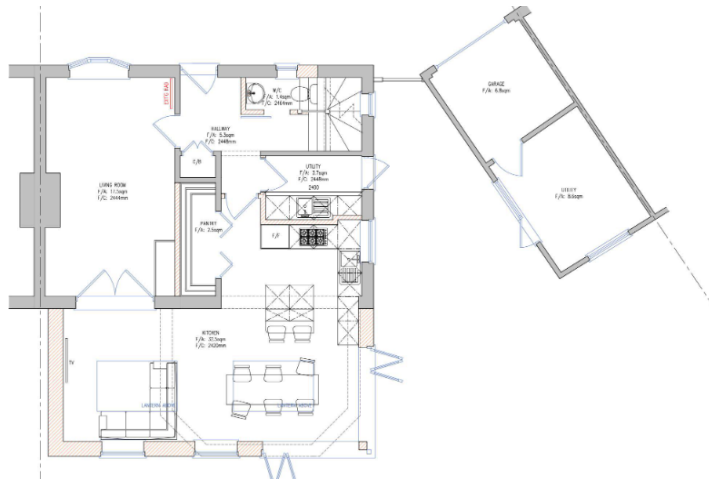
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2. Proposed plans & elevations



PROPOSED ELEVATIONS

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