

**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: Formed Architects & Designers
Second Floor
80-82 Chiswick High Road
Chiswick
London
W4 1SY

Application No: 171966
Application type: Variation of Condition

Applicant: Aspire 38 Ltd

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

Proposal: Change of use from B1 offices to 6 self contained flats, C3 and associated works whilst varying condition 9 (BREEAM) of planning consent 170164

At: 38 Queens Road Reading RG1 4AU

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: 2 February 2018



Head of Planning, Development & Regulatory Services *RE*

Application At: 38 Queens Road Reading RG1 4AU

Application No: 171966

Application type: Variation of Condition

CONDITIONS & REASONS

1. Permission 170164 has already been implemented - no time limit condition is necessary, therefore Condition 1 is not re-applied.

2. This permission relates only to the following plans and documents:

Drawing No: Site Plans Proposed 16051 100 00

Drawing No: Section A-A Proposed 16051 400 00

Drawing No: Elevations Sheet 1 Proposed 16051 300 00

Drawing No: First and Second Floor Plans Proposed 16051 201 04 Received 2nd February 2017

Drawing No: Elevations Sheet 2 Proposed 16051 301 01

Received 3rd April 2017

Drawing No: Ground and Basement Floor Plans Proposed 16051 200 07 Received 5th May 2017

Drawing No: Section A-A

Drawing No: Elevations Existing

Drawing No: Elevations Existing

Drawing No: First Floor Existing

Drawing No: Ground Floor Existing

Drawing No: Second Floor Existing

Drawing No: Basement Existing

Received 6th February 2017

Planning, Design and Access Statement 16051

Received 2nd February 2017

BREEAM UK Domestic Refurbishments 2014 Pre-Assessment Estimator v0.1 BREEAM UK Domestic Refurbishments 2014 Pre-Assessment Estimator v0.1: Results Summary

Ventilation Strategy dated August 2017

Received 6th November 2018

Reason: To clarify which plans and documents have been approved.

3. The ground floor rear window on the north facing elevation serving Flat 2 shall be glazed only with obscure glazing and all windows fixed shut until a minimum of 1.7m above finished floor level.

Reason: in the interests of amenity, in accordance with DM4 (Safeguarding Amenity) of the Sites and Detailed Policies Document 2012 (altered 2015).



Date: 2 February 2018

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4. The covered bicycle storage spaces shown on the approved drawings shall be provided and equipped with secure Sheffield cycle stands before occupation of the dwellings to which they relate.

Reason: To encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's approved transport policies in accordance with Policies CS23 and CS24 of the Core Strategy 2008 (altered 2015).

5. The development shall be carried out in accordance with the details shown on the following drawings approved as part of approval of details application 170890 on 02/02/2018:

- Drawing No: Secondary Glazing Detail as Proposed 16051 500 00 - Received 5th June 2017

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of Policy CS33 of the Reading Core Strategy 2008 (altered 2015) and DM4 of the Sites and Detailed Policies Document 2012 (altered 2015).

6. The residential units hereby approved shall not be occupied until the Council has been notified in writing of the full postal address of the units. Such notification shall be addressed to the Council's Planning Manager (Implementation) quoting the planning application reference specified in this Decision Notice.

Reason: In order that the Council can update its records to ensure that parking permits are not 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 of the Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).

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.

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 Policy CS24 of the Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).



Date: 2 February 2018

Head of Planning, Development & Regulatory Services *RE*

8. The development shall be carried out in accordance with the details shown on the following drawings approved as part of approval of details application 170890 on 02/02/2018:

- Drawing No: Refuse Collection Arrangements as Proposed 16051 501 00 Received 5th June 2017

Reason: To ensure that sufficient provision is made for the storage and collection of refuse and recyclables, to safeguard the amenity of existing nearby and future occupiers from potential disturbance and/or smells and in the interests of the safety and convenience of all highway users, in accordance with Policies CS2 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Sites and Detailed Policies Document 2012 (Altered 2015).

9. Prior to the first occupation of any residential unit hereby approved, a final BREEAM Domestic Refurbishment certificate shall be submitted to and approved, in writing, by the Local Planning Authority, demonstrating that the dwellings achieve at least a 'Good' rating at a score of 53.

Reason: To ensure that the development is carried out in accordance with sustainable building standards, in accordance with Core Strategy Policy CS1 and the Sustainable Design and Construction SPD, adopted July 2011.

10. In connection with the implementation of this permission, no works shall take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. Works shall not take place outside these hours or at anytime on Sundays and Bank Holidays without the prior written approval of the local planning authority.

Reason: To protect the amenity of occupiers of existing nearby properties from noise and disturbance from works connected with implementing this permission, in accordance with Policy CS34 of the Core Strategy 2008 (altered 2015) and Policy DM4 of the Sites and Detailed Policies Document 2012 (altered 2015).

INFORMATIVES

1. The conditions above have been worded with reference to the original permission (Ref 170164/FUL) and the following subsequent applications determined at the site:

170890 Discharge of conditions 5 (Glazing) & 8 (Refuse) of planning permission 170164. Permitted 02/02/2018

170891 Discharge of conditions 2 (method statement), 3 (glazing details) & 4 (stair details) of listed building consent 170165. Permitted 11/07/2017



Date: 2 February 2018

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2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but 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 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.
4. 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.
5. For further information about construction and demolition nuisance law the applicant is referred to:
<http://www.reading.gov.uk/article/2563/Construction--Demolition>
6. 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.
7. The occupiers of the residential units 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 Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12. The site is located close to local facilities, with frequent public transport services on nearby roads. 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.
8. Officers have worked positively and proactively to provide a recommendation for approval to be made within the agreed time period.
9. For the avoidance of doubt, no other works are approved except those as authorised by this Consent. Any other works required to the Listed Building may require a separate application for Listed Building Consent and/or an application for Permitted Works to a Listed Building.



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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 www.planningportal.gov.uk/pcs.

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.