

**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: 1 Right Plan
35 Notton Way
Reading
RG6 4AJ

Application No: 171562
Application type: Full Planning Approval

Applicant: Dr Shoba Benjamin-Philip

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: Change of use from a C3 dwellinghouse to a 7 person large Sui Generis HMO (Amended)

At: 81 Hamilton Road Reading RG1 5RB

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: 8 December 2017



Head of Planning, Development
& Regulatory Services

Application At: 81 Hamilton Road Reading RG1 5RB

Application No: 171562

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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:

Elevation Plan - Drawing no. 03, received 18th September 2017

Site Plan - Drawing no: 04 rev E, received 22nd November 2017

Proposed Floor Plans - Drawing no: 02 Rev A, received 22nd November 2017

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

3. (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.

4. No room shall be occupied until details of the bin storage facility and bin collection area, the location of which is shown on the approved plans, has been submitted to and approved by the Local Planning Authority, and the bin storage facility has been provided in accordance with approved plans. The 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.

5. No residential unit hereby approved shall be occupied until the Council has been notified in writing of the full postal address of the unit. The notification shall be sent

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to the Council's Planning Manager quoting the application reference specified on this 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 and Policy DM12.

6. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) hereby approved, the prospective occupier/transferee shall be informed that there is no automatic entitlement to a car parking permit for any existing residential parking permit schemes and future schemes on adjacent and surrounding streets. All material used for advertising or marketing the residential unit(s) for letting or sale shall make it clear to prospective tenants and occupiers that they will not be automatically entitled to a parking permit, but any application for a parking permit will be considered on its merits.

Reason: In order that the prospective occupiers are made aware of the fact that while they can submit an application they will not be automatically 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 and Policy DM12.

7. The change of use 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 CS24 & CS24 and Policy DM12.

8. The communal areas as shown on the approved plan to be provided before occupation of any room and thereafter shall be retained for communal use at all times.

Reason: to safeguard residential amenity of occupants in accordance with Policy DM4.

9. The HMO use at ground and first floors hereby approved shall be restricted to seven persons.

Reason: to safeguard residential amenity for future and existing residents in accordance with Policy DM4.

10. The two storey coach house building is to be retained for storage, as shown on the approved plan, ancillary to the use of the main dwelling as an HMO, and shall not be used for further residential accommodation.

Reason: to safeguard residential amenity in accordance with Policy DM4.



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11. The area laid as lawn, with the existing vegetation, to the front, side and rear of the dwelling, to be retained for garden use, and shall not be converted to parking areas and/or areas of hardstanding.

Reason: to safeguard residential amenity in accordance with Policy DM4.

12. The bedrooms shall not be occupied until an agreement setting out the measures and procedures for the management of all the communal parts of the HMO, both internally and externally, has been submitted to, and approved in writing by, the local planning authority. The agreement shall include but not be limited to the following:

a) Management of noise from tenants both within the property and externally within the garden.

b) Management of the disposal of refuse.

c) General maintenance of the property including all external areas and boundaries.

d) The carrying out of regular inspections by the landlord/agent.

e) Dealing with general repairs and maintenance.

f) Use of the parking areas, amenity space and bin and cycle storage g) Responsibilities of tenants i.e. refuse disposal, accommodation to be kept in an acceptable manner and take reasonable care so as not to damage the property and behave in a reasonable and social manner so as not to cause a nuisance to other tenants and neighbouring properties.

Thereafter tenants shall be made aware of the management agreement and its terms shall be complied with.

Reason: In the interests of the amenities of future occupiers and nearby residents and in accordance with Policy DM4

13. 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), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), Class D (erection or construction of a porch outside any external door), Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse), Class F (hardstanding), and Class G (chimneys, flues etc), shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: 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 CS7 and DM4 and DM9.

14. Notwithstanding the provisions of Part 2, Minor Operations, Class A 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 erection,



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construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: As unrestricted development could harm the amenities of the area and should therefore be controlled in accordance with Policies CS7 and DM9.

15. Details of the vehicle access widening shall be submitted to the Local Planning Authority for approval in writing and the change of use hereby permitted shall not be occupied until the vehicle access has been widened in accordance with the approved details.

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

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. As there is no record of a Building Regulations approval for the rear extensions it is advised that you contact Building Control on 0118 937 2449 for advice.

3. The occupiers of the residential unit(s) will not be automatically entitled to an on-street car parking permit. Current and new occupiers should be informed of this and be advised to find out more about parking permits on the Council's website. There is already a high level of on street car parking in the area and the site is located close to local facilities, with frequent public transport services on nearby roads.

4. Guidance on fire safety measures is available in the LACORS guidance document 'Housing - Fire Safety' available at: www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents.

5. Your attention is drawn to the requirements of the Housing Act 2004 (and regulations made under the legislation) with respect to occupancy levels of the property, fire precautions and facilities. More information about these requirements can be obtained from Reading Borough Council's Private Sector Housing team on 0118 937 3787 and there are details set out within the Council's Housing in Multiple Occupation Management Pack -

http://www.reading.gov.uk/media/1412/HMOs-Management-Pack/pdf/Management_Pack_v03_17.pdf



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6. 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.

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

8. It is recommended that the Streetcare Team be contacted to ensure the correct number of bins is in place for the number of units planned. The Council's Waste Management Guidelines are set out at the following link: http://www.reading.gov.uk/media/5931/Waste-management-guidelines-for-property-developers/pdf/Waste_Management_Guidelines_for_Reading_V1_2.pdf

9. 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.

10. 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 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.

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.