



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: Tesco Stores Ltd
C/O Development Planning Partnership
21 The Crescent
Bedford
MK40 2RT

Application No: 06/00010/FUL/RE

Applicant: Tesco Stores Ltd

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 foodstore, unit shops, drive-through restaurant, petrol filling station, 65 residential units, car parking, creation of public space, landscaping, access and associated highway works, use classes A1, A2, A3, A4, A5, B1, D1, C3

At: Battle Hospital 344 Oxford Road Reading RG30 1AG

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

We hereby certify this to be
a true copy of the original
Depeane
Berwin Leighton Paisner LLP
Adelaide House
London Bridge
London EC4R 9HA

Date:

10th November 2006

David Gworthy

Head of Planning and Transport

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Application At: Battle Hospital 344 Oxford Road Reading RG30 1AG

Application No: 06/00010/FUL

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of three 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 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. This permission relates only to the application as changed by the following drawings which were received by Reading Borough Council as local planning authority on the dates indicated below:

03/079/P-01 B - Site Location Plan - 7/4/2006
P-02 B - Existing Site Plan - 7/4/2006
P-03 F - Proposed Site Plan - 19/7/2006
P-04 D - Contextual Site Sections A,B,C - 18/7/2006
P-05 B - Contextual Site Elevations - 7/4/2006
P-06 E - Ground Floor - 18/7/2006
P-07 D - Mezzanine - 18/7/2006
P-08 B - First Floor Plan - 7/4/2006
P-09 B - Second Floor Plan - 7/4/2006
P-010 B - Roof Plan - 7/4/2006
P-011 B - Elevations - 7/4/2006
P-012 D - Ox Rd Retail Units plan/elev.s - 1/6/2006
P-013 B - Drive-thru rest. plan/elev.s - 7/4/2006
P-014 D - Petrol station plan/elev.s - 1/6/2006
P-015 D - Civic space - 1/6/2006
P-016 B - Car park walkway - 7/4/2006
P-017 D - Site levels - 1/6/2006
P-018 D - Proposed masterplan - 1/6/2006
P-021 - Schedule of materials - 19/6/2006
P-022 - Ground floor plan and surrounding works - 19/6/2006
ASP11a Rev. D - Public square landscaping - 8/12/2006
ASP12 Rev. E - Foodstore car park - 19/7/2006
ASP13 Rev. E - Private car park, public car park and civic space - 19/7/2006
ASP14 Rev. E - Portman Road access, petrol filling station - 19/7/2006
ASP16 Rev. A - Tree Pit Details - 19/7/2006

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

3. The floorspace for the foodstore hereby permitted shall not exceed a total of 8,307 square metres Gross External Area (GEA) (not including the area under the service yard

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canopy or store canopies). Reason: to be in accordance with the submitted proposals; in order for the local planning authority to control the intensity of commercial floorspace permitted in the interests of limiting traffic generation; to control potential impact on residential amenity; and to maintain a level of floorspace appropriate to the Oxford Road West District Centre, without adversely affecting the vitality and viability of Reading City Centre; in accordance with policies TRN1 (A Balanced Transport Strategy); NE8 (Environmental Pollution) and RET2 (Food Superstores and Retail Warehouses) of the Reading Borough Local Plan (1998); Policy S2 (Retail Development Outside Major Town Centres) of the Berkshire Structure Plan 2001-2016; and Government guidance in PPS6: Planning for Town Centres and PPG13: Transport.

4. For the foodstore hereby permitted, a maximum of 40% of the sales floorspace shall be used for the display of comparison goods. For the purposes of this condition, 'comparison goods' will comprise: clothing and footwear; do-it-yourself goods; household goods (furniture, pictures, carpets and other floor coverings, major appliances, textiles and soft furnishings and hardware); recreational goods (radios, televisions, sports goods, toys, games, etc.); and other goods (jewellery, watches, and other non-food goods), but for clarity, does not include health and beauty or pharmaceutical products. Reason: in order for the local planning authority to control the character of retail floorspace permitted, in the interests of limiting traffic generation, potential impact on residential amenity and to maintain a level of floorspace appropriate to the Oxford Road West District Centre, without adversely affecting the vitality and viability of Reading City Centre, in accordance with policies TRN1 (A Balanced Transport Strategy); NE8 (Environmental Pollution) and RET2 (Food Superstores and Retail Warehouses) of the Reading Borough Local Plan (1998) and Policy S2 (Retail Development Outside Major Town Centres) of the Berkshire Structure Plan 2001-2016; and Government guidance in PPS6: Planning for Town Centres and PPG13: Transport.
5. In relation to the Oxford Road Retail Units (as indicated on approved plan 03/079/P-12 Rev. D), no individual unit size shall exceed 300 square metres Gross Floor Area (GFA) not including mezzanine floors. Reason: to be in accordance with Policy COM1 (Hospitals) of the Reading Borough Local Plan (1998), which proposes small retail units in keeping with the Oxford Road.
6. At least one of the proposed unit shops in the frontal mixed use units as shown on plan 03/079/P-12 Rev. D shall be retained in A1 (retail) use (as defined in the Town and Country Planning (Use Classes) Order 2005). Reason: to be in accordance with Policy COM1 (Hospitals) of the Reading Borough Local Plan (1998), which proposes small retail units in keeping with the Oxford Road.
7. No more than one of the proposed unit shops in the frontal mixed-use units as shown on plan 03/079/P-12 Rev. D shall be provided/retained in each of the following Use Class: A2, A3, A5 or D1 (as defined in the Town and Country Planning (Use Classes) Order 2005). Reason: to be in accordance with Policy COM1 (Hospitals) of the Reading

