



Reading

Borough Council

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**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010**

APPLICATION FOR FULL PLANNING PERMISSION

To: Hives Planning (Jo Unsworth)
46 Queens Road
Reading
Berkshire
RG1 4AU

Application No: 131337
Application type: Full Planning Approval

Applicant: Nimbus Property Developments Ltd (Mr M Edwards)

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: The erection of a terrace of 3no. 2-bed houses following demolition of garages on land to the rear of 52 Russell Street, Reading

At: 52 Russell Street 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: 14th February 2014

Director of Environment
& Neighbourhood Services



Application At: 52 Russell Street Reading

Application No: 131337

Application type: Full Planning Approval

CONDITIONS & REASONS

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted. Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates only to the following plans and drawings: A-1000 Rev. A Location and Block Plan (received 23/9/13)

A-1010 Rev. A Proposed Floor Plans

A-1020 Rev. B Proposed Elevation (received 31/10/13)

A-1030 Rev. B Proposed Section Views (received 31/10/13)

A-1040 Rev. B Proposed Landscaping (received 14/11/13)

Reason: for the avoidance of doubt and in the interests of proper planning.

3. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level), including any works of ground preparation, until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall thereafter only take place in accordance with the approved scheme. Reason: to ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the Borough.
Policies: CS33

4. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

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- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

Reason: as due to former uses, the site is potentially contaminated and to assess the extent of any contamination.

Policies: CS34

5. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until a detailed remediation scheme to bring the site to a condition

suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Reason: as due to former uses, the site is potentially contaminated and to propose suitable remediation.

Policies: CS34

6. The remediation scheme as approved by condition ⁵ above shall be implemented in accordance with the approved timetable of works. Thereafter, no development shall commence until a validation report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved by the Local Planning Authority. Reason: as due to former uses, the site is potentially contaminated and to ensure the necessary remediation has been carried out to a suitable standard.

Policies: CS34

7. In the event that contamination is found at any time when carrying out the approved development not previously identified, development must be halted on that part of the site and the presence of unforeseen contamination must be reported in writing to the Local Planning Authority. Thereafter, an assessment of the nature and extent of contamination must be undertaken and where remediation is necessary, a further remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved further remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved further remediation scheme, a validation report must be submitted to and approved in writing by the Local Planning Authority, before development can recommence. Reason: to address any unforeseen contamination of the site.

Policies: CS34

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8. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) 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 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 construction period, 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.

Policies: CS20, DM12

9. Notwithstanding condition 2 above, the eaves heights, ridge heights and finished floor levels of the development shall only be constructed in accordance with approved plan A-1030 Rev. B Proposed Section Views (received 31/10/13). Reason: in order to ensure a satisfactory relationship between the proposed development and adjacent development.

Policies: CS7, CS33

10. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until a scheme has been submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise and dust emanating from the site during the construction phase. Thereafter, construction shall only be undertaken in accordance with the approved scheme. Reason: to protect the occupants of nearby residential properties from noise and dust during the development of the site.

Policies CS34, DM4

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11. No construction, demolition or associated deliveries shall be undertaken outside the hours of 08:00hrs to 18:00hrs Mondays to Fridays; 09:00hrs to 13:00hrs on Saturdays; and not at any time on Sundays and Bank/Statutory Holidays, unless the prior written approval has been received from the Local Planning Authority. Reason: in the interests of the amenities of nearby residents.

Policies CS34, DM4

12. No materials or green waste produced as a result of the clearance of the site, demolition works or construction works associated with the development hereby approved shall be burnt on site. Reason: in the interests of air quality, the amenity of neighbours, and to promote more sustainable approaches to waste management.

Policies: CS2, CS34, DM4

13. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until samples/details of the following materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority: -natural slates

-traditional bricks (and confirmation of mortar bond and 'strike' to be used)

-wooden sash windows and French doors and depth of window reveals -wooden barge-boards/soffits/eaves

-metal rainwater goods

-stone/reconstituted stone cills

Thereafter, the development shall be constructed only in accordance with the approved samples/details. Reason: in the interests of the quality of the development and to preserve views within the Conservation Area and the settings of Listed Buildings.

Policies: CS7, CS33

14. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until large-scale drawings (1:20 scale) and samples/details showing all front doors/door and cart entrances have been submitted to and approved in writing by the Local Planning Authority. The details shall include materials, joinery (if relevant), openings, lintels and reveals. Thereafter, the development shall be constructed only in accordance with the approved samples/details. Reason: in the interests of the quality of the development and to preserve views within the Conservation Area and the settings of Listed Buildings.

