

**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: Universities Superannuation Scheme
C/O Drivers Jonas LLP
85 King William Street
London
EC4N 7BL

Application No: 08/01247/FUL

Applicant: Universities Superannuation Scheme

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.

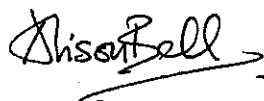
Proposal: 2,742 Square Metres B8 use with ancillary trade counters (Re-submission of application 08/00862/FUL)

At: 25 - 27 Rose Kiln Lane Reading Berkshire

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: 16TH DECEMBER 2008



Head of Planning & Building Control



Application At: 25 - 27 Rose Kiln Lane Reading Berkshire

Application No: 08/01247/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. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development including cladding and roof materials 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.

RBLP Policy CUD14 - Standards of Design in Development

3. The hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out before any of the development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority.

Reason: to ensure that the works are carried out as approved in the interests of the visual amenities of the area.

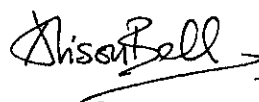
RBLP Policy CUD14 - Standards of Design in Development

4. 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. Any trees or plants which within a period of 3 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written approval to any variation.

Reason: to ensure that the works are carried out as approved in the interests of the visual amenities of the area.

RBLP Policy CUD14 - Standards of Design in Development

5. In connection with the implementation of this permission no demolition and construction works shall take place outside the hours of 8am to 6pm Mondays to



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Fridays and 9am to 1pm on Saturdays. Works shall not take place at all on Sundays or Bank Holidays without the prior written approval of the local planning authority.
Reason: to protect occupiers of nearby properties from unreasonable disturbance from works connected with implementing this permission.

Core Strategy Policy CS34 Pollution and Water Resources

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted and approved in writing by the local planning authority to provide for:
- (A) The parking of vehicles and site operatives and visitors - to be shown on a Plan not less than 1.500.
 - (B) Loading and unloading of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1.500
 - (C) Storage of plant and materials used in constructing the development - Areas to be shown on a plan not less than 1.500
 - (D) The erection and maintenance of security hoarding / scaffolding if required.
 - (E) Wheel washing facilities
 - (F) Measures on site to control the deposition of dirt / mud on surrounding roads, methods to reduce noise and dust emissions, and protection of the adjacent watercourse from pollution during construction.
 - (G) Footpath Closures / Road Closures needed during construction
 - (H) Traffic Management needed during construction.
 - (I) Times, routes and means of access into and from the site for construction traffic and delivery vehicles (including the removal of waste from the site and methods of preventing deposition of materials on the public highway).

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

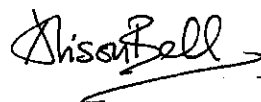
REASON: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

Policy TRN11B Development and Traffic

7. No building shall be occupied until space for vehicle parking and turning has been provided in accordance with the approved drawing. This area shall not thereafter be used for any purpose other than parking and turning.
Reason: To ensure that the development is provided with adequate parking and turning facilities; to reduce the likelihood of roadside parking which could be a danger to other road users; and to ensure vehicles enter and leave the highway in forward gear.

CS Policy CS24 - Car/Cycle Parking

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8. The covered bicycle storage spaces shown on the approved drawings shall be provided and equipped with secure cycle stands before occupation of the building to which they relate. This area shall not thereafter be used for any purpose other than bicycle parking and storage.

Reason: To encourage travel by sustainable alternatives to driving a motor car in accordance with the Local Planning Authority's approved transport policies.

CS Policy CS24 - Car/Cycle Parking

9. No building shall be brought into use until the access has been constructed in accordance with the approved drawing and in compliance with the requirements of the Local Planning Authority for work carried out within the public highway.

Reason: In the interests of road safety.

RBLP Policy CUD14 - Standards of Design in Development

10. The existing northern access to the site shall be stopped up and abandoned immediately after the new access has been brought into use. The footway(s) and verge shall be reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety and maintenance of the highway.

RBLP Policy CUD14 - Standards of Design in Development

11. No buildings shall be occupied until the driveway serving it has been provided in accordance with the approved drawings to the satisfaction of the Local Planning Authority.

