

**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: The Keen Partnership
The Courtyard
Edinburgh Road
Reading
RG30 2UA

Application No: 191383
Application type: Variation of Condition

Applicant: Speranza Investments Inc

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

Proposal: Part-one, part-two storey side and rear extensions and associated alterations without complying with Condition 2 (approved plans) of Planning Permission 171850 regarding building footprint, roof form and external appearance (Retrospective)

At: 8 St Johns Road Caversham Reading RG4 5AN

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 January 2020



Head of Planning, Development
& Regulatory Services

Application At: 8 St Johns Road Caversham Reading RG4 5AN

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REASONS

1. Permission to change the plans as originally approved is refused because the creation of the hard standing to park vehicles has required the removal of the front boundary wall and planting. Whilst other less prominent examples of hard standing exist in the street, and such work may be achieved without the need for planning permission, the majority of properties have maintained their front boundary wall and some planting. In contrast the complete introduction of hardstanding without any boundary or landscaping has eroded the pleasant domestic appearance of the house and character of the street. Therefore, the development is contrary to Policy CC7 Design and Public Realm and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019.

2. The Local Planning Authority has found that the single storey structure shown on the submitted plans (although not referred to in the applicant's description for the changes which retrospective approval is sought on the basis of their argument that it complies with Permitted Development criteria) does not form ancillary accommodation to the main dwelling as it is capable of operating as a separate dwelling and has been let as a separate unit to the main dwelling. Accordingly, this structure has been assessed and considered to be harmful overdevelopment by reducing the available amenity space for the dwelling and intensification of use of the site contrary to Policy CC7 Design and Public Realm, CC8 Safeguarding Amenity and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019.

INFORMATIVES

1. The Local Planning Authority has worked positively and proactively with the applicant to see if relevant concerns could be resolved to allow permission to be granted. However, that has not been possible within the prescribed target or agreed extended timescale and therefore the decision to refuse planning permission has been taken.

Date: 22 January 2020



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2. The plans considered in the determination of the application are listed below:

Location Plan	8779-19 PL-01 Rev A
Block Plan	8779-19 PL-02
Ground Floor	8779-19 PL-03
First Floor	8779-19 PL-04
Elevation Left and Right	8779-19 PL-08
Outbuilding (Roof/ground floor/section	8779-19 PL-05
Outbuilding (Elevations)	8779-19 PL-06
Elevation Front and rear	8779-19 PL-07
Proposed Site Plan	8779-19 PL-09 Rev B

3. As this application has been refused the works sought are unauthorised and can be subject to enforcement action.

Date: 22 January 2020



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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.