



**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:

Application No: 10/01834/FUL

C/O BDS Surveyors Limited
Mr Tony Grover
Windward House
Hollow Lane
Shinfield
Reading
RG2 9DX

Applicant: DA Philips & Co And Mrs S H Buckle

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: Internal alterations and change of use to create a house in multiple occupation with associated external works

At: 43 South Street Reading RG1 4QU

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:

20TH DECEMBER 2010

A handwritten signature in black ink, appearing to read 'Alison Bell'.

Head of Planning & Building Control

Handwritten initials in black ink, possibly 'AB'.

Application At: 43 South Street Reading RG1 4QU

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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 drawings:

Drawing number 5992:09:1 Rev D (Plans and Elevations) received by Reading Borough Council on 28 September 2010.

Reason: to clarify which plans have been approved.

3. The change of use hereby permitted shall not take place until a schedule and samples of all 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. 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 and setting of the listed building and the local area.

RBLP Policies CUD1, CUD2, CUD4, CUD14, HSG5, HSG6 and HSG9.
RBLDF Policies CS7, CS18 and CS33.
RCAAP Policy RC5.

4. The change of use hereby permitted shall not take place 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

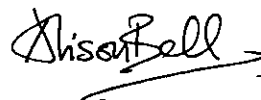
(a) Planting plans and written specifications (including retained plants, if any, cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities; and

(b) Details of paving materials to be used for any areas of hard surfacing, such materials to be permeable.

Reason: In the interest of ensuring that the landscaping of the development enhances the visual local environment and enhances the setting of the listed building.

RBLP Policies CUD4, CUD14, HSG5, HSG6, HSG9 and NE10.
RBLDF Policies CS7, CS18 and CS33.
RCAAP Policy RC5 - Design in the Centre

Date: 20TH DECEMBER 2010



Head of Planning & Building Control



5. The hard and soft landscaping works shall be carried out in accordance with the approved details. 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 building and all other works shall be carried out before commencement of the change of use hereby permitted.

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

RBLP Policies CUD4, CUD14, HSG5, HSG6, HSG9 and NE10.

RBLDF Policies CS7, CS18 and CS33.

RCAAP Policy RC5 - Design in the Centre

6. 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.

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

RBLP Policies CUD4, CUD14, HSG5, HSG6, HSG9 and NE10.

RBLDF Policies CS7, CS18 and CS33.

RCAAP Policy RC5 - Design in the Centre

7. The change of use hereby permitted shall not commence until space for vehicle parking has been provided in accordance with the approved drawing. This area shall thereafter be kept available for parking at all times.

Reason: To ensure that the development is provided with adequate parking facilities, to reduce the likelihood of roadside parking which could be a danger to other road users and to ensure the layout enhances the setting of the listed building.

RBLP Policies CUD1, CUD2, CUD4, CUD14, HSG5, HSG6, HSG9, TRN11B and TRN17.

RBLDF Policies CS7, CS18, CS20, CS24 and CS33.

RCAAP Policy RC5.

8. The bicycle storage shall be provided in accordance with the details shown on the approved drawings and shall be provided and equipped with two secure Sheffield cycle stands before commencement of the change of use hereby permitted. This area shall not thereafter be used for any purpose other than bicycle parking and storage.

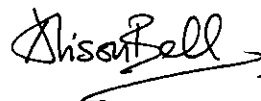
Reason: To encourage travel by sustainable alternatives to driving a motor car and to ensure the design and layout enhances the setting of the listed building.

RBLP Policies CUD1, CUD2, CUD4, CUD14, HSG5, HSG6, HSG9, TRN11B and TRN17.

RBLDF Policies CS7, CS18, CS20, CS24 and CS33.

RCAAP Policy RC5.

Date: *20TH DECEMBER 2010*



Head of Planning & Building Control



9. The bin store shall be provided in accordance with the approved plans prior to commencement of the change of use hereby permitted. This area shall not thereafter be used for any purpose other than bin storage.

Reason: In the interests of residential amenity and the visual appearance of the listed building and the area.

RBLP Policies CUD1, CUD2, CUD4, CUD14, HSG5, HSG6 and HSG9.

RBLDF Policies CS7, CS18 and CS33.

RCAAP Policy RC5.

10. The house in multiple occupation (HMO) hereby permitted shall not be occupied until the Council has been notified in writing of the full postal address of the unit(s). 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 unit 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

RBLP Policies HSG5, HSG6, HSG9, TRN11B and TRN17.

RBLDF Policies CS18, CS20 and CS24.

11. Prior to any agreement being entered into for a new occupation of, or transfer of any interest in, the residential unit(s) 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 unit(s) 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 unit(s).

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 occupiers of neighbouring residential properties by adding to the already high level of on street car parking in the area.

RBLP Policies HSG5, HSG6, HSG9, TRN11B and TRN17.

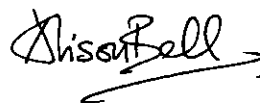
RBLDF Policies CS18, CS20 and CS24.

12. The development to which this permission relates shall be carried out in accordance with the approved plans and details and completed in its entirety before any part of the development is brought into use. The bin and cycle store areas shall be retained thereafter.

Reason: to ensure the completion of the development in accordance with the approved plans and details before occupation of the building(s) takes place and to ensure adequate provision of waste and recycling bins and cycle storage.

