

Received Date:	13 October 2025
Expires:	8 December 2025
Application Number:	252382
Site:	6 Old Bath Road, Charvil, Wokingham, RG10 9QR
Application:	Application for a certificate of lawfulness for the proposed loft conversion along with changes to fenestration including replacement of existing roof light.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
14051	Installation of solar panels	(illegible on DN)	Approved	N/A
960999	Proposed Single Storey Rear Extension To Dwelling To Form Conservatory	03/12/1996	Approved	N/A
040213	Application for a certificate of proposed development for the fitting of solar panels on roofs of dwelling.	12/05/2004	Approved	N/A
211195	Outline application with some matters reserved for the proposed erection of 4 no. dwellings with new access road and associated parking and landscaping. Access and layout to be considered.	02/07/2021	Refused	N/A
221374	Application for a certificate of lawfulness for the proposed conversion of the garage to create habitable accommodation and include changes to fenestration.	24/06/2022	Approved	N/A
222834	Full application for the proposed subdivision of the existing detached dwelling and garden to form one 3no. bedroom dwelling and one 2no. bedroom dwelling.	15/11/2022	Approved	N/A
230079	Application for submission of details to comply with the following condition of planning consent 222834 dated 11/11/2022. Condition 3. Landscaping. 4. Protection of Trees. 7. Parking and Turning Space. 8. Cycle Parking.	21/02/2023	Approved	N/A
230741	Application for submission of details to comply with the following condition of planning consent 222834 dated 11/11/2022. Condition 5. Biodiversity Enhancements. 6. Boundary Treatment. 9. Access. 10. Access Surfacing.	07/06/2023	Approved	N/A

2. Site Description

The application site features a two-storey semi-detached dwelling located in a predominantly residential area of Charvil. The property is set back from the road, it has off-street parking, and it has a rear residential garden.

3. Land/ Property Designations

- There are no listed buildings at the site and the property is not within 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The site is not subject to any wildlife or habitat designations.

4. Legislation

Town and Country Planning Act 1990 (as amended)

- s.55 Provides that '*development*' includes the carrying out of building operations on land, and '*building operations*' includes structural alterations or additions to buildings.
- s.57 Planning permission is needed for all development of land.
- s.187a Enforcement for breach of conditions
- s.192 Applications for Certificates of Lawfulness of proposed use or development.
- s.191 Defines operations as 'lawful' if:
 - (a) No enforcement action may be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
 - (b) They do not constitute a contravention of any of the requirements of any enforcement notice then in force.

Town and Country Planning (General Permitted Development) Order 2015 (GPDO)

- Article 3 In conjunction with Schedule 2 (Part 1) (Class C) grants planning permission for alterations to the roof of a dwellinghouse other than the enlargement of the dwellinghouse.
- Article 4 Provides that the planning authority may give direction to restrict the effect of Article 3.

5. The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

6. Relevant details of the proposal:

This application seeks permission to remove one rooflight and replace it with 2 no. smaller rooflights to the side elevation.

The application form advises that soil pipes may be attached to the outside wall, however, no details of the soil pipes have been provided on the submitted drawings and therefore this report/certificate cannot make an assessment on the soil pipes.

7. Assessment against legislation:

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the original building lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓
Sch.2 Pt.1 C	6	Does the development consist of a roof alteration (other than enlargement)?	✓	✓
C.1(a)	7	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?		✓
C.1(b)	8	Would the alteration protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof?		✓
C.1(c)	9	Would it result in the highest part of the alteration being higher than the highest part of the original roof?		✓
C.1(d)	10	Would it would consist of or include: (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment?		✓
	11	Would it affect a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval may be needed.</i>		✓

8. Conclusion:

The proposed removal of one rooflight and replacement with two smaller rooflights constitutes development requiring planning permission. Permission **IS** available under Article 3 of the Town and Country Planning General Permitted Development Order 2015, the proposal being in accordance with Schedule 2, (Part 1) (Class C) of the Order.

DRAFT APPROVED



Development Management Team Leader

Date: 04/12/25