

**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: Pegasus Planning Group Ltd
The Columbia Centre
Station Road
Bracknell
RG12 1LP

Application No: 200189
Application type: Variation of Condition

Applicant: SFP Ltd

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

Proposal: Construction of one bedroom end of terrace dwelling, as approved by planning application 151942, but with variation of conditions 2, 3 & 4 to allow alterations to the development as previously approved.

At: 70 Swainstone Road Reading RG2 0DX

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: 17 September 2020



Head of Planning, Development
& Regulatory Services

Application At: 70 Swainstone Road Reading RG2 0DX

Application No: 200189

Application type: Variation of Condition

CONDITIONS & REASONS

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

Drawing No: D1234-04c Site/Block plans as received 25/8/20

Drawing No: D1234-05e Floor layout plans as received 25/8/20

Drawing No: D1234-06d Elevations as received 20/8/20

Materials Specifications Dated August 2017

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.

2. Implementation

The changes to the development as approved by application reference 151942 and as amended by the approved plans as set out in condition 1 above shall be carried out and completed within 6 months of the date on which this permission is granted.

Reason: As the development is currently unauthorised and to avoid further enforcement action being taken to require that the unauthorised development is removed with the scheme reverting back to as originally approved on 23rd February 2017 to enable the development to comply with Policy CC7 of the Reading Borough Local Plan 2019.

3. Materials as approved

The development shall be completed using the materials as specified in the approved Materials Specification document CED/BK/1234 dated August 2017.

Reason: As the success of this development relies on its appearance being in keeping with the rest of the terrace in accordance with Policy CC7 of the Reading Borough Local Plan 2019

4. Provision of garage parking space

The car port design vehicle parking space hereby approved shall be provided in accordance with the approved drawings listed at condition 1. The garage parking space shall thereafter be kept available for the parking of vehicles at all times and not enclosed or used as any habitable living space at any time.

Reason: To ensure that the approved parking space is provided and remains available for parking to reduce the likelihood of roadside parking which could be an

Date: 17 September 2020



Head of Planning, Development
& Regulatory Services

inconvenience and danger to other road users in accordance with Policy TR3 and TR5 of the Reading Borough Local Plan 2019.

5. Bicycle storage

The covered bicycle storage spaces shown on the approved drawing D1234-04c shall be provided before occupation of the dwelling hereby approved and thereafter retained for bicycle storage.

Reason: To encourage travel by sustainable alternatives to driving a motor car in accordance with Policy TR5 of the Reading Borough Local Plan 2019.

6. Parking Permits

Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the dwelling hereby approved the prospective occupier/transferee shall be informed of the prohibition on automatic entitlement to a car parking permit. All material utilised for advertising or marketing the property for letting or sale shall make it clear to prospective tenants and occupiers that a parking permit will not be automatically issued by the Council to occupiers of the property.

Reason: In order that the prospective occupiers are made aware of the fact that they will not be 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 in accordance with Policy TR5 of the Reading Borough Local Plan 2019.

7. Construction Management Statement

The development hereby approved shall be carried out in accordance with the approved Construction Method Statement D1234, which covers means of access into and from the site for construction traffic and delivery vehicles including the removal of waste from the site and methods of preventing deposition of materials on the public highway, throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

REASON: In the interests of safety, protecting the amenity of neighbouring residents and highway safety in accordance with Policy TR3 of the Reading Borough Local Plan 2019.

8. Bin Stores

The bin storage area as shown on approved drawing D1234-04c shall be provided and retained for no other purpose than bin storage.

Reason: To ensure that adequate provision is made for the storage and collection of refuse in accordance with Policy CC8 of the Reading Borough local Plan 2019.

Date: 17 September 2020



Head of Planning, Development
& Regulatory Services

9. Garden & frontage

The private garden areas, the front forecourt area and boundary treatments are to be provided in accordance with approved drawing D1234-04c before completion of the development as hereby amended by this varied planning permission. Thereafter, the garden areas and front forecourt area and boundary treatments shall be maintained as approved.

Reason: To ensure that adequate provision is made for the residential amenities of future occupants in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

10. Hours of Working

The hours of noisy construction, demolition and associated deliveries shall be restricted to between 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: In the interests of the amenities of nearby residents in accordance with Policy CC8 of the Reading Borough Local Plan.

11. PD rights removed

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) Article 3, Schedule 2, Part 1:

- Class A - no rear extensions or upwards extensions (Class AA) at the dwelling hereby permitted shall be constructed.
- Class B - no dormer windows or other roof extensions at the dwelling hereby permitted shall be constructed.
- Class E - no outbuildings at the dwelling hereby permitted (other than the shed shown on the approved plan) shall be constructed.

Reason: 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, CC8 and H9 of the Reading Borough local Plan 2019.

NOTE: changes of use from C3 to C4 use are restricted by an article 4 direction in this area - check the Council's website for more details.

Date: 17 September 2020



Head of Planning, Development
& Regulatory Services

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. Occupiers of the house will not be 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. The site is located close to local facilities, with frequent public transport services on nearby roads. The conditions above place a requirement that the Council be notified of postal address of the house before its occupation and that the occupiers/transferees are informed of the prohibition on entitlement to a car parking permit.
3. A S106 agreement was entered into for the original planning permission 151942 and it can be confirmed that the obligations of the agreement (financial contribution towards provision of affordable housing elsewhere in the Borough has been met.
4. The LPA has acted positively and proactively to eventually approve this application within an agreed extended timescale.

Date: 17 September 2020



Head of Planning, Development
& Regulatory Services

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.