

Received Date:	14 October 2025
Expires:	9 December 2025
Application Number:	252499
Site:	8 Riding Way, Wokingham, Wokingham, RG41 3AH
Application:	Application for a certificate of lawfulness for the proposed erection of a single storey rear extension, a rear dormer to facilitate loft conversion to create habitable accommodation along with changes to fenestration including insertion of roof lights, erection of an outbuilding to rear.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
N/A	N/A	N/A	N/A	N/A

2. Site Description

The application site features a two-storey semi-detached dwelling located within a predominantly residential area of Wokingham. The property is set back from the road and has off-street parking, plus 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 A) grants planning permission for the "*enlargement, improvement or other alteration of a dwellinghouse*".
- Article 3 In conjunction with Schedule 2 (Part 1) (Class B) grants planning permission for the "enlargement of a dwellinghouse consisting of an addition or alteration to its roof".
- Article 3 In conjunction with Schedule 2 (Part 1) (Class C) grants planning permission for the alterations to the roof of a dwellinghouse other than the enlargement of the dwellinghouse.

- Article 3 In conjunction with Schedule 2 (Part 1) (Class E) grants planning permission for the erection of certain outbuildings, pools and fuel storage containers within the curtilage of a 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:

The proposed erection of a single storey rear extension to provide a larger kitchen and dining area.

7. Assessment against legislation (Class A):

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3 (4)	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.3 (6)	5	Does it involve the formation, laying out or material widening of a means of access to an existing highway which is a trunk or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons?		✓
Art.4	6	Is there an 'Article 4 Direction' in effect for the site?		✓
Sch.2 Pt. 1 A	7	Does it consist of enlargement, improvement or other alteration of a dwellinghouse?	✓	
A.1(a)	8	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)?		✓
A.1(b)	9	Would the total area of ground covered by buildings (other than the original dwelling) exceed 50% of the total area of the curtilage?		✓
A.1(c)	10	Would the height of the part of the dwellinghouse enlarged, improved or altered exceed the height of the highest part of the roof of the existing dwellinghouse?		✓
A.1(d)	11	Would 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?		✓
A.1(e)	12	Would the enlarged part of the dwellinghouse extend beyond a wall which - (i) fronts the principal elevation of the original house; or		✓

			Yes	No
		(ii) fronts a highway and forms a side elevation of the original dwellinghouse?		
A.1(f)	13	If the enlarged part of the dwellinghouse is single storey, would it either: (i) extend beyond the rear wall of the original dwellinghouse by more than: 4 metres in the case of a detached dwellinghouse 3 metres in the case of any other dwellinghouse; or (ii) exceed 4 metres in height		✓
A.1(g)	14	For a dwellinghouse not in article 2 (3) land (incl conservation area) if the enlarged part of the dwellinghouse is single-storey, would it either (i) extend beyond the rear wall of the original dwellinghouse by more than: 8 metres in the case of a detached dwellinghouse 6 metres in the case of any other dwellinghouse; or (ii) exceed 4 metres in height NB: As per Para A.4 of Part 1 of for development that exceeds the limits in para A.1 (f) (question 13) but is allowed by para A.1 (g) (question 14) <u>Prior Approval via the 'Neighbours Notification Scheme' is required</u>		✓
A.1(h)	15	If the extension would be more than a single storey would it: (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of the rear boundary of the curtilage.		✓
A.1(i)	16	Would the enlarged part of the dwellinghouse would be within 2 metres of the boundary with an eaves height in excess of 3 metres?		✓
A.1(j)	17	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse and: (i) exceed 4 metres in height, (ii) have more than a single storey, or (ii) have a width greater than half the width of the original dwellinghouse		✓
A.1(k)	18	Would the development consist of or include: (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse.	✓	
A.2(a)	19	Article 2(3) land (inc. conservation areas): a. Would the development consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?		✓
A.2(b)	20	b. Would the extension extend beyond a wall forming a side elevation of the original dwellinghouse?		✓

			Yes	No
A.2(c)	21	c. Would the extension have more than a single storey and extend beyond the rear wall of the original dwellinghouse?		✓
	22	Would it affect or be within the Root Protection Area of a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval will likely be needed.</i>		✓

'Yes' has been ticked to question 18 in the table above, as the proposal includes the conversion of the loft space, insertion of a rear dormer, and the insertion of 2no. rooflights. An assessment against Class B of the GPDO is contained in the table below.

