

DELEGATED APPLICATION REPORT

Application No: 220221/VAR

Address: 71 Oak Tree Road, Reading, RG31 6LA

Proposal: Variation of condition 2 (Approved Plans) of planning permission 190670 dated 04/12/2020 (Erection of 2 new dwellings to the rear of the existing, with new access, landscaping and parking), namely to change the design of the 2 dwellings

Case Officer: David Brett

Applicant: Willmot

Received on: 17/02/2022

Valid from: 17/02/2022

Target Date: 22/07/2022, extension of time on decision agreed from 28/04/2022

Site Description and Surrounding Area

The site relates to land to the rear of 71 Oak Tree Road, a bungalow (with accommodation in the roof space) located on the southern side of Oak Tree Road. The plot is large and wider at the roadside edge and tapering towards the rear. The site boundary to the north and east is formed by a mature hedge which separates the site from the adjacent allotments. Further east is Arthur Newbery Park. Residential houses lie to the north beyond the access road to the allotments and immediately to the south west are houses facing on to Oak Tree Road. The area is predominantly residential and is within a suburban location to the west of the town centre.

The length and orientation of the garden means that it shares boundaries with 3 properties to the south west: 73, 73a Oak Tree Road and 4 Parkhill Drive. The topography means that these 4 properties sit considerably higher than the application site with views over and down onto the application site.

The proposal site is not within a Conservation Area or Listed.

Proposal

The applicant is seeking to vary condition 2 (approved plans) of planning permission 190670, which granted the Erection of 2 new dwellings to the rear of the existing, with new access, landscaping and parking.

More specifically, it is seeking to made adjustments to the overall appearance of the two proposed dwellings. This includes a change of materials and design. The roof formation to the single storey element of both plots is changing. The detached garages are now to be integrated to both plots. The situation of the dwellings on each plot is not changing, however, there have been slight changes to the proposed gross internal floor space. The green roof to the single storey elements of the plots is no longer proposed. Details of boundary treatment have also been provided, demonstrating a 2m high fence on a 2m high wall.

From a procedural perspective, relevant guidance from the NPPG is reproduced below:

Paragraph: 015 Reference ID: 17a-015-20140306

What is the effect of a grant of permission?

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Further information about conditions can be found in the guidance for [use of planning conditions](#).

As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.

Paragraph: 017 Reference ID: 17a-017-20140306

Is there a definition of ‘minor material amendment’?

There is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Annex A: summary comparison table

Paragraph: 019 Reference ID: 17a-019-20140306

What is the application considered against?

Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

In what form must the decision be issued?

Grant: new decision notice describing the whole development and listing all conditions.
Refuse: decision notice listing reasons for refusal. Original permission with existing conditions remains in place.

Plans/Documents Considered

The following plans and documents have been supplied for this application:

- Location Plan - 9096-101
- Proposed Site Plan - 9096-102
- Plot 1 Proposed Ground Floor Plan - 9096-103
- Plot 1 Proposed First Floor Plan - 9096-104
- Plot 1 Roof Plan - 9096-105
- Plot 1 Proposed Elevations - 9096-106
- Plot 2 Proposed Ground Floor Plan - 9096-107
- Plot 2 Proposed First Floor Plan - 9096-108
- Plot 2 Roof Plan - 9096-109
- Plot 2 Proposed Elevations - 9096-110
- ~~- Boundary Treatment Details - 9096-111~~

Received on 17/02/2022

- Boundary Treatment Details - 9096-111

Received on 06/06/2022

Relevant Planning History

171394/FUL - Demolition of existing dwelling and replacement with 3 dwellings, with new access, landscaping and parking - Application Permitted on 11/10/2018

190670/FUL - Erection of 2 new dwellings to the rear of the existing, with new access, landscaping and parking - Application Permitted on 04/12/2020

210235/HOU - Ground floor extension to create garage, replacement of hipped roof with gable roof structure with the addition of 3 dormers, and minor internal alterations. - Application Permitted on 24/03/2021

220226/APC - Application for approval of details reserved by conditions 3,4,5,6,7,8,13,18 of application 190670 - Application to be determined.

