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: 2 Woodside Way
Reading
RG2 8SX

Application No: 03/01153/FUL/AC

**Applicant:** Mr Williams

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

**Proposal:** Detached garage/workshop ancillary to the residential property 2 Woodside Way.

**At:** 2 Woodside Way Reading RG2 8SX

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**

David Gwarty

Date: 11th December 2003

Head of Planning and Transport DB

***Please note that the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 and the Planning (Listed Buildings and Conservation Areas) (England) (Amendment) Regulations 2003 reduce the time limit for the submission of an appeal from six months to three months from receipt of this notice in respect of applications made on or after 5 September 2003.**

**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 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

(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:

~~Environment Agency, Isis House, Howbery Park, Wallingford, Oxon, OX10 8BD. Tel: 01491 832801~~

~~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.

Reading BOROUGH COUNCIL

**Application At:** 2 Woodside Way Reading RG2 8SX

**Application No:** 03/01153/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 materials to be used in the construction of the external surfaces of this development shall match those used on the existing building. Reason: as no details of the materials have been submitted and in the interests of ensuring that the new development appears in keeping with the existing building.

3. The garage(s), hereby permitted, shall be used solely for the garaging of private motor vehicles, and no development, whether or not, permitted by the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out in such a position as to restrict access to the garage(s). Reason: to enable the local planning authority to control the use of such garages in the interests of amenity and road safety.

4. The existing rear boundary fence and gates at 2 Woodside Way, which are located adjacent to Hilary Close, shall be retained and maintained thereafter. Reason: in order to protect the visual amenity of the surrounding area.

5. This permission relates only to the application as changed by drawings PW 23150 which were received by the local planning authority on 25th November 2003. Reason: as some plans were changed and to clarify which plans are approved.

## INFORMATIVES

0. In reaching the above decision, the Local Planning Authority has taken account of the following development plan policies:- Reading Borough Local Plan (1998) policies: KEY 1 (Equality of Access to Development), HSG 5 (Residential Design Standards) and CUD 14 (Standards of Design in Development) of the Reading Borough Local Plan (1998).

0. The applicant should be aware that a Building Regulations Application is required for the development hereby approved.

David Gwarthy

Date: 11th December 2003

Head of Planning and Transport DR

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