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Borough Local Plan (1998), which proposes small retail units in keeping with the Oxford Road.

8. Notwithstanding approved plan 03/079/P-12 Rev. D, there shall be no units in B1 (Business) use (as defined in the Town and Country Planning (Use Classes) Order 2005) on the ground floor level of the frontal mixed use units. Reason: to be in accordance with Policy COM1 (Hospitals) of the Reading Borough Local Plan (1998), which proposes small retail units in keeping with the Oxford Road.
9. Any A3 (restaurants and cafes) or A5 uses (Hot Food Takeaway) (as defined in the Town and Country Planning (Use Classes) Order 2005) shall not operate between 0000 hours and 0800 the following day Monday-Saturday, and 2300 and 0800 the following day on Sundays and Bank Holidays. Reason: in order to protect the residential amenity of surrounding residential properties including the flats over the unit shops, in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
10. Prior to the commencement of development of the proposed unit shops in the frontal mixed use units, there shall have been submitted to and approved in writing by the local planning authority, plans and elevations of the shopfront treatments for retail units, dependent on floor layouts chosen. Once approved, the shopfronts shall be constructed in accordance with the approved details, unless the local planning authority gives its prior written consent to any variation. Reason: in order for the local planning authority to control the appearance of the development, in the interests of the streetscene, in accordance with policies CUD14 (Standards of Design in Development) and CUD16 (Shopfronts) of the Reading Borough Local Plan (1998).
11. The materials and hard landscaping for the foodstore building, private car park, and associated public areas shall accord with the details submitted in the Lyons+Sleaman+Hoare plan 03/079/P-21 and -22 (dated May 2006), with the materials for the service yard canopy to be Lindab Profile LTP45 powder coated profiled metal sheet system, colour: mid-grey and the development shall be completed in accordance with these details. Reason: in order to ensure a good quality urban environment and in the interests of the streetscene, in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).
12. Notwithstanding the approved plans, prior to the commencement of development, there shall have been submitted to and approved in writing by the local planning authority samples of surface materials for the foodstore car park covered walkway and petrol filling station. Once approved, there shall be no deviation from these details without the prior written consent of the local planning authority. Reason: in order to ensure a good quality urban environment and in the interests of the streetscene, in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).
13. Notwithstanding the approved plans, prior to the commencement of development, there shall have been submitted to and approved in writing by the local planning

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authority samples of materials for the proposed restaurant on the approved plans. Once approved, there shall be no deviation from these details without the prior written consent of the local planning authority. Reason: in order to ensure a good quality urban environment and in the interests of the streetscene, in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

14. No development shall commence until details and samples of all boundary treatment(s), to include elevations of all means of enclosure within the site free-standing walls, gates, fences and railings have been submitted to and approved in writing by the local planning authority. Once approved, the development shall be completed in accordance with these details and retained thereafter. Reason: in order to ensure a good quality urban environment and in the interests of the streetscene, in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).
15. The store shall not open for first trading until a site security strategy has been submitted to and approved in writing by the local planning authority. Such a strategy shall detail all management and physical measures to be applied to all dwellings, public places, car parks and communal areas to the flats and include CCTV, access control measures, and control of public areas. Upon approval of the details, the development shall be carried out in accordance with the details and retained thereafter. Reason: to ensure that the development provides for a safe and secure environment for residents and visitors, in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998) and Government guidance in "Safer Places".
16. The lighting scheme for the site shall be undertaken in accordance with approved drawing LS 14254/4 received by the local planning authority on 7 April 2006. Reason: to ensure that a balance is struck between providing sufficient lighting for public safety and security and minimising the impact of unnecessary light spillage on neighbouring properties, in accordance with policies CUD14 (Standards of Design in Development) and NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
17. Notwithstanding Condition 16 above, specific details of the lighting proposed along the service road are to be submitted prior to installation. Such details shall include column height (with a maximum height of 5 metres); a side-entry lantern; a shape of bowl to minimise light spillage (e.g. flat); and provision of rear light shields. Reason: to ensure that a balance is struck between providing sufficient lighting for public safety and security and minimising the impact of unnecessary light spillage on neighbouring properties, in accordance with policies CUD14 (Standards of Design in Development) and NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).

