Reading BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE ORDER 1995)

APPLICATION FOR FULL PLANNING PERMISSION

To: Anthony St. Clair
White Lodge
Upper Warren Avenue
Caversham
Reading

Application No: 01/00634/FUL

Applicant: Mr And Mrs M Jan-Janin

READING BOROUGH COUNCIL as local planning authority GRANT FULL planning permission for the following development.

Proposal: Two storey rear extension and new front porch

At: 170 Upper Woodcote Road Caversham Reading

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: 28th June 2001

David Gworthy

Head of Planning and Transport
PB

NOTES

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequancy or inadequacy of means of access for the fire brigade shall b construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

76-(1) This section applies when planning permission is granted for any development which will result in the provision –

(a) of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);

(b) of any of the following (being in each case, premises in which persons are employed to work)-

(i) office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;

(ii) premises which are deemed to be such premises for the purposes of that Act; or

(iii) factories as defined by section 175 of the Factories Act 1961;

(c) of a building intended for the purposes of a university college or college, or of a school or hall of a university;

(d) of a building intended for the purposes of an institution within the PCFC funding sector; or

of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

(2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted –

(a) in the case of such a building or premises as are mentioned in subsection (1)(a)

(i) to sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and

(ii) to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) in the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) in the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipework) needing disposal.

Under the requirements of the Environmental Protection Act 1990 (Part 2) and regulations made thereunder it is an offence if such material is not deposited in appropriate sites licensed by the Environment Agency acting in their capacity as Waste Disposal Authority and additional procedures may have to be followed. There may also be occasions when hazardous substances such as gas from former landfil sites could be a problem. Advice about all these issues can be obtained from:

Environment Agency
Isis House, Howberry Park
Wallingford
Oxon OX10 8BD Telephone: (01491) 832801 Fax: (01189) 533302

BUILDING REGULATIONS

This planning permission does not give approval under the Building Regulations. Before any works are commenced you should check with the Building Control Section of the Council whether any approval is required under the Building Regulations.

Reading
BOROUGH COUNCIL

Application At: 170 Upper Woodcote Road Caversham Reading

Application No: 01/00634/FUL

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of five 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(1) of the Town & Country Planning Act 1990.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of this development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no windows or other openings in either side elevation, other than those shown on the approved plans, shall be constructed. Reason: as unrestricted development or various minor operations to or around the dwelling could have a serious impact on adjoining properties and the area in general and should therefore be controlled.

4. The proposed south-east facing bedroom window, in the development hereby permitted, shall be glazed with obscure glass and thereafter maintained with obscure glass. Reason: in the interests of privacy.

Date: 28th June 2001

David Gworthy

Head of Planning and Transport

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CASE OFFICER RECOMMENDATION

Agent: Anthony St. Clair
White Lodge
Upper Warren Avenue
Caversham
Reading
RG4 7EB

Application No: 01/00634/FUL

Recommendation: Application Permitted

Applicant: Mr And Mrs M Jan-Janin

Proposal: Two storey rear extension and new front porch

At: 170 Upper Woodcote Road Caversham Reading

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2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of this development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no windows or other openings in either side elevation, other than those shown on the approved plans, shall be constructed. Reason: as unrestricted development or various minor operations to or around the dwelling could have a serious impact on adjoining properties and the area in general and should therefore be controlled.

4. The proposed south-east facing bedroom window, in the development hereby permitted, shall be glazed with obscure glass and thereafter maintained with obscure glass. Reason: in the interests of privacy.

Approved by Planning Manager/Team Leader : (YES) NO

Signed : PBrown.

Date : 28/6/21.

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DELEGATE REPORT - DOUBLE STOREY EXTENSION

Address: 170 Upper Woodcote Road
Application No: 01/00634/FUL
Proposal: Two storey rear extension and provision of new porch.

Relevant Policies: Policy HSG 8 (House Extensions) of the Reading Borough Local Plan and supplementary planning guidance 'Development Control Guidance Note 3 : House Extensions, March 1992'.

Objections Received (summarise): Nil.

Consultation Responses: N/A

Planning History: 97/00654/FUL Car port and garage re-built 03/10/97

1. Would the proposed works be in keeping with the architectural character and overall appearance of the building/structure (incl. matching roof and pitch)? If not, is there any justification for approval? YES

2. Would the proposed works be sited at least one metre from the side boundary of the property (Y, N, N/A)? If not, is there any justification for approval? YES

3. Would the proposed works extend more than four metres from the rear of the house (Y, N, N/A)? If so, is there any justification for approval? NO

4. Would the proposed works be closer than a line taken at 45 degrees from the middle of any window of a principal room in a neighbouring property (Y, N, N/A)? If so, is there any justification for approval? NO

5. Will the proposal result in the loss of amenity of neighbouring properties in terms of loss of daylight, overlooking or over-dominating visual bulk to the rear, left or right of the proposed extension (Y, N, N/A)? NO : Whilst 172 Upper Woodcote Road may experience a degree of overshadowing in the morning as a result of this proposal, there appeared to be no windows of primary rooms in the opposing elevation. Therefore, it is not considered that significant loss of amenity occurs and the proposal is deemed acceptable. A relevant condition is to be imposed restricting the first floor windows in the south-east elevation to use obscure glass. Furthermore, no more windows shall be allowed in either side elevation in order to preserve privacy.

6. Would the proposed works reduce the amount of usable amenity space for the property to an unacceptable degree (Y, N, N/A)? If yes, is there any justification for approval? NO

7. Would the proposed works result in the loss of trees in the garden or put significant trees at risk (Y, N, N/A)? If yes, is there any justification for approval? NO

8. Are the proposed works respectful of the character and layout of the surrounding area? YES

9. Other issues warranting assessment: N/A

Recommendation:
The authorised delegate of the Local Planning Authority is of the opinion that the proposal will not cause material detriment to existing amenity and is designed to be in keeping with the existing building and surrounding area. The proposal therefore warrants approval, subject to appropriate conditions.