

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE ORDER 1995)**

APPLICATION FOR FULL PLANNING PERMISSION

To: The Harris Partnership
24 St Johns North
Wakefield
West Yorkshire
WF1 3QA

Application No: 00/00055/FUL

Applicant: Clugston Developments

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

Proposal: Construction of six units for use within either class B1 (c) light industrial, B2 general industrial or B8 storage or distribution use.

At: Site To The Rear Of 1-3 Weighbridge Row Cardiff Road Reading

Subject to such conditions and for such reasons as may be attached

**OTHER STATUTORY CONSENTS MAY BE REQUIRED
PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE**

Date: 5th April 2000



Head of Planning
and Transport



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 on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 - Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show -

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

76-(1) This section applies when planning permission is granted for any development which will result in the provision -

(a) of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);

(b) of any of the following (being in each case, premises in which persons are employed to work)-

- (i) office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
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- (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

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

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(b) in the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) in the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipework) needing disposal.

Under the requirements of the Environmental Protection Act 1990 (Part 2) and regulations made thereunder it is an offence if such material is not deposited in appropriate sites licensed by the Environment Agency acting in their capacity as Waste Disposal Authority and additional procedures may have to be followed. There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. Advice about all these issues can be obtained from:

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Wallingford
Oxon OX10 8BD

Telephone: (01491) 832801 Fax: (01189) 533302

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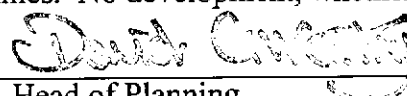
Application At: Site To The Rear Of 1-3 Weighbridge Row Cardiff Road Reading

Application No: 00/00055/FUL

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which the permission was granted. Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91(1) of the Town & Country Planning Act 1990.
2. The use of the buildings shall be restricted to Class B1(c) light industrial use, B2 general industrial use and B8 storage or warehouse use only and for no other purpose (including any other purpose in Use Class B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987) or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order without modification. Reason: to clarify the specific use(s) approved and due to the differing parking standards required for other than Class B1(c), B2 and B8 uses.
3. The development to which this permission relates shall be carried out in accordance with the approved plans showing six units, with a maximum individual unit floorspace of 252 square metres and shall not be amalgamated to form larger units without the prior consent of the local planning authority. Reason: in the interests of providing a range of types and sizes of units especially small units in accordance with Policy EMP4 (Maintaining a Variety of Premises) of the Reading Borough Local Plan 1998.
4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for the parking of personnel vehicles and plant and storage of materials during the construction period; thereafter during that period personnel vehicles, plant and materials shall be parked and stored in the approved facilities. Reason: as the development, without this facility, would be likely to lead to storage of plant and materials on the public highway causing a hazard and inconvenience to other road/pavement users.
5. Before any development is commenced details of facilities to be provided to prevent the deposition of mud and other matter derived from the development on to the public highway shall be submitted for written approval to the local planning authority. The approved facilities shall thereafter be maintained and used whenever operations likely to cause the disposition of mud etc are carried out. Reason: in the interests of protecting the appearance of the area and road safety.
6. The areas shown on the submitted drawings reserved for the parking, turning, loading/unloading and circulation of vehicles shall be constructed and marked out and kept available or used for such purposes at all times. No development, whether or not permitted

Date: 5th April 2000


Head of Planning
and Transport



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HAZARDOUS WASTE AND MATERIALS

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by the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) shall be carried out on such areas or in such a position as to restrict access to such facilities. Reason: as the development, without the provision of adequate parking, turning, loading/unloading and circulation facilities, would be likely to lead to parking and manoeuvring on the public highway to the detriment of road safety.

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces of this development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area.
8. Before any development is commenced details of the method of disposal of foul sewage and surface water shall be submitted to and approved in writing by the local planning authority. The sewerage and surface water drainage works shall be completed in accordance with the approved scheme before the development, hereby permitted, is occupied. Reason: to ensure adequate measures are taken to deal with all drainage on the site in the interests of pollution prevention.
9. Surface water from the car parking area should be passed through a suitable type of oil/grit interceptor that provides at least six minutes retention to the maximum flow prior to any discharge. details of such provision shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development and implemented prior to the first occupation or use of the development. Reason: to ensure that proper pollution control measures are taken.
10. No materials produced as a result of the site development or clearance shall be burnt on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress. Reason: in the interests of protecting nearby occupants from unnecessary pollution caused by the development.
11. Notwithstanding the indications shown on the submitted plans, details of cycle parking including convenient location and details of racking shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on the site. Such approved facilities shall be provided on site prior to the occupation of any of the units hereby approved and shall be retained at all times thereafter. Reason: to ensure that appropriate provision is made for the safe and convenient storage of cycles.
12. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for both hard and soft landscaping. The submitted details shall include any pedestrian and vehicle circulation areas, surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc). For schemes involving soft landscaping the submitted details should include schedules of plants giving the species, plant sizes, proposed numbers/densities and an implementation and maintenance programme. Other details shall include the provision where appropriate of fencing, walling

