Reading
BOROUGH COUNCIL

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

APPLICATION FOR FULL PLANNING PERMISSION

To: Curl La Tourelle Architects
80 Lamble Street
London
NW5 4AB

Application No: 02/00258/FUL

Applicant: Ealing Family Housing Association

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

Proposal: Construction of 8 two bedroom houses on a cleared site

At: 136-144 Whitley Wood Lane 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: 10 January 2003

David Gworthy

Head of Planning and Transport DB

NOTES

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/26 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. 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 adequancy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

SECTION 76 TOWN AND COUNTRY PLANNING ACT 1990

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

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

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

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

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

(iii) factories as defined by section 175 of the Factories Act 1961;

(c) of a building intended for the purposes of a university 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.

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HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made thereunder it is an offence if such material is not deposited in appropriate sites 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:

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There may also be occasions when hazardous substances such as gas from former landfil 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

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Reading
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Application At: 136-144 Whitley Wood Lane Reading

Application No: 02/00258/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. In connection with the implementation of this permission the demolition and construction works shall not take place outside the hours of 8am to 6pm Mondays to Fridays or 8am to 1pm on Saturdays. Works shall not take place at all on Sundays or Bank Holidays without the prior written approval of the local planning authority. Reason: to protect local residents from unreasonable disturbances from works connected with implementing this permission.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of this development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: as no details have been submitted and in the interests of the visual appearance of the building and the area.

4. This permission relates drawings 633 PL [0] 02 REV C _ 633 PL [0] 03 REV E received by the Local Planning Authority on 11th March 2002 and amended drawing 633 PL [0] REV E received by the Local Planning Authority on 3rd May 2002. Reason: as some plans were changed and to clarify which plans are approved.

5. Plans showing how the existing access shall be permanently closed shall be submitted to and approved in writing by the local planning authority. The existing access shall be permanently closed in accordance with the approved plans before the new access, hereby permitted, is brought into use. Reason: in the interests of road safety.

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

7. Throughout the course of construction the pavement next to the site shall be kept free from any obstruction by vehicles, materials or construction refuse. Upon completion of the

Date: 10/04/03

David Gworthy

Head of Planning and Transport DB

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(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.

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HAZARDOUS WASTE AND MATERIALS

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

Under the requirements of the Control of Pollution Act 1974 and regulations made thereunder it is an offence if such material is not deposited in appropriate sites 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:

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There may also be occasions when hazardous substances such as gas from former landfil 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

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development the pavement shall be reinstated to its former condition in accordance with a scheme of works to be submitted to and approved in writing by the local planning authority before the development is occupied or used. Reason: to protect local residents, pedestrians and road users from inconvenience or nuisance arising from the implementation of development and to ensure that the site frontage is properly restored once the development is completed.

8. The areas identified on the approved drawings for the parking of vehicles shall be constructed, marked out and made available prior to first occupation and kept available or used for vehicle parking at all times. No development, whether or not permitted 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 vehicular access to those reserved parking areas. Reason: as the development, without the provision of off-street parking facilities, would be likely to lead to vehicles being parked on the public highway to the detriment of road safety.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no extensions, ancillary buildings or windows other than those shown on the approved plans, shall be constructed. Reason: as unrestricted development or various minor operations to or around the dwelling could have a serious impact on adjoining properties and the area in general and should therefore be controlled.

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

11. If within a period of three years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, is removed, uprooted or destroyed or dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Date: 10/6/03

David Gworthy

Head of Planning and Transport DB

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Reason: to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

12. 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 on the site. The boundary treatment shall be completed, in accordance with the approved plan, before the development is occupied or in accordance with a timetable to be agreed in writing with the local planning authority and shall thereafter be maintained as shown on the approved plan. Reason: in order to protect the privacy of adjoining and future occupiers and enhance the appearance of the development.

13. 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.

14. Before any development is commenced the vehicular access shown on the approved plans shall be constructed, surfaced and made available for use in accordance with the approved plans. Reason: in the interests of road safety.

15. Before any development is commenced, details of the proposed car park entrance security gate shall be submitted to and approved in writing by the local planning authority. The security gate shall be installed in accordance with the approved details prior to first occupation of any of the houses hereby approved and shall be retained thereafter again in accordance with the approved details. Reason: in order to maintain the security of the car park area.

16. No development shall take place until details of the design of the cycle and bin storage facilities for the houses shown on the approved plans have been submitted to and approved by the Local Planning Authority. Following approval of these details by the Local Planning Authority the cycle and bin storage facilities shall be constructed in accordance with the approved details before first occupation of any of the houses hereby approved and retained thereafter for the respective uses as identified on the approved plans and details. Reason: in the interests of the visual appearance of the site and area and to ensure that the cycle and bin storage facilities are retained for these respective uses.

17. The car parking area shown on the approved plans shall be used soley on a communal basis for the residents of the dwellings hereby approved with none of the spaces allocated to specific individual dwellings. Reason: as there are insufficient on-site parking spaces for an allocation of parking spaces to specific houses and to prevent unnecessary on-street parking in the interests of road safety.

Date: 10/01/03

David Goodworthy

Head of Planning and Transport DG

NOTES

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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 Control of Pollution Act 1974 and regulations made thereunder 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:

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

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

BUILDING REGULATIONS

This planning permission does not give approval under the Building Regulations. Before any works are commenced you should check with the Building Control Section of the Planning Department whether any approval is required under the Building Regulations.

Reading BOROUGH COUNCIL

18. The scheme hereby approved shall, prior to first occupation, be made fully accessible to all disabled persons and thereafter maintained accessible. 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.

INFORMATIVES

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

Date: 10/6/03

David Gworthy

Head of Planning and Transport

DB

NOTES

APPEALS

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/26 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. 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 adequancy or inadequacy of means of access for the fire brigade shall b 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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(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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