

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

APPLICATION FOR FULL PLANNING PERMISSION

To: Hester Architects Ltd
2 Drayton House Court
Dorchester Road
Drayton St Leonard
OX10 7BG

Application No: 180788
Application type: Full Planning Approval

Applicant: Mr Mohammed Arif

READING BOROUGH COUNCIL as Local Planning Authority **GRANT FULL** planning permission for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Demolition of the existing dwelling and the construction of a new detached dwelling to be used as a large sui generis HMO for a maximum of 14 persons.

At: 42 Shinfield Road Reading RG2 7BW

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: 13 March 2019



Head of Planning, Development
& Regulatory Services

Application At: 42 Shinfield Road Reading RG2 7BW

Application No: 180788

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CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years from the date of this planning permission.

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 received 15th May 2018, unless otherwise indicated:

Proposed Elevations - Drawing no: 2-201, Rev B

Proposed Elevations - Drawing no: 2-202, Rev B

Proposed Street Elevation - Drawing no: 2-203, Rev A

Proposed Block Plan - Drawing no: 2-101, Rev A, received 16th July 2018

Proposed Floor Plans - Drawing no: 2-102, Rev E, received 24th Jan 2019

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

3. Pre-commencement

No development shall take place until details of the materials to be used in the construction of the external surfaces of the development including all external fixtures, fittings, and window frames and hard landscaping 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

4. Prior to occupation and in line with the submitted outline parking proposal from "Readings Letting" dated 26th June 2018 student parking, arrivals and departure will be managed in accordance with this plan approved in writing by the local planning authority, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of the safety and convenience of all highway users. In accordance with Policy CS24 and Policy DM12.

5. (a) No building or use hereby permitted shall be occupied or the use commenced until the vehicle parking areas have been completed as shown on the approved plan.

(b) Thereafter the parking area shall be kept free of obstruction and available for the approved use at all times.

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Reason: To ensure that the development is provided with adequate parking facilities to meet the needs of future occupiers and to reduce the likelihood of roadside parking which could be a danger to other road users in accordance with Policy CS24 and Policy DM12.

6. Prior to first occupation of the HMO hereby permitted, details of secure, covered and lockable bicycle storage spaces shall be submitted to the Local Planning Authority for approval in writing. The approved bicycle storage spaces shall be provided in accordance with the approved details prior to first occupation and shall not be used thereafter for any purpose other than the storage of bicycles. Reason: To ensure travel by sustainable alternatives to the motor car in accordance with Policies CS23 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

7. No dwelling/building 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 CS7.

8. The HMO use at ground and first floors hereby approved shall be restricted to 14 no. single occupancy bedrooms, with a maximum of fourteen tenants at any one time.
Reason: As an increase in the number of occupants could impact on the amenity of existing and future occupiers of the property and neighbouring properties in accordance with Policy DM4 and Policy DM8.

9. The HMO accommodation hereby approved shall not be occupied until a management plan covering the internal and external communal areas, including the proper use of bin stores and responsibility for refuse and recycling collection arrangements, has been submitted to and approved by the Local Planning Authority. Thereafter the approved management plan shall be adhered to while the property is in use as a HMO (see attached informative for further details).
Reason: In order that the prospective occupiers are made aware of their responsibilities for ensuring adequate standards of visual appearance and to safeguard the amenities of the area in accordance with Policy CS18 of the Reading Borough LDF Core Strategy 2008 (Altered 2015); Policy DM8 of the Reading Borough LDF Sites and Policies Document 2012 (Altered 2015) and the Residential Conversions Supplementary Planning Document (November 2013).

10. The rooms, as shown on approved Proposed Floor Plans - Drawing no: 2 -102, Rev E (received 24th Jan 2019) to be for communal use, shall be retained for communal use for so long as the property remains in use as a HMO.
Reason: To ensure that an adequate standard of amenity and living space is provided for the residents in accordance with Policy CS18 of the Reading Borough LDF Core

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Strategy 2008 (Altered 2015); Policy DM8 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015) and the Residential Conversions Supplementary Planning Document (November 2013).

11. No development (above ground slab) 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.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CS7

12. The hard and soft landscaping of the development hereby permitted shall be carried out, in accordance with the approved landscaping plans and documents. The hard landscaping shall be completed before occupation of the development. The soft landscaping shall take place no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason: in the interests of the character and appearance of the new development and in accordance with Policy CS7

13. Pre-commencement

No works hereby permitted shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to the council. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the council prior to commencement of works.

Reason: The house hosts two bat roosts which may be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely impacted upon by the proposed development, and that the Council demonstrates that the council has fulfilled its duties under the Conservation (Natural Habitats &c.) Regulations 2017 (as amended).

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14. Pre-commencement

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

- 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
- location on site for storage of plant and materials used in constructing the development
- the erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site
- any footpath closures or road closures needed during construction
- wheel washing facilities on site
- a scheme for recycling waste resulting from the construction works

The measures within the approved Construction Method Statement shall be maintained and adhered to throughout the course of the development unless changes are agreed in advance and 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.