Policies: CS7, CS33

15. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until samples and details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. Such details shall include fencing, walls and retaining walls. Where walls are proposed, sections at a scale of no less than 1:50 shall indicate the height of the structure (relative to finished ground levels and

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the building to be constructed) and the depth of foundations. Thereafter, the development shall be constructed only in accordance with the approved samples/details. Reason: as no details have been submitted and in the interests of the quality of the development and to preserve views within the Conservation Area and the settings of Listed Buildings.
Policies: CS7, CS33

16. There shall be no commencement of development hereby permitted (excluding demolition to the top of the existing slab level) until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- (a) proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas, hard surfacing materials, structures and ancillary objects; and
- (b) proposed and existing functional services above and below ground (e.g drainage, power, communications cables, pipelines etc. indicating lines, manholes etc); and
- (c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes; tree pit details and proposed numbers/planting densities where appropriate.

(d) sustainable drainage details and proposed habitat measures

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and the Conservation Area.

Policies: CS7, CS33, CS38

17. The hard and soft landscaping works as approved in condition 21 above 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 the first planting season following practical completion of the development. Reason: to ensure that the works are carried out as approved in the interests of the visual amenities of the development and the Conservation Area.

Policies: CS7, CS33, CS38

18. No dwelling shall be first occupied until a details of a post-construction review to demonstrate that the development meets the minimum of Level 3 of the Code for Sustainable Homes (CSH) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be retained in accordance with the approved details. Reason: to ensure that the development is carried out in accordance with adopted sustainable building standards.
Policies: CS1, DM1, DM2

19. No dwelling shall be occupied until details of an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include low-level bollard lighting and entrance lights to dwellings. Furthermore,

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no dwelling shall be occupied until the lighting scheme has been completed and operational in accordance with the approved details. The scheme shall be retained in an operational state thereafter. Reason: in order to ensure adequate lighting levels, in the interests of security and to minimise light pollution.

Policies: CS7, DM4

20. No dwelling shall be occupied until the vehicle parking and turning space has been provided in accordance with approved plan A-1040 Rev. B. The space shall thereafter be kept available for parking at all times. Reason: to ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be a danger to other road users.

Policies: CS24, DM12

21. No dwelling shall be occupied until details of secure, covered and lockable bicycle storage (equipped with secure Sheffield cycle stands) has been submitted to and approved by the Local Planning Authority. The bicycle storage facilities shall be installed as approved before occupation of the dwellings to which they relate and be retained only for cycle storage thereafter. Reason: to encourage travel by sustainable alternatives to driving a motorcar in accordance with the Local Planning Authority's approved transport policies.

Policies: CS23, CS24

22. The residential units hereby approved shall not be occupied until the Council has been notified in writing of the full postal address of the units. Such notification shall be addressed to the Council's Planning Manager (Implementation) quoting the planning application reference specified in this Decision Notice. Reason: in order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area.

Policies: DM12

23. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential units hereby approved the prospective occupier/transferee shall be informed of the prohibition on entitlement to a car parking permit. All material utilised for advertising or marketing the residential units for letting or sale shall make it clear to prospective tenants and occupiers that no parking permit will be issued by the Council to occupiers of the residential units. Reason: in order that the prospective occupiers are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the

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occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area.
Policies: CS24, DM12

24. Any trees or plants which within a period of five years from the practical 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. Reason: to ensure that the works are carried out as approved in the interests of the visual amenities of the development and the Conservation Area.
Policies: CS7, CS33, CS38

25. The bathroom windows on the first floor side elevations of the development hereby permitted shall be fitted with obscure glass. The bottom sash shall be fixed shut and the top sash shall be openable for a maximum of 10 centimetres, to allow ventilation. Reason: in the interests of privacy.
Policies: CS7, CS38

26. Notwithstanding the provisions of Schedule 2, Part 1, Class H 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 satellite antennas shall be erected on or within the curtilage of any dwelling hereby permitted. Reason: in order to protect the visual character and amenity of the development and the Conservation Area.
Policies: CS7, CS33

27. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E 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 or outbuildings shall be erected within the curtilage of any dwelling hereby permitted. Reason: due to the size of the gardens and in order to protect the visual character and amenity of the development and the Conservation Area.
Policies: CS7, CS33.

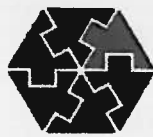
INFORMATIVES

1. The Local Planning Authority has been positive and proactive in dealing with this planning application by:
Pre-application stage:
-providing input on design matters

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-advising S.106 approximate contributions

Application stage:

-suggesting amended plans

-negotiating to secure a suitable S.106 package, including affordable housing

2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any conditions or planning obligations attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.

