



Reading
Borough Council
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**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: Walsingham Planning
Bourne House
Cores End Road
Bourne End
SL8 5AR

Application No: 182227
Application type: Variation of Condition

Applicant: Claremont Homes

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

Proposal: Erection of 4 dwellings with associated parking without complying with condition 2 of planning permission 180148.

At: 112 Southcote Lane Reading RG30 3AF

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: 15 February 2019

Head of Planning, Development
& Regulatory Services

AA

Application At: 112 Southcote Lane Reading RG30 3AF

Application No: 182227

Application type: Variation of Condition

CONDITIONS & REASONS

1. The development hereby permitted shall begin within three years of 19 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.

VARIED CONDITION

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

Unnumbered Location Plan

Drawing No: PL-01F Amended Proposed Site/Block Plan (received 22 Jan-19)

Drawing No: PL-200 Amended Proposed Plot 1 Floor Plans (received 10 Apr-18)

Drawing No: PL-201 Amended Proposed Plots 2 and 3 Floor Plans (received 10 Apr-18)

Drawing No: PL-202 Amended Proposed Plot 4 Floor Plans (received 10 Apr-18)

Drawing No: PL-400 Amended Proposed Plot 1 Elevation Plans (received 10 Apr-18)

Drawing No: PL-401 Amended Proposed Plot 4 Elevation Plans (received 10 Apr-18)

Drawing No: PL-402 Amended Proposed Plots 2 and 3 Elevation Plans (received 10 Apr-18)

Drawing No: PL-403 Amended Proposed Street Elevation Plan (received 10 Apr-18)

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 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. [Pre Commencement]

Prior to commencement of the development, full details of biodiversity enhancements (to include bird boxes and gaps under close fences to allow hedgehogs to move through the site) shall be submitted to and approved in writing by the local planning authority.



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The enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority. Reason: To incorporate biodiversity in and around developments in accordance with paragraphs 109 and 118 of the NPPF.

5. [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.

6. [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.

7. 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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8. 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.

9. No dwellings hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the approved drawing.

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

10. The existing access to No. 114 Southcote Lane shall be stopped up and abandoned immediately after the new driveway access serving 114 Southcote Lane has been brought into use. The footway shall be reinstated in place of the existing access to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway in accordance with policies DM12 and CS24.

11. No dwelling 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 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.

12. [Pre Commencement]

No development 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.

13. 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



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landscaping shall take place no later than during the first planting season following the date when the development hereby permitted is first 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.

14. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted. Reason: in the interests of the character and appearance of the new development and in accordance with Policy CS7.

15. [Pre Commencement]

No development shall take place until an Arboricultural Method Statement and Tree Protection Plan in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice for all existing trees that are not shown as being removed on the approved drawings, both within and adjacent to the site, has been submitted to and been approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: to ensure that appropriate protection is given to trees of amenity value within and adjacent to the site in accordance with Policy CS38.

INFORMATIVES

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

2. You are advised that no tree works are approved by virtue of this consent. Any works to trees subject to a Tree Preservation Order or to Conservation Area status will require submission of a tree works application or Section 211 Notice respectively.

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 nonnegotiable. It applies to developments which result in at least one dwelling; where



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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. A CIL Liability Notice with the calculated amount will be send to you 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 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.

5. 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. It should be noted that the S106 legal agreement dated 18th September 2018 and made between Yvonne Marie Anthony, Cube Developments UK Ltd and Reading Borough Council applies to the development authorised by this new VARIAT planning permission.

6. 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.

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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.