External Consultees

2 Parkhill Drive, Reading, RG31 6LB - No response received.

4 Parkhill Drive, Reading, RG31 6LB - No response received.

57 Oak Tree Road, Reading, RG31 6JU - No response received.

64 Oak Tree Road, Reading, RG31 6JY - No response received.

68 Oak Tree Road, Reading, RG31 6JY - No response received.

68 Oak Tree Road, Reading, RG31 6JY - No response received.

70 Oak Tree Road, Reading, RG31 6JY - No response received.

72 Oak Tree Road, Reading, RG31 6JY - No response received.

71A Oak Tree Road, Reading, RG31 6LA - Response received on 24/03/2022

- Green roof is more in keeping with the natural environment of the plot and more preferable to the revised roof.
- The appearance and materials of the originally proposed boundary treatment is preferable to what is now proposed.
- The proposed height of a 4m high boundary wall is acceptable.

73 Oak Tree Road, Reading, RG31 6LA - Response received on 30/03/2022

- Green roof is more in keeping with the natural environment of the plot.
- Agrees to the boundary treatment due to the change in elevations between properties.
- The appearance and materials of the originally proposed boundary treatment is preferable to what is now proposed.
- The environment plan is positive and protects the resident wildlife.

75 Oak Tree Road, Reading, RG31 6LA - No response received.

Tilehurst Horticultural Association, Reading, RG31 6JU - No response received.

Sunstar, Blandford Hill, DT11 0AB - No response received.

75 St Leonards Road, Leicester, LE2 1WT - No response received.

214 Highbury New Park, London, N5 2LH - No response received.

Equality Act 2010

In determining this application, the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Relevant Planning Policy and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Borough Local Plan (adopted November 2019).

The 'National Planning Policy Framework' ('NPPF') 2021 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Plan according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given).

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2021;

National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- CC1: Presumption in favour of sustainable development
- CC2: Sustainable design and construction
- CC3: Adaptation to climate change
- CC5: Waste minimisation and storage
- CC6: Accessibility and the intensity of development
- CC7: Design and the public realm
- CC8: Safeguarding amenity
- CC9: Securing infrastructure
- EN9: Provision of open space
- EN12: Biodiversity and the green network
- EN14: Trees, hedges and woodlands
- EN15: Air quality
- EN16: Pollution and water resources
- H1: Provision of housing
- H2: Density and mix
- H3: Affordable housing
- H5: Standards for new housing
- H10: Private and communal outdoor space
- H11: Development of private residential gardens
- TR1: Achieving the transport strategy
- TR3: Access, traffic and highway-related matters
- TR4: Cycle routes and facilities
- TR5: Car and cycle parking and electric vehicle charging

Other documents

Sustainable Design and Construction (2019)

Planning Obligations Under Section 106 SPD (2015)

Affordable Housing SPD (2013)

Revised Parking Standards and Design SPD (2011)

Appraisal

The main issues considered for this application are as follows:

- a) Design and Access
- b) Safeguarding Amenity
- c) Other Matters

a) Design & Access

No significant changes are proposed to the layout of the proposal site. Both proposed dwellings are located in the same locations, the access road is largely as approved under application 190670.

The alterations to both dwellings consist of a change of materials to Ivanhoe Cream brickwork walls, Anthracite grey metal railings to the first floor balcony areas, Anthracite grey aluminium windows and doors, and Staffordshire blue roof slate. The roof formation to the ground floor elements of both plots is being changed from a mono pitched green roof to a dual pitched roof. The detached garages to both plots are now to be integrated into both proposed dwellings, this change does not have any meaningful impact on the proposed layout or access.

