

DATED 2nd December 2020

STEVEN ALAN JOHN DAVID HUDSON AND TRACY SAMANTHA HUDSON
(the Owners) (1)

and

READING BOROUGH COUNCIL
(the Council) (2)

AGREEMENT

constituting Planning Obligations relating to
land at 71 Oak Tree Road, Reading, RG31 6LA

(Appl. No.190670)

Michael Graham LLB (Hons); MBA
Assistant Director of Legal and
Democratic Services
Reading Borough Council
Civic Offices Bridge Street
Reading RG1 2LU
DX 40124 Reading (Castle St)
IKEN NO. 13973

THIS AGREEMENT is made the 2nd day of December, 2020

BETWEEN:

STEVEN ALAN JOHN DAVID HUDSON AND TRACY SAMANTHA HUDSON both of 71 Oak Tree Road Tilehurst Reading RG31 6LA (hereinafter referred to as "the Owners") (1) and

READING BOROUGH COUNCIL of Civic Offices Bridge Street Reading RG1 2LU ("the Council") (2)

RECITALS

A. Planning Obligation

This Agreement constitutes a planning obligation within the meaning of the term in Section 106 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 ("the 1990 Act")

B. The Land

The Council is the Local Planning Authority for the purposes of the 1990 Act for the Borough of Reading in which the land at 71 Oak Tree Road Tilehurst Reading RG31 6LA ("the Land") more particularly described in the Schedule hereto is situated and the Council is the authority who can enforce the provisions of this Agreement

C. Land Ownership

The Owners are the owner of the freehold of the Land and have an interest in the Land within the meaning of the term in Section 106(9)(b) of the 1990 Act

D. Planning Application

An application (given reference 190670 by the Council) has been submitted to the Council for the development of the Land hereinafter described

E. Planning Permission

The Council and the Owners having regard to the Development Plan and to all other material considerations including the Court of Appeal decision in the case of Secretary for Communities and Local Government and West Berkshire Council and Reading Borough Council (CO/76/2015) consider that Planning Permission should be granted for the Development pursuant to the Application subject to the prior completion of this Agreement

NOW IN PURSUANCE OF THE POWERS CONTAINED in Section 106 of the 1990 Act IT IS HEREBY AGREED AND DECLARED between the parties hereto as follows:-

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

The following expressions shall have the under mentioned meanings:-

“1990 Act”

means the Town and Country Planning Act 1990 as amended

“Affordable Housing”

means social rented housing affordable rented housing and intermediate housing as defined in Annex 2 of the National Planning Policy Framework published on 27th March 2012 or any subsequent definition in any revision amendment or re-enactment thereof published by the U K Government

“the Affordable Housing Contribution”

means the sum of SEVENTY ONE THOUSAND SIX HUNDRED AND SEVENTY POUNDS (£71,670.00) towards the provision by the Council of Affordable Housing in the Borough which is not being provided by the Owners on the Land

“this Agreement”

means this planning obligation by agreement pursuant to Section 106 of the 1990 Act

“the Application”

means the application for planning permission submitted to the Council and given reference number 190670

“develop” and “development”

shall be construed in accordance with Section 55 of the 1990 Act

“the Development”

means the erection of two new dwellings to the rear of the existing, with new access, landscaping and parking to be permitted by the Planning Permission

“the Effective Date”

means the date of this Agreement

“Implementation”

means the carrying out of a “material operation” as defined in Section 56(4) of the 1990 Act and “Implement” and “Implemented” shall be construed accordingly

“Index”

means the All Items Index of Retail Prices issued by the Office for National Statistics

“the Land”

means the land described in the Schedule hereto

“New Dwelling”

means any one of the new dwellings formed or to be formed in the carrying out of Development pursuant to the Planning Permission

“Occupation”

means (for the purposes of the covenant in Clause 4) the first beneficial occupation of a New Dwelling for residential purposes following Implementation of the Planning Permission and “Occupied” shall be construed accordingly

