

Dr Kathy Martin
15 Tayberry Grove
Mortimer
Reading
RG7 3WT

Applicant:
Dr Kathy Martin

PART I - DETAILS OF APPLICATION

Date of Application

2nd September 2024

Application No.

24/01855/HOUSE

THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:

Retrospective permission for a single storey timber framed garden room, situated within the boundary of the rear garden.

15 Tayberry Grove, Mortimer, Reading, RG7 3WT

PART II - DECISION

In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council GRANTS RETROSPECTIVE planning permission for the development referred to in Part I in accordance with the submitted application form and plans, subject to the following condition(s):-

1. The development hereby permitted shall begin no later than three years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - o Drawing no. DWG_BH_14/2024, Revision 3, Garden Room Plans, received 10/09/2024
 - o Site Plan, received 02/09/2024
 - o Location Plan, received 02/09/2024

Reason: For the avoidance of doubt and in the interest of proper planning.

3. The materials to be used in the development hereby permitted shall be as specified on the plans or the application forms. Where stated that materials shall match the existing, those materials shall match those on the existing development in colour, size and texture.

Reason: To ensure that the external materials respect the character and appearance of the area. This condition is applied in accordance with the National Planning Policy Framework, Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026), and Supplementary Planning Document Quality Design (June 2006).

4. The building hereby permitted shall not be occupied at any time other than for purposes ancillary and/or incidental to the residential use of the dwelling known as 15 Tayberry Grove, Mortimer.

Reason: The creation of a separate planning unit would conflict with the strategy for the location of new development, and be unacceptable in the interests of ensuring a sustainable pattern of development. This condition is applied in accordance with the National Planning Policy Framework, Policies ADPP1, ADPP4 and CS1 of the West Berkshire Core Strategy 2006-2026, and Policy C1 of the Housing Site Allocations DPD 2006-2026.

The decision to grant Retrospective planning permission has been taken having regard to the policies and proposals in the statutory development plan. This includes the West Berkshire Core Strategy 2006-2026, the Housing Site Allocations DPD 2006-2026, the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007), the West Berkshire Minerals and Waste Local Plan, Saved Policy NRM6 of the South East Plan, and Neighbourhood Development Plans for Stratfield Mortimer and Compton. Regard has also been given to the National Planning Policy Framework, Planning Practice Guidance, and relevant supplementary planning documents and guidance.

The reasoning above is only intended as a summary. If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.

INFORMATIVE:

- 1 The applicant's attention is drawn to the fact that above conditions must be complied with in full before any work commences on site, failure to do so may result in enforcement action being instigated.

- 2 Protected Species

Prior to the commencement of this proposal you are reminded that if there is any evidence of Protected Species on the site you must consider the implications of the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000 and comply with any necessary additional regulations and licences. For example, you must avoid taking, damaging or destroying the nest built or being used or egg of any wild bird as this would be an offence (with certain exceptions). You must also not intentionally or recklessly damage, destroy or block access to any habitat used by a protected species, such as bats, dormice, reptiles or any other species as listed in The Conservation of Habitats and Species Regulations 2010, Schedule 2 European Protected Species of Animals. Any licensing requirements are in addition to the requirements for planning permission and subject to a separate process. The following website gives further advice on this matter www.gov.uk/guidance/wildlife-licences

- 3 The above Permission may contain pre-conditions, which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. For example, "*Prior to commencement of development written details of the means of enclosure will be submitted to and approved in writing by the Local Planning Authority*". This means that a lawful commencement of the approved development cannot be made until the particular requirements of the pre-condition(s) have been met. A fee is required for an application to discharge conditions.

Decision Date :- 1st November 2024

Bob Dray
Development Manager

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority 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.
- As this is a decision on a householder planning application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- 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 or online via <https://www.gov.uk/appeal-householder-planning-decision>.
- 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.

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.