

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 and 192 (as amended by section 10 of the Planning and Compensation Act 1991)

THE TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015: ARTICLE 39

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

To: Mrs Suzanne Rowe
8 The Beeches
Tilehurst
Reading
RG31 6RQ

Application No: 180690
Application type: Certificate of Lawfulness -
Proposed Use or Development

Applicant: Mrs Suzanne Rowe

The Reading Borough Council hereby certify that on **30/04/2018** the use/operations/matter described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate, and edged black on the attached plan would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

First Schedule: Certificate of lawful development application for a new 1m high brick pillar, dropped kerb to provide a new access onto The Beeches and associated driveway with gully for drainage within the site.

Second Schedule: 8 The Beeches Tilehurst Reading RG31 6RQ

Date: 18 May 2018



Head of Planning, Development
& Regulatory Services

AA

CONDITIONS & REASONS

1. The amended proposal has been assessed against the provisions of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 under Part 1, Class F, which relates to hard surfaces incidental to the enjoyment of a dwellinghouse and Part 2 Class A which relates to gates, fences, walls etc, and Class B - means of access to a highway.

It can be confirmed that if the proposed development of a new 1m high brick pillar, dropped kerb to provide a new access onto The Beeches and associated driveway with gully for drainage within the site had commenced on the application date it would have been lawful for planning purposes on the basis of the drawings received on 30/4/18 and 2/5/18.

Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development as amended.

INFORMATIVES

1. 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.

2. 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



Date: 18 May 2018

AA

Head of Planning, Development
& Regulatory Services

3. You are advised to avoid the use of the grass verges for development related activity, e.g. storage of materials, due to the resulting potential harm to important street trees.



General area where works are permitted

Date: 18 May 2018



Head of Planning, Development
& Regulatory Services

AA

Notes

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operations/matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter which is/are materially different from that/those described or which relate/s to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
5. If you are aggrieved by the decision of the Council, you may appeal to the Secretary of State under Section 195 of the Town and Country planning Act 1990.

Further information can be viewed at:

<http://www.planningportal.gov.uk/permission/responsibilities/planningpermission/ldc>