“the Planning Permission”

means planning permission granted by the Council pursuant to the Application substantially in the form of the draft set out in the Annexure hereto

1.2 Interpretation

IT IS HEREBY FURTHER AGREED that unless the context otherwise requires:

1.2.1 the singular shall include the plural and vice versa

1.2.2 references to any party shall include the successors in title of that party

- 1.2.3 where a party includes more than one person the obligations of those persons shall be joint and several
- 1.2.4 references to Clauses Schedules and the Annexure are references to clauses schedules and the Annexure respectively in this Agreement
- 1.2.5 references to a statute or statutory instrument shall mean and include any statutory revision amendment or re-enactment thereof
- 1.2.6 words denoting an obligation on a party to do any act or matter or thing include an obligation to procure that it be done and words placing a party under a restriction include an obligation not to permit infringement of the restriction

AND THAT Clause headings do not form part of this Agreement and shall not be taken into account in its construction or interpretation

2. CONDITIONALITY

- 2.1 Subject to Clause 2.2 below this Agreement shall have immediate effect
- 2.2 The covenants by the Owners in Clause 4 are conditional upon the grant by the Council of the Planning Permission on the Effective Date and Implementation of the Development

3. COVENANTS BY THE OWNERS: DECLARATION

The covenants by the Owners hereinafter set out are entered into with the intent that those covenants shall (subject to Clause 5) be enforceable without any limits of time against the Owners and any person deriving title from the Owners to all or any part of the Land and any person deriving title under them in respect of a lesser interest in the whole or any part of the Land as if that person had also been an original covenanting party in respect of the interest for the time being held by him

4. THE OWNERS COVENANTS

The Owners jointly and severally COVENANT AND AGREE with the Council to pay the 50% (£35,835) of the Affordable Housing Contribution as increased by the indexation provision in Clause 10 to the Council on Implementation and pay the remaining 50% (£35,835) of the Affordable Housing Contribution as increased by the indexation, no later than the date of first Occupation of a New Dwelling to be Occupied and not to Occupy any New Dwelling until such payment has been made to the Council in full including any interest due thereon under the terms of this Agreement

5. CESSER OF LIABILITIES

The liabilities of the persons who for the time being are the Owners under this Agreement in relation to the Land shall cease (subject to and without prejudice to the Council's rights in relation to any antecedent breach of the obligations contained in this Agreement) after the person has parted with all his interest in the Land

6. NO WAIVER

No waiver (whether express or implied) by the Council of any breach of or default by the Owners in performing or observing any of the terms of or covenants obligations or restrictions in this Agreement shall constitute a continuing waiver and no such waiver shall prevent the Council from enforcing any of the said terms covenants obligations or restrictions or from acting upon any subsequent breach or default in respect thereof by the Owners

7. RIGHTS OF THIRD PARTIES

It is not intended that any of the provisions of this Agreement be enforceable under the Contracts (Rights of Third Parties) Act 1999 by anyone other than the parties to this Agreement

8. LOCAL LAND CHARGE

This Agreement is and shall be registered as a Local Land Charge by the Council

9. REVOCATION

In the event that the Planning Permission expires or is quashed before implementation or is (without the consent of the Owners) revoked by any statutory enactment then in that event the provisions of this Agreement shall lapse and determine and in that event the Council will thereafter effect the cancellation of all entries made in the Register of Local Land Charges in respect of this Agreement

10. INDEXATION

The amount of any contribution payable under the provisions of Clause 4 of this Agreement shall be increased by an amount equivalent to the increase in the Index from the Effective Date until the date on which the respective contribution is payable

11. INTEREST ON UNPAID MONIES

If any payment due under this Agreement is paid late interest at the rate of 4% per annum above the base rate of the Bank of England for the time being in force will be payable from the date payment is due to the date of payment

12. LEGAL FEES

The Owners agree to reimburse the Council the legal costs and expenses incurred by the Council in the preparation and completion of this Agreement in the sum of £1760.00 such sum to be paid to the Council on the Effective Date

