

**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: Mr James Taylor
100 Berkshire Place
Winnersh Triangle
Wokingham
RG41 5RD

Application No: PL/26/0596
Application type: Removal/Variation of
Conditions

Applicant: Dr Ksenia Pentchoukova

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

Proposal: Part basement, part single storey, part 2 storey rear extension, removal of rear dormer and changes to fenestration (amended) with varied condition 3 of planning permission PL/24/1249 to move side windows to new locations (amended)

At: 85 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: 30 June 2026



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Application At: 85 HAMILTON ROAD, READING, RG1 5RB

Application No: PL/26/0596

Application type: Removal/Variation of Conditions

CONDITIONS & REASONS

IMPLEMENTED

1. The development hereby permitted shall begin no later than three years from the date of planning permission PL/24/1249 (30th January 2025).

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.

DISCHARGED UNDER REF: PL/25/1321

2. No development shall commence beyond foundation level until a schedule and sample of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policies C7, H9, EN1, EN3 and EN6 of the Reading Borough Local Plan 2019.

VARIED

3. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans as received 23rd September 2024, unless otherwise stated:

- Drawing no: A4/345/OS1, dated March 2023 – Site Location Plan
- Drawing no: A1/345/04 Rev F, dated November 2025 – Details of Proposed Floor Plans Basement & Ground Floor, received 30th June 2026
- Drawing no: A1/345/05 Rev D, dated March 2023 – Details of Proposed Floor Plans First & Second Floor
- Drawing no: A1/345/06 Rev M, dated November 2025 – Details of Proposed Elevations, received 30th June 2026
- Drawing no: A4/345/11 Rev A, dated March 2023 – Proposed Block Plan
- Preliminary Roost Assessment, dated 12/8/24 prepared by Arbtech – *Precautionary non licensed working method statement within the Recommendation section*

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

Date: 30 June 2026



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4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows/doors/dormers/openings, other than those shown on the approved plans shall at any time be placed in the side elevations (north-west and south-east facing) of the existing building and extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.
REASON: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed ground and first floor windows, facing no. 83 Hamilton Road, shall not be openable below a height of 1.7 metres when measured from the floor level of the room within which it is located. The proposed ground floor windows facing 87A Hamilton Road shall be fixed pane and obscure glazed. The windows shall be glazed with (Level 5) obscure glass before first occupation of the development hereby approved and shall be maintained as such at all times thereafter.
REASON: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.
6. The roof area of the ground floor extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.
REASON: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 and H9 of the Reading Borough Local Plan 2019.
7. All works are to be carried out outside of the bird-nesting season (March - August inclusive) or if this is not practicable, a suitably qualified ecologist will survey the building prior within 48 hours of the commencement of works and advise whether nesting birds are present. If active nests are recorded, works that may disturb any disturb active nest shall not proceed until the nest is no longer occupied.
REASON: To ensure that wildlife is not adversely affected by the proposed development in line with policy EN12 of the Reading Borough Local Plan (2019).
8. Prior to the occupation of the extension hereby approved the bat roosting enhancements, shown on approved drawing ref: A4/345/11 Rev A, comprising one integrated tile on the house and one bat box on a tree are to be installed, and a short letter report (including photos) of the bricks/boxes/tiles in situ stating that they have been installed correctly, and as per the approved plan, is to be submitted to and approved in writing by the Local Planning Authority.
REASON: To secure biodiversity enhancements in accordance with Paragraph 186 of the NPPF (2024) and Policy EN12 of the Reading Borough Local Plan 2019.

Date: 30 June 2026



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9. Works to implement the scheme hereby approved are to be carried out in full accordance with the precautionary non licensed working method statement given in the 'Recommendations' section of the submitted Preliminary Roost Assessment Bat Survey report (dated 12th August 2024, prepared by Arbtech).
REASON: To ensure that bats, a protected species (as per the NPPF), are not adversely affected by the proposals.
10. The dwelling(s)/building(s) hereby permitted shall not be occupied until all vehicle parking space(s) have been provided in accordance with the plans hereby approved. 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 in accordance with Policy TR3 and TR5 of the Reading Borough Local Plan 2019.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no driveway gates shall be installed to the front of the property without the grant of a separate planning permission from the Local Planning Authority.
REASON: To ensure that there would be no adverse effect on road safety and the flow of traffic which could result from vehicles waiting in the carriageway to enter the site while waiting for the gates to open in accordance with Policy TR3 of the Reading Borough Local Plan (2019).

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. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please go to our website for more advice <https://www.reading.gov.uk/planning-and-building-control/building-control/apply-for-building-control...>

In particular, please ensure that you seek appropriate advice with respect to relevant fire safety and associated matters and especially in terms of the approved side facing windows towards no. 87A, and that any works approved under Building Regulations remain consistent with the measures as restricted and approved under this permission, including separate discharge of conditions applications (related to materials).

Date: 30 June 2026



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You can also find advice and submit an application using the Planning Portal.

3. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.
4. 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
5. In order to protect the stability/safety of the highway it is recommended that the Council's Highways Department should be consulted with regards to the excavation work and proximity to the highway. There are penalties for de-stabilising the highway/footway under the Highways Act 1980 (as amended).
6. 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.

Date: 30 June 2026



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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 via the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at <https://acp.planninginspectorate.gov.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.

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