

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

**APPLICATION TO VARY CONDITION UNDER SECTION 73 OF THE TOWN AND
COUNTRY PLANNING ACT 1990**

To: Day Tanner Ltd
Suite 1a Market House
19-21 Market Place
Wokingham
RG40 1AP

Application No: 180526
Application type: Variation of Condition

Applicant: Mr Singh Mattu

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

Proposal: Variation of condition 3 (approved plans) of planning permission 171791 dated 07/12/17 (Demolition of existing dwelling and construction of replacement 4-bed dwelling) namely to incorporate an integral garage

At: Crombies Oak Lowfield Road Caversham Reading RG4 6NG

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: 30 May 2018



Head of Planning, Development
& Regulatory Services *J.P.M.*

Application At: Crombies Oak Lowfield Road Caversham Reading RG4 6NG

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REASONS

1. The proposal is considered to be outside the terms of Section 73 of the Town and Country Planning Act 1990 (as amended) as the proposed change is considered to go beyond the scope of a 'minor material amendment' in that the scale and nature of the proposal would result in a development which is substantially different to that which has been approved. Moreover, due to its scale and form, the proposal would create a cramped and contrived form of development, resulting in an overdevelopment of the site and which would appear poorly integrated within the Lowfield Road frontage. As such, the proposed development would be harmful to and out of keeping with the character of the surrounding area, contrary to Policy CS7 (Design and the Public Realm) of the Core Strategy 2008 (altered 2015) and the National Planning Policy Framework 2012.

INFORMATIVES

1. This decision was issued on the basis of the following plans:

Drawing No: Proposed Block and Location Plans 3412/ 200C

Drawing No: Proposed Dwelling 3412/201D

Drawing No: Proposed Site Plan 3412/202C

Drawing No: Proposed Street Scenes 3412/204A

Drawing No: Existing and Proposed Areas - CIL 3412/207A

Received 22nd March 2018

The Local Planning Authority has been positive and proactive in dealing with this application by undertaking dialogue and consultation on this application in order to see if the application was supportable, but ultimately, it is not. The applicant has not agreed to withdraw the application, hence the issuing of this decision notice.

Date: 30 May 2018



Head of Planning, Development
& Regulatory Services *J.B.M.*

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.co.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.