

**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: Mary Hackett & Associates Ltd
Creek Studio
39 Creek Road
Hampton Court
East Molesey
KT8 9BE

Application No: 191239
Application type: Variation of Condition

Applicant: Mr Ajith Hettiaratchy

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

Proposal: Application for removal or variation of condition 2 following grant of planning permission. (Application no 161760)

At: 24 Wantage Road Reading RG30 2SE

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: 29 October 2019



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Application At: 24 Wantage Road Reading RG30 2SE

Application No: 191239

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CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years from the date of the original planning permission ref no: 161760/FUL as approved on 26 September 2018.

Reason: To prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Drawing No: 03 - Proposed street elevation

Drawing No: 04 Rev D - Proposed plot plan

As Received 3 October 2019

Drawing No: 01P Rev C - Proposed plans - ground and first floor

As Received 23 October 2019

Drawing No: 02P Rev C - Proposed plans - roof and loft

Drawing No: 03P Rev C - Proposed Elevations

As Received 28 October 2019

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

3. **No development shall take place until** details of the materials to be used in the construction of the external surfaces of the development have been submitted to and been approved in writing by the local planning authority. The development shall be carried out using only the approved materials.

Reason: As no details have been submitted and in the interests of the visual appearance of the building and the area in accordance with Policy CS7

Date: 29 October 2019



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4. **Development of the site shall not commence** until the access(es) have been constructed in accordance with details to be submitted to and approved by the Local Planning Authority, and in compliance with the requirements of the Local Planning Authority for work carried out within the public highway.

Reason: In the interests of road safety in accordance with Policy CS20 and Policy DM12.

5. The existing access(es) to the site shall be stopped up and abandoned immediately after the new access has been brought into use. The footway(s) and verge shall be reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway in accordance with Policy CS20 and Policy DM12.

6. **No development shall take place**, including any works of demolition, until a Construction Method Statement has been submitted and approved in writing by the local planning authority to provide for:

- (A) The parking of vehicles and site operatives and visitors - to be shown on a Plan not less than 1.500.
- (B) Loading and unloading of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1.500
- (C) Storage of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1.500
- (D) The erection and maintenance of security hoarding /scaffolding if required.
- (E) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during construction.
- (G) Footpath Closures /Road Closures needed during construction
- (H) Traffic Management needed during construction.
- (I) Times, routes and 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).

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: 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 DM12.

Date: 29 October 2019



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7. The dwellings hereby permitted shall not be occupied until all vehicle parking spaces have been provided in accordance with the approved plan. 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 could be a danger to other road users to accord with Policy CS24 & CS24 and Policy DM12.

8. Secure, covered and lockable bicycle storage spaces shall be provided in accordance with a layout to be submitted to and approved by the Local Planning Authority before occupation of the dwellings to which they relate.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies CS23 and CS24.

9. No construction, demolition or associated deliveries shall take place outside the hours of 0800hrs to 1800hrs Mondays to Fridays, and 0900hrs 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: to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission in accordance with Policy DM4

10. No residential unit hereby approved shall be occupied until the Council has been notified in writing of the full postal address of the unit. The notification shall be sent to the Council's Planning Manager quoting the application reference specified on this Notice.

Reason: In order that the Council can update its records to ensure that parking permits are not automatically issued to the occupiers of the new residential units hereby approved, and thus 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 CS24 and Policy DM12.

11. 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

Date: 29 October 2019



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& Regulatory Services

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 in accordance with Policy CS24 and Policy DM12.

12. No development shall take place until a scheme has been submitted to and been approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise and dust coming from the site during demolition and construction. The development shall not commence until the approved scheme has been fully implemented and the scheme shall be followed until the development is complete.

Reason: To protect the occupants of nearby residential properties from noise and dust during the development of the site in accordance with Policy CS34 and Policy DM4

13. The upper floor side elevation windows to the approved dwellings shall be obscure glazed and kept fixed shut to parts below 1.7m when measured from the floor level of the respective rooms.

Reasons: To prevent overlooking the adjoining neighbours Policy DM4

14. 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), Class D (erection or construction of a porch outside any external door) 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 dwellings hereby approved 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

Date: 29 October 2019



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overbearing and harm the appearance of the houses and the area in general and should therefore be controlled in accordance with Policies CS7 and DM4 and DM9.

15. 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 Policies CS34 and CS2.

INFORMATIVES

1. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted 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.

2. 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.

3. 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. 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

4. 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

Date: 29 October 2019



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Head of Planning, Development
& Regulatory Services

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.

5. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target or agreed extended timescale for the decision to be issued.

6. 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.

7. Access construction

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.

8. 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.

9. 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.

10. 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.

11. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer

Date: 29 October 2019



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Head of Planning, Development
& Regulatory Services

should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:
www.communities.gov.uk/publications/planningandbuilding/partywall

Date: 29 October 2019



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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.