Proposed boundary treatment has also been submitted for consideration and consists of a 2m high fence on top of a 2m high wall. The boundary treatment submitted on partially addresses the requirements of condition 7 of approval 190670 as the details provided do not include works to the retaining wall along the boundaries shared with 71a & 73 Oak Tree Road and 4 Parkhill Drive.

The loss of the green roof proposed under application 190670 is regrettable, however, the design of the dwellings as revised are considered of high quality in terms of materials and design and make a positive contribution to the character and appearance of the surrounding area in accordance with Policy CC7 of the Reading Borough Local Plan.

b) Safeguarding Amenity

The alterations proposed to the plans approved under application 190670 are not considered to significantly alter the size, scale or layout of the previously approved development. The plots remain in the same location, whilst the proposed access road is unaltered.

The development is considered to provide a suitable standard of family accommodation for future occupants, whilst having an acceptable impact on the living conditions of neighbouring residents. Therefore, the alterations proposed are considered in accordance with Policy CC8 of the Reading Borough Local Plan.

c) Other Matters

A legal agreement for affordable housing was completed for the development approved under application 190670. Legal Services have been informed of this variation of conditions application and have confirmed that a deed of variation is not required for this application as this application has been submitted as a s73 application rather than an application for full planning permission.

An approval of conditions application has been submitted alongside this variation of conditions application. Application 220226 seeks to address the relevant conditions to approval 190670. For the avoidance of doubt the approval of conditions application relates to the conditions under approval 190670, the conditions included within the approval

decision notice for this variation of conditions application (220221) will need to be addressed under a separate approval of conditions application.

Conclusion

The development has been assessed and the works are considered to be in accordance with the above relevant policies and planning permission can be granted.

Recommendation

Grant variation of condition 2.

In line with the PPG, all of the original conditions (as part of 190670) are reproduced below in blue, with the altered worded conditions (bearing in mind the PPG) in red (changed areas highlighted in yellow). Officer notes explaining the changes are also detailed in green.

Conditions

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

The development hereby permitted shall begin no later than three years from the date of planning permission 190670 issued 04/12/2020.

REASON: For the avoidance of doubt and to ensure that any conditions imposed on the original permission remain in force other than as expressly hereby varied and development must be started in accordance with Section 73(5) of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

- Drawing No: Location Plan 02-00

Received 25th April 2019

- Drawing No: Plot 1 and 2 Proposed Sections 24-10 03
- Drawing No: Plot 1 Proposed South Elevation 25-10 03
- Drawing No: Plot 1 Proposed East Elevation 25-11 03
- Drawing No: Plot 1 Proposed North Elevation 25-12 03
- Drawing No: Plot 1 Proposed West Elevation 25-13 03
- Drawing No: Plot 2 Proposed South Elevation 25-14 03

Received 14th November 2019

- Drawing No: Proposed Site Plan 22-11 03
- Drawing No: Plot 1 Proposed First Floor Plan 23-11 03
- Drawing No: Plot 2 Proposed First Floor Plan 23-13 03
- Drawing No: Plot 2 Proposed East Elevation 25-15 03
- Drawing No: Plot 2 Proposed North Elevation 25-16 03
- Drawing No: Plot 2 Proposed West Elevation 25-17 03

Received 9th January 2020

- Drawing No: Plot 1 Proposed Ground Floor Plan 23-10 03

- Drawing No: Plot 2 Proposed Ground Floor Plan 23-12 03
Received 15th May 2020
- Revision 1 of Tree Survey, AIA, AMS Ref CC/1255 AR4260
Received 27th February 2020

Reason: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

- Revision 1 of Tree Survey, AIA, AMS Ref CC/1255 AR4260
Received on 27/02/2020

- Location Plan - 9096-101
- Proposed Site Plan - 9096-102
- Plot 1 Proposed Ground Floor Plan - 9096-103
- Plot 1 Proposed First Floor Plan - 9096-104
- Plot 1 Roof Plan - 9096-105
- Plot 1 Proposed Elevations - 9096-106
- Plot 2 Proposed Ground Floor Plan - 9096-107
- Plot 2 Proposed First Floor Plan - 9096-108
- Plot 2 Roof Plan - 9096-109
- Plot 2 Proposed Elevations - 9096-110

Received on 17/02/2022

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

Officer note: This condition has been updated to reflect the plans submitted in this application.