3. Your attention is drawn to the conditions above which are pre-commencement conditions or conditions "precedent" and require the terms of the condition to be satisfied before development commences. For the avoidance of doubt, demolition of the existing garages is covered by the conservation area consent 12/00497/CON (120336) which was granted on 3 May 2012, and is subject to the conditions on that consent. If development commences in contravention of those conditions, the development taking place will be made unauthorised in planning terms. This may result in the Council taking enforcement action against the unauthorised development. If you are in any doubt please contact the Council.

4. Please note that the Council now charges for the discharge of planning conditions, the fee is currently £97 per submission, which can include information to discharge several conditions at once.

5. These works will also require separate approval under the Building Regulations. Please contact the RBC Building Control Service for further advice on (0118) 937 2449.

6. The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the local authority to recover expenses due to damage caused by extraordinary traffic. 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).

7. The occupiers of the residential units will not be entitled to an on-street car parking permit in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area in accordance with Core Strategy Policy CS24 and Sites and

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Detailed Policies document Policy DM12. The site is located close to local facilities, with frequent public transport services on nearby roads. Conditions ~~...xxx...~~ and ~~...xxx.~~ above place a requirement that the Council be notified of postal addresses of the residential units before occupation and that the occupiers/transferees to be informed of the prohibition on entitlement to a car parking permit.

8. Thames Water advice:

Waste Comments: legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage: it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, tel: 0845 850 2777.

9. The applicant's attention is drawn to the requirements of the Party Wall Act (1996). The developer should take care to ensure that their duties under the Part Wall Act are fully complied with. This permission does not confer any right of access onto land that is not under the developer's control. The developer should take care to ensure that in constructing the extensions, no part of the works (foundations, walls, gutters, etc.) extend over the boundary with the neighbouring property.

10. Whilst condition 11 above refers only to the construction phase, you are advised that impacts on neighbouring properties would remain subject to the controls under the Environmental Protection Act (1990).

11. The developer is advised that residential development in this area should aim to achieve the 'Secured By Design' accreditation.

12. In relation to condition 15 (archaeology) above, Berkshire Archaeology advises that they would normally expect that the Written Scheme of Investigation would be for an archaeological trench evaluation which should include geo-archaeological investigation and assessment if appropriate. The evaluation proposed should take account of previous impacts on the site and the impact of all elements of the development

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including service and access works. Please contact Berkshire Archaeology on (0118) 937 5962 for further advice.

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits.

If this is a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If this is an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at www.planningportal.gov.uk/pcs.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Street Naming & Numbering

You must contact Reading Borough Council to:

- Name or number a new development
- Name a new street
- Get addresses for flat conversions
- Name or rename an existing building

Otherwise the following may occur:

- You will not have an official address or postcode. When your property goes through the official process it may be given a different address and Postcode than you are currently using.
- You may have difficulty receiving mail
- You may have problems when buying goods or services such as utilities and telecommunications
- The emergency services may have difficulty locating you.
- You may have problems accessing Council services such as Education, Parking Services and Electoral Registration.

The Council is responsible for assigning house names and numbers and street names. It is also responsible for updating the National Land and Property Gazetteer (NLPG) which is a list of addresses which meet a common standard (BS7666) used throughout the country.

When a new address or change of address is requested, the Council contacts Royal Mail who check the address on behalf of the Emergency Services, assign a postcode and add it to their Postal Address File (PAF). The PAF list is used by many companies and services to check addresses, authenticate transactions and order goods, as well as deliver mail, so it is in your interest for your address to be on that list. Royal Mail will not create an address until requested to do so by the Council.

How to apply:

Email us using streetnamingnumbering@reading.gov.uk

Or telephone us on 0118 9373737

What we need to complete your request:

For new addresses or flat conversions:

- Site layout plan containing plot numbers
- Location plan - No bigger than A3 size (hard copy, PDF, JPEG or AutoCAD) showing the site boundary, including the new development, together with surrounding buildings for reference
- Anticipated completion and occupation dates

For change of address:

- You must be, or have authorisation from, the owner to request a change of address.
- Floor plan of the existing property
- Reason for change

Once created, the Council informs various bodies of your new address including the Emergency Services, Council Tax, Land Registry and utility companies as well as adding it to the National Land and Property Gazetteer.

Please be advised that companies and services using the PAF file only update the addresses monthly, quarterly or even less frequently, therefore it may take a while for your address to be listed in some places. It will, however, appear on the Royal Mail website within a few days once it has been added to the live address file.

Reading Borough Council has no control over the frequency by which other organisations update their address files.