15. Pre-commencement

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 completed.

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

16. 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.

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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. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted (pre-commencement) 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. The applicant has agreed these.
5. The Spruce tree (*Picea* spp.) to the rear of the property is protected in tree preservation order 27/004. This tree is well away from the proposed build site. Once the new building has been constructed to above ground level then it will naturally prevent vehicular access to the rear of the property. As such, the risk of the tree being harmed during the course of the building works is considered to be low and no tree protection measures are considered necessary at this time.
6. 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
7. 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

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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

8. The Council expects all properties in HMO use to be properly managed in accordance with requirements under the Housing Acts and associated regulations. The Council publishes comprehensive information in its Houses in Multiple Occupation Management Pack, <http://www.reading.gov.uk/media/1412/HMOs-Management-Pack/pdf/HMOs-Management-Pack.pdf>.

Landlords/ owners are advised to follow the advice in the pack to ensure compliance with the requirements of the Housing Acts. Landlords/ owners are advised that a property specific management plan should be drawn up. This plan should be given to all occupants/tenants, preferably as part of their tenancy agreement or contract. The operation of the property should be undertaken in accordance with the approved management plan.

A good management plan will include matters related to:

- Responsibilities and standards for the management of internal communal areas including kitchens, dining areas, living rooms and shared bathrooms;
- Responsibilities and standards for the management of common parts, fixtures, fittings and appliances. These must be maintained in good and clean decorative repair, maintained in a safe and working condition and kept reasonably clear from obstruction, e.g. banisters and handrails, stair coverings, windows, lighting, gardens and yards, walls and fences, etc.;
- Responsibilities and standards for the management of external areas in terms of landscaping, maintenance and tidiness, in particular areas visible from the public highway or street. This will include matters relating to the erection of Satellite dishes and television aerials;
- Responsibilities and standards for the use and tidiness of bins, binstores, and rubbish in the use of the property along with appropriate facilities to enable the recycling of waste that meets the Council's current practices;
- Responsibilities and standards for the parking of cycles.
- An undertaking to ensure all occupants/tenants will be provided with a copy of the management plan as part of their tenancy agreement or contract and the importance of complying with its measures emphasised;

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Where a condition is imposed requiring the submission and approval of a management plan (usually for larger “sui generis” HMO uses), the Local Planning Authority will expect all the above matters to be addressed.

Applicants should note that information on the collection of rubbish can be found on the Council’s website at:

<http://www.reading.gov.uk/rubbish> and information on the collection of bins can be found on the Council’s website at: <http://www.reading.gov.uk/binchanges>

9. Means of escape - Adequate fire precautions will be required in line with the requirements set out in the Guide to Fire Safety Standards applicable to mandatory licensable HMOs available at: www.reading.gov.uk/hmo

10. To minimise the disturbance by noise of future residential occupiers of the HMO 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.

11. 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.

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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.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at <https://acp.planninginspectorate.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.

Street Naming & Numbering

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

Otherwise the following may occur:

- You will not have an official address or postcode. When your property goes through the official process it may be given a different address and Postcode than you are currently using.
- You may have difficulty receiving mail
- You may have problems when buying goods or services such as utilities and telecommunications
- The emergency services may have difficulty locating you.
- You may have problems accessing Council services such as Education, Parking Services and Electoral Registration.

The Council is responsible for assigning house names and numbers and street names. It is also responsible for updating the National Land and Property Gazetteer (NLPG) which is a list of addresses which meet a common standard (BS7666) used throughout the country.

When a new address or change of address is requested, the Council contacts Royal Mail who check the address on behalf of the Emergency Services, assign a postcode and add it to their Postal Address File (PAF). The PAF list is used by many companies and services to check addresses, authenticate transactions and order goods, as well as deliver mail, so it is in your interest for your address to be on that list. Royal Mail will not create an address until requested to do so by the Council.

How to apply:

Email us using streetnamingnumbering@reading.gov.uk

Or telephone us on 0118 9373737

What we need to complete your request:

For new addresses or flat conversions:

- Site layout plan containing plot numbers
- Location plan - No bigger than A3 size (hard copy, PDF, JPEG or AutoCAD) showing the site boundary, including the new development, together with surrounding buildings for reference
- Anticipated completion and occupation dates

For change of address:

- You must be, or have authorisation from, the owner to request a change of address.
- Floor plan of the existing property
- Reason for change

Once created, the Council informs various bodies of your new address including the Emergency Services, Council Tax, Land Registry and utility companies as well as adding it to the National Land and Property Gazetteer.

Please be advised that companies and services using the PAF file only update the addresses monthly, quarterly or even less frequently, therefore it may take a while for your address to be listed in some places. It will, however, appear on the Royal Mail website within a few days once it has been added to the live address file.

Reading Borough Council has no control over the frequency by which other organisations update their address files.