Reason: In the interests of road safety.

RBLP Policy CUD14 - Standards of Design in Development

12. The development hereby permitted shall not be commenced until a BREEAM Pre-Assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the development will attain a minimum standard of 65%. The development shall be carried out only in accordance with the details the subject of the assessment and before the building is occupied, a post-construction review shall have been carried out by a licensed assessor which shall confirm that the building meets the above standard.

Reason: To ensure that the development is carried out in accordance with sustainable building standards.

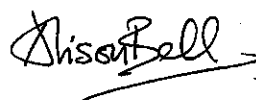
BSP Policy EN8

RBLP Policy CUD14

LDF Core Strategy Policy CS1

SPD Sustainable Design and Construction

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13. The installation of on-site renewable energy equipment and/or energy efficient measures to reduce the CO2 emissions of the development by a minimum of 20% shall be carried out in accordance with the approved plans and specifications (including the Outline Energy Statement dated October 2008) submitted with the application (or otherwise agreed in writing by the LPA). The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the building is occupied the renewable energy equipment/energy efficient measures shall have been installed, and the local planning authority shall have been provided with evidence that the equipment as installed satisfies the agreed standard of reduction in CO2 emissions and shall have stated in writing that it is satisfied with that evidence. The equipment shall be maintained in full working order to provide energy for the development for so long as the development remains occupied.

Reason: To ensure that the development is carried out in accordance with standards for the provision of renewable energy.

BSP Policy EN8

RBLP Policy CUD14

LDF Core Strategy Document Policy CS1

SPD Sustainable Design and Construction

14. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed, in accordance with the approved plan, before the development is occupied or in accordance with a timetable agreed in writing with the local planning authority.

Reason: in order to protect the privacy of adjoining and future occupiers and enhance the appearance of the development.

RBLP Policy CUD14 - Standards of Design in Development

15. The rating level of the operational noise emitted from the plant shall not exceed the existing background noise level by more than 0 dB at any time. The noise levels shall be determined at the nearest noise-sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To ensure the amenity of local residents is not adversely affected by the new development.

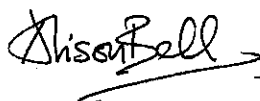
Core Strategy Policy CS34 Pollution and Water Resources

16. No materials shall be burnt on site without prior written consent of the local planning authority.

Reason: In the interest of protecting nearby occupants from unnecessary pollution caused by the development.

Core Strategy Policy CS34 Pollution and Water Resources

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17. 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. An appropriately qualified person shall oversee the implementation of all remediation. The report 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. The occupancy of buildings shall not commence until the investigator has provided and had this report approved.
Reason: To enable to 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.

Core Strategy Policy CS34 - Pollution and Water Resources

18. The mitigation measures recommended in section 5.1 of the Baker Shepherd and Gillespie report dated April 2008 submitted with the application shall be carried out and written confirmation of this (where applicable) shall be provided to the LPA prior to commencement of development.

Reason: To protect the surrounding environment and wildlife in the area.

RBLP Policy NE6 Protecting Wildlife Habitats and Natural Features on or adjoining development sites

19. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) Full details of the remediation measures required and how they are to be undertaken.

2) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the submitted remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

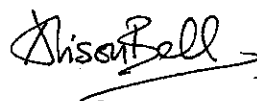
Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure the protection of controlled waters

Core Strategy Policy CS34 - Pollution and Water Resources

RBLP Policy NE10 - Surface Water run-off and Development

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20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
Reason: To ensure the protection of controlled waters

Core Strategy Policy CS34 - Pollution and Water Resources
RBLP Policy NE10 - Surface Water run-off and Development

21. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
Reason: To ensure the protection of controlled waters

Core Strategy Policy CS34 - Pollution and Water Resources
RBLP Policy NE10 - Surface Water run-off and Development

22. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason: To ensure the protection of groundwater.

