

**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: Day Tanner Ltd
3 Thames Court
2, Richfield Avenue
Reading
RG1 8EQ

Application No: 182228
Application type: Variation of Condition

Applicant: Mr & Mrs P. Evans

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

Proposal: Variation of condition 2 (approved plans) of planning permission 172096 (single storey front extension, single storey rear extension, proposed outbuilding in rear garden) to remove the link between the garage and main house.

At: 9 Surley Row Emmer Green Reading RG4 8ND

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: 1 April 2019



Head of Planning, Development & Regulatory Services *RE*

Application At: 9 Surley Row Emmer Green Reading RG4 8ND

Application No: 182228

Application type: Variation of Condition

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the original permission (Reference 172096) was granted (on 28/02/2018).

Reason: To prevent an accumulation of unimplemented planning permissions, and in accordance with section 91 of the Town & Country Planning Act 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:

3466/200 Rev J Proposed Floor Plan

3466/201 Rev K Proposed Elevations

3466/203 Rev K Proposed Site Plan

3466/205 Rev D Block Plan

3466/206 Rev A Location Plan

3466/207 Rev B Proposed Elevations With Context

3466/208 Rev B Proposed Section A-A & B-B

Received on 18/12/2018

3466/202 Rev E Proposed Shed Floor Plans and Elevations

Received on 08/02/2018

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building unless where otherwise stated on the approved plans.

Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

Reason: in the interests of ensuring that the new development appears in keeping with the existing building in accordance with Policy CS7 of

the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM9 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

4. The front extension or rear outbuilding hereby approved shall only be used for purposes incidental to the residential use of the single family dwellinghouse at No. 9

Date: 1 April 2019



Head of Planning, Development & Regulatory Services *RE*

Surley Row and shall not be used as a separate independent Class C3 dwelling or Class B1 business unit.

Reason: To ensure that the future occupation of the front extension or rear outbuilding does not adversely affect the amenity of adjoining residential premises/immediate area by reason of noise, traffic congestion and excessive on-street parking and is not used for unauthorised purposes, in accordance with Policies CS10 and CS24 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies DM4 and DM12 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

5. No materials, soil, rubbish or vehicles shall be deposited or stored within the Root Protection Areas (as defined by BS5837:2012) of retained trees and no fires shall be lit, and no raising or lowering of ground levels shall take place within these areas. No drains, pits, ditches or trenches shall be dug in or run across these areas at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality, in accordance with Policies CS7 and CS38 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

INFORMATIVES

1. 1. 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.
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. 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.
4. During the course of construction, the developer should take

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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 should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:

<http://www.communities.gov.uk/publications/planningandbuilding/partywall>

5. The decision to grant planning permission follows the positive and proactive consideration of the issues raised by this planning application and issuing the decision within the agreed time period.

Date: 1 April 2019



Head of Planning, Development & Regulatory Services *RE*

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.