13. MONITORING FEE

The Owners agree to pay the Council's costs and expenses incurred or to be to be incurred by the Council in the administration and monitoring of the provisions of his Agreement in the sum of £400.00 such sum to be paid to the Council on the Effective Date

14. PAYMENTS TO THE COUNCIL

Any payments due to the Council under the terms of this Agreement (SAVE AND EXCEPT for the legal fees payable to the Council under the provisions of the Clause 12 and the monitoring fee under the provisions of Clause 13) shall be paid to the Council by means of telegraphic transfer to the Council as follows:

Reading Borough Council

Sort Code: 30-91-31

Account Number: 00271502

Lloyds Bank plc 24 Broad Street Reading RG1 2BT

quoting reference: CMS/13973 or other reference quoted in relevant S106 Demand Notice issued in respect of the obligation

15. AGREEMENT AND DECLARATION

It is agreed by the Owners and the Council that should the Development the subject of the Planning Permission be varied under a new planning permission ("the VARIAT planning permission") granted by the Council under Section 73 of the 1990 Act the planning obligations in this Agreement shall apply to the VARIAT planning permission

EXECUTED as a deed by the parties hereto and delivered on the date written at the start of this deed

THE SCHEDULE

(The Land)

All that land at 71 Oak Tree Road Tilehurst Reading RG31 6LA the subject of the Application and which comprises the land registered at the Land Registry under Title Number BK467939 shown edged red on the plan annexed hereto

THE PLAN



Maghan.
Slack.

71 Oak Tree Road Reading, RG31 6LA Steve Huxton architect Site Location Plan As Existing	317- 02-90 P1 Oct 20 planning 1:1250 A4 NDE EGM	colony architects RIBA #
	Design description and details of the proposed development, including the location of the building and the surrounding area. Design description and details of the proposed development, including the location of the building and the surrounding area.	Site plan key - existing buildings - proposed buildings - existing roads - proposed roads - existing boundaries - proposed boundaries - other features

THE ANNEXURE
(The Draft Planning Permission)



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

APPLICATION FOR FULL PLANNING PERMISSION

To: Colony Architects Ltd
The Wine Store
Brewery Court
Theale
Reading
RG7 5AJ

Application No: 190670
Application type: Full Planning Approval

Applicant: Mr & Mrs Steve & Tracy Hudson

READING BOROUGH COUNCIL as Local Planning Authority **GRANT FULL** planning permission for the following development in accordance with the plans and supporting information submitted in connection with this application.

Proposal: Erection of 2 new dwellings to the rear of the existing, with new access, landscaping and parking

At: 71 Oak Tree Road Reading RG31 6LA

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:

Head of Planning, Development
& Regulatory Services *J.P.M.*



Application At: 71 Oak Tree Road Reading RG31 6LA

Application No: 190670

Application type: Full Planning Approval

CONDITIONS & REASONS

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) in order to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

Drawing No: Location Plan 02-00

Received 25th April 2019

Drawing No: Plot 1 and 2 Proposed Sections 24-10 03

Drawing No: Plot 1 Proposed South Elevation 25-10 03

Drawing No: Plot 1 Proposed East Elevation 25-11 03

Drawing No: Plot 1 Proposed North Elevation 25-12 03

Drawing No: Plot 1 Proposed West Elevation 25-13 03

Drawing No: Plot 2 Proposed South Elevation 25-14 03

Received 14th November 2019

Drawing No: Proposed Site Plan 22-11 03

Drawing No: Plot 1 Proposed First Floor Plan 23-11 03

Drawing No: Plot 2 Proposed First Floor Plan 23-13 03

Drawing No: Plot 2 Proposed East Elevation 25-15 03

Drawing No: Plot 2 Proposed North Elevation 25-16 03

Drawing No: Plot 2 Proposed West Elevation 25-17 03

Received 9th January 2020

Drawing No: Plot 1 Proposed Ground Floor Plan 23-10 03

Drawing No: Plot 2 Proposed Ground Floor Plan 23-12 03

Received 15th May 2020

Revision 1 of Tree Survey, AIA, AMS Ref CC/1255 AR4260

Received 27th February 2020

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:

Head of Planning, Development
& Regulatory Services *J.B.M.*



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3. No development shall commence beyond foundation level until a schedule 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: These details are required due to insufficient information being contained within this submission and in the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 of the Reading Borough Local Plan 2019

4. *No development shall commence on site, including any works of demolition, until a site specific Construction Method Statement has been submitted to and been approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) Space on site where vehicles of site operatives and visitors can be parked with details of how site operatives and visitors will be required to make use of the parking area provided;
- b) Location on site for storage of plant and materials used in constructing the development;
- c) The erection and maintenance (including removal of any graffiti or fly posters) of security hoarding around the site;
- d) Identification of any footpath closures or road closures needed during construction;
- e) Required wheel washing facilities on site;
- f) A scheme for recycling waste resulting from the construction works.
- g) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- h) Required measures to control the emission of dust, dirt and other airborne pollutants during demolition and construction; [EP REQUIREMENT]
- i) Provisions to be made for the control of noise coming from the site during demolition and construction; [EP REQUIREMENT]
- j) Full details of pest control measures following any demolition required. Where necessary, capping of drains/sewers and baiting arrangements. [EP REQUIREMENT]

The measures within the approved Statement shall be adhered to throughout the demolition and construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason: These details are required due to insufficient information being contained within this submission and in the interests of protecting the amenity of local land uses or neighbouring residents, the character of the area and highway safety in accordance with Policy CC8 and TR3 of the Reading Borough Local Plan 2019.

Date:

Head of Planning, Development
& Regulatory Services *J.P.M.*



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5. *No development shall take place until a precautionary reptile mitigation strategy has been submitted to and approved in writing by the council. Such details shall include timings and methods of activities and precautionary measures, and shall be implemented in full accordance with the approved details unless otherwise approved in writing by the council.

Reason: To ensure that reptiles, a protected and priority species, are not adversely affected by the proposals. In accordance with Policy EN12 of the Reading Borough Local Plan 2019.

6. *No development shall take place until details of biodiversity enhancements, to include bat boxes, tiles or bricks on and around new buildings and native and wildlife friendly landscape planting has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of any residential unit hereby approved and maintained as such thereafter.

Reason: To incorporate biodiversity in and around developments in accordance with Paragraphs 109 and 118 of the NPPF and Policy EN12 of the Reading Borough Local Plan 2019.

7. No development shall commence beyond foundation level until details indicating the positions, design, materials and type of boundary treatment to be erected have been submitted to and been approved in writing by the local planning authority. Details shall include works to the retaining wall along the boundaries shared with 71a & 73 Oak Tree Road and 4 Parkhill Drive and planting along this boundary to provide a visual screen between properties to a height of not less than 4 metres when measured from the application site ground level. The boundary treatment shall be completed, in accordance with the approved plan, before the development is occupied or otherwise, in accordance with a timescale for which the prior written approval of the local planning authority has been obtained.

Reason: In order to protect the privacy of adjoining and future occupiers and in the interests of the visual amenities of the locality in accordance with Policies CC7 and CC8 of the Reading Borough Local Plan 2019.

8. *No development shall commence on site until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under

Date:

Head of Planning, Development
& Regulatory Services *JPM*



Regulation 36(3). Such evidence shall be in the form of a 'design stage' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

9. The development hereby permitted shall not be occupied until written verification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings hereby permitted have achieved a minimum of a 19% improvement in the dwelling emission rate over the target emission rate as defined in The Building Regulations for England Approved Document L1a: Conservation of Fuel and Power in New Dwellings (2013 edition), and built to the higher water efficiency standard under Regulation 36(3). Such evidence shall be in the form of an 'As Built' Standard Assessment Procedure (SAP), produced by an accredited energy assessor.