Date: 5th April 2000


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and other means of enclosure and screening, the formation of banks, terraces or other earthworks. Following approval by the local planning authority the hard and soft landscaping works shall be carried out in accordance with the approved details before any of the development is occupied and all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner.

Reason: in the interest of ensuring that the redevelopment of this site enhances the visual local environment.

13. Before the development is commenced details showing how the ground floor layout(s), including internal and external circulation spaces, entrances, toilet accommodation and other relevant facilities can be made fully accessible to all disabled persons shall be submitted to and approved in writing by the local planning authority. Before any of the development is occupied or used it shall be completed in accordance with the approved details. Reason: in the interests of the amenities of future occupants and visitors and in accordance with the Council's policies and practice in respect of access for disabled persons.
14. Development shall not begin until a scheme for noise attenuation measures have been submitted to and approved in writing by the local planning authority. Any works which form part of the approved scheme shall be completed before any permitted premises are occupied unless an alternative period for completion is agreed in writing by the Authority. Reason: to secure an acceptable scheme for noise attenuation to protect future occupants from unreasonable noise disturbance.
15. No tannoys or loudspeaker systems shall be installed on the exterior of the units hereby approved. Reason: in the interests of amenity of neighbouring properties.
16. No open storage of materials, products, plant or equipment shall be carried out on the land. Reason: in the interests of protecting the appearance of the area and local residents from unreasonable noise and smells.
17. This permission relates to the following drawings:

Site location plan, received by the local planning authority on 29 March 2000.

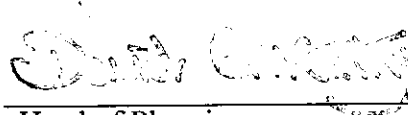
Site plan (drawing no. 03 Rev. C) received on 23 March 2000.

Proposed floor plan (drawing no. 05 Rev. A) and proposed elevations (drawing no. 06 Rev. B) received on 20 December 2000.

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

INFORMATIVES

Date: 5th April 2000



Head of Planning
and Transport

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APPEALS

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(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

of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

(2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted –

(a) in the case of such a building or premises as are mentioned in subsection (1)(a)

(i) to sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970; and

(ii) to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;

(b) in the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;

(c) in the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 "Access for Disabled People to Educational Buildings" published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.

(3) Expressions used in subsection (1)(d) and (e) and in the Education Act 1944 have the same meanings as in that Act.

HAZARDOUS WASTE AND MATERIALS

Your attention is drawn to the possibility that development of land or redevelopment of properties will give rise to hazardous material probably in the form of contaminated soil or building construction waste (e.g. asbestos lagging around pipework) needing disposal.

Under the requirements of the Environmental Protection Act 1990 (Part 2) and regulations made thereunder it is an offence if such material is not deposited in appropriate sites licensed by the Environment Agency acting in their capacity as Waste Disposal Authority and additional procedures may have to be followed. There may also be occasions when hazardous substances such as gas from former landfill sites could be a problem. Advice about all these issues can be obtained from:

Environment Agency
Isis House, Howberry Park
Wallingford
Oxon OX10 8BD

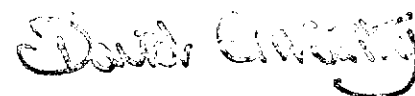
Telephone: (01491) 832801 Fax: (01189) 533302

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 Council whether any approval is required under the Building Regulations.

- 1 Advertisement consent may be required from the local planning authority for any signage on the proposed units. The developer should advise prospective occupiers accordingly.

Date: 5th April 2000



Head of Planning
and Transport

DR

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 on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a), to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Common Council, or on the Council of the district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

(a) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.

BERKSHIRE ACT 1986 – Section 32

(1) Except as provided in subsection (a) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show –

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1990, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section, may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

76-(1) This section applies when planning permission is granted for any development which will result in the provision –

(a) of a building or premises to which section 4 of the Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);

(b) of any of the following (being in each case, premises in which persons are employed to work) –

(i) office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;

(ii) premises which are deemed to be such premises for the purposes of that Act; or

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(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.

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