Core Strategy Policy CS34 - Pollution and Water Resources
RBLP Policy NE10 - Surface Water run-off and Development

23. Prior to the occupation of development a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

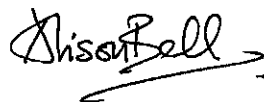
The scheme shall include the following elements:

- details of the existing native trees and shrubs to be retained within the area between the development and the river.
- details of the extent and type of new planting, particularly for the area between the development and the river. Planting within this area shall be native species of local provenance.

Reason: to ensure the long term management and maintenance of communal landscaped areas on the site.

RBLP Policy CUD14 - Standards of Design in Development

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INFORMATIVES

1. The application has been considered against the following policies:

Reading Borough Local Plan (1998) (saved policies):

EMP 3 (Acceptability of Employment Development) - The size and location of employment development as proposed is not in conflict with this policy and is acceptable.

TRN 11B (Development and Traffic) - The application has demonstrated that the development would not result in a significant detrimental impact upon the highway network, and through allowing alternative choices for means of travel would promote sustainability.

CUD 14 (Standards of Design in Development) - The proposed design is of an acceptable standard and appropriate to the area.

Reading Local Development Framework Core Strategy Document (2008)

CS1 (Sustainable Construction and Design) - The development would energy, water, minerals, materials and other natural resources effectively.

CS8 (Waterspaces) - The proposal would enhance the ecological value of the area via supplementary planting, and would be consistent with the design and scale of existing development to the north and south.

CS9 (Infrastructure, Services, Resources and Amenities) - the development provides for adequate contributions in terms of Transport to mitigate the impact of the development.

CS10 (Location of Employment Development) - The development is located within an area identified as suitable for employment development within the Core Strategy and is on an appropriate scale.

CS24 (Car/Cycle Parking) - The provision of car and cycle parking across the scheme is adequate and would go towards encouraging sustainable travel choices.

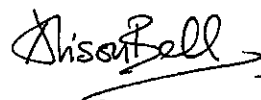
CS35 (Flooding) - The development has been shown not to result in an increased risk of flooding within the site or area.

CS36 (Biodiversity and Geology) - The development is considered to provide acceptable mitigation in terms of impact upon biodiversity.

The application is considered to be acceptable in terms of transport impacts around the site and within the Borough, it's design, character and appearance, the landscaping proposed, sustainability issues, and would be acceptable in relation to flooding, subject to the requirements of the Section 106 legal agreement and conditions.

2. This permission relates to the application as changed by drawings PL 3001D, PL 3002E, PL 3003D and PL 3006 which were received by Reading Borough Council as local planning authority on 30 October 2008.
3. Due to the proximity of the site to the River Kennet all works carried out in connection with this development should comply with Environment Agency pollution prevention guidelines (PPG5): 'Works and maintenance in or near water'. Copies and further

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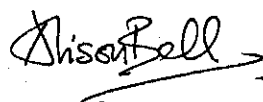
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information are available from your local Agency office or from www.environment-agency.gov.uk/ppg.

4. A separate Advertisement Consent will be required for the proposal.
5. Your attention is drawn to conditions 2, 6, 12, 14, 18 & 19 above. These are pre-commencement condition(s) or condition(s) "precedent" and require the terms of the condition(s) to be satisfied before development commences. If development commences in contravention of that (those) condition(s), the development taking place will be made unauthorised in planning terms. This may result in the Council taking enforcement action to remedy the breach of planning control. If you are in any doubt please contact the Council.
6. The Council's Highways section should be contacted at 2-4 Darwin Close, Reading, RG2 0RB, telephone: 0118 939 0204, 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.
7. 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 be made aware 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 at <http://www.reading.gov.uk/ltp/General.asp?id=SX9452-A782F664> (within the Transport Strategy area of the Transport Section on the Reading Borough Web Site).
8. A Section 106 agreement relates to the site which includes the requirement for a financial contribution towards RUAP. A full copy of the S106 Legal Agreement ref 1797 is available on the Public Register of Planning Applications held at Reading Borough Council.
9. British Waterways have advised that the applicant should contact third party works engineer (01452 318000) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' Code of Practice for Works affecting British Waterways.

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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, Room 305 (K), Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Phone: 0117 372 6372. 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.