Reason: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

10. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. If any retained tree is removed, uprooted or destroyed or dies (as a consequence of the development), another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

Reason: To ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy CC7 and EN14 of the Reading Borough Local Plan 2019.

11. The erection of fencing for the protection of any retained tree or trees shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site. Such protection as required by the above condition shall be retained throughout the entire period of construction and until all equipment, machinery and surplus materials have been removed from the site. No materials, soil, rubbish or vehicles shall be deposited or stored in any area fenced in accordance with this condition and no fires shall be lit, and no raising or lowering of ground levels shall take place within this area. No drains, pits, ditches or trenches shall be dug in or run across the area protected by the

Date:

Head of Planning, Development
& Regulatory Services *JPM*



fencing, at any time before, during and after the development of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that retained trees are adequately protected, in the interests of the visual amenities of the locality in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

12. Protective measures, including fencing, ground protection, supervision and working procedures shall be carried out in accordance with the Arboricultural Report and Method Statement / Tree Protection Plan prepared by David Challice of Challice Consulting Ltd dated 27th February 2020. Reading Borough Council will be given 5 days' advance notice of the pre-commencement site meeting. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

Reason: In order to ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself in accordance with Policy EN14 of the Reading Borough Local Plan 2019.

13. *No development shall take place until full details of both hard and soft landscaping have been submitted to and been approved in writing by the local planning authority. The submitted details shall include:

(a) hard surfacing materials; and

(b) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and

(c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate.

(d) Tree pit specifications.

The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

Date:

Head of Planning, Development
& Regulatory Services *J.D.M.*

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

14. No dwelling(s)/building(s) hereby permitted shall 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 Local Plan 2019.

15. No dwelling/building hereby permitted shall be occupied until the vehicle access serving it has been constructed in accordance with the plans hereby approved.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

16. No dwelling/building hereby permitted shall be occupied until the bicycle parking facility for that dwelling/building has been provided in accordance with the plans hereby approved. The facility shall be kept available for bicycle parking at all times thereafter.

Reason: To encourage travel by sustainable alternatives to driving a motorcar in accordance with Policy TR1 and TR5 of the Reading local Plan 2019.

17. Prior to first occupation of the development hereby approved, the refuse and recycling storage facility shall be implemented fully in accordance with those details shown on the approved plans and thereafter retained for use by occupiers of the dwelling/building at all times.

Reason: In the interests of the visual amenity of the area and to ensure that bins can be easily accessed when required in accordance with Policy CC7 of the Reading Local Plan 2019.

18. No dwelling within a Plot shall be first occupied until details of an electric vehicle (EV) charging Scheme comprising a layout plan and detailed specification for a minimum of ten percent of all vehicle parking spaces within that Plot to be provided with electric vehicle charging points, and a further ten percent of spaces provided with cabling and other supporting infrastructure reasonably required to enable EV charging points to be fitted, has been submitted to and approved in writing by the Local

Date:



Head of Planning, Development
& Regulatory Services *JPM*



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Planning Authority. No dwelling within a Plot shall be first occupied until the Scheme for that Plot has been fully provided in accordance with the approved details. The spaces shall be maintained for vehicle charging in accordance with the approved Scheme at all times thereafter.

Reason: In the interests of environmentally sustainable transport in accordance with Policy TR3 and TR5 of the Reading Local Plan 2019.

19. No building shall be occupied until all the visibility splays shown on the approved drawing Proposed Site Plan 22-11 03 have been provided. All areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level and maintained as such.

Reason: In the interests of road safety in accordance with Policy TR1 and TR3 of the Reading Local Plan 2019.

20. The roof areas of the dwellings/buildings 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.

21. Notwithstanding the provisions of Part 1, Schedule 2, Article 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Class A (enlargement, improvement or other alteration), Class B (enlargement of a dwellinghouse consisting of an addition or alteration to its roof), or Class E (building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse) shall be carried out within the curtilage of the dwelling without express planning permission from the Local Planning Authority.

