

**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: Stoneleigh Surveying & Construction Ltd Application No: 191015
4 Crowthers Hill Application type: Outline Planning Approval
Dartmouth
TQ6 9QX

Applicant: The Keen partnership

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

Proposal: Outline planning permission for access and scale for a single (two- bed) semi-detached residential dwelling, including alterations to the existing dwelling.

At: 3 Modbury Gardens Reading RG2 7PD

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 November 2019



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Head of Planning, Development
& Regulatory Services

Application At: 3 Modbury Gardens Reading RG2 7PD

Application No: 191015

Application type: Outline Planning Approval

CONDITIONS & REASONS

1. The development hereby permitted shall begin before either:-

- a) the expiration of three years from the date of this permission; or
- b) the expiration of two years from the date of approval of the last reserved matters to be approved under the terms of this permission, whichever is the later.

REASON: To prevent an accumulation of unimplemented planning permissions and in accordance with the provisions of Section 92 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The layout of the development;
- (b) The external appearance of the development;
- (c) The landscaping of the site;

The development shall thereafter be carried out fully in accordance with the approved reserved matter details.

REASON: To ensure a satisfactory form of development and in accordance with the provisions of Article 4 of the Town & Country Planning (General Development Procedure) Order 1995 (as amended by the Town & Country Planning (General Development Procedure) (Amendment) (England) Order 2006).

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

Drawing No: D060-19-102 Site, floor plans and elevations as proposed, as received 28 August 2019.

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

4. Pursuant to the approval of the 'Appearance' reserved matter, no development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development have been submitted to and approved in

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writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the building and the appearance of the street scene in accordance with Policy CC7 and Policy H11 of the Reading Borough Local Plan 2019.

6. The details submitted in accordance with condition 4 requiring the approval of the landscaping for the site as a reserved matter, shall include:

- (a) proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas, hard surfacing materials, refuse storage facilities, lighting columns and other ancillary structures;
- (b) routes and details of proposed and existing functional services above and below ground including foul and surface water drainage, soakaways and SUDs details, power, communications cables and water and gas supply pipelines, including access points, tree pit specifications;
- (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) boundary treatments: a plan indicating the positions, design, materials and type of boundary treatment to be erected

REASON: in the interest of ensuring that the development enhances the visual local environment in accordance with Policy EN14 and Policy CC7 of the Reading Borough Local Plan 2019.

7. 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. 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 interest of the character and appearance of the new development and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

8. The development hereby permitted shall not be occupied until written documentary evidence has been submitted to, and receipt acknowledged in writing by, the Local

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Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of an As Built Standard Assessment Procedure, produced by an accredited energy assessor.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 & H5 of the Reading Borough Local Plan 2019.

9. **(a) No development shall take place until** a plan has been submitted to and been approved in writing by the Local Planning Authority to show how an electric vehicle charging facility can be provided on site.

(b) No building or use hereby permitted shall be occupied or the use commenced until the electric vehicle charging facility for that building or use has been completed as shown on the approved plan.

(c) Thereafter the electric vehicle charging facility shall be kept free of obstruction and available for the approved use at all times.

REASON: To encourage travel by low-emissions vehicle in accordance with policies TR5 and EN15 of the Reading Borough Local Plan 2019.

10. **(a) No development shall take place until** a plan has been submitted to and been approved in writing by the Local Planning Authority to show how bicycle parking facilities can be provided on site.

(b) No building or use hereby permitted shall be occupied or the use commenced until the bicycle parking facility for that building or use has been completed as shown on the approved plan.

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

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.

11. 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.

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12. 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
- a scheme for the control of noise and dust from the development

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 TR3 of the Reading Borough Local Plan 2019.

13. The dwelling(s)/building(s) hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the approved plan. The space(s) 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 TR1, TR3, and TR5 of the Reading Borough Local Plan 2019.

14. No dwelling/building 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 TR1 and Policy TR3 of the Reading Borough Local Plan 2019.

15. 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) shall be carried out

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within the curtilage of the dwelling 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 overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policies CC7, CC8 and H8 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed extended timescale for the decision to be issued.
2. 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.
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. 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
5. 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.
6. 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.

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7. 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.

8. 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 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

9. 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 (Officer - 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

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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.

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.