

UPDATE REPORT

BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 9th October 2019

ITEM NO. 12

Ward: Abbey

App No: 190087/FUL

Address: Land at Autumn Close, Emmer Green, Reading

Proposal: Construction of a 4-bedroom dwelling, garage, and associated works

Applicant: Deepsea Engineering

Date validated: 11 February 2019

Application 8 week target decision date: 5 April 2019

Extension of time: 30 October 2019

RECOMMENDATION: AS PER MAIN AGENDA REPORT

1. Further public consultation

- 1.1 An additional letter of objection has been received following the extended time period allowed due to the readvertising of the application via the second site notice.
- 1.2 The objection is concerned with location and size of the garage structure and its maintenance requirements, including how the structure would be constructed. Officers have considered these representations previously in the committee report. Section 7.21 of the main report advises that *'Comments have also questioned the ability for the maintenance of the garage and walls within close proximity to boundaries. Although a reasonably query, this is not considered a material planning consideration and maintenance and other boundary matters are covered under separate legislation.'* For clarity, the granting of planning permission does not authorise the applicant to gain access or carry out any works on, gain entry to over or under any neighbour's land or property without first obtaining their consent. It also does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.
- 1.2 As such, informative no.8 (encroachment) as per the original committee report, would accompany any approval and for completeness, this would read:

'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'

2. CONCLUSION

- 2.1 This update report provides clarification in relation to the matters raised in the late objection and officers continue to recommend the granting of planning permission, subject to the satisfactory completion of the s106 legal agreement and no further substantive objections having been received by 18 October 2019.

Case Officer: Anthony Scholes