



Reading
Borough Council

Working better with you

**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: TP Architects
33a St Lukes Road
Maidenhead
SL6 7DN

Application No: 170770
Application type: Variation of Condition

Applicant: Mrs S Pankhurst

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

Proposal: Erection of a five bedroom detached dwelling on land adjacent to No. 1 Felix Cottages and a single storey rear extension to No. 1 Felix Cottages without complying with conditions 2 and 17 of planning permission ref. 152039 to allow re-positioning of a two storey rear projection to the proposed dwelling, an additional rear dormer roof extension and to allow occupation of the new dwelling without construction of the single storey rear extension to no. 1 Felix Cottages

At: 1 Felix Cottages Kiln Road Emmer Green Reading RG4 9PE

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: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB



Application At: 1 Felix Cottages Kiln Road Emmer Green Reading RG4 9PE

Application No: 170770

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 permission was granted.
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 approved shall not be carried out other than in accordance with the following drawings only:

Drawing no. 1949/PL300 rev A

Received on 18th May 2017

Drawing no. 1949/PL201

Received on 13th November 2015

Reason. To clarify which drawings are approved.

3. The new dwelling hereby approved shall not be commenced, 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 writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.

Reason: In the interests of the visual appearance of the buildings, in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015).

4. The materials to be used in the construction of the external surfaces of the extension to no. 1 Felix Cottages, shall match those used on the existing building.

Reason: To ensure that the new development appears in keeping with the existing building, in the interests of the character of the area, in accordance Policy DM9 of the Sites and Detailed Policies Document 2012.

5. Construction of the new dwelling hereby permitted shall not commence until the access associated with No. 1 Felix Cottages has been constructed in accordance with the approved drawing and in compliance with the requirements of the Local Planning Authority for work carried out within the public highway.

Date: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB



Reason: In the interests of road safety in accordance with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

6. The new dwelling hereby permitted shall not be occupied until space for vehicle parking and turning has been provided in accordance with the approved drawing. This area shall thereafter be kept available for parking at all times.

Reason: To ensure that the development is provided with adequate parking facilities; to reduce the likelihood of roadside parking which could be a danger to other road users; and to ensure vehicles enter and leave the highway in forward gear in accordance with Core Strategy Policy CS24 and Sites and Detailed Policies document Policy DM12.

7. The new dwelling hereby permitted shall not be occupied until all the visibility splays shown on the approved drawings have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level. Reason: In the interests of road safety in accordance with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted and approved in writing by the local planning authority to provide for:

(A) The parking of vehicles and site operatives and visitors - to be shown on a Plan not less than 1.500.

(B) Loading and unloading of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1.500

(C) Storage of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1.500

(D) The erection and maintenance of security hoarding /scaffolding if required.

(E) Wheel washing facilities

(F) Measures on site to control the deposition of dirt / mud on surrounding roads during construction.

(G) Footpath Closures /Road Closures needed during construction

(H) Traffic Management needed during construction.

(I) Times, routes and means of access into and from the site for construction traffic and delivery vehicles (including the removal of waste from the site and methods of preventing deposition of materials on the public highway).

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.



Date: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB



Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety in accordance with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.

9. No development shall commence until protection measures for existing hedge to the front of the site as have been installed in accordance with the details shown on drawing no. 1949-PL203 - Hedge Protection received on 9th February 2016. Such protection measures shall be retained for the duration of the construction period.

Reason: to ensure that the works are carried out as approved in the interests of the visual amenity of the surrounding area and the appearance of the public realm. In accordance with Policy CS7 and Policy CS38 of the Reading Borough LDF Core Strategy 2008; and Policy DM18 of the Sites and Detailed Policies Document 2012.

10. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. Landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants and trees, to include large canopy, native and wildlife friendly species, and species likely to prove adaptable to climate change, noting species, planting sizes and proposed numbers / densities,
- Implementation timetables
- Biodiversity enhancements, including integral bird nesting and bat roosting opportunities on and around the new buildings
- Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (e.g. fences slightly raised above ground level)
- Permeable hard surfaces

Reason: To ensure the provision of amenity, and biodiversity enhancements, afforded by appropriate landscape design and to comply with Reading's Core Strategy and paragraphs 1, 99 and 109 of the NPPF

11. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with

Date: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB



others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision of amenity, and biodiversity enhancements, afforded by appropriate landscape design and to comply with Core Strategy Policy CS36, and paragraphs 1, 99 and 109 of the NPPF

12. No development shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise and dust emanating from the site during the demolition and construction phase. Thereafter, the use shall not commence until the approved scheme has been fully implemented.

Reason: To protect the occupants of nearby residential properties from noise and dust during the development of the site in accordance with Policy CS34 of the Reading LDF Core Strategy 2008.

13. The hours of noisy construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents in accordance with Policy CS34 of the Reading LDF Core Strategy 2008.

14. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policies CS34 (Pollution and Water Resources) and CS2 (Waste Minimisation) of the Reading Borough LDF Core Strategy 2008.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no extensions, roof enlargements, outbuildings, windows, doors or other openings, other than those shown on the approved plans, shall be constructed within the curtilage of the new dwelling hereby permitted.

Reason: Due to the proximity to neighbouring dwellings in the interests of the privacy and outlook of neighbouring dwelling. In accordance with Policies CS7 of the Reading Borough LDF Core Strategy 2008 and Policy DM4 of the Sites and Detailed Policies Document 2008.



Date: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB



Reading
Borough Council

Working better with you

16. All first floor side facing windows to the new dwelling hereby permitted shall be fitted with obscure glass and with no opening windows up to 1.7m in height above the internal floor level, before the dwellings are occupied. Any replacement or repair of the window shall only be with obscure glass.

Reason. To prevent actual and perceived overlooking, in the interests of the privacy of neighbours. In accordance with Policy DM4 of the Sites and Detailed Policies Document 2012.

INFORMATIVES

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. The local planning authority has worked positively and proactively with the applicant.

4. A section 106 Agreement relates to this site, linked to this permission, which includes a requirement for a financial contribution towards Affordable Housing.

5. The development hereby permitted is liable for the Community Infrastructure Levy

6. The Council's Highways section should be contacted at 19 Bennet Road, Reading, RG2 0QX, telephone: 0118 937 2138, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 week's notice to obtain details of underground services on the applicants' behalf.

7. 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.

Date: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB



Reading
Borough Council

Working better with you

8. For further information about construction and demolition nuisance law the applicant is referred

to: [http://www.reading.gov.uk/article/2563/Construction-- Demolition](http://www.reading.gov.uk/article/2563/Construction--Demolition)

9. Conditions 3, 5, 8, 9, 10 and 12 are pre-commencement conditions because the details required to be approved need to be designed or 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.

Date: 1st November 2017

Head of Planning, Development
& Regulatory Services

LEB

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.