

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

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

To: EXP Property
24 Charlmont Road
Tooting
SW17 9AJ

Application No: 200830
Application type: Variation of Condition

Applicant: EXP Property

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

Proposal: Variation of condition 4 (Parking Spaces) following grant of planning permission. (171221)

At: Seafield Court Russell Street Reading

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: 5 August 2020



Head of Planning, Development
& Regulatory Services *J.P.M.*

Application At: Seafield Court Russell Street Reading

Application No: 200830

Application type: Variation of Condition

CONDITIONS & REASONS

1. Condition 1 of the original planning permission (3 years for implementation - Ref 171221) is no longer relevant, as the permission has already been implemented.

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

Drawing No: Proposed Site and Location Plan 17006 SP-01 Rev C

Drawing No: Proposed Site Plan 15006 SP-01 Rev B

Received 17th June 2020

Drawing No: Floor Plans and Sections 17006/002/PL Rev A

Drawing No: Elevations 17006/003/PL Rev A

Drawing No: Elevations 17006/004/PL Rev A

Received 5th October 2017

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

3. The materials to be used in the construction of the external surfaces of this development shall be as stated on the application form and as annotated on the approved plans, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of ensuring that the new development appears in keeping with the character of the existing building and wider area, in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

4. REPLACEMENT CONDITION 4: The units hereby permitted shall not be occupied until all vehicle parking spaces have been provided in accordance with the approved plan (Drawing No: Proposed Site Plan 15006 SP-01 Rev B Received 17th June 2020). The spaces 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

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could be a danger to other road users to accord with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

5. The bicycle parking facilities shall be retained as per drawing 'Proposed Cycle Store Details GA-03 Rev A' received 5th December 2019 as approved by application reference 191938/APPCON on 14th February 2020.

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

6. No unit shall be occupied until the bin storage facility shown on the approved plans has been provided and the bin storage facility shall be retained thereafter 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 Borough Local Plan 2019.

7. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential units hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential units for letting or sale shall make it clear to prospective tenants and occupiers that no parking permit will be issued by the Council to occupiers of the residential units/houses/flats/apartments.

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 Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

8. The development shall be carried out in accordance with the BREEAM details already approved under application reference 200977/APPCON on 3rd August 2020.

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

INFORMATIVES

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1. The conditions have been worded with reference to the original permission (ref 171221/FUL) and the following subsequent applications determined at the site:

200977 Application for discharge of conditions 7 (Postal Address) & 9 (BREEAM) following grant of planning permission 171221

191938 Application for discharge of condition 5 (bicycle storage) of planning permission 171221

2. These works will require separate approval under the Building Regulations. Please contact the Council's Building Control service for further advice on (0118) 937 2449.

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

4. 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.

5. 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. Occupiers of the residential units will not be entitled to an on- street car parking Permit. The parking permit conditions above place a requirement that the Council be notified of postal addresses of the residential units before occupation and that the occupiers/transferees to be informed of the prohibition on entitlement to a car parking permit. 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.

7. Noisy construction, demolition and associated activities should be restricted to between the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, with no noisy works taking place at any time on Sundays and Bank or Statutory Holidays.

8. There should be no burning of waste on the site.

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9. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to:
<http://beta.reading.gov.uk/environmentalprotection>

10. Officers have worked positively and proactively to provide a recommendation for approval to be made within the statutory time period.

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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.