RBLP 1998 saved policies HSG5 and HSG9

Date: *20TH DECEMBER 2010*



Head of Planning & Building Control



INFORMATIVES

1. In reaching the above decision, the Local Planning Authority has assessed this application for consent against the following policies and found the application acceptable for the following reasons:

Reading Borough Local Development Framework Adopted Core Strategy (2008):

CS1 Sustainable Construction and Design: The design and construction of the development would have an adequate level of sustainability.

CS2 Waste minimisation: The proposal has made provision for waste minimisation and recycling.

CS4 Accessibility and the Intensity of Development: The accessibility of the site is suitable for the scale, density and intensity of development.

CS5 Inclusive Access: The accessibility of the development is acceptable given the listed status of the building.

CS7 Design and the Public Realm: The development would maintain the character and appearance of the area.

CS9 Infrastructure, Services, Resources and Amenities: An adequate contribution towards leisure has been agreed.

CS11 Use of Employment Land for Alternative Uses: The applicant has adequately justified the loss of employment land.

CS12 Maintaining a Variety of Premises: The loss of a start-up sized employment unit has been adequately justified by the applicant.

CS14 Provision of Housing: The development would contribute towards the provision of housing.

CS15 Location, Accessibility, Density and Housing Mix: The density and mix is considered acceptable given the constraints of the site.

CS18 Residential Conversions: The development would have an acceptable impact on the amenities and character of the surrounding area.

CS20 Implementation of the Reading Transport Strategy: The development would promote the Council's Transport Strategy set out in the Local Transport Plan.

CS24 Car/Cycle Parking: The development is in a sustainable location and would provide adequate car and cycle parking provision.

CS29 Provision of Open Space: The proposal would provide adequate private amenity space and would contribute towards offsite leisure infrastructure.

CS32 Impacts on Community Facilities: The proposal would not impact on local education facilities as no additional family-sized units are proposed.

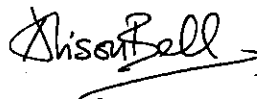
CS33 Protection and Enhancement of the Historic Environment: The development would bring a listed building back into use and would enhance its setting.

CS34 Pollution and Water Resources: The development would not be damaging to the environment; the development would not be subject to undue levels of pollution.

Reading Central Area Action Plan (2009) policies

RC5 Design in the Centre: The development would enhance the character and appearance of the area.

Date: *20th DECEMBER 2010*



Head of Planning & Building Control



RC9 Living in the Centre: The development would not be subject to undue noise or air pollution.

Reading Borough Local Plan (1998) (Saved Policies):

HSG5 Residential Design Standards: The character, density and design are suitable to the surrounding area.

HSG6 Residential Conversions: The existing property is of adequate size, the character of the area would be maintained and adequate amenities provided.

HSG9 Location of Residential Development: The development is acceptable in terms of the physical and visual character of the area

TRN11B Development and traffic: The development would not have an adverse impact on the highway.

TRN17 On-Street Parking for Residential Conversions: The proposal would provide for off-road parking and occupiers will not be entitled to parking permits, to ensure the development does not increase pressure on on-street parking spaces.

CUD1 Works Affecting Listed Buildings: The development would not detract from the character or appearance of the building or damage its historic integrity.

CUD2 Change of Use of Listed Buildings: The development would not have a detrimental effect on the character or appearance of the building, would be compatible with its setting and would not damage the historic integrity of the building.

CUD4 Setting of Listed Buildings: The development would enhance the setting of the listed building.

CUD14 Standards of Design in Development: The development would enhance the character and appearance of the area.

NE10 Surface Water Run-Off and Development: Any hard surfacing shall be permeable to reduce surface-water run-off.

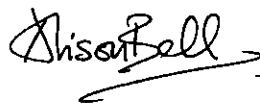
2. Please note that a fee is required for the discharge of planning conditions and that such an application can take 8 -12 weeks to process. A fee of £85 is required for each submission of information pursuant to the conditions of the planning permission (this can include the submission of information pursuant to more than one condition).
3. 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 condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control.

Please note that the terms of pre-commencement or pre-occupation conditions must be satisfied before commencement or occupation of the development (as per the wording of each condition). If the development commences or is occupied in contravention of these 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.

Date:

20TH DECEMBER 2010



Head of Planning & Building Control



4. An application under the Building Regulations will be required for submission prior to the commencement of any building operations involved as a result of the proposed development. Please contact the RBC Building Control service on 0800 626 540 for further advice.
5. The applicant is advised that the development will be subject to environmental health law. For further information please refer to:
www.reading.gov.uk/environmentandplanning/pollution/planningconsultations.
6. Your attention is drawn to the requirements of The Housing Act 2004 (and Regulations made under the legislation). More information about these requirements can be obtained from the Houses in Multiple Occupation Team on 0118 937 2151 or from our website at: www.reading.gov.uk/hmo.
7. The occupiers of the residential unit(s) hereby permitted 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. The site is located close to local facilities, with frequent public transport services on nearby roads. The parking permit conditions 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. A section 106 Agreement relates to this site which includes a requirement for financial contributions towards leisure. A full copy of the S106 legal agreement is available on the Public Register held at Reading Borough Council.

Date: *20TH DECEMBER 2010*

Sharon Bell

Head of Planning & Building Control

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NOTES

APPEALS

- (1) If you are aggrieved by the decision of your local planning authority 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 householder application and you want to appeal against your local planning authority's decision then you must do so within 12 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 application) then you must do so within 6 months of the date of this notice. 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, 0117 372 8000 or online at www.planningportal.gov.uk/pcs. 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.
- (2) 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 (District Council, London Borough Council or Common Council of the City of London) 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.
- (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 or 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.