

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

Application for Householder Planning Permission

To: Mr Shashikanth Hallibyl
22 Netley Close
Caversham
Reading
RG4 6SR

Application No: PL/26/0769
Application type: Householder Planning
Permission

Applicant: Mr Sanjay Sharma

READING BOROUGH COUNCIL as Local Planning Authority **DECLINE TO DETERMINE** the application for full planning permission for the following development pursuant to s70C(1) and (2) of the Act 1990 (as amended).

Proposal: Retrospective application to the alterations to the roof and a single storey rear extension.

At: 41 St Johns Road, Reading, RG1 4EB

For the attached reasons.

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 10 July 2026



EH

**Acting Director, Planning, Transport &
Public Protection**

Application At: 41 ST JOHNS ROAD, READING, RG1 4EB

Application No: PL/26/0769

Application type: Householder Planning Permission

REASONS FOR REFUSAL

1. The existing 'roof alteration' and 'single-storey rear extension' are in situ and are subject of two s172 enforcement notices dated 15 May 2026 (referenced as 'a' and 'b' below), which require the owner to:

Enforcement notice a) 'single-storey rear extension'

- (i) Remove the single storey extension in its entirety;
- (ii) Make good the boundary walls following the removal of the extension, using matching materials for the wall prior to development;
- (iii) Removal all waste materials resulting from the work from the land.

And

Enforcement notice b) 'roof alterations'

- (i) Reinstate the two chimneys in the positions where they removed using bricks to match the existing property before development took place, to a height and specification to match the ones removed as shown in the attached Photographs A and B;
- (ii) Remove the roof 'infill' that created the flat roof and recreate the hipped roof design that was previously in situ as shown in Photograph C;
- (iii) Removal all waste materials resulting from the work from the land.

The Local Planning Authority declines to determine this application pursuant to s70C(1) and (2) of the Act 1990 (as amended) on the basis that the proposal would involve granting planning permission in respect of matters specified in the enforcement notices referred to above.

Date: 10 July 2026



EH

**Acting Director, Planning, Transport &
Public Protection**

INFORMATIVES

1. The following information was submitted:

Application Form

Drawing No: P1752-01 – Location & Block Plan, dated May 2026

Drawing No: P1750-02 – Plans and Elevations, dated May 2026

As received by the Local Planning Authority 10 June 2026

2. S 70C of the TCPA 1990 provides that *(1) A local planning authority in England may decline to determine an application for planning permission for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or any part of the matters specified in the enforcement notice as constituting a breach of planning control.*
- (2) For the purposes of the operation of this section in relation to any particular application for planning permission, a “pre-existing enforcement notice” is an enforcement notice issued before the application was received by the local planning authority.*

Date: 10 July 2026



EH

**Acting Director, Planning, Transport &
Public Protection**

NOTES

APPEALS TO THE SECRETARY OF STATE

It is noted by the Local Planning Authority that there is no right of appeal to the Secretary of State with regards to this decision. However, the decision may be challenged by an application for a judicial review made to the High Court.

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.

Date: 10 July 2026



EH

**Acting Director, Planning, Transport &
Public Protection**