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: The Keen Partnership
The Courtyard
Edinburgh Road
Reading
RG30 2UA

Application No: 02/00370/FUL

Applicant: Lukmore Sahana Ltd

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

Proposal: Redevelopment of existing RAOB club, annex and 2 no. houses, to provide 1 house, 23 apartments and new club.

At: 5-9 Blakes Cottages And 99-105 Kings Road 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: 8 November 2002

David Gworthy

Head of Planning and Transport DB.

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 receipt 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.

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(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 adequacy or inadequacy of means of access for the fire brigade shall be 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, 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

(e) 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.

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(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;

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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 Control of Pollution Act 1974 and regulations made thereunder it is an offence if such material is not deposited in appropriate sites licenced by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

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There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

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 Planning Department whether any approval is required under the Building Regulations.

Reading BOROUGH COUNCIL

Application At: 5-9 Blakes Cottages And 99-105 Kings Road Reading

Application No: 02/00370/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. This permission relates to the following plans:

Site plan	7266-02-207a
Location plan	7266-02-209
Proposed Ground floor plan	7266-02-201 C
Proposed First floor plan	7266-02-202 D
Proposed Second Floor plan	7266-02-203 B
Proposed Third Floor plan	7266-02-204 B
Proposed Fourth Floor plan	7266-02-205 C
Proposed Fifth Floor Plan	7266-02-206 B
Proposed Street Scenes	7266-02-216
Site survey plan	7266-02-217
Existing Elevations	7266-02-218
Existing block plan	7266-02-219
Proposed block plan	7266-02-208
Proposed Elevation -East	7266-02-211
Proposed Elevation - South	7266-02-210
Proposed Elevation - West	7266-02-213 B
Proposed Elevation - North	7266-02-212 B
Proposed Elevation - Courtyard south	7266-02-214 B
Proposed Elevation - Courtyard North	7266-02-015 B

Reason: as some plans were changed and to clarify which plans are approved.

3. 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.

Date: 8/11/2002

David Gworthy

Head of Planning and Transport DB

NOTES

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There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

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4. In connection with the implementation of this permission the demolition and construction works shall not take place outside the hours of 8am to 6pm Mondays to Fridays or 8am to 1pm on Saturdays. Works shall not take place at all on Sundays or Bank Holidays without the prior written approval of the local planning authority. Reason: to protect local residents from unreasonable disturbances from works connected with implementing this permission.

5. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a desk based assessment which has been submitted by the applicant and approved in writing by the local planning authority. Reason: to ensure that such archaeological material and evidence of significance should be examined during this development and in the interests of protecting the archaeological heritage of the district in accordance with PPG16 (Archaeology and Planning).

6. Before the development is commenced details showing how the ground floor layout(s), including internal and external circulation spaces, entrances, toilet accommodation and other relevant facilities can be made fully accessible to all disabled persons shall be submitted to and approved in writing by the local planning authority. Before any of the development is occupied or used it shall be completed in accordance with the approved details. Reason: in the interests of the amenities of future occupants and visitors and in accordance with the Council's policies and practice in respect of access for disabled persons.

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for both hard and soft landscaping. The submitted details shall include any pedestrian and vehicle circulation areas, surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc). For schemes involving soft landscaping the submitted details should include schedules of plants giving the species, plant sizes, proposed numbers/densities and an implementation and maintenance programme. Other details shall include the provision where appropriate of fencing, walling and other means of enclosure and screening, the formation of banks, terraces or other earthworks. Following approval by the local planning authority the hard and soft landscaping works shall be carried out in accordance with the approved details before any of the development is occupied and all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment.

8. Development shall not begin until a scheme for noise attenuation measures have been submitted to and approved in writing by the local planning authority. Any works which form part of the approved scheme shall be completed before any permitted premises are occupied unless an alternative period for completion is agreed in writing by the Authority. Reason: to secure an acceptable scheme for noise attenuation to protect future occuapnts from unreasonable noise disturbance.

Date: 8/11/2002

David Gworthy

Head of Planning and Transport DG

NOTES

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9. Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from the cooking operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the local planning authority in writing prior to commencement of the development or conversion works. The approved equipment shall be installed and in full working order prior to the commencement of use. Details to include outlet height which in general should be at least 1m above ridge height of the nearest building. Reason: to ensure that the use has adequate ventilation equipment to ensure that neighbouring properties are not unreasonably polluted by odours from the use.