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18. The landscaping scheme shall be carried out in all respects with reference to the full specifications as set out in the following Planting Plans, received on the dates indicated:

Public square landscaping - ASP11a Rev. D - 8/12/2006

Foodstore car park - ASP12 Rev. E - 19/7/2006

Private car park, public car park and civic space - ASP13 Rev. E - 19/7/2006

Portman Road access, petrol filling station - ASP14 Rev. E - 19/7/2006

Tree Pit Details - ASP16 Rev. A - 19/7/2006

There shall be no deviation from the approved details. Reason: to ensure that the soft landscaping is provided to an appropriate standard to provide a successful setting to the car parks, buildings and public and private amenity areas, in accordance with policies CUD14 (Standards of Design in Development); HSG5 (Residential Design Standards); and NE5 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (1998).

19. Prior to commencement of development and during development, tree protection on site shall strictly conform to the document, "Arboricultural Method Statement for Tree Protection During Construction Works" by ACD Architects and plan KTV15091-05 E which were both received by the local planning authority on 19 July 2006. For the purposes of this condition, the retained trees shall be those as identified on plan SJA 4311 TPP01 by Simon Jones Associates Ltd, dated December 2005. Reason: to ensure that proper protection is given to the retained trees on the site and to be in accordance with policies CUD14 (Standards of Design in Development); HSG5 (Residential Design Standards); and NE5 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (1998).
20. No works shall commence on the construction of the service road until a method statement for the crown-lifting to the Lime trees (protected by Tree Preservation Order) has been submitted to and approved in writing by the local planning authority. The works shall thereafter be undertaken in accordance with the approved details and the trees maintained to the approved crown-lifting regime. Reason: in order to ensure satisfactory HGV access to the foodstore service yard, whilst maintaining the health and amenity value of the protected trees, in accordance with Policy NE5 (Trees, Hedges and Woodlands) and CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).
21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following first occupation of the foodstore or the completion of the development, whichever is the sooner. If any tree or shrub planted on site (or any retained tree) dies, fails or otherwise becomes defective within a period of three years from the date of planting, a replacement tree of the same size and species shall be planted. Reason: to ensure the establishment of the landscaping on site in order to soften the visual impact of the development, in accordance with policies CUD14 (Standards of Design in Development); HSG5 (Residential Design

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Standards) and NE5 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (1998).

22. Prior to the first opening of the foodstore for trade, there shall be submitted to and approved in writing by the local planning authority a Specification for landscaping aftercare and maintenance, to include the fenced area for the protected Lime trees on the western boundary of the site. This specification shall include the aftercare regime for monitoring, watering; pruning, etc. to be used up to 5 (five) years after the final completion of the works and indicate the identification and retention of landscaping consultants for any remedial works required. Once approved, all hard and soft landscaping on site shall be maintained in accordance with the agreed Specification. Reason: to ensure the continued establishment and survival of the landscaping proposed throughout the life of the development, in accordance with policies HSG5 (Residential Design Standards); CUD14 (Standards of Design in Development) and NE5 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (1998).
23. No development shall commence until a plan showing the routing of all service ducts has been submitted to, and approved in writing, by the local planning authority. Such a plan shall confirm these locations in relation to the tree/shrub planting proposed. Reason: to ensure that the proposed landscaping scheme is capable of achievement and to secure the long-term survival of the landscaping, in accordance with policies HSG5 (Residential Design Standards); CUD14 (Standards of Design in Development) and NE5 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (1998).
24. Construction shall not commence on the foodstore service road until plans have been submitted to, and approved in writing by, the local planning authority showing a reduction in enclosure fence height on the western boundary access road, towards the section fronting Portman Road. Following approval, the service road shall not be brought into use before the fencing has been erected and will thereafter be retained in accordance with the approved details. Reason: in the interests of the streetscene on Portman Road, in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).
25. No development shall commence until precise locations and specifications for the habitat creation measures as set out in the Aspect Ecology plan ECO3, received 2 June 2006 have been submitted to and approved in writing by the local planning authority. Upon approval, such ecological enhancements shall be in place prior to the first opening of the foodstore for trade and shall be maintained in accordance with the approved details. Reason: to ensure the continued provision of local wildlife habitats on site, in accordance with Policy NE7 (Creative Nature Conservation) of the Reading Borough Local Plan (1998).
26. No development shall commence until plans and a method statement for preparatory works to enclosure an area of land at Portman Road as an "unmanaged ecological area" have been submitted to and approved in writing by the local planning authority. Upon approval, such ecological enhancements shall be in place prior to the first opening of