3. *No development shall commence beyond foundation level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019

~~*No development shall commence beyond foundation level until a schedule of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.~~

~~Reason: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019~~

The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans unless otherwise agreed in writing with the Local Planning Authority.

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

Officer note: This condition is no longer required as material details have been provided within the application. Changed to compliance condition.

4. *No development shall commence on site, including any works of demolition, until a site specific Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction; [EP REQUIREMENT]
- i) Provisions to be made for the control of noise coming from the site during demolition and construction; [EP REQUIREMENT]
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements. [EP REQUIREMENT]

The measures within the approved Statement shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policy CC8 and TR3 of the Reading Borough Local Plan 2019.

5. *No development shall take place until a precautionary reptile mitigation strategy has been submitted to and approved in writing by the council. Such details shall include timings and methods of activities and precautionary measures, and shall be implemented in full accordance with the approved details unless otherwise approved in writing by the council.

Reason: To ensure that reptiles, a protected and priority species, are not adversely affected by the proposals. In accordance with Policy EN12 of the Reading Borough Local Plan 2019.

6. *No development shall take place until details of biodiversity enhancements, to include bat boxes, tiles or bricks on and around new buildings and native and wildlife friendly landscape planting has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of any residential unit hereby approved and maintained as such thereafter.

Reason: To incorporate biodiversity in and around developments in accordance with Paragraphs 109 and 118 of the NPPF and Policy EN12 of the Reading Borough Local Plan 2019.

7. *No development shall commence beyond foundation level until details indicating the positions, design, materials and type of boundary treatment to be erected have been submitted to and been approved in writing by the local planning authority. Details shall include works to the retaining wall along the boundaries shared with 71a & 73 Oak Tree Road and 4 Parkhill Drive and planting along this boundary to provide a visual screen between properties to a height of not less than 4 metres when measured from the application site ground level. The boundary treatment shall be completed, in accordance with the approved plan, before the development is occupied or otherwise, in accordance with a timescale for which the prior written approval of the local planning authority has been obtained.

Reason: In order to protect the privacy of adjoining and future occupiers and in the interests of the visual amenities of the locality in accordance with Policies CC7 and CC8 of the Reading Borough Local Plan 2019.

8. *No development shall commence on site until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of a 'design stage' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

9. The development hereby permitted shall not be occupied until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of an 'As Built' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

10. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. If any retained tree is removed, uprooted or destroyed or dies (as a consequence of the development), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy CC7 and EN14 of the Reading Borough Local Plan 2019.

11. The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

12. Protective measures, including fencing, ground protection, supervision and working procedures shall be carried out in accordance with the Arboricultural Report and Method Statement / Tree Protection Plan prepared by David Challice of Challice Consulting Ltd dated 27th February 2020. Reading Borough Council will be given 5 days' advance notice of the pre-commencement site meeting. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: In order to ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

13. *No development shall take place until full details of both hard and soft landscaping have been submitted to and been approved in writing by the local planning authority. The submitted details shall include:

(a) hard surfacing materials; and

(b) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and

(c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate.

(d) Tree pit specifications.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

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.

14. No dwelling(s)/building(s) hereby permitted shall be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. The space(s) shall be kept available for parking at all times thereafter.

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.

15. No dwelling/building hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

16. No dwelling/building hereby permitted shall be occupied until the bicycle parking facility for that dwelling/building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

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

17. No dwelling/building hereby permitted shall be occupied until the refuse and recycling storage facility has been provided in accordance with those details shown on the approved plans and thereafter 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.