Reason: Due to the constrained nature of the site and as unrestricted development could harm the amenities of neighbouring properties through overlooking or being overbearing and harm the appearance of the main house and the area in general and should therefore be controlled in accordance with Policy CC7 and CC8 of the Reading Borough Local Plan 2019.

22. 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 first floor west facing flank

Date:

Head of Planning, Development
& Regulatory Services *JBM*

elevation of the buildings 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.

23. 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 first floor window serving stairwell on the southern facing flank rear elevation of Plot 2 shall be top openable above 1.7m as a minimum when measured from the floor level of the respective rooms, and glazed with obscure glass before occupation of the development hereby approved and shall be permanently maintained as such.

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.

24. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site.

Reason: In the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

25. The hours of construction, demolition and associated deliveries shall be restricted to the hours of 08:00hrs to 18:00hrs Mondays to Fridays, and 09:00hrs to 13:00hrs on Saturdays, and not at any time on Sundays and Bank or Statutory Holidays without prior approval from the Local Planning Authority.

Reason: to protect the amenity of occupiers of existing nearby properties from noise and disturbance from works connected with implementing this permission, in accordance with Policies CC8 and EN16 of the Reading Borough Local Plan 2019.

26. No change to the unit mix (2 x 4-bedroom residential units) shall be made to the development hereby permitted without written approval from the Local Planning Authority.

REASON: In order to ensure that the proposed development provides an appropriate range of housing opportunities / dwelling types to meeting requirements for different groups, in accordance with Policy H2 of the Reading Borough Local Plan 2019.

Date:



Head of Planning, Development
& Regulatory Services *JPM*

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 contact Building Control on 0118 937 2449 for advice.
3. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic.
ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
4. The Council's Highways section should be contacted at 19 Bennet Road, Reading, RG2 0QX, telephone: 0118 937 2138, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 week's notice to obtain details of underground services on the applicants' behalf.
5. You are advised to avoid the use of the grass verges for development related activity, e.g. storage of materials, due to the resulting potential harm to important street trees.
6. To minimise the disturbance by noise of future residential occupiers of the units and its effect on neighbouring residents, residential accommodation must be designed and constructed so as to achieve the insulation requirements set out in Building Regulations Approved Document E.
7. A section 106 Agreement has been completed for this development. A copy of the S106 Legal Agreement is available on the Council's Public Register of Planning.
8. In accordance with Article 35 (DMPO 2015) some conditions have been highlighted (with a *) to make clear that they require approval from the Local Planning Authority before any development begins. This is because the details need to be designed or

Date:



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& Regulatory Services *JFM*



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works implemented before any other works start on the site or are of a nature that it would be impractical to consider after work has started.

9. The Council introduced the Community Infrastructure Levy (CIL) on 1st April 2015. CIL is a way of securing financial contributions towards infrastructure from new development, and partially replaces the Section 106 planning obligation regime. It is a set charge per sq m of floorspace for different uses, and, unlike Section 106, it is non-negotiable. It applies to developments which result in at least one dwelling; where the space has not been in lawful use for 6 months within the last 3 years or 100 sq m of new floorspace. For this approved development the CIL status is CHARGEABLE. If chargeable you will be sent a CIL Liability Notice with the calculated amount soon. CIL becomes payable on commencement of the development or by instalments. For more information go to:

http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf

10. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the agreed extended timescale for the decision to be issued.

Date:

Head of Planning, Development
& Regulatory Services *JBM*

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.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on 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.

Street Naming & Numbering

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

Otherwise the following may occur:

- You will not have an official address or postcode. When your property goes through the official process it may be given a different address and Postcode than you are currently using.
- You may have difficulty receiving mail
- You may have problems when buying goods or services such as utilities and telecommunications
- The emergency services may have difficulty locating you.
- You may have problems accessing Council services such as Education, Parking Services and Electoral Registration.