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the foodstore for trade and the land shall be maintained in accordance with the approved details. Reason: to ensure the continued provision of local wildlife habitats on site, in accordance with Policy NE7 (Creative Nature Conservation) of the Reading Borough Local Plan (1998).

27. The petrol filling station shall not open for trade until the wind generators on the roof of the petrol filling station as shown on approved plan 03/079/P-14 Rev. D have been installed and operational to assist in powering the petrol station. Thereafter the generators shall be retained and continue to operate for the life of the petrol filling station. Reason: to ensure that the renewable energy generation measures are carried out, in order to reduce harmful carbon dioxide emissions and to be in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998); Policy EN8 (Renewable Energy and Energy Conservation) of the Berkshire Structure Plan (2001-2016) and to comply with the provisions for sustainability as contained in the Supplementary Planning Guidance, "Revised Battle Hospital Planning Brief" (July 2005).
28. Prior to the first opening of the foodstore for trade, the Combined Heat and Power (CHP) Plant as shown on the approved plans shall be installed and be operational by first opening of the store for trade and retained in accordance with the manufacturer's specification thereafter. Reason: to ensure that the renewable energy generation measures are carried out, in order to reduce harmful carbon dioxide emissions and to be in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998); Policy EN8 (Renewable Energy and Energy Conservation) of the Berkshire Structure Plan (2001-2016) and to comply with the provisions for sustainability as contained in the Supplementary Planning Guidance, "Revised Battle Hospital Planning Brief" (July 2005).
29. Prior to the first opening of the foodstore for trade, there shall have been submitted to the local planning authority, evidence of certification of the Building Research Establishment's (BRE) BREEAM rating, (to at least "Very Good" standard, or equivalent) for the foodstore building. The evidence shall include a breakdown of the rating and thereafter, the development shall be implemented in accordance with the rating. Reason: to ensure that the sustainability measures are carried out in full, in the interests of resource efficiency and in order to reduce harmful carbon dioxide emissions and to be in accordance with Policy CUD14 (Standards of Design in Development) of the Reading Borough Local Plan (1998); Policy EN8 (Renewable Energy and Energy Conservation) of the Berkshire Structure Plan (2001-2016) and to comply with the provisions for sustainability as contained in the Supplementary Planning Document, "Revised Battle Hospital Planning Brief" (July 2005).
30. Prior to the first opening of the foodstore for trade, the scheme for mitigation of service yard noise shall have been implemented. The scheme shall include the use of Hodgson & Hodgson "Tufsound M" industrial acoustic panelling for the underside of the canopy areas as shown on the approved plans and Par "ALS/ALSZ" acoustic louvres to be used for the plant-room areas, as shown on the approved plans, both samples received

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and approved by the Local Planning Authority on 7 July 2006. The foodstore shall be operated in accordance with the approved scheme, to the manufacturer's specification for the lifetime of the foodstore operation. Reason: in order to control the noise emanating from service yard and plant room areas, in the interests of the amenities of neighbouring properties and to be in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).

