



Reading
Borough Council
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**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**APPLICATION TO VARY/REMOVE CONDITION UNDER SECTION 73 OF THE TOWN
AND COUNTRY PLANNING ACT 1990**

To: Mathewson Waters Architects
The Old Surgery
Crowle Road
Lambourn
Hungerford
RG17 8NR

Application No: 211544
Application type: Variation of Condition

Applicant: Mr S Kebble

READING BOROUGH COUNCIL as Local Planning Authority hereby **GRANT** planning permission for the development as described below:-

Proposal: Change of Use from B1a to C3 with associated alterations to divide the building into 2 maisonettes and 1 flat, removal of upvc windows to front elevation and replacement with correct style of timber box sash windows, replacement to 2 windows facing onto courtyard with doors to provide access to amenity space. Application under s73a to remove conditions 4, 6, 7 and 14 of permission reference 161550 (retrospective)

At: 159 Oxford Road Reading RG1 7UY

Subject to such conditions and for such reasons as may be attached

**OTHER STATUTORY CONSENTS MAY BE REQUIRED
PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE**

Date: 22 May 2023

SDV

Assistant Director of Planning, Transport and
Public Protection Services

Application At: 159 Oxford Road Reading RG1 7UY

Application No: 211544

Application type: Variation of Condition

CONDITIONS & REASONS

1. Condition 1 of the original planning permission (3 years for implementation - Ref 161550/FUL) is no longer relevant, as the permission has already begun.

2. This permission relates only to the following plans and drawings:

Landscaping Plan 1767:103 D

Received 11th November 2022

Window Details GP/GR 10 and GP/GR 9

Received 24th April 2017

Drawing No: Location/Block Plan GP/GR 07

Drawing No: Plans, Elevations and Section as Proposed GP/GR 06A

Drawing No: Detailed Section GP/GR 08

Received 18th August 2016

Reason: Because permission is granted in respect of the development as detailed in the approved plans only.

3. All windows shall be retained in accordance with the following drawings:

- Drawing No: GP/GR 10 1:1 details of windows to front elevation and Drawing No: GP/GR 09 New windows to front elevation - Received 24th April 2017

The details of which were discharged under application 170652/APPCON 9th June 2017.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policies CC7, EN1 and EN3 of the Reading Borough Local Plan 2019.

4. The facing brick and mortar mix shall be retained as existing at all times.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policies CC7, EN1 and EN3 of the Reading Borough Local Plan 2019

5. The cycle parking as shown on drawing Landscaping Plan 1767:103 D Received 11th November 2022 shall be retained and kept available for cycle parking at all times.

REASON: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policy TR1 and TR5 of the Reading Local Plan 2019.

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6. The vehicle parking as shown Landscaping Plan 1767:103 D Received 11th November 2022 shall be retained and kept available for vehicle parking at all times.

REASON: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

7. The refuse and recycling storage facilities as show on Landscaping Plan 1767:103 D Received 11th November 2022 shall be retained for use by occupiers of the dwelling/building at all times.

REASON: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CC7 of the Reading Local Plan 2019.

8. Condition 8 of the original planning permission (submission of postal address details prior to occupation - Ref 161550/FUL) is no longer relevant.

9. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.

REASON: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically entitled to an on-street car parking permit. In the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area Policy TR3 and TR5 of the Reading Local Plan 2019.

10. The glazing and ventilation shall be retained in accordance with the specifications recommended within the acoustic assessment submitted with the application (Hawkins Environmental, 6 July 2016, report ref H2251).

REASON: To protect the amenity of future occupants of the proposed development in accordance with Policy EN16 of the Reading Borough Local Plan 2019.

11. The mechanical ventilation for two of the units plus an NO2 scrubber shall be retained in accordance with the specifications within the air quality assessment

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(Hawkins Environmental, 6th July 2016 ref H2251) and the Planning and Sustainability Statement.

REASON: To protect the amenity of future occupants of the proposed development in accordance with Policy EN16 of the Reading Borough Local Plan 2019.

12. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0800hrs to 1300hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior written approval from the Local Planning Authority.

REASON: In order to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

13. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

REASON: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

14. The approved landscaping and management details as shown on drawing no. Landscaping Plan 1767.103D received 11th November 2022 and Landscaping Specification Rev C received 13th January 2023 shall be carried out within the next planting season (between October 2023 and March 2024). Thereafter the soft landscaping shall be maintained as approved.

Any soft landscaping as part of the approved landscaping that within a period of five years after planting are removed, die, or in the opinion of the Local Planning Authority become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the species, size and number as originally approved.

REASON: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The conditions have been worded with reference to the original permission (ref 161550/FUL) and the following subsequent applications determined at the site:

170652/APPCON Application for approval of details reserved by condition 3

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(Window/Door Spec) (161550)

2. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed extended timescale for the decision to be issued.
3. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.
4. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.
5. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic. ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
6. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits. If this is a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If this is an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.