8. Relevant details of the proposal:

The proposed conversion of the existing loft space facilitated by the erection of 1 no. flat roof dormer to the rear elevation and the insertion of 2 no. rooflights to the front elevation.

9. Assessment against legislation (Class B):

			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3 (4)	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 B	6	Does it consist of the enlargement of a dwellinghouse by addition or alteration to its roof?	✓	
B.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)?		✓
B.1(b)	8	Would any part of the dwellinghouse, as a result of the works, exceed the height of the highest part of the existing roof?		✓
B.1(c)	9	Would any part of the dwellinghouse, 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?	✓	
B.1(d)	10	Would the cubic content of the resulting roof space 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?		✓
B.1(e)	11	Would it consist of or include: (i) the construction or provision of a verandah, balcony or raised platform?		✓
		(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe?		✓
B.1(f)	12	Is the dwellinghouse on Article 2(3) land? (inc. conservation areas)		✓
	13	Would it affect a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval will likely be needed.</i>		✓

'Yes' has been ticked to question 9 in the table above as the two proposed rooflights on the front elevation would extend beyond the plane of the roof slope. An assessment against Class C of the GPDO is contained in the table below.

10. Relevant details of the proposal:

The proposed insertion of 2 no. rooflights to the front elevation.

11. Assessment against legislation (Class C):

			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 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>		✓

12. Relevant details of the proposal:

The proposed erection of a single storey outbuilding at the bottom of the rear garden to provide a garden room and a store.

13. Assessment against legislation (Class E):

			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 dwellinghouse lawful?	✓	
Art.4	5	Is there an 'Article 4 Direction' in effect for the site?		✓
Art.4	6	Is it within the curtilage of the dwellinghouse?	✓	

Fuel storage

			Yes	No
Sch.2 Pt. 1 E.b	7	Does the development consist of a container used for the storage of oil or liquid petroleum gas?	N/A	N/A
Sch.2 Pt. 1 E.b	8	Is the storage for domestic heating purposes?	N/A	N/A
E.1(i)	9	Would the capacity of the container exceed 3,500 litres?	N/A	N/A

Outbuildings and pools

Sch.2 Pt. 1 E.a	10	Does the development comprise a building or enclosure, swimming or other pool, or the maintenance, improvement or other alteration of such a building or enclosure?	N/A	N/A
Sch.2 Pt. 1 E.a	11	Is the building, enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such?	N/A	N/A

Fuel storage and outbuildings

E.1(a)	12	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)?		✓
E.1(b)	13	Would the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the original curtilage (excluding the original dwelling)?		✓
E.1(c)	14	Would any part of the building, enclosure, pool or container be situated on land forward of a wall forming the principal elevation of the original dwellinghouse?		✓
E.1(d)	15	If it is a building would it have more than one storey?		✓
E.1(e)	16	Would the height of the building, enclosure or container exceed:		✓
		(i) Four 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 two metres of the boundary of the curtilage of the dwellinghouse?		✓
		(iii) Three metres in any other case?		✓
E.1(f)	17	Would the height of the eaves of the building exceed 2.5 metres?		✓
E.1(g)	18	Would the building, enclosure, pool or container be situated within the curtilage of a listed building ?		✓
E.1(h)	19	Would the development include the construction or provision of a veranda, balcony or raised platform?		✓
E.1(i)	20	Would it relate to a dwelling?		✓
E.1(j)	21	Would it relate to a microwave antenna?		✓
E.3	22	Article 2(3) land (World Heritage Sites, National Parks, AONBs & the Broads): Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?		✓
	23	Would it affect or be within the Root Protection Area of a TPO'd tree? * Does not affect Article 3 permission but separate TPO approval may be needed		✓

14. Conclusion:

The proposed single storey rear extension, loft conversion, and outbuilding constitute development and this requires 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 A, B,C & E) of the Order.

DRAFT APPROVED

A handwritten signature in purple ink, appearing to be 'Aje', is written above the title.

Development Management Team Leader

Date: 05/12/25