31. Prior to the commencement of development, details of the acoustic fence as shown on approved plan 03/079/P-03 Rev. F shall be submitted to and approved in writing by the local planning authority. Such a fence shall be permeable to floodwater, yet meet the noise attenuation levels set out in the documents, "Report - Tesco Store, Battle Hospital Site" (project ref. no. 035140-R3, received on 22 December 2005) as updated and amended by the supplemental report, "Report - Tesco, Battle Hospital" (project ref. no. 035140, dated 7 July 2006). Once approved, the fence shall be in place before the service yard/road is brought into use. Thereafter, the fence shall be retained and maintained at the height and position as approved and maintained in good condition with no gaps or holes, for the duration of the occupation of the foodstore. Reason: to protect the amenity of the occupiers of adjoining properties from noise disturbance; and to allow the land to allow the free flow of floodwater, in accordance with the submitted Flood Risk Assessment, Policy WAT7 (Development in the Flood Plain); and Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
32. There shall be no deliveries to the foodstore between 23:00 and 07:00 on any day. Reason: to protect the neighbours of the adjacent properties from any unreasonable disturbance from delivery vehicles and to be in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
33. There shall be no use of, or parking of vehicles in the foodstore service road between 23:00 and 07:00 on any day. Reason: to protect the neighbours of nearby properties from any unreasonable disturbance from delivery vehicles and to be in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
34. Deliveries to the foodstore on Sundays and Bank Holidays shall be limited to 10 deliveries per day between 08:00 and 21:00. Reason: to protect residents from unreasonable disturbance from delivery vehicle noise and to be in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
35. The rating level of noise emitted from machinery or processes operated within those parts of the site developed for retail or other commercial purposes once those parts of the development have been completed shall not exceed 40dB(A) at any time. The noise levels shall be determined at the nearest noise-sensitive premises which may be affected by the development at locations to be agreed with the council. The measurements and assessment shall be made according to BS4142:1997. Reason: to protect the amenity of local residents of existing and proposed properties and to be in accordance with policies HSG5 (Residential Design Standards) and NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).

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36. No development shall commence until details have been submitted to and approved in writing by the local planning authority to demonstrate that all flats hereby permitted will be constructed so as to provide sound attenuation against external noise, such that the internal noise levels to any of the flats, once completed, shall not exceed the "Reasonable Design Range" for "reasonable resting/sleeping conditions" levels for Living Rooms and Bedrooms as set out in (British Standard) BS8233: 1999 with windows shut and other means of ventilation provided. Thereafter, the flats shall be constructed and maintained in accordance with the approved details. Reason: to ensure that these residential properties would have an acceptable residential environment, in accordance with policies HSG5 (Residential Design Standards) and NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
37. No development shall take place until a Construction Method Statement (CMS) has been submitted and approved in writing by the local planning authority to provide for:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e) wheel washing facilities
 - f) measures to control the emission of dust and dirt during construction, to be in accordance with the recommendations of WSP report, "Proposed Redevelopment of Battle Hospital, Reading - Local Air Quality Assessment", ref. 12260227, ref. 12260227, dated March 2006
 - g) a scheme for recycling waste resulting from the construction programme
 - h) written statement of the construction hours to be confirmed as: 8am-6pm, Monday-Friday; 8am-1pm Saturdays; no Sundays/Bank Holidays
 - i) details of plant, equipment and methods to be used in construction including details of noise levels of plant and equipment.
 - j) commitment to sourcing local employees, contractors and sub-contractors via a Local Labour Initiatives scheme.

Reason: in the interests of safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety and providing for local employment opportunities, in accordance with policies KEY2A (Conservation of the Environment and Natural Resources) and NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998) and Policy E2 (Acceptability of Employment Development) of the Berkshire Structure Plan 2001-2016.

38. No development shall take place until a contaminated land Phase II report (Site investigation) has been carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work and shall then

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proceed in strict accordance with the measures approved. Reason: The proposed development is located on a potentially contaminated site, due to its historic land use. Reason: to ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas, in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).

39. Following completion of the site investigation required by Condition 38 above, a remediation scheme to deal with any contaminants identified must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an implementation timetable, monitoring proposals and a remediation verification methodology. The remedial scheme must be carried out before the development commences unless otherwise agreed in writing by the Local Planning Authority. Should any unforeseen contamination be encountered during the development, the Local Planning Authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the Local Planning Authority in writing. To ensure the land is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas, in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
40. A Site Completion Report shall be submitted to, and approved in writing by, the Local Planning Authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. A competent person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. Reason: to enable the local planning authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment, in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
41. No development shall take place until a scheme showing how the development is to be protected against the possibility of landfill gas migrating from known landfill on the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented and completed before the development is first occupied and those measures incorporated into the development shall thereafter be retained unless the Local Planning Authority agrees otherwise in writing. Reason: To ensure that the details of the development are satisfactory to prevent the adverse effects of landfill gas which may migrate from a former landfill

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site and to be in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).