18. No dwelling within a Plot shall be first occupied until details of an electric vehicle (EV) charging Scheme comprising a layout plan and detailed specification for a minimum of ten percent of all vehicle parking spaces within that Plot to be provided with electric vehicle charging points, and a further ten percent of spaces provided with cabling and other supporting infrastructure reasonably required to enable EV charging points to be fitted,

has been submitted to and approved in writing by the Local Planning Authority. No dwelling within a Plot shall be first occupied until the Scheme for that Plot has been fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.

Reason: In the interests of environmentally sustainable transport in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

19. No building shall be occupied until all the visibility splays shown on the approved drawing Proposed Site Plan 22-11 03 have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level and maintained as such.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

No building shall be occupied until all the visibility splays shown on the approved drawing Proposed Site Plan - 9096-102 have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level and maintained as such.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

Officer note: This condition has been updated to reflect the revised proposed site plan submitted in this application.

20. The roof areas of the dwellings/buildings hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 and H9 of the Reading Borough Local Plan 2019.

~~20. The roof areas of the dwellings/buildings hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.~~

~~Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 and H9 of the Reading Borough Local Plan 2019.~~

Officer note: This condition is no longer required due to change in roof design from approval 190670.

21. Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Class A (enlargement, improvement or other alteration), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse) shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows/doors/dormers/openings, other than those shown on the approved plans shall at any time be placed in the first floor west facing flank elevation of the buildings hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor window serving stairwell on the southern facing flank rear elevation of Plot 2 shall be top openable above 1.7m as a minimum when measured from the floor level of the respective rooms, and glazed with obscure glass before occupation of the development hereby approved and shall be permanently maintained as such.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

~~Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor window serving stairwell on the southern facing flank rear elevation of Plot 2 shall be top openable above 1.7m as a minimum when measured from the floor level of the respective rooms, and glazed with obscure glass before occupation of the development hereby approved and shall be permanently maintained as such.~~

~~Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.~~

Officer note: Condition removed as a window serving the first floor stairwell to plot 2 is no longer proposed under the revised plans.

24. 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.

25. The hours of construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.

Reason: To protect the amenity of occupiers of existing nearby properties from noise and disturbance from works connected with implementing this permission, in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

26. No change to the unit mix (2 x 4-bedroom residential units) shall be made to the development hereby permitted without written approval from the Local Planning Authority.

Reason: In order to ensure that the proposed development provides an appropriate range of housing opportunities / dwelling types to meeting requirements for different groups, in accordance with Policy H2 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. 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.

2. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.

3. 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.

4. The Council's Highways section should be contacted at 19 Bennet Road, Reading, RG2 0QX, telephone: 0118 937 2138, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 week's notice to obtain details of underground services on the applicants' behalf.

5. You are advised to avoid the use of the grass verges for development related activity, e.g. storage of materials, due to the resulting potential harm to important street trees.

6. To minimise the disturbance by noise of future residential occupiers of the units and its effect on neighbouring residents, residential accommodation must be designed and constructed so as to achieve the insulation requirements set out in Building Regulations Approved Document E.

7. A section 106 Agreement has been completed for this development. A copy of the S106 Legal Agreement is available on the Council's Public Register of Planning.

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7. A S106 agreement was signed in respect of 190670/FUL, which as per the terms of that agreement also apply to this 220221/VAR permission.

Officer note: Informative to update to clarify that the legal agreement secured in respect of application 190670/FUL also applies to application 220221/FUL.

8. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted (with a *) to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.

9. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is CHARGEABLE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments. For more information go to:
http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

10. 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.

ADDITIONAL INFORMATIVE

11. An application for the approval of conditions (application reference 220226) relating to approval 190670 has also been submitted alongside variation of conditions application 220221. For the avoidance of doubt, the conditions listed under application 220221 will need to be dealt with under a new approval of conditions application.

Officer note: For the avoidance of doubt of what has been approved under this application and to confirm the procedure for addressing the conditions on the decision notice for application 220221.