10. No development shall take place until details of on site bin and cycle storage have been submitted to and approved in writing by the local planning authority. The approved bin and cycle storage details shall thereafter be implemented in line with the approved details before the units are brought into use. Reason: in the interest of ensuring adequate refuse storage is accommodated on site and in the interests of promoting the use of sustainable means of transport.

11. Any windows to a bathroom, shower room or WC in the development hereby permitted shall be glazed with obscure glass and thereafter maintained with obscure glass. Reason: in the interests of privacy.

12. Prior to occupation of the units, details of measures for the control and management of the car parking area shall be submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details and maintained thereafter. Reason: in the interests of ensuring adequate measures are in place at the site for the control and management of the car park.

13. Prior to occupation of any of the dwellings hereby permitted, the proposed parking provision shall be implemented in accordance with the approved plans. Reason: In the interests of highway and pedestrian safety.

14. Before any development is commenced space shall be provided within the site to accommodate the storage of plant and materials used in constructing the development; this facility shall be maintained throughout the course of construction of the development free from any impediment to its designated use. Reason: as without this facility development is likely to lead to storage of plant and materials on the public highway causing a hazard and inconvenience to other road and pavement users.

15. No trade refuse shall be burnt or otherwise disposed of on the site. Reason: in the interests of protecting the appearance of the area and local residents from unreasonable noise and smells.

Date: 8/11/2002

David Gworthy

Head of Planning and Transport DB

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

(e) 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 Control of Pollution Act 1974 and regulations made thereunder it is an offence if such material is not deposited in appropriate sites licenced by the County Council acting in their capacity as Waste Disposal Authorities and additional procedures may have to be followed.

Details of the sites in Berkshire and advice on suitability of wastes involved and procedures necessary can be obtained from:

Waste Management Branch, County Surveyor's Department,
Berkshire County Council, Shire Hall, Shinfield Park, Reading RG2 9XG Tel: Reading 875444

There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. The County Surveyor's Waste Management Group have agreed to list and map all such sites and copies will be available from the above address.

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16. Prior to the commencement of the development hereby approved, details of a lighting and boundary treatment scheme shall besubmitted to and approved in writing by the Local Planning Authority. The provision of such lighting and boundary treatments shall thereafter be implemented in accordance with the approved details. Reason: in the interests of ensuring adequate lighting and boundary treatment are provided for the development and also in the interests of the security and amenity of existing residents.

17. Before any development is commenced, details shall be submitted to approved in writing by the local planning authority making provision for a construction method statement for the development. The Construction Method Statement shall show details of:

(a) Parking of vehicles of site personnel, operatives and visitors
(b) Loading and unloading of plant and materials
(c) Storage of plant and materials used in constructing the development
(d) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary
(e) Times routes and means of access into the site for construction traffic and delivery vehicles (including the removal of waste from the site and methods of preventing deposition of materials on the public highway
(f) Hours of construction
(g) A scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing
(h) A scheme for recycling waste resulting from the construction programme
(j)Measures to be used for the suppression of dust throughout the course of construction.
(k) The methods of supervision to ensure that workers have knowledge of the method statement and to ensure compliance with the method statement.

The Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority. Reason: In the interest of safety, protecting the amenity of local land uses, the character of the area and highway safety.

INFORMATIVES

1 INFORMATIVE - S106 AGREEMENT
A section 106 Agreement relates to this site.

2 The developer should be made aware that planning consent has been granted in the particular circumstances of this case for development without parking provision sufficient to conform to currently adopted parking standards. The development is considered to be a "Special Case", due to its town centre location and close proximity to existing public

Date: 8/11/2002

David Gworthy

Head of Planning and Transport DB

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 receipt 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 adequacy or inadequacy of means of access for the fire brigade shall be 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
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transport services. However, because of limited availability and high demand for parking spaces in the vicinity, there must be no assumption that future occupants of these new homes would be guaranteed an on-street parking space or a residents permit. The developer should advise future occupants accordingly.

Date: 8/11/2002

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