

Town and Country Planning Act 1990: sections 191 and 192

**Town and Country Planning (General Development Management Procedure)
(England) Order 2010: article 35**

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

ARD Architect
Mr Tony Derrett
Prospect Cottage
26 Windmill Road
Mortimer
RG7 3RN

Applicant: Matt Nelson

PART I - DETAILS OF APPLICATION

Date of Application

17th December 2024

Application No.

24/02732/CERTP

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Attic conversion with dormers.

15 King Street Mortimer Common Reading RG7 3RS

PART II - DECISION

West Berkshire Council hereby certify that on 17th December 2024 the operation or use described in the First Schedule of this certificate in respect of land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, would have been **LAWFUL within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):**

1. The development described in this notice and as shown on drawing number 24.30.02 Rev. A received on 4 March 2025 constitutes permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), in particular Schedule 2, Part 1, Class B.

The permitted development rights have not been removed from the application site.

As such, the described development is lawful for the purposes under section 192 of the Town and Country Planning Act 1990, and an application for planning permission from the local planning authority is not required.

FIRST SCHEDULE:

Attic conversion with dormers.

SECOND SCHEDULE:

15 King Street Mortimer Common Reading RG7 3RS

Decision Date :- 6th March 2025

Bob Dray
Development Manager

Notes

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations/matter specified in the First Schedule proposed to take place on the land described in the Second Schedule would have been lawful on the specified date and thus would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified in the attached plan. Any use/operations/matter which is/are materially different from that/those described or which relate(s) to other land may render the owner or occupier liable to enforcement action.
4. The effect of this certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

If the applicant is aggrieved by the decision of the local planning authority he may, by notice, appeal to the First Secretary of State for the DCLG in accordance with Section 195 of the Town and Country Planning Act 1990. (Appeals must be made on a form which is obtainable from The Planning Inspectorate. Room 3 O/P, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN) or online at www.planninginspectorate.gov.uk.