The Council is responsible for assigning house names and numbers and street names. It is also responsible for updating the National Land and Property Gazetteer (NLPG) which is a list of addresses which meet a common standard (BS7666) used throughout the country.

When a new address or change of address is requested, the Council contacts Royal Mail who check the address on behalf of the Emergency Services, assign a postcode and add it to their Postal Address File (PAF). The PAF list is used by many companies and services to check addresses, authenticate transactions and order goods, as well as deliver mail, so it is in your interest for your address to be on that list. Royal Mail will not create an address until requested to do so by the Council.

How to apply:

Email us using streetnamingnumbering@reading.gov.uk

Or telephone us on 0118 9373737

What we need to complete your request:

For new addresses or flat conversions:

- Site layout plan containing plot numbers
- Location plan - No bigger than A3 size (hard copy, PDF, JPEG or AutoCAD) showing the site boundary, including the new development, together with surrounding buildings for reference
- Anticipated completion and occupation dates

For change of address:

- You must be, or have authorisation from, the owner to request a change of address.
- Floor plan of the existing property
- Reason for change

Once created, the Council informs various bodies of your new address including the Emergency Services, Council Tax, Land Registry and utility companies as well as adding it to the National Land and Property Gazetteer.

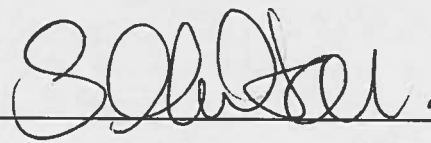
Please be advised that companies and services using the PAF file only update the addresses monthly, quarterly or even less frequently, therefore it may take a while for your address to be listed in some places. It will, however, appear on the Royal Mail website within a few days once it has been added to the live address file.

Reading Borough Council has no control over the frequency by which other organisations update their address files.

SIGNED AS A DEED (but not delivered
until the date hereof) by the said

STEVEN ALAN JOHN DAVID HUDSON

in the presence of:-

) 
) *sign here*

W

I

Name: W. Fursman

T

N

E

S

S

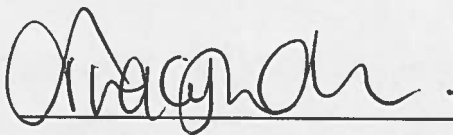
Address: William Fursman LL
61 London Street
Reading
Berks RG1 4PS
Notary Public &
Solicitor

Signature: W. Fursman

SIGNED AS A DEED (but not delivered
until the date hereof) by the said

TRACY SAMANTHA HUDSON in the

presence of

) 
) *sign here*

W. Fursman

William Fursman LL
61 London Street
Reading
Berks RG1 4PS
Notary Public &
Solicitor

W

I Name: _____

T William Fursman LL.M.
61 London Street

N Address: _____
Reading

E Berks RG1 4PS

S Notary Public &

Solicitor

S

Signature: W. Fursman

EXECUTED (BUT NOT DELIVERED)

UNTIL THE DATE HEREOF by)

the affixing of THE COMMON)

SEAL of READING BOROUGH)

COUNCIL in the presence of:-)


Authorised Signatory

Minute	Scheme of delegation 24.1.20
Originator	Mustafa Kalkan
Seal No.	239120
Checked	CS

DATED 2nd December 2020

STEVEN ALAN JOHN DAVID HUDSON AND TRACY SAMANTHA HUDSON
(the Owners) (1)

and

READING BOROUGH COUNCIL
(the Council) (2)

AGREEMENT

constituting Planning Obligations relating to
land at 71 Oak Tree Road, Reading, RG31 6LA

(Appl. No.190670)

Michael Graham LLB (Hons); MBA
Assistant Director of Legal and
Democratic Services
Reading Borough Council
Civic Offices Bridge Street
Reading RG1 2LU
DX 40124 Reading (Castle St)
IKEN NO. 13973