42. Notwithstanding approved plan 03/079/P/-03 Rev. F, the foodstore shall not open for first trade until six car parking spaces have been removed from the northwest corner of the Tesco car park: 3 spaces (located on the bend); and 3 spaces immediately south of the fast food unit (the 6 spaces coloured green on the above plan) in accordance with a layout to be submitted to and approved by the Local Planning Authority. The parking layout shall thereafter be retained in accordance with the approved details. Reason: In the interests of road safety and to be in accordance with Policy TRN12 (Car Parking) of the Reading Borough Local Plan (1998).
43. Notwithstanding approved plan 03/079/P/-03 Rev. F, the foodstore shall not open for first trade until access to the central aisle of the foodstore car park between the area marked blue on the above approved plan has been marked out to be one way only in a southbound direction in accordance with a layout to be submitted and approved by the Local Planning Authority. The parking layout shall thereafter be retained in accordance with the approved details. Reason: in the interests of road safety and pedestrian safety and to be in accordance with Policy TRN12 (Car Parking) of the Reading Borough Local Plan (1998) and the standards in Government Guidance, "Safer Places: the planning system and crime prevention" (2004).
44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), there shall be no physical obstructions to the use of the parking areas, access roads, or car parking spaces within the development. Reason: in order to provide acceptable access/servicing to the development and to ensure that the Council's standards for vehicle parking are met, in accordance with Policy TRN12 (Car Parking) of the Reading Borough Local Plan (1998).
45. The operation of the foodstore car park and short-stay car park shall be in accordance with the submitted Car Park Management Strategy (document ref. H311) which was received by the local planning authority on 13 March 2006, unless the Authority's prior written agreement is provided. Reason: to ensure that control is maintained over the parking areas so that there are no over-stays which may cause obstruction, traffic conflict and possible traffic congestion in the vicinity or the town centre; and to be in accordance with policies TRN1 (A Balanced Transport Strategy) and TRN12 (Car Parking) of the Reading Borough Local Plan (1998); policies T1 (Transport Strategy) and T4 (Travel Impacts) of the Berkshire Structure Plan 2001-2016 and Government guidance in PPG13: Transport.
46. The number of car parking spaces in the foodstore car park shall not exceed those as shown on approved plan 03/079/P-03 Rev. F. Reason: to ensure that the car parking level is appropriate to the proposed use of the site to this location in the District Centre and would not adversely affect the town centre; to ensure that adequate parking spaces are retained; and to be in accordance with policies TRN1 (A Balanced Transport Strategy) and TRN12 (Car Parking) of the Reading Borough Local Plan (1998);

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policies T1 (Transport Strategy) and T4 (Travel Impacts) of the Berkshire Structure Plan 2001-2016 and Government Guidance in PPG13: Transport.

47. The visibility splays at the new main site access to Portman Road shall be maintained free of obstructions over 0.6 metres in height. Reason: in the interests of road safety and to be in accordance with Policy TRN11B (Development and Traffic) of the Reading Borough Local Plan (1998).
48. None of the dwellings hereby permitted shall be occupied until the access, access controls and vehicle parking spaces have been provided to the private car park, as shown on approved plan 03/079/P-03 Rev. F. The spaces shall not thereafter be used for any purpose other than parking. Reason: to ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be a danger to other road users and to be in accordance with policies TRN12 (Car Parking) and HSG5 (Residential Design Standards) of the Reading Borough Local Plan (1998).
49. The car parking spaces indicated on the approved plans for the low-cost housing units shall be retained for those units only, and are not to be allocated to any specific flat. Reason: to ensure that a satisfactory level of car parking is provided for these dwellings, commensurate with their location and tenure at this district centre location and to be in accordance with Policy TRN12 (Car Parking) of the Reading Borough Local Plan (1998).
50. There shall be no occupation of the flats, nor the foodstore opening for first trade, until secure, covered and lockable bicycle storage spaces are provided for the residents of the flats/staff of the store (as appropriate) and such are equipped with secure cycle stands in accordance with a layout and details to be submitted to and approved in writing by the local planning authority. This area shall not thereafter be used for any purpose other than bicycle parking and storage. Reason: to encourage travel by sustainable alternatives to the motor car and to be in accordance with Policy TRN5 (Cycle Parking) of the Reading Borough Local Plan (1998).
51. Notwithstanding the submitted plans, no works of construction in relation to the private (infrastructure) car park shall commence until a plan has been submitted to and approved in writing by the local planning authority in relation to the private (infrastructure) car park, to include surface treatments, landscaping, levels changes and boundary treatments. The private (infrastructure) car park will not be brought into use until the private (infrastructure) car park has been completed in accordance with the plan approved in accordance with this Condition, and the private (infrastructure) car park will thereafter be retained in accordance with the approved details. Reason: in order to provide the necessary parking spaces for the proposed flats and the Methodist Church; to provide adequate servicing for the shop units; to provide a satisfactorily landscaped built environment; and to be in accordance with policies HSG5 (Residential Design Standards); CUD14 (Standards of Design in Development) and TRN12 (Car Parking) of the Reading Borough Local Plan (1998).

