

Received Date:	23 July 2025
Expires:	17 September 2025
Application Number:	251711
Site:	22 Selsey Way, Earley, Wokingham, RG6 4DL
Application:	Application for a certificate of lawfulness for the proposed insertion of rooflights to facilitate conversion of the loft to habitable accommodation, plus erection of a single storey extension to form a porch and changes to fenestration.

1. Relevant Planning History

Application Number	Proposal	Decision Date	Decision	Relevant Conditions
18483	Erection of 41 homes, bungalows with garages and related roads and footpaths.	17/12/1982	Approve	13
16449	Erection of 196 houses, bungalows, flat bedsits and garages, roads and footpaths.	09/11/1981	Approve	15

2. Site Description

The application site consists of a two-storey quad property arranged in a cluster and located on the western side of Selsey Way, Earley.

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:

The application relates to a certificate of lawfulness for the proposed insertion of two rooflights in the southeastern elevation of the main roof to facilitate a loft conversion, a single-storey front extension to create a porch and replacing the existing lounge window in the southeastern elevation to patio doors.

7. Assessment against legislation:

Condition 15 of permission 16449 for the 'Erection of 196 houses, bungalows, flat bedsits and garages, roads and footpaths' (approved 09/11/1981) states:

Notwithstanding the provisions of the Town and Country Planning General Development Order, 1977-81, there shall be no alteration to any elevation of the one bedroomed houses, flats and bedsitter units hereby approved and no additional window or extension shall be constructed without the prior written permission of the District Planning Authority.

Reason: To prevent an overdevelopment of the site and to help safeguard privacy and the visual amenity of the occupiers of adjacent properties.

Condition 13 of permission 18483 for the 'Erection of 41 homes, bungalows with garages and related roads and footpaths' (approved 17/12/1982) states:

Notwithstanding the provisions of the Town and Country Planning General Development Order, 1977-81, there shall be no alteration to any elevation of the one bedroomed houses hereby approved and no additional window or extension shall be constructed without the prior written permission of the District Planning Authority.

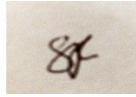
Reason: To prevent an overdevelopment of the site and to help safeguard privacy and the visual amenity of the occupiers of adjacent properties.

The application site comprises a one-bedroom property and therefore, the proposed changes would require planning permission and cannot be assessed against the legislation set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The changes would not be lawful under permitted development as the proposed development would be in breach of Condition 15 of 16449 and Condition 13 of permission 18483.

8. conclusion:

The proposal would **not** have been permitted development.

DRAFT APPROVED

A small, square, light-colored stamp or sticker with a handwritten signature in dark ink. The signature appears to be 'Sf' or similar.

Development Management Team Leader

Date: 12.9.25