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52. Sustainable transport initiatives for the operation of the foodstore shall be in accordance with the Objectives, Targets and Travel Plan Initiatives contained within the document, "Proposed Foodstore Development, Battle Hospital, Oxford Road, Reading - Green Travel Plan", by ADL Highways, document ref. ADL/AMC/H311/GTP/05A, which was received by the local planning authority on 22/12/2005. The development shall be operated and the initiative available for the lifetime of the foodstore operation. Reason: to ensure that sustainable transport behaviour is maximised, in accordance with policies TRN1 (A Balanced Transport Strategy) of the Reading Borough Local Plan (1998) and to comply with the principles of Government guidance in PPG13: Transport.
53. Prior to the completion of the central pedestrian walkway (the area to the immediate east of the foodstore on the approved plans), signs shall be erected at either end of the central pedestrian walkway to warn against cycling in the central pedestrian walkway. Reason: to ensure that this walkway is not used by cyclists, which would otherwise cause traffic conflict, danger and disturbance to pedestrians, residents and shoppers, in accordance with Policy TRN1 (A Balanced Transport Strategy) of the Reading Borough Local Plan (1998).
54. The development shall proceed in accordance with approved Flood Risk Assessment ref. 16259/001, which was received by the local planning authority, as informed by the additional information submitted by Pinnacle Consulting Engineers (letter dated 8 March 2006, reference 051127). Reason: to ensure that the development is constructed so as not to prejudice flood storage capacity and to be in accordance with Policy WAT7 (Development in the Flood Plain) of the Reading Borough Local Plan (1998) and PPG25: Development and Flood Risk.
55. No development approved by this planning permission shall be commenced until: a) the site investigation as indicated by Delta Simons in their communication of 26th May 2006, ref: SR/AJF/JS/03-3032.04/260506.prop. has been undertaken and submitted to and approved in writing by the local planning authority; and b) a method statement detailing any remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the site investigation, has been submitted to and approved in writing by the local planning authority. All work shall proceed in strict accordance with the approved details. Reason: to ensure that development and remediation will not cause pollution of Controlled Waters, in accordance with Policy NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998).
56. No raising of ground levels shall take place on any part of the site lying within the area of land liable to flood as shown within the Flood Risk Assessment document ref. 16259/001, which was received by the local planning authority on 22 December 2005. Reason: to prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to be in accordance with Policy WAT7

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(Development in the Flood Plain) of the Reading Borough Local Plan (1998) and PPG25: Development and Flood Risk.

57. No spoil or materials shall be deposited or stored on that part of the site lying within the area of land liable to flood as shown within the Flood Risk Assessment document ref. 16259/001, which was received by the local planning authority on 22 December 2005. Reason: to prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to be in accordance with Policy WAT7 (Development in the Flood Plain) of the Reading Borough Local Plan (1998) and PPG25: Development and Flood Risk.
58. Any walls or fencing constructed within, or around the site shall be designed to be permeable to flood water. Reason: prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to be in accordance with Policy WAT7 (Development in the Flood Plain) of the Reading Borough Local Plan (1998) and PPG25: Development and Flood Risk.
59. The petrol filling station including the kiosk shall remain as a "floodable structure" (i.e. it will allow for complete inundation in a flood event, including within the kiosk building) for the lifetime of the development. Reason: to prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to be in accordance with Policy WAT7 (Development in the Flood Plain) of the Reading Borough Local Plan (1998) and PPG25: Development and Flood Risk.
60. Notwithstanding the receipt of the proposed method of surface water drainage, development shall not commence until detailed designs for surface water drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, have been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development of the site is completed. Reason: to prevent the increased risk of flooding and to improve water quality, and to be in accordance with Policies WAT7 (Development in the Flood Plain) and NE8 (Environmental Pollution) of the Reading Borough Local Plan (1998) and PPG25: Development and Flood Risk.

INFORMATIVES

1. The application has been assessed against, and found to be in accordance with the following Development Plan policies: Reading Borough Local Plan (1998): COM1: Hospitals, RET 1: Development outside existing shopping centres, RET 2: Food Superstores and Retail Warehouses, RET 4 : Improvements to Local Shopping Centres, EMP2: Control of Major Development Throughout the Borough, EMP3: Acceptability of Employment Development, HSG 2: Affordable Housing, HSG 5: Residential Design Standards, HSG 9: Location of Residential development, TRN1: A Balanced Transport Strategy, TRN4: Cycle Routes, TRN6: Pedestrians, TRN10: Provision of Car Parking, TRN11B : Development and Traffic, TRN12: Car Parking, TRN14 : Car Parking in District

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Centres, TRN15: Parking for People with Disabilities, CUD 4: Setting of Listed Buildings, CUD 14: Standards of Design in Development, CUD16: Shopfronts, NE5: Trees, Hedges and Woodlands, NE6 Protecting Wildlife Habitats and Natural Features on or Adjoining Development Sites, NE7: Creative Nature Conservation, NE8 - Environmental Pollution; NE9: Environmental Implications, WAT 7: Development in the Floodplain. KEY 3: The Role of Development in Improving the Town. The Council's supplementary planning guidance documents "Space Around Dwellings" (1994) and "Planning Obligations Under Section 106 of the Town and Country Planning Act 1990" (2004) were also assessed. Account was also taken of the Revised Battle Hospital Planning Brief (2005). Berkshire Structure Plan (2001-2016) policies E2 - Acceptability of Employment Development; DP5 - Quality of Urban and Suburban Areas; EN8 - Renewable Energy and Energy Conservation; INF4 - Development Design for Energy Efficiency and Renewable Energy; and T4 - Travel Impacts. Account was also taken of National statements of planning policy, including: PPS1: Creating Sustainable Communities; PPG3: Housing; and PPG13: Transport.

2. Your attention is drawn to conditions 10; 12;14; 15; 17; 19; 20; 22-31; 36-43; 48; 50; 51; 55 and 60 above. These are pre-commencement conditions or conditions "precedent" and require the terms of the conditions to be satisfied before development commences. If development commences in contravention of that those conditions, the development taking place will be made unauthorised in planning terms. This may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council.
3. A planning agreement under S.106 of the Town and Country Planning Act 1990 relates to this permission;
4. The level of car parking on the site has been considered carefully in relation to the availability of sustainable travel choices which place less reliance on the private car. The site is located close to local facilities, with frequent public transport services on nearby roads. There should be an assumption that the occupants of the flats will not be issued with any residents parking permits to park "on street". The Developer should advise future occupants accordingly.
5. 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.
6. The developer is advised that all signage shown on the application plans requires separate Advertisement Consent and the approval of this application does not indicate approval of any of the signs shown.
7. The Council's Highways section to agree the access construction details (and any incidental works affecting the Highway) via Licence for works within the Highway;

Date:

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David Gworthy

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8. The applicant should write to the Council's Highways (Development Control) Section at Darwin Close, Reading in respect of minor highway works to be undertaken by Reading Borough Council on behalf of the applicant;
9. The developer should be aware of the provisions of Section 59 of the Highways Act 1980 which allow the Council to claim compensation for damage to the Highway caused by extraordinary traffic;
10. The Highway Authority has the power (under Section 69 of the Road Traffic Regulation Act 1984 as amended by the New Roads and Street Works Act 1991) to enter land and remove any device giving guidance or direction to persons on the highway, if at any time it should be considered detrimental to road safety.
11. The Highway Authority has the power, under Section 143 of the Highways Act 1980, to remove any structures erected on a highway.
12. Surface water from large car parks should be passed through a suitable type of oil/ grit separator.
13. Areas beneath canopies within petrol station forecourts should be connected to the foul sewer subject to the approval of Thames Water Utilities or its sewerage agent.
14. Surface water drainage from uncovered areas may be connected to the surface water system via a suitable petrol/ oil separator.
15. Tanks and associated pipe work containing substances included in List 1 of the EC Groundwater Directive (80/68/EC) should be of double skinned construction and be provided with intermediate leak detection equipment.
16. Consent from the Environment Agency is required for discharge of sewage;
17. The developer should note the provisions of Section 34(1) of the Environmental Protection Act 1990, which imposes a duty of care on any person who imports, produces, carries, keeps, treats or disposes of controlled waste or, as a broker, has control of such waste;
18. The developer should note the responsibilities for construction sites and practices under the Health and Safety at Work Act 1974;
19. The developer should be aware that Section 60 of the Control of Pollution Act 1974 enables the local authority to serve Notice on developers in order to control the noise emanating from construction;
20. The applicant is encouraged to participate in the construction industry's 'Considerate Constructors scheme'.

Date:

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David Givorty

Head of Planning and Transport

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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 the date of this notice. Appeals must be made using an official form which is obtainable from Customer Support Unit, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 8000. 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 that 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 that 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 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.
- (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 pipe work) needing disposal. Under the requirements of the Control of Pollution Act 1974 and regulations made there under it is an offence if such material is not deposited in appropriate sites licensed 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:

Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD Tel: 0870 8506506

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.